

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – March 25, 2014
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

CALL TO ORDER

Present were Selectmen W. William Hutwelker III, Deborah J. Davis and Kenneth P. Colby, Jr. The meeting was called to order by Chair Kenneth P. Colby, Jr. at 6:03 p.m. at the Swanzey Town Hall. Also present was Town Administrator Shane O'Keefe and Recording Secretary Beverly Bernard.

OTHERS PRESENT: Assessing Coordinator Coleen Birmingham, Vision Representatives Paul McKenney, and Richard Romano, Resident Jim McConnell and Health Officer BethAnne Tatro. Police Chief Tom DeAngelis joined the meeting at 6:26 p.m. Solid Waste Manager Bob Osterhout joined the meeting at 6:54 p.m. State Representative Bruce Tatro joined the meeting at 6:23 p.m.

MINUTES

- Regular meeting of March 18, 2014 – **motion** was made by Davis to accept the regular meeting minutes of March 18, 2014. The motion was seconded by Hutwelker 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 part of 2012:

- March 27, 2012 #2
- April 3, 2012 #2
- April 10, 2012 #2

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

NOMINATIONS

Deputy Town Treasurer

With Lynda Faulkner being promoted from Deputy Treasurer to Town Treasurer on March 18, 2014, there is a vacancy in the Deputy Treasurer position. RSA 41:29-a provides that a town may have a deputy treasurer, who shall be appointed by the Town Treasurer with the approval of the Board of Selectmen. Nancy Carlson expressed interest in the deputy position at the March 4, 2014 meeting at which Faulkner was present.

Davis **moved** to approve the appointment of Nancy L. Carlson as Deputy Treasurer, with hourly compensation of \$10.30, which may be adjusted in the future as the Board deems appropriate. The motion was seconded by Hutwelker and all were in favor. ***Motion passed.***

Capital Improvement Program Committee (CIP)

The terms of CIP Committee members David Osgood and Bruce Bohannon expired on Town Meeting day. Osgood was reappointed on March 18, 2014, and one more position with a 3-year term remains vacant at this time. An application for consideration of appointment has been received from Bohannon.

Hutwelker **moved** to appoint Bruce Bohannon to the Capital Improvement Program Committee for a term extending to Town Meeting 2017. The motion was seconded by Davis and all were in favor. ***Motion passed.***

NEW BUSINESS

Event Permits - Cheshire Fair Association

The Board reviewed several event permit applications for events at the Cheshire Fairgrounds that require Town emergency response personnel, estimates costs of which accompanied the applications.

#2014-09 Clarke Distributers, Multi-Brewery Beer Festival, April 26, 2014
#2014-10 Home Builders & Remodelers Association, Home Show, April 4 -, 2014
#2014-11 Walker International Events, Circus Variety Show, April 21. 2014

Hutwelker **moved** to authorize issuance of Event Permits #2014-09, #2014-10 and #2014-11 to the Cheshire Fair Association for with the following conditions: 1) that the application fees of \$150, \$30 and \$30, respectively, which shall be paid to the Town within 10 days and prior to issuance of the permits; 2) compliance with all requirements of Town emergency response personnel, and 3) that the property owner shall be responsible for all costs of emergency response personnel at special duty rates and equipment as determined by the Town, with 50% of estimated associated costs prepaid to the Town no less than 10 days before the event and the balance paid within 30 days after the event; and 4) that the Town reserves the right to amend the estimated costs for emergency response personnel and equipment at any time prior to either event based on any changing circumstances of the events. The motion was seconded by Davis and all were in favor. ***Motion passed.***

Reappraisal Contract – Vision Government Solutions, Inc.

McKenney and Romano, representatives of Vision Governmental Solutions, Inc. discussed with the Board and Assessing Coordinator Coleen Birmingham the procedure for doing valuations of properties in Town. McKenney passed out a printed presentation to the Board for their review. He said that Vision will review valuations completed between April 1, 2012 and the present for sales in order to reevaluate the valuations during that period.

The Board had invited Vision to the meeting to discuss the proposed contract for statistical update for the completion of the town-wide revaluation, at a cost of \$65,000. Prior to this phase, on March 27, 2012, the Board signed a 2-year data collection contract with Vision at a cost of \$111,600. O’Keefe noted that the Revaluations and Updates Expendable Trust fund had a balance of \$36,224 at the end of 2013 and with a \$35,000 contribution voted at Town Meeting the fund will have \$72,224 available for this contract.

Colby expressed his concern regarding accurate valuations from Vision that are defensible with property owners, relying on Vision to recognize the market situation, especially for the lake properties. Colby noted the difference between the values of properties of Swanzey Lake and Wilson Pond. He said there are fine residents at both lakes, but a difference in values in the properties.

McKenney responded that Vision will do a field review of all the properties, and a representative will drive by the properties to review those values. Notices will be sent out if there are changes in values.

Davis pointed out that some property owners with second floors that are not finished have questioned their valuation. McKenney said Vision uses sales figures to make a good sample size. Frontage on a lake adds to value of a property. Base valuation starts with the size of the house. A ranch-style home is valued at \$75 per square foot and that is adjusted by size and grade of construction. There are also

regional adjustments. He uses the market value to adjust the number and Marshall & Swift building cost data is used for cost per square footage. Interior options also have an impact on the valuation.

McKenney offered to speak at a public meeting so that townsofolk can learn more about how property valuations are done. McKenney also offered to speak to real estate professionals in order to get helpful information in evaluating the properties on the lake. McKenney said some towns perform an update every year, but the minimum State of New Hampshire guideline is for every five years.

Colby stressed that the Town expects accuracy and a defensible valuation. Colby also pointed out that one property sale can skew the property valuations.

There was a discussion regarding the Vision website. Hutwelker said that the website is a challenging website to use. Hutwelker asked to have the owner's name on the data, so that you can search by owner. McKenney said that could be done and also any individual name can be suppressed upon request.

O'Keefe mentioned that the Department of Revenue Administration has not return its comments on the contract yet and suggested that the Board to take a look at the final draft of the contract before approving it in the next week or so. McKenney will provide a list to Birmingham as to what data is being provided today and Birmingham can manage changes.

Hutwelker asked about solar field assessment. McKenney responded that an income approach would be used since such property would commonly be used for commercial purposes.

O'Keefe noted that utilities will need to be assessed apart from the Vision contract and that George Sansoucy had conducted this in the past for the Town. O'Keefe will research this further and get back to the Board.

McKenney and Romano left the meeting at 6:46 p.m.

General discussion of Police Department matters

Police Chief Tom DeAngelis updated the Board on Police Department matters. DeAngelis referred to the copy of his report which the Board reviewed. DeAngelis noted that the department is having some problems with their cruisers and the new vehicles approved at Town Meeting are on order. DeAngelis mentioned researching spare battery equipment to allow lights to operate during police details without having to run the vehicle engine. Davis referred to DeAngelis' report and asked for a separate category for the new noise ordinance. O'Keefe said he would provide an approved version of the ordinance to DeAngelis for the police website. Colby noted that the department hasn't had a lot of turnover of staff.

There was a discussion regarding technical support for the Police Department. DeAngelis said the department has had multiple tech support folks helping them out and will be losing the current person who has done a good job. He will work with O'Keefe to follow up with alternatives for technical support. Davis asked about the officer that is leaving and DeAngelis said that he has a number of applications he can review. DeAngelis left the meeting at 7:02 p.m.

General discussion of Recycling Center matters

Solid Waste Manager Bob Osterhout updated the Board on Recycling Center matters. He passed out a printed outline to the Board covering the following: Compliance with New Hampshire Department of

Environmental Services, Safety, New Hampshire Department of Labor Posters, and Operations. Osterhout noted that labor posters required by the New Hampshire Department of Labor have been posted with fresh copies. Osterhout noted that one of the pieces of equipment being used is a 30 year old baler and he is researching replacing it and will get back to the Board with a recommendation in the near future. Colby said that there has been a major improvement with the facility, especially with the exterior which the public sees.

Resident McConnell asked about dropping off AA and AAA batteries at the Recycling Center and was told they are discarded, not recycled. Osterhout said they are not toxic and are not rechargeable. The Recycling Center only handles rechargeable batteries, which contain hazardous materials. Colby noted that the public should be educated to that effect and perhaps a sign was in order to inform the public of the kinds of batteries that can be taken for recycling. Osterhout said that he would put out some information for the public.

Osterhout said that he will have most of his work objectives finished in a couple of weeks. Hutwelker asked if Osterhout needed anything from the Board to help achieve his goals, and Osterhout said he will be able to manage it. A "NH the Beautiful" grant for facility signage is possible to obtain and Osterhout said he can manage that process. The Board affirmed to Osterhout their willingness to assist his work in any way they can. Osterhout left the meeting at 7:28 p.m.

State of New Hampshire Related Update

Bruce Tatro offered some information about how the State of New Hampshire handles valuation of solar fields. He also informed the Board that the roundabout construction scheduled for the intersection of Lake Street and NH Route 12 will begin in 2015, not this year. He left the meeting at 7:29 p.m.

Non-public session(s) per RSA 91-A:3II(c), Reputation – Applications for Elderly and Disabled Tax Deferral

Motion by Hutwelker to enter Non-public session pursuant to RSA 91-A:3II(c) , Reputation – Applications for Elderly and Disabled Tax Deferral, seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 7:30 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O'Keefe, Assessing Coordinator Coleen Birmingham and Recording Secretary Bernard.

Motion was made by Hutwelker 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 7:38 p.m.

Motion was made by Hutwelker 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.**

Tax Map Maintenance Contract – CAI Technologies

The Board was asked to consider and approve the annual contract for updating/maintaining the Town's tax maps. O'Keefe noted that CAI Technologies (formerly Cartographic Associates, Inc.) has performed this service well for the Town for years. The proposed annual fee is \$2,475, an increase of \$75 (3%) from 2013. O'Keefe said there is nothing controversial about the request. Colby asked for questions from the Board. Hutwelker asked about the maps provided online, and O'Keefe pointed out that there

would be an extra cost associated with that. Birmingham said that CAI is willing to do a presentation if the Board wishes.

Hutwelker **moved** to accept and execute the contract proposal from CAI Technologies for tax map maintenance services for 2014 at an annual cost of \$2,475. The motion was seconded by Davis and all were in favor. **Motion passed.**

OTHER MATTERS

Board Rules of Procedure

Board member Bill Hutwelker suggested discussion of the following:

- Provide a format for department heads to give their respective monthly reports. With an outline for them to follow we should be able to elicit more critical information in a more concise and insightful manner. Hutwelker noted that the department heads vary in their ability to present information in an efficient and organized manner. Colby said he agreed with Hutwelker and asked him to give it further thought as to how best to accomplish that task.
- Changing the meeting time to an afternoon when Town Hall is normally open. Hutwelker said that the benefit to staff is that attendance at a Board meeting would not necessitate remaining past work hours. Davis pointed out that the Board meeting creates noise for staff who are working during the day. Colby said the Board used to meet on Wednesdays at 7:00 p.m. and the meetings might last until 10 or 11 p.m. Colby said that the brain doesn't work well after 9 p.m. Meeting early should get the Board out earlier. Colby also mentioned that having the meeting start at 6 p.m. helps staff because they don't have to wait until much later to attend the Board meetings. A discussion was held about which night works best for residents and Colby said that he doesn't think that it makes a lot of difference on which night the Board meetings are held. In general, meetings are not well attended by the public and any night poses a problem for someone. Colby also mentioned that most of the people work outside of town until 5:30 p.m. or later which means an afternoon schedule would not be beneficial to workers. Colby mentioned that the Board also has made itself available for the staff on other days during the week, during the day to make it easier for staff attendance.
- Consider the possibility of holding one regular meeting on a Saturday morning. Hutwelker said that he would like to encourage participation by the public and felt that a Saturday meeting would be helpful to that end. Davis said that it would take her two months to be able to manage her schedule to accommodate Saturdays or a different week night as she books clients many weeks out with her business. Davis said that it is good to be consistent because it can be confusing for people as to when the Board meetings are held. She felt it best to continue to meet the same time and date each week. Colby pointed out that Saturdays are not good because folks who work have errands to run on weekends and probably wouldn't come to a meeting anyway.
- Posting the agenda on the Town website by close of business on Friday before the next meeting. Colby said that he agreed with Hutwelker in regard to posting the agenda if it can be completed in time. He suggested it be posted no later than noon on Monday. O'Keefe said the agenda can be completed for posting, but not possible to have the agenda staff memorandum ready during that time. O'Keefe noted that sometimes Department Heads will come in late on a Friday with a topic they feel is critical to be on the agenda for the following Tuesday. Hutwelker strongly suggested that O'Keefe stand firm on the deadline for inclusion on the agenda. Colby suggested the Board adopt a rule that between Friday afternoon and noon on Monday the agenda will appear on the website. O'Keefe suggested that the new change in procedure be included on the agenda in two weeks because this would constitute a change to the Bioard's Rules of Procedure,

which themselves state that any change requires legal notice several days prior to the meeting at which they are changed. Friday noon is the deadline to have department heads and public matters included in the agenda and that will not change.

OLD BUSINESS

Non-public session(s) per RSA 91-A:3II(c), Reputation –

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(c) , Reputation – seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 8:12 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O’Keefe, Health Officer BethAnne Tatro and Recording Secretary Bernard.

Motion was made by Davis to leave non-public session and return to public session. The motion was seconded by Hutwelker, with all in favor. **Motion passed.** Non-public session ended at 8:47 p.m.

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

Communication Update

A discussion occurred regarding communication with the Health Officer and her inability to use the Town email address for receiving email. Colby suggested that the Health Officer get in touch with George Osborne at EMF, Inc. in order to get her Town email through Outlook rather than through a website. Also, texting was discussed and will be explored. It was mentioned that the Town pays a stipend of \$60 per quarter for her cell phone usage.

Hutwelker suggested that Tatro attend the next Board meeting for an update.

Tatro left the meeting at 9:05 p.m.

Payment arrangement – Bernice A. Sheldon Estate c/o Cedelia Watson, 28 California Brook RD (Map 73, Lot(s) 17)

The Board was asked to consider a payment plan of \$300 per month for this property owner for delinquent taxes, interest and/or sewer fees (2013 tax deed amount is approximately \$1,516). The Board reviewed tax payment information for this property.

Davis **moved** to authorize the Town Administrator to enter into a payment arrangement with the property owner of 28 California Brook Road, Tax Map 73, Lot 17, requiring no less than \$300 per month be paid to the Town beginning April 4, 2014, and continuing until such time as all taxes due are paid in full. The motion was seconded by Hutwelker and all were in favor. **Motion passed.**

Accept unanticipated funds per RSA 31:95-b

The Board was asked to accept cash and checks as follows, totaling \$230 (all from calendar sales), as contributions to the Whitcomb Hall Non-Restricted fund:

- Lee Dunham -- \$70
- Town Hall cash box -- \$40
- Judy Bohannon -- \$50
- Gerry Bussiere -- \$50
- KA & LJ Cook -- \$20

Hutwelker **moved** to accept the funds as listed and to remit them to the custody of the Trustees of Trust Funds to be held in the Whitcomb Hall Non-Restricted Fund trust account. The motion was seconded by Davis and all were in favor. **Motion passed.**

Accept unanticipated funds per RSA 31:95-b

The Board was asked to accept a check in the amount of \$100 from Elaine Pratt as a donation to the Fire Department.

Hutwelker **moved** to accept the funds as listed and to remit them to the custody of the Trustees of Trust Funds to be held in the Fire Department Gifts and Donations Trust Fund account. The motion was seconded by Davis and all were in favor. **Motion passed.**

Application Form for Town Committees, Commissions & Boards

The Board asked that the form for appointments be revised to allow for easier application by incumbent members of committee, commissions and boards to request reappointment. A draft form prepared by O'Keefe was reviewed and considered by the Board. The modifications were approved of by the Board

Non-public session(s) per RSA 91-A:3II(c), Reputation – Lien

Motion by Hutwelker to enter Non-public session pursuant to RSA 91-A:3II(c) , Reputation – Lien, seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 9:08 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O'Keefe, and Recording Secretary Bernard.

Motion was made by Hutwelker 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 9:10 p.m.

Motion was made by Hutwelker 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.**

CONSENT AGENDA

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

- Notice of Intent to Cut Wood or Timber (Supplemental). Town of Swanzey (Mt. Caesar property), Map 34, Lot(s) 20 (Original signed on 8/27/2013).
- Notice of Intent to Cut Wood or Timber. Yale University, Map 51, Lot(s) 1 & 1-8, Map 54, Lot(s) 6.
- Open Container Permit #2014-01. Clarke Distributers, Beer festival on 4/26/2014 at the Cheshire Fairgrounds.

- NH Department of Revenue Administration 2014 MS-2 Form – Report of Appropriations Actually Voted.
- Application, Certification and Agreement form for Federal Surplus Property.
- Personnel Action Report(s).

ADJOURNMENT

Motion to adjourn was made by Davis, second by Hutwelker. **Motion passed.** Adjournment occurred at 9:24 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on April 1, 2014.