

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – July 15, 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 Recording Secretary Beverly Bernard.

OTHERS PRESENT

Beth and Richard Cote, Maureen Nolin, Shane Foster, Michael Goldschmidt, Judy Gallauresi, Rebecca Hays, Human Services and Resources Coordinator Edna Coates, Carpenter Home Administrator Dawn Rice, and Police Chief Tom DeAngelis.

MINUTES

- Regular meeting of July 8, 2014 – **motion** by Davis to accept the regular meeting minutes of July 1, 2014. The motion was seconded by Hutwelker and all were in favor. ***Motion passed.***
- Non-public meeting of July 8, 2014 – **motion** by Davis to accept the non-public meeting minutes of July 8, 2014. The motion was seconded by Hutwelker and all were in favor. ***Motion passed.***

CITIZEN CONCERNS

Ms. Gallauresi was present and asked to speak about the scheduling of the Personnel Policy Review Committee meeting. She said the notice regarding this meeting scheduled for tomorrow is not at the Swanzey Post Office. She said the latest posting was on July 7, 2014 for the Trustees of Trust Funds meeting. Gallauresi said that given the lack of notice about the Personnel Policy Committee meeting, O’Keefe is not being helpful; there is no transparency and things are “flying under the radar.” She emphasized that July 7, 2014 is the last time something was posted at the post office.

Gallauresi and Goldschmidt also said they came to a Board of Selectmen meeting that was supposedly scheduled for 5:00 p.m. only to learn that it actually was 6:00 p.m. Gallauresi said she is “unravelling strings” with regard to activity by the Board and Town Administrator, residents are not being heard, and the Board is not being open. Colby said that he finds it difficult to think that people are not being heard. Colby also said the Board is not taking an adversarial position with regard to comments from Gallauresi.

Gallauresi said it is not looking like everything is above board with everything going on in Town. Hutwelker responded that Gallauresi was calling the integrity of the Board into question. He asked Gallauresi to substantiate the allegation. Hutwelker said that the Board is wide open and asked for evidence from Gallauresi.

Gallauresi referred to Minutes for the Board of Selectmen’s meeting of April 8, 2014 referencing a petition for global warming – she wanted to know why the name of the person who brought the petition wasn’t noted. Bernard informed those present that Town minutes are not like testimony in court where everything spoken is exactly quoted. Bernard said that Town minutes reflect the substance of a meeting, not a verbatim record.

Gallauresi spoke about a reference in the minutes of a continuation at Davis's home. Goldschmidt said that is an impropriety. Davis responded that the meeting took place in a public place at her home – her hairdressing work shop, and the public could have attended. She went on to explain that the signature of all three Board members was needed that day and time and the only place to gather was at Davis' workplace to sign the documents. She said she felt there was nothing improper about that meeting.

Gallauresi referred to the fact that Hutwelker has questioned the Board members in the past and didn't that show some concerns about openness? Hutwelker said that the Board meetings are an open forum, anyone can ask a question and it is standard procedure for the Board members to question one another. Goldschmidt said that it seems from reading the minutes that Hutwelker called into question some of the actions of the Board. He said that Hutwelker was questioning openness at an April 22, 2014 meeting, according to the minutes, and referred to his opinion that the Selectmen were not sufficiently present at Town Hall. Goldschmidt mentioned that Hutwelker asked for an organizational chart and that Hutwelker wanted to know more about the financial aspects of the Town. Gallauresi said that when Hutwelker asked about these things, again according to the minutes, Davis suggested that Hutwelker go to a Board of Selectmen School. Davis acknowledged that she did recommend this action to Hutwelker because anyone new to the business of being a Selectman can profit from attending such a school.

Goldschmidt reiterated that it is easy for meeting notices to get posted in a timely fashion. Goldschmidt said that he realizes that some non-publics are expected for personnel reasons but should be minimally used.

Rebecca Hays said she does not use a computer and she needs to see physical notices. Colby agreed that the meetings should be posted properly. Hays said she wanted to attend a Capital Improvements Program Committee (CIP) meeting and stopped at the post office every other day to find out when the next meeting would be. She said when she went on July 1, 2014; she learned that the meeting had been held on June 30, 2014. She missed the meeting because the notice wasn't posted. Colby affirmed that the notices should be posted in a timely fashion and the Town makes every effort to post within the time determined by law. Goldschmidt said that the law is not necessarily the best service. He said that he would like to see the Town be more active in communicating with the public.

Goldschmidt then asked why the Board seemed to be pushing back on these suggestions. He said he is hearing a lot of defense from the Board. Colby said he is hearing a lot of allegations and that is why the Board might seem to be defensive. Davis and Colby confirmed that that they will follow up regarding meeting notices being posted properly.

Hutwelker said that the Board appreciates what is being said. The Board will come up with a standard practice for all committees. Gallauresi said O'Keefe said he received information about a particular meeting at 4:00 p.m. on a Friday which makes it difficult to get out the appropriate notice on time. Davis said that the Board shouldn't have a meeting if we can't get the notice out in time. Gallauresi mentioned that she wants to trust the Board and she doesn't want to be attending Board meetings when she would rather be home having dinner.

OLD BUSINESS

Overdue Taxes – Property Owner of 28 Pondview Drive

Shane Foster, who is the grandson of the property owner, was present to discuss with the Board the overdue taxes owed on the property. Foster said he was soon to have a source of funds for paying off

taxes due on the property. Foster will pay \$6,700. After that payment is made, Foster said he would be willing to pay approximately \$200 per month to pay any remaining taxes owed. It was noted that any payment plan should be done through the Town Administrator.

Motion was made by Hutwelker to accept payment of \$ 6,700 toward taxes owed by the property owner at 28 Pondview Drive to be paid within the next two weeks, and to initiate a payment plan at \$200.00 per month beginning September 1, 2014. Second to the motion by Davis, and all were in favor. **Motion passed.**

Sale of tax deeded property – 160 Goodell Avenue

On June 17, 2014 the Board accepted the bid of \$77,000 from Richard Cote for the tax deeded property at 160 Goodell Avenue. The bid required closing to take place within 30 days and the Board signed a deed for the property on June 24, 2014. Beth and Richard Cote were present to discuss their situation and inability to get title insurance for the property within the 30 day requirement which would be due by July 17, 2014. Cote said he wants to “flip” the property and spoke about the title being under a cloud. He said their title insurance researcher is John Rab. Rab is contacting the bank to try to resolve the issue. Beth Cote asked the Board for a month extension.

Judy Gallauresi asked to speak and said she does title searches. Gallauresi said that from her experience the Cotes are going to need more than a month to clear the title. Hutwelker asked Cote to ask Rab for a letter to the Board with his findings.

Motion was made by Hutwelker to extend the closing date for the sale of Town-owned property at 160 Goodell Avenue to August 19, 2014 to complete purchase by Richard Cote, with a follow-up letter of explanation from John Rab if Cote needs more time beyond August 19, 2014. The motion received a second from Davis. And all were in favor. **Motion passed.**

Facilities Maintenance Supervisor position

Department of Public Works (DPW) Director Lee Dunham has been working with Human Services and Resources Coordinator Edna Coates on revisions to the Job Description for consideration by the Board. Coates spoke to the Board regarding Dunham’s recommendations. Coates said that she has emailed description changes to Dunham, but he hasn’t gotten back to her with any input. Hutwelker said he wants to take a longer look at any changes and wants to defer it to August 5, 2014. The Board agreed to defer this issue to August 5, 2014.

Capital Improvements Committee (CIP) matter

At a previous meeting the Board discussed with CIP Chair Dave Osgood several matters regarding potential locations for municipal facilities, and asked for further functional and financial details on them for consideration.

Dave Osgood joined the meeting at 7:47 p.m. Osgood began by talking about the potential for locating the Central Fire Department nearby to the Dillant-Hopkins airport property. He noted that Dave Bergeron of Brickstone Land Use Consultants, LLC said he couldn’t get his review of the property done quickly, and not before July 21, 2014. Hutwelker said that Bergeron told him the Federal Aviation Administration (FAA) would not look favorably on the airport property as a possible Fire Department location. Hutwelker also pointed out the difficulties in having to deal with the City of Keene. Osgood asked if the statement of Bergeron about the FAA had been confirmed with a letter or some other

documentation. It was noted that it had not been confirmed. Hutwelker asked Osgood why take on a project that would be challenging when the Town has two acres of land on Safford Drive that is a better option; Osgood said he didn't consider Safford Drive a better option.

Osgood said that he thinks that time has come to go to public hearing. Hutwelker said that he disagreed. Osgood said that he felt ready to go to public hearing about the Homestead Woolen Mill as a possible location, and Safford Drive as a possible location. Hutwelker said the Board needs a report from the Committee before it can go to public hearing.

Hutwelker talked about communicating with property owners. Osgood said that maybe he is the wrong person for the job. Osgood also passed to the Board plans for the Recycling Center and Department of Public Works (DPW) facilities. Colby said his frustration is that every time there is a property on the table, there is also a roadblock with that property.

A discussion ensued regarding an article in the Keene Sentinel newspaper about the Committee's ongoing work. Hutwelker pointed out to Osgood that the Committee Chair does not speak for the Town. Communication should be coming through the Chair of the Board of Selectmen. Osgood wanted to know which article. Hutwelker referred to an article about an unmentionable building that had a negative impact on folks on the School Board.

Colby said he thought that the airport was a viable piece of property. He was unaware that Bergeron had a negative report about the FAA. Colby said that it is a centrally located piece of property. Colby said that the CIP Committee needs to come up with a recommendation. Davis said that the Town has to recommend something that the tax payers will support. She said the Woolen Mills is a great property but there are water supply issues there.

A discussion continued regarding the two acres at Safford Drive and whether or not that was sufficient for a Central Fire Station. Hutwelker said with public water and sewer, and without a need for a front and back door access for trucks, two acres should be sufficient. Colby noted that additional acreage suggested was for parking and training and he agreed that two acres should be sufficient.

Colby asked Osgood for some direction – and Osgood said it sounds like there is only one option. Colby mentioned the number of emergency response calls coming from the north end of town. Osgood said that a station at Safford Drive will get to 40% of the calls in 4 minutes response time – 60% of the calls cannot be reached in 4 minutes and that does not include volunteers getting to the station. Davis noted that when a heart attack occurs, taking longer than 4 minutes could mean a loss of life.

Goldschmidt suggested that there may be ways to leverage other Town staff like having defibrillators in police cars. Colby said that he thought defibrillators are in police cars now. When asked why the Town wants to relocate the Fire Department, Davis said that the Fire Station cannot stay in the present building. Hays said that the Board should stop considering the issues regarding response times for emergencies and focus on other issues.

There was a brief discussion regarding east/west roads which could cut down response time. Colby asked Osgood to have the CIP come up with something solid on the airport property. Osgood said that even the property across the street from Town Hall should still be up for consideration until there is a solid "no". Osgood left the meeting at 8:10 p.m.

Extension on Tax Deeding – 89 Diana Drive (Map 87, Lot 2-5089)

On June 24, 2014 the Board reviewed a list of properties subject to tax deeding this year and decided to send out a letter the next week indicating that the Town will proceed with the tax deed process if the taxes are unpaid as of July 15, 2014. Ms. Maureen Nolin, who has a tax deeding balance of approximately \$ 840.00, was present to request that the Board hold off on the deeding of her property until August 15, 2014 as she believes she can raise the funds by that time. It was noted that some of the taxes were paid today, July 15, 2014. Balance is \$420.58 as of July 15, 2014. Davis asked if it would make sense to make monthly payments. She was asked if she could pay \$100 per month if need be, and Nolin said she could.

Motion was made by Davis to delay the tax deeding of property at 89 Diana Drive until August 15, 2014, at which time Nolin will have paid \$420.58 to be caught up for 2012. The Town will not proceed with tax deed of the property if between July 29, 2014 and August 15, 2014 Nolin establishes a payment plan on other taxes due. Second by Hutwelker, and all were in favor.

Motion passed.

NEW BUSINESS

Authorize expenditure – Police Department

The Police Department has ordered a replacement car mobile radio on an emergency basis from Beliveau Communications and Consulting, LLC in the amount of \$3,081. The Town Purchasing Policy allows for purchases at this level by Department Heads with Town Administrator approval, and requires informal written bids from 3 sources, and requires the Town Administrator to inform the Board of Selectmen of the purchase at the next Board meeting. The Policy also allows for the solicitation process to be waived for emergency purchases such as this purchase, provided written notification to the Town Administrator and Board of Selectmen are given with 72 hours of the purchase. Notice to the Board for both matters was considered to have been given.

Police Chief DeAngelis was present to request that the purchase be paid for through the Emergency Services Communications Equipment Expendable Trust. As of June 30, 2014 this fund had a balance of \$51,854, and an additional \$10,000 will be added per 2014 Town Meeting Art. 3.

DeAngelis said that this is an emergency service; a new car mobile radio is needed as the radio in cruiser #2 is no longer working and cannot be repaired. DeAngelis recommended that Beliveau Communications and Consulting LLC be given the business as they have proven in the past to do quality work and their customer service is very good. DeAngelis also noted that Bruce Bohannon, who is the Emergency Management Director for the Town of Swanzey, is a part-time employee for Beliveau. DeAngelis said that he isn't going to make out any better with other vendors; the price is a New Hampshire contract price. DeAngelis said he added \$400.00 to his request to cover the costs of installation as a buffer. DeAngelis also added that the Department was using a leftover City of Keene digital radio which is also not working and therefore he needs two car mobile radios.

Davis **moved** to authorize payment for two car mobile radios for the Police Department, at a cost of up to \$6,800 for both radios, including installation costs, from the Emergency Services Communication Equipment Expendable Trust Fund, assuming the other parties (Emergency Management and the Fire Department) of the expendable trusts are in agreement. Second by Hutwelker, and all were in favor. ***Motion passed.***

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

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(a) , Personnel Matter(s) – Police Department. The motion was seconded by Hutwelker. The Selectmen voted unanimously by roll call to go into non-public session at 6:33 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, and W. William Hutwelker, III, Police Chief Tom DeAngelis, Human Services and Resources Coordinator Edna Coates 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 6:48 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.**

Non-public session(s) per RSA 91-A:3II(b), Hiring of Public Employee(s) – Recycling Center

Motion was made by Davis to enter Non-public session pursuant to RSA 91-A:3II(b) , Hiring of Public Employee(s) – Recycling Center. The motion was seconded by Hutwelker. The Selectmen voted unanimously by roll call to go into non-public session at 6:56 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, and W. William Hutwelker, III, Human Services and Resources Coordinator Edna Coates 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 7:07 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.**

Personnel Policy

A brief discussion was held regarding the Personnel Policy being worked on by the Personnel Policy Review Committee.

SSDI Interim Assistance Agreement

The Board was asked to approve the Town entering into a Supplemental Security Income for the Aged, Blind, and Disabled Interim Assistance agreement with the NH Department of Health and Human Services to allow the Town to be reimbursed some of the general assistance it provides to clients while they are in the process of applying for Social Security Disability Income (SSDI).

Hutwelker asked about the budget for this purpose (welfare) which is \$186,000. This will allow the Town to collect from SSI. When there is an applicant who wants to collect SSI, they wait for two years. The Town pays the applicant during those two years. In the past the Town did not receive any money back

once the individual is accepted for SSDI. If the Town agrees to the contract with the NH Department of Health and Human Services, once the person is approved by SSDI, 8% is kept by the State, and the Town would get the balance.

Goldschmidt asked about tax payers paying for clients if the SSDI are rejected. Davis said the Town has to pay; there is no choice. Right now the Town is getting nothing in return and this allows the Town some compensation.

Davis **moved** to approve the agreement between the Town and the NH Department of Health and Human Services, Office of Business Operations, Bureau of Finance, for Supplemental Security Income for the Aged, Blind, and Disabled Interim Assistance, and to authorize the Town Administrator to execute the agreement on behalf of the Town. There was a second by Hutwelker. Further discussion occurred: Hutwelker asked if Coates should execute the agreement instead of the Town Administrator. The Board agreed. Hutwelker retracted the second.

Davis **moved** to approve the agreement between the Town and the NH Department of Health and Human Services, Office of Business Operations, Bureau of Finance, for Supplemental Security Income for the Aged, Blind, and Disabled Interim Assistance, and to authorize the Human Services and Resources Coordinator to execute the agreement on behalf of the Town. There was a second by Hutwelker. No further discussion. All were in favor. **Motion passed.**

Rice joined the meeting at 8:12 p.m.

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

Motion by Hutwelker to enter Non-public session pursuant to RSA 91-A:3II(a) , Personnel Matter(s) – Carpenter Home. The motion was seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 8:48 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, and W. William Hutwelker, III, Carpenter Home Administrator Dawn Rice, Human Services and Resources Edna Coates 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 9:17 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.**

Safford Drive Project – Change order

It was noted that on May 16, 2014 the Board accepted the bid from Park Construction for the Safford Drive extension project in the amount of \$2,084,918. In addition to this amount, the budget carries \$75,000 for utility relocation. A Notice of Award was issued on July 1, 2014 and the preconstruction meeting and contract execution took place on July 7, 2014.

Referring to the staff memorandum for the meeting, NH Route 12 has utility poles and wires on both sides, and we are being required by NHDOT and the utility companies to consolidate the lines onto new poles on the east side of the highway. Due to the widening of the pavement on NH Route 12, the new utility poles must be located close to the edge of the highway right-of-way, thereby requiring tree and brush removal and trimming. Because the utility poles must be moved prior to eventual paving work, and the NH Route 12 widening and paving must be in place before the NHDOT will allow Safford Drive to be open for use, it is essential that this work proceeds quickly. While Fairpoint and PSNH must set the poles and move the utility lines on their own, we are not obligated to use their tree removal contractor for the site preparations. Because we would have no control over the utility's contractor schedule it is recommended that the Town have Park Construction handle the utility site preparation, which would require a change order to the contract. We have received a change order proposal of \$14,075 for this effort and staff recommends approval.

Hutwelker **moved** to accept the change order for utility tree and brush removal submitted by Park Construction Corp. in the amount of \$14,075(Change Order No. 1) for additional work on the construction of the Safford Drive extension with all appurtenant utility work, the cost of which will be reimbursed from bond proceeds authorized by Town Meeting Article 5 of 1999, and to authorize the Town Administrator or Public Works Director to execute any documents necessary to secure the authorized services. Davis seconded the motion. Further discussion: Hutwelker asked if the Town Administrator or DPW Director should authorize the services due to vacation schedules. The Board agreed to authorize the Selectboard Chair to execute any documents necessary to secure the authorized service. Davis amended the second to the motion to authorize the Selectboard Chair to execute any documents necessary to secure the authorized service. All were in favor. **Motion passed.**

Use of Town recreational facilities by business owners

Davis said she got a call from a local business person who wanted to use Richardson Park and was denied entry because he is not a resident. The current policy is that Richardson Park is reserved for residents. Colby said that in the past, employees who were not residents were allowed to use the facility. Davis said her opinion is that it is hard to say no to someone who is paying taxes. Davis said the current policy was created because there were some out of town folks who were not behaving in a desirable way. Hutwelker asked if the Board should discuss the situation with Town Counsel. Colby suggested that Recreation Director Judy Bohannon be consulted. Goldschmidt mentioned that driver's licenses no longer have addresses. The Board agreed to invite Bohannon to the August 5, 2014 meeting of the Board to discuss further.

Accept unanticipated funds per RSA 31:95-b

The Board was asked to accept funds totaling \$726.75 from Earn-It, a youth offender/victim restitution program, as restitution for damage done to the Thompson Covered Bridge.

Hutwelker **moved** to accept the funds totaling \$726.75 from Earn-It as restitution for damage done to the Thompson Covered Bridge as miscellaneous General Fund income. There was a second by Davis. All were in favor. **Motion passed.**

OTHER BUSINESS

Department Head vacation policy

The Board discussed on July 1, 2014, and then signed on July 8, 2014, a policy on extended vacations for Department Heads. Board member Deborah Davis asked for this matter to be brought up for discussion again. Davis noted that the policy agreed upon designates October 1 through the February Deliberative Session as a period when no extended vacations will be granted. We now have a Department Head who wants vacation during that time. Davis said that either the policy should be changed or it should be enforced. Davis said the problem is if you are going to approve one Department Head getting a vacation during that timeframe, you are going to have to approve anyone else who asks for a vacation within that timeframe. She went on to ask why bother having that policy at all if you are going to ignore it and approve vacations during that time.

Hutwelker said there are two Department Heads who are getting vacations in opposition to the policy. But he noted that that the policy is new and one individual has already pre-booked his vacation and the other has always taken the same time off each year. Hutwelker suggested that a conversation regarding the policy take place with the Department Heads so that they are well aware of the policy and can plan accordingly.

Colby noted there was a problem last year getting the Town report out because folks were out of the office. Hutwelker added that a Department Head also took a vacation without knowledge of the Board. Colby said he would like to see the policy stay the same with some flexibility this year because the policy is recent. However, he went on to say that the policy should be a firm one for the future.

Rice asked about the 30 day notification portion of the policy and the Board agreed that they need to have adequate notice. The Board felt 30 day notice was adequate to solve the problem of completing budgets and town reports, which has been an issue in the past.

Capital Improvements Program (CIP) Committee

Gallauresi spoke about how she was contacted by someone who was concerned about CIP issues. She referred to the CIP talking about spending a lot of money.

Hays said she has a concern regarding the CIP Committee and she found out that the Town spent \$80,000 plans on architecture plans. She talked about the Woolen Mill which is adjacent to the river and that fact that the Town would need permits to do construction near a waterway. Hays also wanted to know if anyone has looked at the building for hazardous materials, like asbestos. Hays said it bothers her that time is being spent looking for a place for the Police Department when we could put up a second floor on the existing building at the existing location. Hays said the neighbors are used to having a police station there. Hays said there are a lot of options that should be considered before the Town considers a multi-civic center complex. Davis noted that there were a number of reasons that the Carlton property got dismissed for a civic center. Hays said that before the Town spends millions of dollars the Town should consider other options. Hutwelker informed Hays that there have been funds expended for the architectural plans for a number of proposed locations and facilities, not just for the Woolen Mill.

Gallauresi, Goldschmidt, and Hays left the meeting at 8:47 p.m.

California Brook Ice Pond – Fire Suppression

Colby informed the rest of the Board that Sen. Molly Kelly and several New Hampshire Department of Transportation (DOT) and New Hampshire Department of Environmental Services (DES) folks met with Colby and Fire Chief Skantze to discuss the pond and dam there. He said that it was agreed by the group that Dunham can put in boards to maintain the water level for the dry hydrant until there is a lot of rain. Then the boards would have to be removed once again. If a bridge goes in, the dam is gone. It was noted that this is a short term solution and the long term solution is a possibility of a dry hydrant on Cobble Hill Road.

CONSENT AGENDA

Motion was made by Hutwelker to approve the Consent Agenda and authorizing the chair to sign where necessary. Second was made by Davis. No further discussion. All were in favor. **Motion passed**

- CDFA Closeout certification and agreement – Keene wastewater Treatment Plant CDBG (previously authorized on 1/21/2014)
- Department Head vacation leave requests

In addition to items discussed as part of the agenda, the Board received the following documents:

- Copy of demand letter from Town Attorney to Christopher and Brandon Frazier, dated 7/3/2014, regarding delinquent Court-ordered payments.
- Copy of demand letter from Town Attorney to Arthur and Ellen Brnger, dated 7/3/2014, regarding delinquent Court-ordered payments.
- Letter from SW Region Planning Commission, dated 7/7/2014, regarding NH Route 12 Corridor Study.
- Resignation from the Personnel Policy Review Committee, dated 7/8/2014, from Michael Lilly (vacancy has been posted).
- Police Department report of damaged cruiser, dated 7/8/2014.
- Letter from Pam Doubleday regarding Carpenter Home, dated 7/10/2014.
- Town General Assistance report for June 2014.

ADJOURNMENT

Motion to adjourn was made by Hutwelker, second by Davis. All were in favor. **Motion passed.** Adjournment occurred at 9:35 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on July 29, 2014

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #2 – July 15, 2014

Non-public session(s) per RSA 91-A:3II(b), Hiring of Public Employee(s) – Recycling Center

Motion was made by Davis to enter Non-public session pursuant to RSA 91-A:3II(b) , Hiring of Public Employee(s) – Recycling Center. The motion was seconded by Hutwelker. The Selectmen voted unanimously by roll call to go into non-public session at 6:56 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, and W. William Hutwelker, III, Human Services and Resources Coordinator Edna Coates and Recording Secretary Bernard.

Coates informed the Board that Recycling Center Manager Bob Osterhout wants to offer a conditional offer of employment to Daniel Whipple at a pay rate of \$9.50 per hour to replace Carol Jeffreys who has resigned. It is a three hour per week Saturday position. A brief discussion was held regarding the ease of extending the hours and it was noted that to extend hours, Osterhout would have to come back to the Board.

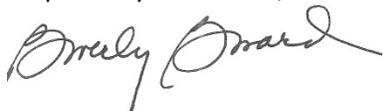
Davis said she has a concern regarding multiple members of the Whipple family working in the same place. She noted there is a nepotism policy in place for the Town. His boss will be his brother. Davis said you open the door to ignoring the policy. It was noted that the Nepotism policy was passed as a separate policy and not in the overall Personnel Policy. Coates said the policy is in effect, but she was not sure how many know about it. There were six policies passed by the Board in the past, which were not officially included with the Personnel Policy. Colby pointed out the Department Head made a recommendation but Davis said that Osterhout probably isn't aware of the nepotism policy.

Motion was made by Hutwelker to offer a conditional offer of employment to Daniel Whipple for three hours per week on Saturdays at a rate \$9.50 per hour subject to satisfactory driver and background checks. There was a second by Davis, and all were in favor. **Motion passed.**

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 7:07 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.**

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on July 29, 2014

These Minutes unsealed by the Board of Selectmen on March 24, 2015.