

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – October 7, 2014  
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

**CALL TO ORDER**

Present were Selectmen Kenneth P. Colby, Jr., Deborah J. Davis and W. William Hutwelker III. 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 Fire Chief Norman Skantze.

**OTHERS PRESENT**

Planning Board Chair Glenn Page, Capital Improvements Program Committee Chair Dave Osgood and Committee members Bruce Bohannon and Steve Bittel, Fire Chief Norm Skantze, Police Chief Tom DeAngelis, Public Works Director Lee Dunham, Director of Planning and Community Development Sara Carbonneau, residents Rebecca Hays, Judy Gallaresi, Dan Coffman, David Marks, consultants Dan Scully, Katie Sutherland, Dave Bergeron, Jim Phippard, Jeff Ingram, event permit applicant Abby Baker, Megan Foley from the *Keene Sentinel* newspaper, and about a half dozen other attendees.

**MINUTES**

- Regular meeting minutes for September 29, 2014 were considered. **Motion** was made by Davis to accept the regular meeting minutes for September 29, 2014. There was a second by Hutwelker. No further discussion and all were in favor. **Motion passed.**
- Regular meeting minutes for September 30, 2014 were considered. **Motion** was made Davis to accept the regular meeting minutes for September 23, 2014. There was a second by Hutwelker. No further discussion and all were in favor. **Motion passed.**
- Non-public meeting #1 of September 30, 2014 – **motion** by Davis to accept the non-public meeting #1 of September 30, 2014. The motion was seconded by Hutwelker with no further discussion and all were in favor. **Motion passed.**
- Non-public meeting #2 of September 30, 2014 – **motion** by Davis to accept the non-public meeting #2 of September 30, 2014. The motion was seconded by Hutwelker with no further discussion and all were in favor. **Motion passed.**

**FINANCIAL MATTERS**

Selectmen reviewed and approved accounts payable and payroll manifests.

**NEW BUSINESS**

**Non-public session #1 per RSA 91-A:3II(a), Personnel Matter(s)**

**Motion** by Hutwelker to enter Non-public session pursuant to RSA 91-A:3II(a) , Personnel Matter(s) . The motion was seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 6:00 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, W. William Hutwelker, III, Town Administrator Shane O’Keefe and Fire Chief Norm Skantze.

**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 6:03 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.**

DeAngelis entered the meeting at 6:03 p.m.

### **OLD BUSINESS**

#### **Non-public session #2 per RSA 91-A:3I(c), Reputation**

**Motion** by Hutwelker to enter Non-public session pursuant to RSA 91-A:3II(c) , matters that would likely affect adversely the reputation of a person other than a member of the Board . The motion was seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 6:04 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, W. William Hutwelker, III, Town Administrator Shane O'Keefe and Police Chief Tom DeAngelis.

**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 6:12 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.**

#### **Discuss municipal facilities study**

In response to a draft of the executive summary of the municipal facilities and revised estimates of cost for the various alternatives submitted recently by Architect Daniel Scully, Colby thanked Scully and the subconsultants for attending to discuss the projects with the Board, and invited Scully to speak to project alternatives. Scully introduced his team, stated that the he is pulling together the final report, which should be available the following week, and asked the Board if there were questions on the work so far.

- **Fire Department – Safford Drive**

Hutwelker recognized Safford Drive property owner John Burk, who has expressed interest in making land available for a new fire station, and asked if he had any questions for Scully. Scully stated that Burk's property is felt to be the right location for a new firehouse by him and his subconsultants to address the community's response times, particularly in the growth area in the vicinity of NH Route 12. Land planning subconsultant David Bergeron confirmed that the location works well for response times and that the building program fits on the site. He also stated that there is a wetlands issue on the site requiring State permitting.

Burk stated that he is prepared to gift the site to the Town subject to approval by the Town of the project and bonding. He stated that this offer has been under consideration for some time as it is a valuable opportunity for the Town and great location. He is supporting of the project and happy to make the gift of the land. It was recommended that the Town draw up an agreement to see this

through. He stated that he will use another attorney as his attorney is with the same firm that the Town uses.

Colby stated that the Town has been looking for a firehouse location in the Swanzey Center for months but has not been able to do so. He said that the Board appreciates Mr. Burk's offer to help the Town with its facility needs, subject to voter approval. He said that this is a big step forward for the Town and that Burk's generous offer is appreciated. Everyone present thanked Burk for his offer.

Burk left the meeting at 6:25 p.m.

Hutwelker stated that the big issue with this location is its availability. Davis commented that the availability of water and sewer at the location is important, and that the location makes sense all the way around. There was a comment that it made it easier to wash supplies and equipment.

Hutwelker noted that the study indicated that the size of facilities has grown significantly in some cases, and asked Scully how he had arrived at the size of the facilities. He noted that the Town Hall would be three times larger than the existing space.

Scully noted that there are several programs. He said that, for Town Hall, he had worked with and questioned everyone at Town Hall, all of its users, and discussed size, staffing, storage requirements, all the pieces to support the functions of Town Hall and calculated the space needs and distilled it down to the size recommended.

For the Fire Department, Scully noted that firehouse specialist Robert Mitchell worked with the Department and came up with space program that the Fire Chief remarked was too large, and it was paired down and reduced in size. He stated that the study will show all rooms broken down by function and sizes. One of the largest spaces would be a large meeting room in Town Hall that meets the needs for several groups, and can be used for large assemblies such as Town Meeting, for voting, for training purposes, etc.

For the Police Station the firm of Public Safety Strategies was used to hone the program. Scully stated that the sized of facilities was pretty well vetted. Architect Katie Sutherland stated that she had reviewed each of the Town's facilities and that they are grossly undersized, and do not meet projected needs and 20-year growth. She described some of the design changes to meet anticipated growth, which include "swing space" in Town Hall that can accommodate future employees, and extra bays for the Public Works facility.

- **Town Hall – Existing location**

Colby asked if there was a final figure for bringing the existing Town Hall up to standard, including a new roof. It was noted that the study done by DuBois & King Engineers in 2013 indicated a cost of at least \$400,000 to bring the building up to code, but without design services. Sutherland noted that the existing Town Hall building would need a 4,000 square foot addition and use the existing fire station space in order to meet the space requirements. She added that additional parking area would be needed, as would a fire stair and elevator. Bergeron said that all scenarios of reusing the existing Town Hall require acquisition of additional land. The final report will include better figures for building renovation and expansion.

- **West Swanzey Mill Complex**

Hutwelker noted that he had a conflict of interest regarding this property. For clarification, he asked about the \$475,000 estimated acquisition cost of the property, which is roughly the same as the listing price. Bergeron stated that there were several factors that went into this calculation, including that the existing office space at the facility is needed, which he understands is not part of the listing price. He said that they did not want to lowball the figure and be caught short, so they carried it as a higher figure. Scully added that the project calls for only a portion of the entire site. Demolition costs would include removal of the former gas station. Colby asked for confirmation that there are no underground storage tanks on the site, and Bergeron replied that the owner stated that all tanks have been removed, that there is an interior heating fuel tank in containment, but that a level 1 due diligence analysis would be required to confirm tank removal.

Hutwelker state that the owner is open to condominium arrangement for the site. Judy Gallauresi questioned why Hutwelker was participating in the discussion, and stated that he should recuse himself and leave the room. Bergeron stated that he has had conversations with the owner and confirmed that they are interested in working with the Town on this and coming to agreement.

The \$145 per square foot construction cost was discussed and numbers were confirmed by subconsultant Jeff Ingram. It was confirmed that the plan call for demolishing a portion of the mill that would allow for North and South Winchester Streets would be merged and Swanzey Street would be closed. Colby asked if the bed of Swanzey Street could be used for parking as parking has been raised as an issue. Bergeron mentioned that there is a large grade differential making this difficult, but a one-way street or way with parallel, and possibly diagonal, parking on one side could work but needs more analysis. He said that there is close to 200 parking spaces available on the overall site, and potential for interior parking in the mill building not proposed for Town uses. The vacant grassed lot south of the mill can be used for additional future parking.

- **Public Works and Recycling Center Facilities**

There was discussion about property acquisition for this facility, and it was found that only one piece of property would need to be acquired because the Town is in the processing of acquiring one piece now by tax deed. Hutwelker asked Scully what his priority would be for this facility, to which Scully responded that the public works improvements can take place incrementally in phases, some sooner than later. The same goes with the Recycling Center, and these phases can be broken out in the report.

For the Recycling Facility, Hutwelker brought up site limitations including length of utility of the burn pit and the location of wetlands on the site. Bergeron noted that anything that is not landfill on that site is wetlands. Scully added that there is feet of unknown fill at the site that would need to be removed to get proper building footings, which would be prohibitive. The Recycling Center building could be used for Public Works storage once a new Recycling Facility is built – in essence recycling the recycling building. Sutherland added that if the Recycling Office is constructed first, the Public Works Department could use the Recycling Center for office space during construction at the Public Works facility.

A plan of the combined facilities was reviewed. Scully stated that replacement of the salt shed should be replaced and relocated soon at the Public Works facility. Some office work could happen independent of other work, he said.

Colby asked if the facility configuration could be realigned southward to free up use of the Town-owned corner property on Pine Street. Bergeron stated that there are some grade considerations and the design would need to be changed, but that it is likely possible. Bergeron said that they will look at that as an alternative.

- **General**

Regarding where the Board will go from here, Scully said he had two questions: the first being when is the public hearing? It was decided that this would be determined once the Board has had an opportunity to review and digest the final report document.

His second question was in what form does the Town want the report? It was agreed that in a week or so five bound copies would be produced for the Town and an electronic version would be submitted as well for inclusion on the Town web site.

Bergeron also asked for input from the Board as to what they want presented in the hearing, and it was suggested that the consultants meet again once the Board has digested the report to plan this out.

Colby stated that he appreciated all the effort that the consultant team has put into this project.

Scully, Sutherland, Bergeron, Phippard, Ingram, Osgood and Bittel left the meeting at 7:00 p.m.

### **Special Events Policy**

It was noted that on September 29, 2014 the Board had a special meeting to discuss this policy, which has been under consideration for some time. At that meeting a draft of the policy was briefly reviewed and O'Keefe noted that staff has since met to refine it and has circulated a number of drafts. Colby said that he appreciated the effort that Department Heads have made to put together this policy.

In response to Hutwelker, O'Keefe stated that staff review meetings would be held monthly as needed and more often if necessary. The review time in the policy would be the amount of time needed to receive Board approval, but it could be sooner depending on the application. Hutwelker asked if an applicant would have a reasonable expectation as to when an application would be reviewed by the staff and when it can be issued. O'Keefe said that that was the goal and that the process will evolve and can always go back to the Board for refinement.

Hutwelker asked how it would be publicized, to which O'Keefe responded there would be a press release and that copies of the policy and application would be sent to all applicants this past year and posted to the Town web site.

O'Keefe confirmed that all Department Heads have reviewed and signed off on the document.

**Motion** was made to approve and execute the Special Events Policy, with an effective date of October 7, 2014 by Hutwelker, second by Davis. No further discussion and all were in favor.  
**Motion passed.**

Colby again thanked those involved in drawing up the policy.

**List of properties subject to tax deed**

This matter was discussed at the previous meeting and it was decided to proceed with the tax deed for property at 112 Pine Street, but to hold off on further discussion until this meeting, and for the Code Enforcement Officer to inspect each property under consideration. Inspection reports for each property were presented to the Board.

O’Keefe noted that one property owner came in and paid off the deeding balance that morning and is therefore no longer subject to tax deed.

Hutwelker raised the matter of the inability of purchasers of tax deeded properties to obtain title insurance, and questioned what direction the Town should take as we don’t want to be landlords. O’Keefe noted that most of the properties are occupied and need ejections before any sale. Davis said that this is not a good time of year to commence with evictions. O’Keefe noted that the property sale process can be held in abeyance; the Town could commence with tax deeding now and hold off on sale until the spring, but would be obligated to support the properties through the winter.

Hutwelker asked O’Keefe if he could look into how other communities are disclosing the title problem when they sell properties. O’Keefe noted that the Town Attorney suggested that in the notice of sale the Town states that “title insurance is not available for these properties” or a 10-year period.

LOCATION	MAP/LOT
68 Diana Drive	87/2-5068
12 North Pine Street	18/234
28 Pondview Road	73/22-0508
8 Old Lake Road	18/142
Forbush Lane	3/1-3
403 Massey Hill Road	3/35-4

O’Keefe noted that the Board must issue tax deed waivers for those properties that it does not wish to acquire by tax deed at this time. He suggested that the waiver category most appropriate for this situation would be RSA 80:38, II-a: “acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, including obligations under real estate covenants or obligations to tenants, or for any other reason would be contrary to the public interest. Such a decision shall not be made solely for the private benefit of a taxpayer.”

**Motion** was made to defer acquisition by tax deed of the listed properties until April 1, 2015 by Hutwelker, second by Davis. No further discussion and all were in favor. **Motion passed.**

The Board executed deed waivers for each property, citing RSA 80:38,II-a as the reason not to accept a tax deed from the Tax Collector at this time.

**Event Permit #2014-29, Haunted Woods at 81 Arrowcrest Drive.** Following up on the Board meeting of September 16, 2014, wherein some questions were raised about this event permit application, which proposes a haunted woods event, which was originally scheduled for Thursdays through Saturdays throughout October, it was agreed that the neighbors should be notified about the event, and that the event organizers must meet with the Police and Fire Chiefs to review the event plans for traffic control and attendance limits.

Skantze reported that such a meeting took place and that all of the Chiefs' concerns were answered. From a public safety standpoint he said there is nothing extraordinary required other than a car in the neighborhood. O'Keefe noted that the meeting packet included a copy of the letter distributed to neighbors giving notice of the event and that the Board meeting memo quoted from an email from the sponsors on exactly how it was delivered on September 23, 2014. Skantze mentioned that, in addition to changing the hours of operation of the event from 8:00 to 11:00 pm to 7:00 to 10:00 pm, which is in compliance with the Town Noise Ordinance, the sponsors have agreed to make accommodations as follows:

1. The event pathway will be lit with LED lighting (no open flames).
2. The parking lot will be illuminated with a rented light tower.
3. There will be no amplified speakers or music.
4. A movie screen will be set up near parking, depicting traditional hunted documentaries.
5. The parking lot can accommodate 200 vehicles; however, they do not anticipate any more than 50 vehicles per night.
6. The applicant has purchased liability insurance.
7. The applicant assures us that the event pathway is wide enough to accommodate the Town's off road rescue vehicle (ATV).
8. The applicant has canvassed the neighborhood as requested previously by the Board and has provided a letter without any negative feedback.
9. The applicant now has a communications plan in the event that an emergency takes place.
10. Tickets for admission to this event will be sold on line and unavailable on site, thus regulating the number of patrons who can attend.

Gallauresi noted that she thinks this is going to be a bigger event than what the Town believes as there is an on-line presence for Quartermain Expeditions. She asked if there is adequate insurance to protect the Town in case of emergency. She said she wanted to know who pays for emergency response. Skantze stated that the Town has an obligation to respond to any emergency, and reminded her that the permit application only called for 100 people per night. O'Keefe noted that the two first pages of the event's web site confirm the limitation on participants.

Colby noted that for comparison sake, other permits have recently been approved for up to 15,000 people at the Cheshire Fairgrounds and a lot fewer came, and that the Board can revoke the permit if it does not comply with the conditions of approval.

Planning and Community Development Director Sara Carbonneau stated that this event would not meet the newly adopted Special Events Policy as the Policy has a provision that states "(n)o licensed special event shall be permitted to take place on a property more than two times in any one calendar year, though such special event may be licensed for multiple days", and this event is for several days each week over a period of several weeks. O'Keefe said that the Policy anticipates events like this as it provides for only two licenses a year but they can be for multiple days.

Skantze mentioned that as a new type of event there is a higher level of scrutiny but given the numbers for this event this is considered small. He mentioned that he believes this is the first time this organization has sponsored an event anywhere and that it's here because of the availability of the land owned by a friend.

Hutwelker asked whether a certificate of insurance would be in place for this event. O'Keefe stated that it's an application check-off item that is necessary before a permit is issued. He said that he believed that the Town requires liability limits of \$1 million/\$3 million.

David Marks asked about a layout plan of the event, and DeAngelis mentioned that a map and plan was reviewed by the Chiefs. He asked about what level of comfort the Fire Department has with this event, to which Skantze answered there are many more dangerous events for which they stage equipment, but there are other emergencies that take place around town for which there is no staging and the Departments respond as necessary.

There was further discussion about insurance liability.

Carbonneau raised a professional concern she has about the length of time of the event being excessive, and felt that it was five separate events. And that the sponsor should maybe have come to the Planning Board for a declaration of the permitted use, like some other types of uses. O'Keefe mentioned that the matter first came to Carbonneau for action and she referred it to Edna Coates for review under the events process. She said that she was under the impression that it was to be a single event. The matter of events being held over a number of days was discussed, and it was agreed that it was not very clear.

The issue of whether the applicants have held events elsewhere was discussed. Gallauresi stated that an on-line search showed lots of activity by an entity going by the name Quartermain, and she stated that she was concerned about something happening and that Town resources would be used.

Applicant Abby Baker entered the meeting at 7:35 p.m. She confirmed that Quartermain Expeditions as a company was created in January of this year and that this is their first event. She confirmed that the site was chosen due to a friend owning it and that an insurance certificate has already been submitted.

Colby ended discussion.

**Motion** was made by Hutwelker to approve Event Permit #2014-29 as presented, which will take place at 81 Arrowcrest Drive, with all recommendations specified by Department Heads. The motion was seconded by Davis, with all in favor. **Motion passed.**

Hutwelker said that he'd like to see further clarification of the matter of multiple day events. Colby agreed that it should as well.

Skantze, DeAngelis, Gallauresi and Baker left the meeting at 7:42 p.m.

### **Discuss municipal facilities study**

Dan Coffman spoke to his interest in finding out more about this project to gain perspective, and said he had questions and thoughts. He expressed concern with the increase in projected growth for which the facilities analysis is based, as his analysis for the School Board shows otherwise. He said he is uneasy with the Town building new facilities. Also, as the project proceeds, he suggests a page on the Town web site dedicated to this project to show the strategic plan for this effort, the process, facts and figures for the public.

Judy Bohannon entered the meeting at 7:46 p.m.

Colby spoke to the public process held so far by the Board and the Capital Improvements Program Committee, and about the process going forward. There is a report from the consultant team expected shortly and a public hearing will be held soon thereafter.

Coffman asked about how to find out about where in the process the Town is, and also spoke about how to provide information to the public.

He also asked that the Board consider meeting night conflicts between the School Board and Selectboard meetings. Davis mentioned that the Selectboard meeting night was changed from Wednesday to Tuesday a few years back to accommodate the schedule of a Board member who was also a Stage Legislator.

Carbonneau mentioned that the study will be viewable on line for the public, and also recommended that Coffman look at the Capital Improvements Program Committee meeting minutes on line to better inform him of the background and process to date.

Coffman, Carbonneau, Dunham, and Bruce Bohannon left the meeting at 7:55 p.m.

### **Non-public session #3 per RSA 91-A:31(b), Hiring of a Public Employee**

**Motion** by Hutwelker to enter Non-public session pursuant to RSA 91-A:31(b) , hiring of any person as a public employee. The motion was seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 7:56 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, W. William Hutwelker, III, Town Administrator Shane O'Keefe and Interim Carpenter Home Administrator Judy Bohannon.

**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 8:05 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.**

Bohannon left the meeting, and Carbonneau and Dunham entered the meeting at 8:05 p.m.

### **OTHER BUSINESS**

#### **West Swanzey Park**

Dunham updated the Board on this project. It is still in process and the wall is to be installed late this week into next week. Main Street and the sidewalk will have to be closed off temporarily.

#### **Authorize revisions to job descriptions**

Following up on the meeting of September 29, 2014, revised job descriptions were drafted and reviewed by affected Department Heads, and presented for Board review and approval as follows:

- Facilities-related responsibilities have been added to the Code Enforcement Officer position.

- The Grounds & Facilities Maintenance Supervisor position is renamed the Grounds & Facilities Maintenance Foreman, with associated minor changes to the job responsibilities.
- A combined position of Grounds & Facilities Maintenance/DPW Truck Driver/Laborer is created.

O'Keefe mentioned that the intended changes to the Public Works Director job description are still in the works.

Hutwelker asked about budget impacts. Dunham and O'Keefe stated that it is most likely to be budget neutral all around. Carbonneau mention that it is her intention to propose that the Code Enforcement Officer position go to full-time next year, due to additional enforcement activity and added responsibilities. She will discuss this further with the Board next week.

**Motion** was made by Hutwelker to approve the amended job descriptions for the following positions, effective immediately: Code Enforcement Officer, Grounds & Facilities Maintenance Foreman, and Grounds & Facilities Maintenance/DPW Truck Driver/Laborer. The motion was seconded by Davis. Davis questioned the lack of qualifications necessary for the Code Enforcement Officer position. Carbonneau stated that there different skill sets that can come to bear, and she finds it most important to have writing and communication skills. Hutwelker noted that he had concerns about the budget neutrality of these changes, given the added responsibilities of the Code Enforcement Officer position. It was noted that these were simply changes to the descriptions and not the job hours or rates. O'Keefe and Carbonneau noted that the Code Enforcement Officer is budgeted for more hours right now than he is working. With all in favor, the **Motion passed**.

#### **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. All were in favor. **Motion passed**.

- Notice of Intent to Cut Wood or Timber. Stacey Cole, Map 56, Lot(s) 10
- Abatement #2014-30, for Kenneth Blair (Map 51, Lot 14) of \$818 (plus interest) of taxes. Approval voids abatement #2014-29, approved in error on 9/30/2014. NOTE: Should have shown abated tax amount and not assessed value.
- NH Department of Revenue Administration Form MS-1 extension request.
- Assessment for partially tax-exempt property – Cheshire Fair Association
- Assessment for partially tax-exempt property – East Coast Conference (Pilgrim Pines)
- Assessment for partially tax-exempt property – Monadnock Humane Society
- Personnel Action Report(s).

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

- Letter of 9/8/2014 forwarding election ballot for the 2015 slate of Officers and Directors for the NH Association of Assessing Officials.
- Superior Court Notice of Decision of 9/24/2014 consolidating 2013 abatement cases involving utility poles with 2011 and 2012 cases throughout New Hampshire.
- Copy of 9/29/2014 notice and referral of ISO Public Protection Classification Summary Report noting rating of 05/5Y.
- Letter of 9/30/2014 from the Property-Liability Trust, Inc. seeking applicant to its Board of Directors.

## **OLD BUSINESS**

O'Keefe noted that he would be out of the office on Friday, October 10.

### **Goodell property refund to highest bidder**

Hutwelker raised concerns with the notice prepared by the Town Attorney for signature by Richard Cote regarding return of deposit and cancellation of the auction sale of property at 160 Goodell Avenue. He said the document was accusatory and confrontational, and he would not have supported sending that out if he had known its content. He said assumed that the escrow release form authorized by the New Hampshire Real Estate Commission that he had provided to O'Keefe would have been used. O'Keefe noted that the Town Attorney had reviewed that document and stated that it did not adequately protect the Town in this instance.

Hutwelker stated that he felt that this was an egregious way to treat a citizen who had worked with the Town in good faith, and that he wants to review beforehand all documents intended to go out under the name of the Board or to which he is a part. O'Keefe noted that he sends out letters for the Town all the time. Hutwelker stated that he does not want to micromanage but that this agreement signed by Mr. Cote irked him.

O'Keefe noted that that the document was prepared by the Town Attorney only for Mr. Cote's signature and not for execution by the Board, and that Mr. Cote expressed no reservations about the document and had signed it immediately after reading it.

### **Event Permit #2014-29, Haunted Woods at 81 Arrowcrest Drive**

DeAngelis reentered the meeting at 8:20 p.m. and briefly discussed with the Board the behavior and attitude of an attendee earlier in the meeting who had spoken about the haunted woods event permit. O'Keefe mentioned that the phone number for Quartermain Expeditions is in fact on the web site.

## **ADJOURNMENT**

**Motion** to adjourn was made by Davis, second by Hutwelker. No further discussion. All were in favor.  
**Motion passed.** Adjournment occurred at 8:30 p.m.

Respectfully Submitted,

Shane O'Keefe, Town Administrator

Approved on October 14, 2014.