

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – June 10, 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 6:02 p.m. at the Swanzey Town Hall. Also present was Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

OTHERS PRESENT

Emergency Management Director Bruce Bohannon, Public Works Director Lee Dunham, Assessing Coordinator Coleen Birmingham, Resident William J. Carson

MINUTES

- Regular meeting of May 27, 2014 – **motion** by Hutwelker to accept the regular meeting minutes of May 27, 2014 (continued to June 2, 2014) with the following changes: Reconvene Minutes from June 2, 2014, page 8 regarding Pilgrim Pines settlement to be rephrased. Remove sentence regarding discussion on real estate matters. Discussion with School Board on matters of common interest and agreement to meet with the Swanzey delegation from the School Board. Page 9 remove reference to “years of neglect”, the entire second sentence, and refer to the Town playing catchup regarding updating its facilities. Second by Davis. All were in favor. ***Motion passed.***
- Regular meeting of June 3, 2014 – motion by Davis with changes to Page 3, the Swanzey Water Study Committee is the appropriate name, not the West Swanzey Water Study Committee. The motion was seconded by Hutwelker and all were in favor. ***Motion passed.***
- Non-Public meeting of June 3, 2014 – **motion** by Davis to accept the non-public meeting minutes of June 3, 2014. The motion was seconded by Hutwelker and all were in favor. ***Motion passed.***

OLD BUSINESS

Grant for update of Local Emergency Operations Plan & development of a Continuity of Operation Plan

A grant from the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management was approved by the Governor and Council on June 4, 2014. Emergency Management Director Bruce Bohannon joined the meeting at 6:20 p.m. and discussed the grant acceptance requirements with the Board.

Emergency Management Performance Grant (EMPG): Plan was ten years old, the grant is new. Bohannon asked if can use LMK Associates as the vendor since the process has been going on since 2012. Colby said it is strictly a housekeeping issue. Bohannon asked for a directive from the Board for a letter asking for involvement of the Public Works Department (DPW), Fire Department, Code Enforcement, Health Officer, Police Department, Board of Selectmen, School Administrative Unit (SAU) #93, and Planning Board.

Motion was made by Davis to accept and expend grant funds of \$5,693 from the NH Department of Safety, Division of Homeland Security and Emergency Management for the purposes of updating the Town of Swanzey Local Emergency Operations Plan, execute the

required grant agreement, and authorize the Town's Emergency Management Director to execute the contract with LMK Associates. There was a second by Hutwelker, with no further discussion. All were in favor. **Motion passed.**

National Incident Management System (NIMS)

All first responders, regardless of their discipline, should take Incident Command System (ICS) Courses 100, 200, or 700. It is recommended that Selectmen have an understanding of the role of ICS and take ICS 402. It is an online class and should be taken as soon as possible. Selectmen would be expected to be at the Emergency Operations Center (EOC) should an emergency occur. Bohannon said that the reason for NIMS compliance is that obtaining grants often requires a certificate for having taken the course.

Grant for Ashuelot Rail Trail

Bohannon spoke with the Board about a rail trail grant recently awarded. He said the paperwork has been sent out to the State of New Hampshire. A grant of \$30,000 has been awarded. Local match is \$7,500. The work to be done will improve the trail from Pine Street to Homestead Avenue.

Update the Board on Emergency Management Matters

Bohannon discussed with the Board the status of the Vermont Yankee nuclear power plant, training, and school memorandum of understanding. He said nothing has changed since his last update regarding Vermont Yankee plans to close the facility.

Bohannon left the meeting at 6:42 p.m.

Dunham joined the meeting at 6:44 p.m.

West Swanzey Park

Brief discussion occurred about the work to be done by the Department of Public Works (DPW) at the West Swanzey park.

Main Street reconstruction – Engineering services proposals

The Town advertised a Request for Proposals for engineering services and received three proposals on May 20, 2014 from the following firms:

- DuBois & King, Inc.
- Hoyle, Tanner & Assoc., Inc.
- SVE Associates

The Main Street Advisory Committee met on June 3, 2014 and recommended that the Board hire SVE Associates for the project.

Staff recommended the Board approve the following funding plan:

- \$10,000 General Fund budget line #01-4191-1-320 – Professional Service Applications (2014 budget is \$10,000, with no expenditures to date)
- \$35,000 Municipal Transportation Capital Reserve Fund (funded by MV registration fee) (Assumes additional \$10,000 for survey work, actual amount to be determined) (Fund balance will be \$104,584 as of June 12, 2014)

It was also noted that the Town Roads Rehabilitation and Reconstruction Expendable Trust Fund had a December 31, 2013 balance of \$241,087 and voters have approved an additional \$170,000 to be added

to it this year, for a total of \$411,000. The only planned expense at this time is completion of the Marcy Hill project at around \$80,000.

Total expense is estimated at \$45,000 including \$10,000 for survey work. About \$50,000 per year is coming from the Motor Vehicle registration fees, which is replenishing the Municipal Transportation Capital Reserve Fund. It was agreed by the Board to wait to review the contract before authorizing the expenditure.

Cresson Bridge Fire Suppression Project

A brief history of the project was reviewed. The bulk of the work is for a sprinkler system for the bridge. The Town asked for bids recently and on May 15, 2014 received only one bid from Hansen Construction for \$129,600, which is \$38,600 above the engineer's estimate of \$91,000. It was noted that the project has been lingering since 2008. As this is an 80/20 State bridge aid project, the Town's construction portion would increase \$7,720 from \$18,200 to \$25,920.

Dunham addressed the questions raised by the Board at a previous meeting. He said the State's position on this is that the Town has been approved for the funds and it is not in jeopardy of losing those funds. Dunham also said the Town has the option of accepting this bid or put it out to re-bid. He suggested that holding out for the beginning of the year for construction in 2015 after school was out would be a suitable choice.

Davis noted the job has to be done while school is out. Work was not to be done until after July 19, 2014 because of Old Home Day activity. Hutwelker asked if there are other firms who might bid. Dunham said that next construction season more contractors might be interested. Davis pointed out that a bid from next year might be higher than the bid the Town already has.

Discussion occurred regarding danger of fire on covered bridges. A covered bridge can be consumed by fire in a very short period of time. Dunham said the bridge is like a chimney on its side funneling air through it that enhances fire. In the past the Board felt it was important to take all precautions to preserve the bridge from fire. Dunham noted there is an alarm set on the bridges to protect them. Hutwelker asked about the benefit of a sprinkler system. Davis said all the other bridges are sprinkled and this one should be sprinkled as well. Davis pointed out insurance might take a dim view of a bridge having a fire and no sprinkler system in place.

Colby pointed out disruption in traffic flow will be caused by the roundabout being built next year at State Route 12 and the intersection of Lake Street and Swanzy Factory Road. Colby said he would like to see the work on Cresson Bridge done now so as not to exacerbate traffic flow problems next year.

Motion was made by Davis to accept the bid from Hansen Construction for \$129,600 for fire suppression work to be completed in the summer of 2014 on the Cresson Bridge and to expend the funds from the Covered Bridge Fund. There was a second by Hutwelker, and no further discussion. All were in favor. ***Motion passed.***

Aquatic Resource Mitigation (ARM) Program Grant – Falls Brook Restoration – Hale Hill Road

Dunham initiated a discussion regarding the Cheshire County Conservation District request to team with the Town on an application for funding under the NHDES Aquatic Resource Mitigation Program to replace the aging 72-inch culvert at the Hale Hill Road crossing of Falls Brook.

The project is expected to cost \$185,671, with \$120,000 coming from the ARM fund. A local match of \$15,000 from in-kind services and materials is proposed and other funds would come from local, county and state funding entities. Dunham said he is planning to inquire whether the Town can provide services to do some of the work.

He noted that the culver was probably completed in the 1970's and he feels that it will be problematic in the future. Hydraulics/flooding could be an issue – given stream crossing rules – the Town might end up with a bridge.

The Cheshire County Conservation District is interested in the restoration because it opens up the stream to Brook Trout if the culvert is removed. Dunham said that some point in the future there might be a sinkhole at the Brook and the action by the Town would be to close the road. Dunham said the \$15,000 is relatively cheap investment from the Town. Dunham said the work could save the Town a lot of money in the future.

Colby suggested that Dunham find out the date for submission deadline for the grant and make sure he keeps on schedule. Dunham will have conference call with Trout Unlimited folks this week.

Motion was made by Davis to confirm participation by the Town in funding under the NHDES Aquatic Resource Mitigation Program to replace an aging 72-inch culvert at the Hale Hill Road crossing of Falls Brook with a local match of \$15,000 in-kind services/materials. There was a second by Hutwelker and there was no further discussion. **Motion passed.**

Dunham left the meeting at 7:20 p.m.

Payment arrangement – William Carson, Jr., 296 Eaton RD (Map 49, Lot(s) 3-2)

Mr. Carson joined the meeting at 7:21 p.m. He was present to discuss his tax situation further after he had had a chance to explore some rental and borrowing options.

The Board reviewed the prior payment arrangement from 2012 and the account statement showing the present status of the account. Carson said he did get the room rented and he has started a holiday plan at the bank which will have an October payout of \$1,000. He paid \$1,000 in May 2013 against taxes owed. He can now agree to a payment of \$800 per month. Davis noted that Mr. Carson is making an effort to pay his taxes.

Davis **moved** to authorize the Town Administrator to enter into a payment arrangement with the property owner of 296 Eaton Road requiring no less than \$800.00 per month be paid to the Town beginning June 30, 2014, and continuing until such time as all taxes due are paid in full. The motion was seconded by Hutwelker. No further discussion. All were in favor. **Motion passed.**

Old Home Day Update

Carson reported on Old Home Day plans. Parade will start at Talbot Hill Road. Cost for vendors: \$25.00 and \$50.00 for food vendors. Colby raised the issue of having American flags flown in the center of town earlier in the year than for Old Home Day. Colby said he would like to see the flags up before Memorial Day and through Veteran's Day. Carson said he could get the flags up for the Fourth of July this year and look into posting them earlier in the year for next year.

Carson left the meeting at 7:31 p.m.

List of properties subject to tax deed

O'Keefe provided an updated list of properties for the Board to review that are either delinquent on a payment plan or have no payment plan and are behind in their property taxes. Discussion was held regarding the fact that property owners who buy back property taken by tax deed pay a penalty that is applied by law, and which is not a discretionary act of the Board. Davis suggested a letter be sent to the delinquent property owners to inform them that either they pay taxes owed or the property goes to tax deed, including the information that a 15% penalty would be applied should the owner choose to buy the property back from the Town. O'Keefe suggested a copy of the letter be sent to Town Counsel Sam Bradley's office. O'Keefe will prepare the letters based on the previous year's letters and the Board will sign next week.

2013 Property Tax Abatements

Birmingham joined the meeting at 7:33 p.m. A revised final list of properties requesting tax abatement was considered by the Board. The properties were either granted or denied abatement based on the recommendations of Paul McKenney from Vision Appraisal.

Discussion occurred regarding the reasoning for Denial of three property abatement requests. Hutwelker said he cannot take a position on the Burgess property since he has had the listing as a real estate broker. Davis felt that the Burgess abatement should be granted not denied. The Board recommended the Burgess property be valued at \$149,000.

The Board agreed to accept the recommendations from the appraisal service except for the Burgess property. The others can appeal to the Board of Tax and Land Appeals (BTLA). O'Keefe will prepare letters to the property owners to inform them of the abatement request decision and the Board will sign them.

Birmingham left the meeting at 7:55 p.m.

Update on Safford Drive Project

O'Keefe provided a written email from Counsel Attorney Gary Kinyon with an update on legal matters regarding the Safford Drive Project. Colby asked about the next order of business. O'Keefe said that as soon as the Clearwater Pool & Spa of Keene, Inc. easement is completed, the New Hampshire Department of Transportation (DOT) will issue a permit, and then the Board can award the contract.

OTHER MATTERS

O'Keefe informed the Board that there is a Webinar available regarding legislature bills passed this year.

O'Keefe will be away from the office on Friday.

Worldwide Computers

Hutwelker informed the Board that Worldwide Computers folks expressed frustration they didn't see the Request for Proposal (RFP) for awarding a contract with the Town for new computers and computer services. O'Keefe explained that EMF, Inc. was requested to put together a proposal for a variety of tasks, including new computers, since they had been servicing the Town under a contract that is signed annually for IT services for Town Hall and the Carpenter Home. Worldwide Computers services the Police Department. It was noted that Police Chief Tom DeAngelis was considering ceasing to do business with Worldwide Computers since they were cycling through technicians that the Department was working with and the Department prefers to have a technician available who has experience with their particular setup.

While it was acknowledged that it would be better to have one vendor covering all the departments of the Town, Colby said it is essential to have technical support nearby so that they can respond quickly as needed.

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**

- Event Permit #2014-13. Circus Smirkus – Traveling Youth Circus on July 15, 2014 to July 16, 2014 at the Cheshire Fairgrounds. Note: Fire Department requirements – see permit form attachment for details.
- Event Permit #2014-19. American Cancer Society – Camping/celebration on June 20, 2014 to June 21, 2014 at the Monadnock Regional High School. Note: No Police or Fire requirements.
- Event Permit #2014-20. The Old Homestead Association – Annual “The Old Homestead” play on July 18, 2014 to July 20, 2014 at the Potash Bowl on Old Homestead Highway. Note: No Police or Fire requirements.
- Event Permit #2014-21. The Old Homestead Association – Summer band concert series on June 20, 2014, June 27, 2014, July 11, 2014 & July 25, 2014. Note: No Police or Fire requirements.
- Event Permit #2014-22. The Monadnock Humane Society – Annual Walk for Animal on June 21, 2014 at the Dillant-Hopkins Airport. Note: No Police or Fire requirements.
- Open Container Permit #2014-04. The Old Homestead Association (stage and production crew only) from July 14, 2014 to July 20, 2014 at the Potash Bowl on Old Homestead Highway.
- Notice of Intent to Excavate. Michael Johnson, Map 2, Lot 65.

ADJOURNMENT

Motion to adjourn was made by Hutwelker, second by Davis. All were in favor. **Motion passed.** Adjournment occurred at 8:27 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on June 17, 2014