

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – March 4, 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 6:00 p.m. at the Swanzey Town Hall. Also present was Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

OTHERS PRESENT: Deputy Town Treasurer Lynda Faulkner, Event Permit Applicants Jason MacAlister and Jori Johnson, Emergency Management Director Bruce Bohannon, Resident Jim McConnell, Resident David and Kathy Belliveau, and Resident Stephanie Boucher.

Also present to honor Carlson were Planning Board Chair Glenn Page, Bookkeeper Theresa Louder, Director of Planning and Community Development Sara Carbonneau, Open Space Committee Chair Jeanne Thieme, Carpenter Home Administrator Dawn Rice, NH State Representative Gus Lerandeanu, and Ground & Facilities Maintenance Supervisor Francis Faulkner.

MINUTES

- Regular meeting of February 25, 2014 – **motion** was made by Colby to accept the regular meeting minutes of February 25, 2014 with changes on page 4 regarding Audit Finding Regarding Use of Treasurer’s Signature Stamp. The motion was seconded by Davis and all were in favor. ***Motion passed.***
- Non-Public meeting minutes of February 25, 2014 – Davis **moved** to accept the non-public meeting minutes of February 25, 2014. The motion was seconded by Colby and all were in favor. ***Motion passed.***

Unseal Non-Public Minutes

There was a **motion** by Davis to unseal the minutes of a number of non-public sessions that took place during the early 4th quarter of 2012:

- September 4, 2012 #1 - October 2, 2012 #1, #2, and #5
- September 25, 2012 #2 - October 30, 2012 #1 and #4

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

OTHER MATTERS

As this was the last night that Nancy Carlson officially served as a Selectman of the Town of Swanzey, Colby recognized the work of Carlson as a Board member since 2006. She was a State Representative, has been active on the Whitcomb Hall Committee, is the School District Treasurer, and was a Trustee of Trust Funds before becoming a Selectman. Colby handed Carlson a Certificate of Appreciation and in keeping with tradition and in appreciation for her years of service to the Town, Carlson was given a framed print of the covered bridges of Swanzey. Those in attendance enjoyed some food and drink to celebrate her retirement from the Board and wish her well with her future endeavors.

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 669:7,1 provides that the positions of Selectman and

Treasurer are incompatible, the appointment of a new Town Treasurer will be necessary. Deputy Treasurer Lynda Faulkner met with the Board to discuss further her taking on the responsibilities of Town Treasurer.

Faulkner said she was interested in taking on the role of Treasurer, and Carlson said that she might consider taking on the role of Deputy Treasurer. Faulkner said she spoke to Bookkeeper Theresa Louder about any accidental situation that might occur that would require a signature by the Treasurer or Deputy Treasurer. It was agreed that once current Treasurer Bill Hutwelker is elected as a Selectman, Faulkner will immediately take over that responsibility due to her Deputy Treasurer status. The Board can make a formal appointment as Treasurer when it meets next on March 18, 2014. Faulkner asked the Board who makes decisions about Certificate of Deposits (CDs) and she was told it is the Treasurer's decision.

A discussion was held regarding compensation for the Treasurer. Compensation is \$10.00 per hour for the Deputy Treasurer. \$322.07 per month is the current salary for the Treasurer. Unofficially, the Board made it clear that Faulkner will be Treasurer once they can do so officially. Once she is Treasurer, she will recommend the Deputy, and unofficially that will be Nancy Carlson.

NEW BUSINESS

Acceptance of gift(s) of personal property per RSA 31:95-e – Copier from the Cheshire County Federal Credit Union

The Board was asked to accept a gift of personal property from the Cheshire County Federal Credit Union, specifically a used copier for use by the Carpenter Home valued at \$792. Faulkner said that the Credit Union has offered to deliver the copier to the Carpenter Home.

Davis **moved** to accept the gift of a used Imagistics im2520-SN copier from the Cheshire County Federal Credit Union, with an estimated value of \$792, for use in the Carpenter Home, and authorize the Town Administrator to execute any documentation necessary to accept this very generous gift. The motion was seconded by Colby, and all were in favor. **Motion passed.**

OLD BUSINESS

Event Permit #2014-04

At the February 11, 2014 meeting, several neighbors of the Cheshire Fairgrounds in attendance expressed concerns about this event permit, which proposes nighttime Go-Kart racing on May 24, 2014 at the Fairgrounds grandstands. It was noted that on December 16, 2013 the Zoning Board of Adjustment (ZBA) rejected a request for a special exception to allow for racing events on an ongoing basis at the Cheshire Fairgrounds. At the February 18, 2014 meeting Selectmen reviewed the minutes of that ZBA meeting. Jason MacAlister and Jori Johnson, Event Permit applicants, met with the Board to discuss the request for the event permit.

Johnson said that this application is not asking for a "change of use" and the event is only a one-time event. Colby told Johnson and MacAlister the reason the Board wanted to speak to them was to make sure there is no issue with circumventing the ZBA decision by returning to repeatedly apply for an event permit for each race and therefore establish continuous races throughout the summer and into the fall. Johnson said that it is possible that there could be a request for another event in the future, but she understood Colby's point. She went on to say that this event is dissimilar to what was proposed to the ZBA. This is a racing event for Go-Karts only and no larger vehicles. MacAlister said he is hoping for 25 or 30 Go-Karts to be involved. MacAlister said that his goal is to show what the event can be for families.

He said all of the Go-Karts will be powered by 5-horsepower engines. He said that this is a family event and the classes are based on age and weight, not differences in levels of horsepower. The Go-Karts are basically the same as what is currently allowed on property on Route 32 opposite Neighbors gas station. The racing will be between the grandstands. MacAlister said there will be hay bales present for safety purposes.

Neighbors of the Cheshire Fairgrounds Kathy and David Belliveau and Stephanie Boucher joined the meeting at 6:30 p.m. Boucher said that there were a lot of different issues to be considered other than the type of vehicle racing and the fact that it will be a one-time event. She mentioned fencing and safety issues. Johnson said that the Fairgrounds is insured based on addressing these kinds of issues and insurance would not be granted unless the Fairgrounds addressed them. She continued saying that insurance requires safety measures be in place and that Fire Chief Norm Skantze signed off on the application. Johnson said Skantze did inquire as to the number of fire extinguishers that would be on site. Expectation is for about 300 people. David Belliveau said his concern is that the applicants will come back with more events, and Boucher said that she is afraid that the size of the vehicles would grow and it will become noisier.

A question once again arose regarding the difference between what was asked of the ZBA and this event: this is a one-time event, and the vehicles are just one type. Carlson said the ZBA looked at it as a change of use which occurs when it becomes a business. She gave an example of the difference between a yard sale held by a family once during a summer, versus having items for sale on their lawn (a continuous yard sale) all summer long. O'Keefe explained that the frequency of events is one of the criteria being considered for a new events policy. O'Keefe said that another step is to have not only the Fire Chief and Police Chief sign off, but also to have the Director of Planning and Community Development sign off as well since she is most familiar with land use policies.

The neighbors expressed their concern that the applicant is sort of going through the back door to get what they want. O'Keefe noted that this event is a scaled down version of what was applied for at the ZBA. Carlson explained that the Board will pay attention to the frequency of request for an event. Colby noted that the center of gravity of Go-Karts is lower and the decibel level should be lower. Go-Kart racers need not be licensed to drive – but young racers parents do sign a waiver. MacAlister said that children as young as five race Go-Karts.

Colby **moved** to authorize issuance of Event Permit #2014-04 to the Cheshire Fair Association for a Go-Kart racing event on May 24, 2014, with all conditions specified by Town emergency response providers as indicated on the permit form, as a one-time event, and to be reviewed if another request is made for a similar event. The motion was seconded by Carlson. All were in favor except Davis who abstained. **Motion passed.**

Johnson and MacAlister left at 7:07 p.m.

NEW BUSINESS

FY2015 Vermont Yankee Budget Request

Emergency Management Director Bruce Bohannon joined the meeting at 7:08 p.m. to meet with the Board seeking authorization from the Board for the annual Vermont Yankee budget request for submission to the State of New Hampshire. He said he has to create a budget 18 months in advance. He noted that he has not asked for funds for equipment in the past, but he is asking for funds for the purchase of an 8.5' X 20' cargo trailer to be used as a REP Response Trailer for the REDEF Officer. The

amount for the trailer line item is \$18,873.00. He noted that in the event we had to evacuate the Town Emergency Operations Center the trailer would be used as a continuity of operations point. He said he is asking for \$6,605.55, which is 35% of the total cost of the trailer. The rest will come from the Emergency Management Expendable Trust funds. Total budget will come to \$33,095.55.

Bohannon also informed the Board that there will be one more set of exercises for Vermont Yankee before the proposed shutdown and this exercise will include a hostile action scenario. Colby raised the issue of the obligation of Vermont Yankee once it is shut down. Bohannon said the Nuclear Regulatory Commission has to approve any action plan, but it could be many years before the plant is completely shut down. Bohannon noted that facility-owner Entergy and the State of Vermont have been bickering about details of the shutdown, but the Federal government will make them present a plan that is best for everyone concerned. Bohannon said the Town has been fortunate to be reimbursed for everything that the Town has spent in the past. Bohannon said that the Town has been treated well and we have a small but well-equipped emergency operations center.

Davis **moved** to accept the FY2015 Vermont Yankee assessment budget request of \$33,095.55, and to authorize the Chair to execute the request document on behalf of the Board. The motion was seconded by Colby, and all were in favor. **Motion passed.**

Bohannon left the meeting at 7:18 p.m.

Purchase authorization – Safford Drive subdivision plans/monumentation

The Board was asked to accept the proposal from SVE Associates for the production of subdivision and layout plans and roadway monumentation related to the Safford Drive project. Because SVE was previously employed to survey surrounding properties, the company has the entire base surveying data, therefore field surveying is not necessary and costs are significantly less than would normally be the case. These plans will be used for applications to the Planning Board for subdivision and lot merger approvals necessary for project implementation. Director of Planning and Community Development Sara Carbonneau is assembling the applications on behalf of the Town. O'Keefe explained that monumentation is required by subdivision regulations and that it is an expensive but necessary activity.

Davis **moved** to accept the proposal from SVE Associates of \$5,200 for plan preparation and roadway monumentation related to implementation of the Safford Drive construction project in the amount of \$5,300, the cost of which will be reimbursed from bond proceeds, and to authorize the Town Administrator to execute any documents necessary to procure the services from this vendor. The motion was seconded by Colby, and all were in favor. **Motion passed.**

Purchasing Policy

The Board reviewed an updated version of a purchasing policy draft that provides guidance for staff on purchasing matters. O'Keefe presented the updated policy draft including a finalized version of the section on disposal of Town property. The Board reviewed the policy and agreed to approve the updated purchasing policy draft.

Colby **moved** to approve and execute the Purchasing Policy as presented, which shall be effective immediately. The motion was seconded by Davis, and all were in favor. **Motion passed.**

Discuss Payment Arrangement – David & Linda Rodrigues, 170 Marcy Hill RD (Map 20, Lot(s) 80

The Board was asked to consider a payment plan of \$200 per month for this property owner for delinquent taxes (2013 tax deed amount is approximately \$1,383). A discussion was held regarding the ability to pay off the delinquent taxes at the requested rate per month. Carlson said she would like to see \$500 per month in order to pay off back taxes and pay current taxes as well.

Colby **moved** to authorize the Town Administrator to enter into a payment arrangement with the property owner of 170 Marcy Hill Road requiring no less than \$500.00 per month be paid to the Town beginning March 14, 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.**

Discuss Payment Arrangement – Maureen Nolin, 89 Diana Drive (Tax Map 87, Lot 2-5089)

O’Keefe informed the Board of a request from Maureen Nolin owner of property at 89 Diana Drive (Tax Map 87, Lot 2-5089) for a payment arrangement for taxes owed in 2013. He noted that this property owner had a previously-agreed-upon payment arrangement in 2011 for \$100.00 per month and that the property owner had failed to make the agreed upon payments at that time. The Board declined to enter into an agreement for 2013.

Jim McConnell left at 7:45 p.m.

Update on Properties Taken by Tax Deed

O’Keefe informed the Board that he has spoken to Town Counsel Sam Bradley about the properties taken by tax deed. He said that he had confirmed to Bradley that two properties are occupied and therefore eviction proceedings should be moving ahead on those. The others will be put up at tax deed auction shortly.

Goodell Avenue Property

O’Keefe noted that a bank formerly holding the mortgage has asked to purchase property on Goodell Avenue which has been taken by the Town under tax deed. He also noted that there is a penalty of \$26,000 owed to the Town which is added to the price that a property can be sold for. O’Keefe said the bank in question would like to purchase the property without the penalty added on. The Board agreed that they are not interested in selling the property unless full price is paid for it including the additional \$26,000.

Vision Appraisal Visit

O’Keefe informed the Board that he has scheduled Vision Government Services, Inc., the Town’s assessing consultant, to meet with the Board on the March 25, 2014. There is a new contract to be discussed. This is an opportunity for the Board to discuss the way Vision does appraisals which sometimes appear to be incorrect when viewed by the New Hampshire Board of Tax and Land Appeals (BTLA). Colby mentioned that the Board has expressed concerns about the ability of Vision to represent the Town. Properties at Swanzey Lake and the way those properties were assessed should be part of the discussion. Colby said the information received by the Town has to be dependable.

Swanzey Preservation Society Building

A brief discussion occurred regarding the Grange Hall. Possible use of the Grange Hall was reported by Colby based on a discussion he had with Joan Hager.

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 8:11 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 8:15 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.**

CONSENT AGENDA

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

- 2013 MS-5 Forms compiled by Town Auditor
- Abatement #2013-062. Map 18, Lot 106, \$77.57
- Abatement #2013-063. Map 27, Lot 1, \$89.34
- Event Permit #2014-07. Cheshire Figure Skating Club – Annual figure skating show on 3/15/2014 at the Cheshire Fairgrounds. Note: Fire Department requirements – see permit form for details.
- Notice of Intent to Cut Wood or Timber. Yale University, Map 58, Lot(s) 3 & 4

ADJOURNMENT

Motion to adjourn was made by Davis, second by Colby. **Motion passed.** Adjournment at 8:22 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on March 18, 2014.

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #1 – March 4, 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 8:11 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O’Keefe, and Recording Secretary Bernard.

O’Keefe informed the Board that Human Services and Resources Coordinator Edna Coates has been on the job for about six months. O’Keefe said she has done a nice job picking up the HR Function from Finance and from O’Keefe’s responsibilities. \$18.46 an hour is her current compensation and he said he would like to increase that to \$19.00 per hour which is a 3% raise.

A discussion ensued regarding the total amount of the raise given the proposed additional 3% raise that has been planned in the budget for current staff. O’Keefe explained that his recommendation is a total compensation of \$19.15 per hour, or \$37,314 per year, which amounts to a 3.7% raise over what she is making now. He said that she is doing a great job, works hard, and is diligent.

The Board agreed to raise the salary of Edna Coates to \$19.00 as of March 9, 2014. The plan is to raise it to \$19.15 once the budget has passed at Town Meeting.

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 8:15 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,



Beverly Bernard, Recording Secretary

Approved on April 1, 2014.

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