

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – April 14, 2015  
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 Deborah J. Davis at 6:01 p.m. at the Swanzey Town Hall. Also present was Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

**OTHERS PRESENT**

Consultant Barry Brenner of Brenner Associates, Human Resources and Services Coordinator Edna Coates, Police Chief Tom DeAngelis, Director of Planning and Community Development Sara Carbonneau, Emergency Management Director Bruce Bohannon and Resident Wally Smith.

**CITIZEN CONCERNS**

There were no citizen concerns expressed.

**MINUTES**

- The regular meeting Minutes of April 7, 2015 were ***deferred until next meeting.***
- The Non-Public meeting Minutes #1 of April 7, 2015 were considered. There was a **motion** by Hutwelker to accept the Non-Public meeting Minutes #1 of April 7, 2015. The motion was seconded by Colby with no further discussion. All were in favor. ***Motion passed.***
- The Non-Public meeting Minutes #2 of April 7, 2015 were considered. There was a **motion** by Hutwelker to accept the Non-Public meeting Minutes#2 of April 7, 2015. The motion was seconded by Colby with no further discussion. All were in favor. ***Motion passed.***

**Unseal Non-Public Minutes**

The Board considered the unsealing of the following non-public sessions that took place during the period November 2014 through December 2014:

- November 11, 2014, #2
- November 25, 2014, #3
- December 9, 2014, #4
- December 30, 2014, #1

**Motion** was made by Colby to unseal the non-public minutes of November 11, 2014 #2, November 25, 2014 #3, December 9, 2014 #4. There was a second by Hutwelker, and no further discussion was held. All were in favor. ***Motion passed.***

**Motion** was made by Colby for the December 30, 2014 #1 non-public session minutes to remain sealed and there was a second by Hutwelker. No further discussion and all were in favor. ***Motion passed.***

**FINANCIAL MATTERS**

The Board of Selectmen reviewed and approved accounts payable and payroll manifests.

## **NEW BUSINESS**

### **Revise Local Welfare Guidelines**

Human Services and Resources Coordinator Edna Coates met with the Board to review and discuss proposed updates to the Local Welfare Guidelines. Coates noted that most of the changes are RSA driven. Coates noted that the definition of domestic partner has been clarified.

Colby **moved** to approve the proposed amendments to the Town of Swanzey Local Welfare Guidelines, which shall become effective immediately. There was a second to the motion by Hutwelker and no further discussion. All were in favor. **Motion passed.**

## **OLD BUSINESS**

### **Health Officer Position**

O'Keefe noted that hiring of this position on a permanent basis was discussed in detail on January 29, 2015, and briefly mentioned at the previous meeting. It was recommended that staff review how other communities of similar size handle the Health Officer responsibility. O'Keefe provided this information to the Board. O'Keefe also noted that should the Board wish to proceed with the regular part-time position, a new job description was provided for their consideration. Human Services and Resources Coordinator Edna Coates also was present to discuss this matter. It was noted that several towns combine Code Enforcement and Health Officer duties and assign them to one individual employee.

Planning and Community Development Director Carbonneau said that Code Enforcement Officer Mike Jasmin has taken over monitoring the Carpenter Home and other Town capital projects and therefore has limited time for other duties. Carbonneau suggested that there are some folks who might be interested in a part-time position as stand-alone Health Officer. Carbonneau also mentioned that in some situations where liability and safety may be a factor, two people should be involved when visiting a site where there might be code violations.

Colby said that he felt that the position should be held by a separate part-time person. Coates spoke about the fact that sometimes a part-time person is difficult to reach and communicate with as has happened in the past with a former part-time employee.

O'Keefe noted that the Town Budget has allocated \$1,200 quarterly for a Health Officer, which includes mileage and cell phone expenses. He also noted that the position should be paid on an hourly On-Call basis. Davis said that an On-Call position might be difficult to fill when there is no guaranteed pay. Carbonneau mentioned that some folks who work full-time might be interested in an On-Call job to supplement their income. Hutwelker suggested that Coates and Carbonneau meet with Bohannon to consider pay and hours, discuss candidates who have expressed an interest in the job and report back at the next meeting. The Board agreed that the position should be handled by a separate part-time Health Officer.

O'Keefe, Carbonneau, Coates and Smith left the meeting at 6:17 p.m.

### **Non-public session(s) 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 Colby. The Selectmen voted unanimously by roll call to go into non-public session at 6:17 p.m. **Motion passed.** Present were the Board members

Kenneth P. Colby, Jr., Deborah J. Davis, W. William Hutwelker, III, Police Chief Tom DeAngelis and Recording Secretary Beverly Bernard.

**Motion** was made by Hutwelker to leave non-public session and return to public session. The motion was seconded by Colby, with all in favor. **Motion passed.** Non-public session ended at 6:28 p.m.

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

DeAngelis left and Carbonneau joined the meeting at 6:28 p.m.

#### **Non-public session(s) 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 Colby. The Selectmen voted unanimously by roll call to go into non-public session at 6:29 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, W. William Hutwelker, III, Planning and Community Development Director Sara Carbonneau and Recording Secretary Beverly Bernard.

**Motion** was made by Colby 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 6:41 p.m.

**Motion** was made by Colby 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.**

Carbonneau left and O'Keefe, Coates and Smith rejoined the meeting at 6:41 p.m.

#### **NOMINATIONS**

##### **Conservation Commission**

The Board noted that the terms of Conservation Commission members Bob Goodrich, Gary Coburn and Jane Johnson expired on Town Meeting day, and on March 17, 2015 the Board reappointed Goodrich and Johnson. As mentioned at the previous meeting Jeanette Cook has resigned effective April 10, 2015, so positions vacant at this time are:

- One Regular Member with term to TM 2017
- One Regular Member with term to TM 2018

Applications for consideration of appointment have been received by the following:

- For Regular Member: Gary Coburn

Colby **moved** to appoint Gary Coburn to the Conservation Commission as a Regular Member for a term extending to Town Meeting 2018. There was a second to the motion by Hutwelker and there was no further discussion. All were in favor. **Motion passed.**

### **Fire Warden & Deputy Fire Wardens**

O'Keefe informed the Board that Fire Chief Norm Skantze has submitted a request that the Board recommend to the NH Department of Resources and Economic Development, Division of Forests and Lands, Forest Protection Bureau, the reappointment of the Forest Fire Warden and several Deputy Forest Fire Wardens.

Colby **moved** to recommend reappointment of Norman Skantze as Forest Fire Warden, and as Deputy Forest Fire Warden, the following individuals: Shawn Beal, Keith Bell, Geoff Davis, Lee Dunham, Sylvester Karasinski, Dave Mason, Eric Mattson, David Page, Vincent Sanchez and Ben Tatro. There was a second by Hutwelker and no further discussion. All were in favor. **Motion passed.**

The Board also noted that Chief Skantze also requested appointment of a new Deputy Forest Fire Warden: Darren Naeck.

Colby **moved** to recommend appointment of Darren Naeck as Deputy Forest Fire Warden. There was a second to the motion by Hutwelker and no further discussion. All were in favor. **Motion passed.**

### **Request for abatement of Land Use Change Tax assessment – Arnie Filipi, Map 31, Lot(s) 26 & 27.**

O'Keefe noted that the Town received the Board and Land Tax Appeals (BTLA) April 7, 2015 decision and Mr. Filipi's Land Use Change Tax was reduced from \$10,700 to \$9,000 (instead of the \$6,000 requested), so the Town must reimburse Mr. Filipi \$1,790 plus 6% interest unless either party chooses to seek rehearing, reconsideration or clarification of the decision.

Colby **moved** to let stand the decision of the Board of Tax and Land Appeals in the matter of Arnie Filipi v. Town of Swanzey, and to authorize the issuance of a reimbursement check to the appellant in the amount of \$1,790 plus 6% interest. There was a second to the motion by Hutwelker and no further discussion. All were in favor. **Motion passed.**

### **Town Hall Hours**

A brief discussion was held regarding the Open Space Committee which met on Wednesday evening and there being no one present at Town Hall to let in the Committee. Davis said that when meetings are scheduled, folks need to have a key to get in if there is no one present to let committee members into the building. Colby mentioned having a key inventory and possibly changing locks since it was noted that there are a lot of keys out among committee and board members, some of whom may no longer be members. It was also noted that setting the alarm for board and committee members is another issue to be considered.

### **Accept unanticipated funds per RSA 31:95-b**

The Board was asked to accept funds as follows, totaling \$1,028.84, as a donation to the Fire Department:

- \$1,028.84 From the National Volunteer Fire Council & Sears Hometown

Colby mentioned that he would like to know immediately when a donation of this magnitude comes to the Town and see to it that a "thank you" note is sent to the donors very quickly. Hutwelker said that it

is inappropriate to be acknowledging a gift of this kind a month later. O'Keefe noted that a "thank you" letter has been drafted by Skantze to send to the donors.

The Board asked that there be on the agenda for next week a general discussion with the Fire Chief on Departmental matters to include an update on fire ponds in town and the process for acceptance of gifts.

Colby **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 Swanzey Fire/Rescue Tools & Equipment Non-Restricted Fund trust account. There was a second to the motion by Hutwelker and no further discussion. All were in favor. **Motion passed.**

O'Keefe was asked to see if Public Works Director Lee Dunham was available to meet next week on departmental matters as well.

O'Keefe left the meeting to join the members of the public in the audience.

#### **Recruitment process for Town Administrator position**

The Board and Coates met once again with Barry Brenner of Brenner Associates to discuss recruitment services for the hiring of a new Town Administrator. Colby noted that Coates will handle information regarding employee benefits. Colby asked how soon Brenner could begin the project and he said he could get going this week. Brenner said he would like to have more information about the priorities and issues that the Town has, and determine salary range and benefits. He said he would like access to the existing Town Administrator employment agreement; perhaps the Board might want to make changes. He discussed retirement benefits such as deferred compensation that has an impact on salary.

Discussion occurred regarding where to advertise the position: New Hampshire Municipal Association website was discussed as were websites at the States of Vermont, Maine, and Massachusetts where postings can be listed at nominal costs. The Board agreed to move forward with those. Brenner mentioned the International City Management Association (ICMA) which has national coverage at a cost of \$600.00 for the posting. If there is a member the cost is \$450.00; O'Keefe stated that he is a member of ICMA. The Board declined to use the ICMA. Hutwelker asked about web sites for municipal management associations in the states of New York and Connecticut but Brenner discouraged the Board from advertising in those states. There was a discussion regarding range of salary for the position and how to determine that range. The Board agreed to further discuss a salary range. Colby asked Brenner to provide a reasonable salary range for the local area. Brenner pointed out the quality of life in New Hampshire is attractive to candidates despite the fact that salary range might be lower than in other states.

Regarding print ads, Brenner recommended advertising in the Sunday Union Leader, which would cost about \$200.00 for a column ad. Discussion occurred regarding a block ad versus a column ad and that a block ad is more expensive. Brenner did not recommend other print ads.

There was a discussion about similar position openings in other towns in New Hampshire. He said there are presently openings in Vermont and in Massachusetts. Colby said he would email Brenner a copy of the Town Administrator's employment contract.

When asked by the Board about a contract for the work to be done, Brenner said his proposal stating the Scope of Services is the contract.

**Motion** was made by Colby to accept the proposal of **Scope of Services** of Brenner Associates Municipal Consultants of 17 Concord Street, Peterborough, New Hampshire as proposed on April 7, 2015 and authorizing Colby as the main contract for Brenner; there was a second by Hutwelker. All were in favor. **Motion passed.**

Brenner said he would like to discuss with the Board any issues or priorities for a new Town Administrator and asked to schedule another meeting on April 28, 2015. Brenner also asked for a copy of the job description for Town Administrator. Brenner said that the job description and the contract are both public records.

Brenner and Coates left and O'Keefe rejoined the meeting at 7:37 p.m.

#### **Vermont Yankee Radiological Emergency Response Plan budget (RERP) for FY2016**

Emergency Management Director Bruce Bohannon met with the Board to go over and seek approval for the proposed FY2016 Vermont Yankee RERP. Bohannon said it is anticipated that this would be the last budget due to the recent closing of Vermont Yankee.

**Motion** was made by Colby to approve the RERP budget for FY 2016, second by Hutwelker. Discussion occurred about potential radiological exposure with shut-down and Bohannon said it would be limited to site boundary. Bohannon spoke about a hostile-based drill. All were in favor. **Motion passed.**

#### **Health Officer Hours**

Colby asked Bohannon to estimate the number of hours a Health Officer might require.

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

#### **Murdough Motorcycle Swap Event**

The Board re-opened a discussion regarding the proposed Motorcycle Swap Event at the Cheshire Fairgrounds that was begun at the previous meeting. Davis said that Fire Chief Norm Skantze has come to a compromise with Murdough for the upcoming event but there was no resolution regarding a payment owed to the Town for a past event although the Board asked him to work on that issue as well. Davis also noted that Rogers Rangers have filled the safety role at the Fairgrounds for many years in the past and will do so again for this event, but the Fire Chief says that he doesn't believe that they are qualified to provide the same service that the Fire Department can provide. Davis noted that Rogers Rangers were adequate in the past. Davis also noted there was a gap in communication to the sponsors of the event about the change in the rules and therefore the Town is partially responsible. The Board agreed.

A **motion** was made by Hutwelker to reduce the cost from \$664.00 to \$332.00 for the September 2014 Motorcycle Swap Event with payment expected by the end of May, 2015. There was a second by Colby. All were in favor. **Motion passed.**

### **Non-public session(s) 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 Colby. The Selectmen voted unanimously by roll call to go into non-public session at 8:06 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 Recording Secretary Beverly Bernard.

**Motion** was made by Hutwelker to leave non-public session and return to public session. The motion was seconded by Colby, with all in favor. **Motion passed.** Non-public session ended at 8:20 p.m.

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

### **CONSENT AGENDA**

**Motion** was made by Hutwelker to approve the Consent Agenda. There was a second by Colby, and further discussion regarding the New Hampshire Department of Environmental Services (NH DES) report for the Recycling Facility. The discussion centered on receiving and responding to this sort of thing in a timely fashion. Another issue considered was who signed the report; O'Keefe pointed out that the Selectboard certifies the facility based on a recommendation of the facility manager.

Continued discussed occurred regarding Raffle Permit #2015-06 for the Monadnock Regional High School (MRHS) Destination Imagination Raffle asking for a waiver of the \$10.00 limitation on ticket prices currently in place.

There was a **motion** by Colby to waive the \$10.00 limitation for the MRHS Destination Imagination Raffle, second by Hutwelker, and all were in favor. **Motion passed.**

The Chair called the vote on the Consent Agenda and all were in favor of the motion to approve the consent agenda. **Motion passed.**

- 2014 Annual DES Facility Report for the Recycling Facility
- Open Container Permit #2014-01, Brown Field Committee, Brown Memorial Field, 731 West Swanzey Road.
- Raffle Permit #2015-06 – Monadnock Regional High School (MRHS) Destination Imagination. 50/50 Raffle at MRHS on May 2, 2015. NOTE: WAIVER REQUESTED OF \$10.00 LIMITATION ON TICKET PRICE TO ALLOW \$20.00 TICKETS. – Note: motion by Colby to waive the \$10.00 limitation for this occasion, second by Hutwelker, and all were in favor. Motion passed.
- Raffle Permit #2015-07 – Monadnock Baseball. Raffle of two tickets to Red Sox game at MRHS baseball field on May 29, 2015.
- Raffle Permit #2015-08 – Fast Friends Greyhound Rescue. 50/50 Raffle at 14 West Swanzey Road at monthly yard sale on April 25, 2015, May 23, 2015, June 27, 2015, July 25, 2015, August 22, 2015, and September 26, 2015.
- Event Permit #2015-07. MRHS Project Graduation – Husky Hustle 5K Run/Walk on May 16, 2015 on various Town and State roads. Note: Permit requirements – see permit form for details.

- Event Permit #2015-08. Cheshire Fair Association/Altitude North Productions – Monadnock Up in Smoke BBQ Festival from May 29, 2015 – May 31, 2015 at the Cheshire Fairgrounds. Note: Permit Requirements – see permit form for details.
- Event Permit #2015-09. Cheshire Fair Association/Walker Events, Inc. – Circus, Circus and More Circus on April 27, 2015 at the Cheshire Fairgrounds. Note: Permit Requirements – see permit form for details.
- Notice of Intent to Cut Wood or Timber. Mitchell Sand & Gravel, NH Route 10, Map 86, Lot(s) 1.
- Certification of Yield Taxes Assessed and Yield Tax Levy. William Smith & Thomas Smith, Carlton Road, Map 23, Lot(s) 11.
- Personnel Action Report(s)

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

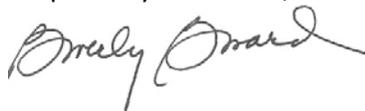
- Copy of letter of March 30, 2015 from the Cheshire Fair Association regarding tax assessment matters.
- Letter and report of March 30, 2015 from the NH Department of Revenue Administration regarding monitoring activity of sales inspections for 2014.
- NH Department of Environmental Services notice of appointment of Chuck Mills to the Ashuelot River Local Advisory Committee, dated April 3, 2015.
- NH Department of Environmental Services Wetlands Application, Land of Jonathan Hoden, 196 East Shore Road (Map 44, Lot 7), received April 7, 2015.
- Board of Tax and Land Appeals decision in the matter of Arnie Filipi v. Town of Swanzey, dated April 7, 2015.
- NH Department of Environmental Services notice of illegal burning of materials at 832 West Swanzey Road, dated April 10, 2015.
- Final 2014 Audit.

#### **ADJOURNMENT**

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

**Motion passed.** Adjournment occurred at 8:21 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on April 21, 2015