

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – April 28, 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 6:00 p.m. at the Swanzey Town Hall. Also present was Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

OTHERS PRESENT

Interim Carpenter Home Administrator Judy Bohannon, Bookkeeper Theresa Louder, Human Services and Resources Coordinator Edna Coates, Monadnock Regional School District (MRSD) School Board Chair Barry Faulkner, Monadnock Regional School District Interim Superintendent of Schools Dr. Keith Pfeifer, Public Works Director Lee Dunham, Swanzey Cal Riken League representative Jonathan Hoden and Residents Wally Smith, Rebecca Hays and Gus Lerandean. Jori Johnson representing the Cheshire Fairgrounds was also present for a short period of time.

CITIZEN CONCERNS

There were none.

MINUTES

- The regular meeting Minutes of April 21, 2015 were considered. There was a **motion** by Colby to accept the regular meeting Minutes of April 21, 2015. The motion was seconded by Hutwelker and there was no further discussion. All were in favor. ***Motion passed.***
- The Non-Public meeting Minutes #1, and #2 of April 21, 2015 were considered. There was a **motion** by Colby to accept the Non-Public meeting Minutes #1 and #2 of April 21, 2015. The motion was seconded by Hutwelker with no further discussion. All were in favor. ***Motion passed.***

CONSIDERATION OF MEETING MINUTES

Unseal non-public minutes. Continuing the Board’s effort to review the sealed minutes of non-public sessions and consider whether to unseal them, O’Keefe proposed that the Board act on the following non-public sessions that took place during January and February of 2015:

- January 6, 2015, #3 – **The Board decided that these Minutes will remained sealed**
- January 12, 2015, #1 & #2
- January 20, 2015, #1
- February 10, 2015, #1
- February 17, 2015, #2
- February 24, 2015, #3 – **The Board decided that these Minutes will remained sealed**

Motion to unseal the non-public minutes of January 12, 2015, #1 and #2, January 20, 2015 #1, February 10, 2015 #1, and February 17, 2015 #2 was made by Colby. There was a second to the motion by Hutwelker, and all were in favor. ***Motion passed.***

FINANCIAL MATTERS

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

NEW BUSINESS

Request for funds from the Stratton Free Library Expendable Trust Fund

The Stratton Free Library Board of Trustees requested that \$2,800 be released from the Stratton Free Library Expendable Trust Fund for repairs to the front doors of the library. O'Keefe noted that on December 31, 2014 the fund balance was \$25,673.

Colby **moved** to authorize the use of up to \$2,800 from the Stratton Free Library Expendable Trust Fund for repairs to the front doors of the Library. There was a second to the motion by Hutwelker and no further discussion. All were in favor. ***Motion passed.***

O'Keefe will contact the library regarding the decision of the Board.

Outstanding receivables for Carpenter Home Medicaid residents

Interim Carpenter Home Administrator Judy Bohannon and Bookkeeper Theresa Lounder met with the Board to discuss receivables related to Carpenter Home residents with NH Medicaid. It was noted that because of reductions in Medicaid payments the Town is in fact losing money on some residents. At this time Lounder requested withdrawal of \$1,481.89 from the Charles Carlton Common Trust Fund for the Aged and Infirm to cover these losses for some of 2013 and all of 2014. The fund had a balance of \$8,984 on December 31, 2014. Lounder explained how the daily billable rate is determined. She noted the State of New Hampshire provides a maximum of \$49.00 per day for Medicaid residents, down from the previous amount of \$70.39, which is insufficient to cover costs.

Colby **moved** to authorize the use of up to \$1,500 from the Charles Carlton Common Trust Fund for the Aged and Infirm to cover Medicaid receivables at the Carpenter Home for the years 2013 and 2014. There was a second to the motion by Hutwelker and no further discussion. All were in favor. ***Motion passed.***

Adjustment of Carpenter Home resident rates

Further discussion was held between the Board and Interim Carpenter Home Administrator Judy Bohannon and Bookkeeper Theresa Lounder regarding the proposed adjustment of resident and other rates for the Carpenter Home, to include removing high acuity rates. Bohannon said the Carpenter Home is losing money on at least three clients. It was noted by O'Keefe that any changes require 30 day notice to residents, so the changes can take place on June 1, 2015 if the Board makes a decision tonight. There was a discussion about the number of Medicaid patients the Home can tolerate without losing money. Bohannon explained the rationale for Respite Care and Day Care. The 16-bed license allows for two folks for respite/day care per week. This adjustment in rates proposal would be revisited in 18 months. There was a discussion regarding the size of the very small private room which is about 80 square feet. Lounder said the current rates are from 2012. She provided a spreadsheet to the Board with varying percentages of rate increase as aligned with the number of type of rooms filled. She noted that a 6% increase for non-Medicaid patients would get to a break-even position. She also discussed raising rates by 7.5%. Davis asked how the new rates would be compared to other homes in the area and Bohannon said the Carpenter Home pricing is still a bargain even with the proposed rise in rates.

Colby mentioned that he would like to see the State Representatives present at meetings when issues like the State's level of reimbursements for Medicaid patients are being discussed since they have a significant impact on the budgets of the Towns.

There was a brief discussion about the need to refresh the rooms to attract new clients.

Colby **moved** to adjust the rates for the Carpenter Home to the following, effective June 1, 2015:

Monthly Room & Board

Semi-private - \$2,425, Very small private - \$2,425,

Medium private - \$3,250, Large private - \$3,450 (ordinarily a double)

Pets - \$50 per month/ per pet

Respite Care - \$125 per night

Day Care - \$50 per day

There was a second to the motion by Hutwelker and no further discussion. All were in favor.

Motion passed.

Bohannon will send out a letter to the families immediately notifying them of the rate increase, so that rates can be raised June 1, 2015. Louder said that there is no information provided by the State to the Carpenter Home regarding a raise in Social Security benefits each year. Bohannon asked that the agreement with clients include a term that states that new information about Social Security raises must be provided by the client or families in January of each year.

Discussion occurred about updating a brochure for the Home, and creating an effective web page. Bohannon spoke about no longer advertising in the Monadnock Shopper for staff but to continue to do so in the Keene Sentinel.

Louder left the meeting at 6:45 p.m.

Carpenter Home staffing levels

Judy Bohannon met with the Board along with Human Services and Resources Coordinator Edna Coates to discuss this matter, following up from the previous Board meeting. Bohannon said that she thought she had three full-time positions available but learned that she has only two full-time employee positions. O'Keefe noted that during budget discussions in October 2014 Bohannon had recommended going from three full-time positions to two, and the Board had asked him to adjust the budget accordingly.

Bohannon discussed with the Board about the rates being paid for Licensed Practical Nurses (LPNs) who need to work overtime to cover the Home seven days a week by twenty-four hours a day. O'Keefe provided the Board with a report of hours worked by Carpenter Home staff year-to-date indicating some employees working significant overtime. She said it is difficult to get someone to work only 29 hours per week. Hutwelker asked Bohannon to come back with a proposal that would suit the Home's needs and she said she would.

Smith Hays, Faulkner, Pfeifer, Dunham, Johnson, and Lerandau left the meeting at 6:50 p.m.

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

Motion by Hutwelker to enter Non-public session pursuant to RSA 91-A:3II(b) Hiring of Public Employee(s). The motion was seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 6:50 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, Interim Carpenter Home Administrator Judy Bohannon, Human Services and Resources Coordinator Edna Coates 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 7:03 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.**

Smith, Hays, Faulkner, Pfeifer, and Dunham rejoined the meeting at 7:04 p.m.

Use of Monadnock Regional School District (MRSD) High School/Middle School Gym for polling place
Dr. Pfeifer and MRSD School Board Chairman Faulkner met with the Board. Davis reminded the Board and informed Pfeifer and Faulkner that based on a letter from the Freedom From Religion Foundation, reviewed by the Board on March 31, 2015, objecting to ballot elections being held at the Christian Life Fellowship Church, the matter of changing the location of election ballot voting should be discussed. Discussion occurred about school closings on days when voting might occur, and about the possibility of using the gymnasium or cafeteria for voting.

Colby noted the Christian Life Fellowship Church has been a great citizen by offering their facility for Town elections. Pfeifer said that given advanced notice, something could be worked out so the Town could use the school facilities and that the gymnasium was probably the easiest to access. Colby mentioned parking issues if school is in session. Pfeifer said some parking could be reserved for voting. He asked if the Board wanted to do a walk through and Colby said yes, and suggested including Public Works Director Lee Dunham and Moderator Bruce Tatro. Hutwelker asked about preventing damage on the gym floor. And Dunham said there should be some sort of cover for the floor.

School Resource Officer

Pfeifer raised the topic of the need for a School Resource Officer. Davis suggested having Police Chief Tom DeAngelis present for a meeting on this topic. Colby said the main concern is budget timing. The position of School Safety Officer turned out to be insufficient according to Pfeifer. Discussion occurred about the original Warrant Article approval by the School District voters. Pfeifer said he is open to communication between the Town and the School Board on this matter. Hutwelker asked about a timeframe. Pfeifer said that they were going through a needs assessment and hope to have a decision by the end of May 2015. He said there is an ongoing concern about school safety. He noted that having only two administrators for the high school and middle school presents a challenge. He spoke about the skills needed by an officer to handle teenage discipline problems that arise.

Wilcox Building

Faulkner said that the Wilcox Building has been identified by the MRSD Budget Committee as expensive and could be surplused out and Pfeifer confirmed that some of the programs have been moved from the building. He said the Budget Committee wants the School District to downsize. There was a discussion regarding other land owned by the District that might be helpful to the Town for potential use by the Town. Hutwelker asked about paying full market value for the building. Faulkner said there is a statutory procedure for selling surplus buildings. Discussion occurred about how Swanzezy would see

revenue from the sale of a surplus school building. Faulkner noted the MRSD School Board has to follow proper procedures keeping all the towns within the school district in mind.

Faulkner noted that the maintenance on the building would be about \$15,000 per year if it is closed and un-used. Davis asked about building codes and whether the building was up to code; Faulkner said the building can't be used by handicapped students, but it is fire safe. Re-building after a tree crashed onto the roof of the building in 2014 took care of those issues. The Board agreed to further discuss this topic.

Pfeifer and Faulkner left at 7:31 p.m.

Cal Ripken League use of Lane Field

Public Works Director Lee Dunham, Recreation Manager Judy Bohannon, and Jon Hoden, representing the Cal Ripken League, met with the Board. A new agreement was proposed and the Cal Ripken League had some added requests that go beyond what was discussed. The Board discussed with Bohannon, Dunham and Hoden a number of issues raised by Hoden and also that the April dates were changed in the agreement.

Hutwelker complimented Hoden on the condition of the softball field. Bohannon asked for a pitching rubber at 35 feet. Hoden said he could do that for softball. Hoden noted that the bases are set for older kids. Judy Bohannon said that the first base needs to be changed, but the bases are okay. She said she doesn't have a problem moving the pitching rubber back to 40 feet should she need to. Bohannon said the field looks good.

Discussion occurred regarding agreement insertions requested by Hoden. Colby questioned the dollars and cents in renovations and Hoden agreed to mention renovations without referring to dollars and cents. Colby asked to strike the referral to the specific funds but still acknowledge the renovations. Discussion occurred about state inspectors.

The Board and Hoden discussed other issues listed as requested:

- Storage shed – reserve use of the shed for all seasons throughout the entire calendar year.
- Lime Shed
- Batting Cage
- New pitching bullpens
- New equipment Storage building
- Demolish the existing equipment shed
- Swanzey Rec Softball and Soccer can share the lime shed storage, and share in expenses associated with the use and maintenance of the batting cages and be solely responsible for maintaining of Whitcomb field.

Bohannon said she has no intention to use the batting cages this year. She said she would revisit it for the next year. Hutwelker confirmed that the batting cages were off the table and therefore softball would not share in those expenses. Hoden spoke about baseball and softball being declining sports.

Discussion occurred regarding storage of sport equipment and some of the problems involved. Bohannon asked for a portion of a shed to store the gear needed. Bohannon said the lime shed will work during the season, but she needs off-season storage of equipment. There was a discussion about too

many keys out among folks and people who need them not having them. Hoden said he would develop a key master list and solve the problem of Dunham not having a working key.

Hoden spoke about the construction of new pitching bullpens and new equipment storage building and a third batting cage. He said he wanted to confirm moving forward on the master plan which he had brought with him and showed to the Board. The Board agreed. Colby said as long as the changes don't infringe on parking or softball, he said he would approve the changes. Bohannon agreed that the Rec program is responsible for the maintenance of Whitcomb field.

Dunham pointed out that the fields have been built on the work and donations from volunteers. Dunham said a master plan is important so there is consistency in the development of the fields for now and into the future.

Hoden mentioned that he would like to have the benches returned at the end of the season. Dunham acknowledged that he had moved them and they would be returned.

The Board thanked Hoden for his work and thanked Bohannon for hers.

Bohannon and Hoden left the meeting at 8:09 p.m.

General discussion of Public Works Department matters

DPW Director Lee Dunham updated the Board on Public Works Department matters. He spoke about being a month behind due to the long cold and snowy winter. Some of the tasks he referred to:

- Building gravel roads, fixing potholes, storm damage follow-up
- Ash Hill trimming may go to June 2015 – and Dunham confirmed that the road would not be closed during the tree work.
- Cemeteries/burials need to be addressed
- Road sweeping needs to occur
- Brown Field tree removal needs to be addressed

Dunham said that his department is swamped with work to be done right now. There was also a discussion about the West Swanzey Park including addressing New Hampshire Department of Environmental Services (NH DES) requirements. There was a discussion about benches for the park. Colby said he has commitments for four granite benches to be donated and he would like to see some progress made on the ground work needed to place the benches. Discussion was held also about landscaping.

Dunham informed the Board that the Governor and Executive Council has approved funds for the Falls Brook culvert repair.

The Fire Pond on Old Richmond Road was discussed and that an individual has a right-of-way on the property. Davis suggested signs be posted and asked Dunham to consider options for securing the property. Davis reminded Dunham about his yearly performance goals to be returned to the Board.

Dunham left the meeting at 8:30 p.m.

OLD BUSINESS

Discuss Municipal Facilities Study Committee

Board member Hutwelker presented an outline for the formation of such a committee. He reviewed the purpose of the group. He also reviewed the membership he is suggesting for the Committee based on their experience in various aspects of planning.

Hays asked about the owner of the property on Safford Drive. She asked if the Town has gotten permission for a load assessment of the property. O'Keefe said that the owner has been very accommodating about anything the Town would ask of him. Hutwelker said those kinds of analysis are a part of due diligence, which is part of a contract. The Town can back away if the soils come back as being inadequate.

Davis pointed out that Safford Drive might not be a Town's top choice for a Fire Department site. The new committee would make more specific recommendations and develop more clarity and get folks involved so as to understand what the issues are. A soil analysis on one particular property might be premature. Colby said there are too many ideas out in town and something has to get done quickly. He noted there wasn't a Fire Station bond passed in any of the towns in the State of New Hampshire this year. The Board has done its level best to address the needs of the Town.

Smith said that a lot of folks just don't want to spend any money. Davis pointed out the Warrant Article for the bond for the proposed Fire Station wasn't modified by the voters to lower the amount of money to be spent on the proposed project, which they could have done at the Deliberative Session. Smith suggested talking to other communities about how to get voters to spend money.

Hays said the feedback she got was that there wasn't an alternative or "Plan B". Hutwelker said that the Capital Improvements Program Committee (CIP) came out with the plan and the Board couldn't override it. Hays said that the folks she spoke to agreed that the fire station needs to be removed from Town Hall. Colby stressed that the Board was looking at a facility that would address community needs for 20 or 30 years down the road. And if the Town builds cheaply it is likely to need renovation in 10 years, and then the public would complain the Board should have known to build better the first time around.

Colby suggested that the proposed Committee be invited in to meet with the Board next week to discuss the proposal further. The Board agreed.

A brief discussion was held regarding the items for the Agenda for next week.

Hays left the meeting at 9:01 p.m.

Property-Liability & Workers Compensation insurance

O'Keefe reminded the Board that Property-Liability Trust will be going out of business effective June 30, 2016 due to regulatory constraints, which is the end date to the Town's extended coverage agreement. While the Town will not need to go out to bid for FY 2017 insurance services until budget time in the fall, O'Keefe noted that he had been informed that there may be interest in proceeding sooner. There was a brief discussion regarding getting help from Property-Liability Trust to come up with a list of insured property, liability, and Workmen's Compensation for the Town, and see if they can assist the Town in a solicitation process.

CONSENT AGENDA

Motion was made by Colby to approve the Consent Agenda. There was a second by Hutwelker, and no further discussion. All were in favor. **Motion passed.**

- Event Permit #2015-12. Cheshire Fair Association/Rock Revival & Music Productions (Ronald Mason) – 60's Rock Revival Festival on June 27, 2015 at the Cheshire Fairgrounds. Note: Permit Requirements – see permit form for details.
- Event Permit #2015-13. Swanzey PTO/Monadnock Regional School District – Mt. Caesar/Cutler Color-a-Thon Race on May 30, 2015 at the Mount Caesar School. Note: No Permit Requirements.
- Raffle Permit #2015-09 – Cast 'n Brass Antique Machinery Club. Raffle of donated items, hand-made items, gift certificates, etc. at the Cheshire Fairgrounds on August 2, 2015.
- Certification of Yield Taxes Assessed and Yield Tax Levy. Glen Hurd, Forest Avenue, Map 74, Lot(s) 18.
- Certification of Yield Taxes Assessed and Yield Tax Levy. Stuart R. Adams, South Winchester Street, Map 72, Lot(s) 43.
- Deed conveying Town-owned property at 160 Goodell Avenue (Map 25, Lot 13-5) to Oscar and Linda Mattson.
- Personnel Action Report(s)

Land Use Change Tax was originally on the Consent Agenda. Arnie Filipi, 68 Warmac Road (Map 26, Lot(s) 4-2) – \$3,240. – **No action was taken on this item – to be discussed next week.**

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

- NHDOT final list of State and municipal “red list” bridges, dated April 22, 2015

ADJOURNMENT

Motion to adjourn was made by Hutwelker, second by Colby. No further discussion. All were in favor. **Motion passed.** Adjournment occurred at 9:09 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on May 5, 2015