

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – September 23, 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 6:00 p.m. at the Swanzey Town Hall. Also present was Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

OTHERS PRESENT

Police Chief Tom DeAngelis, Resident Jeannette Cook, Resident Theresa DiLuzio, State Representative Gus Leraudeau, Resident Donald Skiba.

MINUTES

- Non-public meeting minutes for September 2 (AM), 2014 with change on page 2, Davis “informed”, not “conformed”, and on page 3, paragraph six, DeAngelis “confirmed” instead of “conformed”. Hutwelker **moved** to accept the non-public minutes for September 2 (AM), 2014 with the above changes, and there was a second by Davis. All were in favor. **Motion passed.**
- Non-public meeting minutes for September 3, 2014 (PM) continuation of the meeting held on the evening of September 2, 2014. Hutwelker **moved** to approve the minutes, second by Colby and all were in favor except Davis who abstained. **Motion passed.**
- Regular meeting minutes for September 16, 2014 were **deferred to next meeting.**
- Non-public meeting #1 of September 16, 2014. There was a **motion** by Hutwelker to accept the non-public meeting #1 of September 16, 2014 with change to last line on page one that Bohannon cannot use the computer due to physical reasons. The motion was seconded by Davis and there was no further discussion and all were in favor. **Motion passed.**
- Non-public meeting #2 of September 16, 2014 – **motion** by Hutwelker to accept the non-public meeting #2 of September 16, 2014. The motion was seconded by Davis with no further discussion and all were in favor. **Motion passed.**
- Non-public meeting #3 of September 16, 2014 – **motion** by Hutwelker to accept the non-public meeting #3 of September 16, 2014. The motion was seconded by Davis; there was no further discussion and all were in favor. **Motion passed.**

FINANCIAL MATTERS

Selectmen reviewed and approved accounts payable and payroll manifests.

CITIZEN CONCERNS

Resident Theresa DiLuzio spoke to the Board about her timber tax. She said that the contract term for logging on her property was changed due to the logger’s delay in completing the job and she was charged a higher tax than had been anticipated. She stated that when the new stumpage value came out, she received less revenue but was taxed at a higher rate because the State Department of Revenue Administration stumpage rates changed. She asked the Board for a reduction of \$57.52 from her timber tax bill.

Davis made a **motion** to reduce the timber tax for logging on property owned by Theresa DiLuzio and Nancy Carlson by \$57.52. There was a second by Hutwelker and all were in favor. **Motion passed.**

NOMINATIONS

Conservation Commission

The Board considered an application for appointment to the Conservation Commission from Jeanette Cook of 101 Old Leonard Farm Road. Cook spoke to the Board about her interest in serving on the Commission. She said she has been a farmer most of her life and she understands most issues regarding land. She would like to see open spaces preserved. Davis asked if she had attended a Conservation Commission meeting and she responded that she had not, but said that she has served on the Planning Board for Newmarket, New Hampshire.

Davis **moved** to appoint Jeanette Cook to the Conservation Commission as an Alternate with a term extending to Town Meeting 2017. Second was made by Hutwelker, and no further discussion. **Motion passed.**

Colby swore in Cook for her duties with the Conservation Commission.

OLD BUSINESS

Economic Development Advisory Committee (EDAC) Membership

Gus Lerandeau asked about the terms for members of EDAC and whether there is a limitation for terms. Hutwelker said he thought there is no limit to the number of times a member can be reappointed. Discussion was held about whether there was a position available or not and to the level of Lerandeau's interest in serving on the Committee. O'Keefe stated that he would look into the question of term limitations and get back to Lerandeau.

State Route 12 Roundabout Update

Lerandeau said the bid for the roundabout proposed for the intersection of NH Route 12 with Lake Street and Swanzey Factory Road should go out in January or February 2015, and construction would be anticipated to begin in mid-summer 2015. A brief discussion occurred about the dig on Lake Street at the corner where the roundabout is planned to be constructed.

Business Operations Assessment

The Board raised the issue of whether the Town should prepare the budget in such a way as to charge individual departments for benefits. O'Keefe said that this is one of the issues that came up from the Business Operations Assessment recently prepared by Municipal Resources, Inc. The Board agreed that this is something that could be considered for next year, not this year.

Authorize Expenditure – Police Department

Motion was made by Hutwelker to suspend the sealed bid rules of the Purchasing Policy to allow the Board to make a decision tonight on Police Department expenditure for repair of facility roof. Davis seconded the motion. Discussion: Hutwelker made the motion because of the time sensitive nature of the work to be done. DeAngelis noted that he was aware of the sealed bid process. All were in favor. **Motion passed.**

Hutwelker recused himself from the following discussion and decision making process.

Police Chief Tom DeAngelis met with the Board on August 2, 2014 to discuss Police Station roof repairs and mentioned that only replacing the back side of the roof would suffice, and it was agreed he'd seek revised quotes from contractors on this work. Prices were received as follows:

Vendor	Cost	Dump Fees
Guyer & Son Roofing LLC, Keene, NH	\$11,500	Not specified
GDS Landmark Group, Swanzey, NH	\$10,700	Included
David Belletete, Swanzey, NH	\$10,875	Included

The Chief proposed using the balance of the Police Facilities Expendable Trust Fund (expected to be \$9,993 at year's end), with the balance coming from the 2014 departmental operating budget (O'Keefe recommended overspending Building Maintenance budget line 01-4210-7-430 – approved at \$3,000). There was a discussion regarding the status of the deterioration of the roof. The Chief recommended accepting the bid from GDS Landmark Group because of the treatment and attention the vendor gave to the Chief. It was noted that this was also the low bid.

Davis **moved** to 1) accept the proposal from GDS Landmark Group for replacement of the rear portion of the Police Department roof and both sides of the garage in the amount of \$10,700; 2) authorize expenditure of up to \$11,000 for this purchase, to be paid from the Police Facilities Expendable Trust Fund and the Building Maintenance budget line 01-4210-7-430; and 3) authorize the Town Administrator to sign any documents necessary to obtain the approved product and services. There was a second from Colby. All were in favor. **Motion passed.**

Police Department Contract with Cheshire Fairgrounds

DeAngelis informed the Board that the Police Department contract between Cheshire Fairgrounds with the Town of Swanzey has not been renewed in 23 years and needs to be revisited. DeAngelis said it is in the Town's best interest to do so. The Board agreed that DeAngelis should move forward with negotiations for this contract.

Event Permit Process

Colby stated that he is calling a Board meeting for next Monday morning regarding the event permit process. The Board wants affected staff together to discuss the issue. O'Keefe stated that staff has been working on a policy for some time but that other projects have gotten in the way, and that he will work on some language for a new policy. It was agreed that the meeting would be held 9:00 a.m. on September 29, 2014 at the Police Station.

NEW BUSINESS

Accept unanticipated funds per RSA 31:95-b

The Board was asked to accept funds as follows, totaling \$4,386.00, as donations to Whitcomb Hall:

- \$250.00 from John & Carol Hubbard
- \$100.00 from Elizabeth & Kenneth Colby, Jr.
- \$200.00 from Rev. Samir & Kathryn Habiby
- \$250.00 from Arthur P. Guilbeault (The Guilbeault Family in memory of Ernest & Eileen Guilbeault)

- \$250.00 from Karen E. Guilbeault (The Guilbeault Family in memory of Ernest & Eileen Guilbeault)
- \$3,3360.00 from sales at the BBQ and raffle

Davis **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. Second by Hutwelker, and no further discussion; all were in favor. ***Motion passed.***

OTHER BUSINESS

General discussion of Police Department matters

Police Chief Tom DeAngelis updated the Board on Police Department matters. There was a discussion on mileage on various Police Department vehicles. It was noted that a number of the vehicles have high mileage.

DeAngelis also noted for the Board that under an act approved by the New Hampshire legislature on May 7, 2014, a ban on barring adult drivers from holding their cell phones will go into effect on July 1, 2015.

The Police Department Quarterly Report was discussed. DeAngelis said the numbers are showing down 10% in calls, but the calls now are more complex than they used to be. A lot of crimes involve communication on social media.

There was a discussion regarding whether or not DeAngelis has a need for additional personnel. DeAngelis said that he is advertising for the new Administrative Assistant and considering candidates for an open officer position. DeAngelis left the meeting at 7:01 p.m.

Budget Schedule

The Board reviewed the 2015 budget schedule prepared by O'Keefe. Davis said she has an issue with her ability to attend the November 1, 2014 budget meeting but will try to resolve it. The Board agreed that the direction to the Department Heads will be to hold the line or cut the budget, and that the Board wants realistic figures. Hutwelker suggested level funding. O'Keefe asked whether the schedule looked okay and the Board agreed that it did.

West Swanzey Water Company Report in the Keene Sentinel

There was a discussion regarding documents provided to the Board and a recent article in the Keene Sentinel newspaper about the substance MTBE in local water supply and an alleged cancer cluster. Colby pointed out the relatively small level given for MTBE in the article was well within safe limits as set by the federal government, which is 13 parts per billion. Hutwelker noted that the water source is owned privately and therefore is not a Town responsibility. Colby suggested that the State of New Hampshire and the Federal government need to get involved in the issue. It was noted that the information was provided to the Town's Health Officer as well.

Don Skiba added some information regarding samples of water from the West Swanzey Water Company. He said that the Environmental Working Group reported 2007 test results to show zero parts per billion. Also 2006 results showed zero parts per billion with prior year samples showing between .01 and .0033 parts per billion. Skiba said he spoke to several folks at New Hampshire Department of

Environmental Services (DES) who are focused on MTBE mitigation but has been unable to obtain a more recent report from 2007 to 2014 up to now, but will continue to research.

Electric Buying Contract

O'Keefe informed the Board that the electric buying consortium that Swanzey is part of is considering a solar power generation project – at no cost to the Town, with rates remaining the same. He asked for a letter of support from the Board. Colby said that he would like to see more information at the next meeting before agreeing.

Facilities Manager Position

It was agreed that this position will be discussed by the Board at the meeting next Monday morning.

Attic Storage

Hutwelker asked about materials that are still being stored in the attic of Town Hall. O'Keefe mentioned that most items have been removed, except for some plan files that need to be addressed. Colby suggested that plan files be brought downstairs. O'Keefe mentioned that file cataloguing still needs to be done before files are brought from Whitcomb Hall to the long-term storage facility in Keene.

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. Davis requested to waive the motorcycle swap permit fee because the Safford Drive construction has created limited access and making it an inconvenience for the organizers. Police Chief DeAngelis said that there will be a change in the traffic pattern. There was no agreement to waive the fee. All were in favor. ***Motion passed.***

- Event Permit #2014-30. Wray Murdough – Motorcycle swap meet on September 28, 2014 at the Cheshire Fairgrounds. Note: Police and Fire Department requirements – see permit form for details.
- Raffle Permit #2014-28. Jack & Jill Cooperative Nursery School – Miscellaneous items to be raffled off on November 13, 2014 at 679 Old Homestead Highway.
- Current Use rates for 2014 tax year – REVISED from August 12, 2014.

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

- Police Department Quarterly Report.
- Notice of cancellation of September 25, 2014 public meeting on closure of the Vermont Yankee nuclear power plant.
- Letter of September 12, 2014 from the NH Department of Safety, Division of Emergency Services and Communications regarding E911 phone connectivity.
- Request dated September 18, 2014 from Webster Selectman to include Town Meeting Warrant Article regarding school funding.
- Correspondence dated September 19, 2014 from Pat Short and Jim McConnell regarding suspected cancer cluster in west Swanzey.
- Copy of NH Department of Revenue Administration Form MS-434, Revised Estimated Revenues, submitted September 22, 2013.
- Expenditure Report – Through August 2014

ADJOURNMENT

Motion to adjourn was made by Hutwelker, second by Davis. No further discussion. All were in favor.

Motion passed. Adjournment occurred at 7:23 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Beverly Bernard".

Beverly Bernard, Recording Secretary

Approved on September 30, 2014