

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – May 26, 2015  
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

**CALL TO ORDER**

Present were Selectmen W. William Hutwelker III and Kenneth P. Colby, Jr. The meeting was called to order by Hutwelker at 6:07 p.m. at the Swanzey Town Hall. Present was Recording Secretary Beverly Bernard. Selectman Deborah J. Davis joined the meeting at 6:10 p.m.

**OTHERS PRESENT**

Human Services and Resources Coordinator Edna Coates, Pastor David M. Berman from Christian Life Fellowship church, Jeffrey Snitkin from Bay State Forestry, Jennifer Matthews representing Memorable Events, Chuck Matthews, Geordie Fifield and David Devoid representing Altitude North Productions – Monadnock Up in Smoke BBQ Festival, Ashuelot Rail Trail Project Manager Bruce Bohannon, Keene Sentinel Reporter Meghan Foley, and New Hampshire State Representative Ben Tilton. Fire Chief Norm Skantzze, Public Works Director Lee Dunham, Police Chief Tom DeAngelis, Director of Planning and Community Development Sara Carbonneau, Reporter Tom Novak, Cheshire Fairgrounds Manager Jori Johnson and residents Glenn Page, June Fuerderer, Jane Johnson, Wally Smith and several other members of the public.

**CITIZEN CONCERNS**

There were none.

**MINUTES**

- The regular meeting Minutes of May 19, 2015 were considered. There was a **motion** by Colby to accept the regular meeting Minutes of May 19, 2015. The motion was seconded by Hutwelker with no further discussion. All were in favor. ***Motion passed.***
- The Non-Public meeting Minutes #1 and #2 of May 19, 2015 were considered. There was a **motion** by Colby to accept the Non-Public meeting Minutes #1 and #2 of May 19, 2015. The motion was seconded by Hutwelker with no further discussion. All were in favor. ***Motion passed.***

**FINANCIAL MATTERS**

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

**OLD BUSINESS**

**Opening of new section of Safford Drive**

The Board was asked to consider when to open Safford Drive to general traffic. The original schedule called for the road to be finished on Friday, May 29, 2015, and the road opened after the Noon ribbon-cutting ceremony that day. Colby suggested that the official opening be after the ribbon-cutting ceremony and the Board agreed.

**Authorize submission of grant funds for Whitcomb Hall**

The Board was asked to authorize submittal of a grant application seeking \$10,000 from the East Hill Foundation to assist with renovations of Whitcomb Hall, and to sign a letter of project support as well. Director of Planning and Community Development Sara Carbonneau presented the Board with a support letter for execution.

Colby **moved** to authorize the Director of Planning and Community Development, on behalf of the Board, to submit of an application for grant funding of \$10,000 to the East Hill Foundation in support of the renovations to Whitcomb Hall, to authorize Code Enforcement Officer Mike Jasmin as the Project

Manager and for the Board to execute a letter of support for the application. There was a second to the motion by Hutwelker and no further discussion. All were in favor. ***Motion passed.***

### **Town elections polling place**

This matter was last discussed on May 5, 2015 when the Board visited the High/Middle School gym with School District and Town representatives to evaluate whether the site could once again be used for elections. Senior Pastor David M. Berman of the Christian Life Fellowship church met with the Board to discuss the Town's efforts to consider its options for holding its ballot elections. Pastor Berman asked the Board about the reason for not continuing using the church facility for voting. He asked if he could be forthright with the Board and when they agreed, he said he felt the Selectmen should have the fortitude to ignore a single individual who complains by writing a letter. He said if the citizens of the Town had voted to no longer use the church that would be acceptable, but it should not be acceptable to change things just because of one individual's complaint.

Berman noted that the Church does not charge anything to the Town for use of the building; the Church pays for the heat and electricity as a service to the Town. Colby mentioned that radio exposure can be negative with people ending up with opinions that are not based on facts. Colby also mentioned that the parking lot of the church is sometimes muddy, and the complaint letter was impetus to research consideration for another venue for voting, not a decision to end using the church. Colby said the Church has been a fine citizen of the Town. Colby mentioned that small towns often vote in churches. Colby said the Board is exploring options, and no decision has been made to discontinue use of the church.

Davis also mentioned that during the March election school is no longer in session on the day of voting. The decision to pursue it was casual and not intended to be a negative testament to having the vote at the church. Davis also said the Town is very appreciative. Berman asked when the Board might be able to tell him when the Board would be making a decision. Colby mentioned that the choice is really up to the Moderator Bruce Tatro. The next election will be in January and Davis promised that Berman would be notified in a timely fashion.

Berman said it was unfortunate that some out-of-state groups should have the kind of influence they appear to be having. Berman left the meeting at 6:20 p.m.

### **NEW BUSINESS**

#### **Timber Harvest of Town-owned property in Westmoreland**

Briefly discussed on May 5, 2015, the Board expressed a wish to pursue a timber harvest of land owned by the Town within Westmoreland. Bay State Forestry Forester Jeff Snitkin met with the Board to discuss this effort.

It had been noted by the Town Administrator that the property is landlocked, so authorization for access from the Westmoreland Selectboard may need to be sought (per RSA 231:40, 231:41 & 231:42) if the intervening property owner is not interested in accommodating the Town's wish to pass over their property.

Snitkin said it has been 30 years since logging has been done on the property. Snitkin also acknowledged there is an access issue. They tried to log ten years ago, and the work could not be done because of lack of access. He showed a map of the property to the Board. There is a development in the area which is causing the access issue. There is also a class six road in the area. Colby asked Snitkin to look into the situation. Snitkin said he would do so. Snitkin asked about timeframe. Colby said that the Board could be ready to approve work as soon as there was access but more likely within the next year. Hutwelker suggested that the Selectmen contact the Town of Westmoreland officials to discuss the situation. Snitkin asked who his contact should be for the Town of Swanzy and the Board responded that his main contact remains the Town Administrator and if there isn't an immediate replacement for O'Keefe, Snitkin can keep in touch with Carbonneau. Snitkin mentioned work that can be done on the lower section of Mt. Caesar at some time in the future. Snitkin left the meeting at 6:28 p.m.

## **PUBLIC HEARINGS**

6:30 p.m.

Event Permit # 2015-16, Jennifer Matthews/Memorable Events & the Cheshire Fair Association. Monadnock Pumpkin Festival at the Cheshire Fairgrounds on October 24, 2015.

Davis informed those present that the hearing was for public testimony only and no decision would be made tonight. Davis read the public hearing notice aloud.

### **Public Hearing opened at 6:30 p.m.**

The proposed Monadnock Pumpkin Festival event, scheduled for October 24, 2015 at the Cheshire Fairgrounds, is estimated to have up to 8,000 spectators. The event has undergone preliminary review by the special events review staff and several conditions are being considered, but staff proposes to refine recommended conditions based upon input received at the hearing.

Jennifer Matthews provided an overview of the project. She said she owns and operates Memorable Events. She noted that when the City of Keene decided against staging its Pumpkin Festival many non-profits lost an opportunity to earn funds. Therefore she decided to put on a similar event at the Cheshire Fairgrounds. She said they have put together a security plan and she was open to questions.

Hutwelker asked about traffic control. Matthews said they have traffic control plans. Hutwelker said that while the event is being held between 10:00 a.m. and 8:00 p.m. his concern is a crunch period mid to late afternoon through the evening. He said he is also concerned that there is no control over how many people come to the event. If Keene got 60,000 people; 40,000 would be a nightmare for Swanzey at the Fairgrounds. Matthews said this will be a dry event, and be family focused. They might use signage to say that the grounds are full. When asked how they will manage to move people out at 8:00 p.m. Matthews said the fireworks will have already occurred, and the pumpkins will be extinguished. She also said it gets dark early in October. Fireworks will probably be at 7 or 7:30 p.m. A question arose about satellite parking and Matthews said there would be a shuttle bus for satellite parking.

DeAngelis said Matthews has a good plan. The concern is that there may not be the same level of draw as the City of Keene Pumpkin Festival that was held in the past. He said that the estimate of 8,000 to 10,000 people is being realistic. DeAngelis said if there are more people, they will have to shut down the gates. This year will be a better traffic pattern because of Safford Drive being newly opened to traffic. He spoke about overflow parking. He said his main concern is pedestrians – it isn't safe, there are no sidewalks and the lighting is poor. He suggested a sidewalk on Safford Drive be considered in the future. But Safford Drive will help alleviate some of the past traffic problems because of the slip lanes for making turns. Through traffic will be able to continue to move. He said it would be good to suggest to drivers to come up Safford Drive to access the Fairgrounds.

Skantze said that Matthews has been open to suggestions and there is a good command and control plan. They are following the template for the Atlas fireworks event. Signs might be a good idea. He said it would be a positive event.

Chuck Matthews spoke briefly about the fact that another pumpkin festival at Laconia will be the same day and may draw people to it. Ms. Matthews said there is an admittance fee of \$5.00 per person. She mentioned that there will be opportunities to volunteer to help at the event, and thereby get free passes. Some businesses will have some free passes.

Kathy Wright asked if the pumpkins will be counted. Matthews said they will count, but they will not be counting to attain a record number.

Colby suggested that there be a meeting between the Board and Police and Fire Chiefs to discuss further.

Ben Tilton asked about the fees for children aged 5 and under. Matthews said they will be free. There will be a tent for kids' activities that will also be free. Outreach from the community has been good, said Matthews, non-profits are getting involved. Smith asked about clean-up after it is over. Jori Johnson said that there will be using the pumpkins for their compost heap maintained for the summer gardens. Matthews said that they would be recruiting young people to help clean up. Smith said with more traffic, there will be more cleanup needed. The pumpkins won't be near the road, said Matthew. Skantze said that with first-time event, there are always additions to the plan so that if pumpkin damage happens, they can accommodate that in the future. Matthews said she has no problem sending college students out to clean up the nearby roads if there are crushed pumpkins in the roads. The Chair asked for further questions or comments that there were none.

**The Chair closed the public hearing at 6:54 p.m.**

The Board agreed to discuss the permit with the appropriate department heads and get back to Matthews with their decision.

Jori Johnson, Jennifer and Chuck Matthews, several members of the public, and Foley and Novak, left the meeting at 6:55 p.m. Foley returned at 7:05 p.m.

**OLD BUSINESS**

**Amendment to Event Permit #2015-08 - Cheshire Fair Association/Altitude North Productions – Monadnock Up in Smoke BBQ Festival from 5/29/2015 – 5/31/2015 at the Cheshire Fairgrounds**

On April 14, 2015, the Board approved this special event under the consent agenda. Since that time it was discovered that the event was taking on new activities that did not conform to the application as submitted, reviewed by staff, and eventually approved by the Board. These additional activities include various types of motor vehicles races. The Board was asked to consider whether to allow for these added activities for this event. The Town Administrator has reported that staff does not believe there is enough information at this late date to make an informed recommendation to the Board.

Geordie Fifield and David Devoid met with the Board to discuss their request for a racing amendment to an event already permitted without a racing event. Fifield said he learned only recently that adding racing required additional agreement from the Board. Hutwelker noted that when racing came up in the past, and the public was negative about it, the permit was not granted. Fifield responded that the prior racing event being requested was going to be on a regular basis. This racing will be a one-time event of 4 hours out of a 20 hour event. He said there would be somewhere between 25 and 75 vehicles for all the classes, six or seven vehicles per class. It's more entertainment rather than racing. Hutwelker said the Board is not in position to decide favorably for this event. He also mentioned that there is a lack of specificity on the part of the organizers. Fifield responded that there isn't assurance regarding the number of vehicles that will be in attendance for other events that have permits such as the Mud Bog.

Skantze said he just learned that an ambulance will be scheduled and he hasn't had the opportunity to fully discuss it. He said he has no idea what to expect. Colby noted that is why there is a process for acquiring a permit to account for all concerns. Colby mentioned that there is a concern about the noise level which has to be taken into consideration. Carbonneau said regarding her concern about noise, if you grant permission for racing this one time, what will be grounds for denial of additional racing. You may have five or six different people requesting

permits for racing events, which had been denied by the Zoning Board in the past. Hutwelker stressed that there is a committee to address these kinds of requests and the process has to be followed. Colby and Davis said it is unfortunate, but last minute changes in the permit are not acceptable. Devoid asked if there was enough time to still consider. Hutwelker said he defers to the Committee. Coates said that there is information that came in late that the Committee has not had a chance to review. Davis said the point of having a committee is to avoid having last minute changes. Devoid said that he feels that this event is a good thing for Swanzey. It will be a good, fun, safe event. Hutwelker said that he felt that two days is not enough time for the Committee to review and that he felt the answer is “no” at this point. The Board agreed.

### **Ashuelot Rail Trail improvements**

The Board was asked to authorize construction of the new phase of improvements to the Ashuelot Rail Trail. On February 25, 2014 the Board authorized Bruce Bohannon to apply for \$30,000 in funds from the NH Bureau of Trails Recreation Trail Program for trail improvements, and Bohannon notified the Board of the successful application on June 10, 2014. At this time Bohannon proposed to go forward with the project and seeks authorization to hire Pat Rawson Construction to complete the work.

Bohannon met with the Board and told them the piece of the trail to be addressed is the portion between Pine Street and Homestead Avenue. Bohannon said he wanted to re-confirm the process. He discussed funding. \$39,268 was the total for the project. But a drainage issue arose and was added that to the project, so that \$11,000 in additional funds is needed. \$50,268 is the total. \$49,172 is possible if we get a donation for the culvert. Bohannon said there is \$18,400 in the trust fund plus \$30,000 in the grant plus \$7,000 matching funds to cover the project with a projected shortfall of \$1,868 which he said he could mitigate should he need to.

Bohannon said that the Town Administrator O’Keefe suggested going out to bid. Bohannon said Pat Rawson Construction has a history of doing a good job and being low bidder - and hopes that he will be again, doing the job under the amount funded for the project. A discussion occurred about restoring a bridge in the vicinity. One issue of the bridge is that it may be historical.

**Motion** was made by Colby to approve moving ahead with the project with authorization to hire Pat Rawson Construction to complete the work, and waiving the solicitation requirements of the Purchasing Policy. There was a second to the motion by Hutwelker and no further discussion. All were in favor.

**Motion passed.**

### **Release of funds to Carpenter Home**

The Board was asked to authorize release of funds donated to the Carpenter Home to be used to acquire furniture for the facility. On December 23, 2014 the Board accepted a number of donations to the Carpenter Home, totaling \$600. These funds were held as deferred revenue and must be released by the Board in order to be used for the intended purpose.

Colby **moved** to authorize expenditure of up to \$600 for furniture for the Carpenter Home gazebo, to be paid from deferred revenue of \$600. There was a second to the motion by Hutwelker and no further discussion. All were in favor. **Motion passed.**

### **Ribbon-Cutting Ceremony for Opening of Safford Drive**

Carbonneau reviewed the plan for the event including speakers. She said that at Noon there will be the ribbon-cutting event itself. There will be a barbecue at 12:30 p.m. and in the afternoon tours of Nanotech and Carlisle Wide Plank Floors are planned. She said there are 80 folks coming for the ribbon-cutting and barbecue.

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

With applications for the position of Town Administrator having been due from consultant Barry Brenner on May 22nd, the Board discussed next steps in the applicant review and hiring process. The Chair announced to those present that the next Board meeting on June 2, 2015 will be in non-public session at the Police Station.

All citizens still present left the meeting at 7:40 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 7:40 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, W. William Hutwelker, III, Human Services and Resources Coordinator Edna Coates 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 8:05 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.**

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

**Motion** by Colby to enter Non-public session pursuant to RSA 91-A:3II(b) Hiring of Public Employee(s). The motion was seconded by Hutwelker. 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, 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 8:10 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.**

### **Access to Town-owned land in Westmoreland**

There was a brief discussion about accessing Town-owned land located in Westmoreland.

### **CONSENT AGENDA**

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

- Raffle Permit #2015-109 – Vietnam Veterans of America. Raffle for cash drawings of various amounts at the Cheshire Fairgrounds, Market Basket and Gomarlo's on November 10, 2015.

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

- Notice of NHDRA compliance of Town's 2014 reassessment standards, dated May 18, 2015
- Treasurer's monthly report for April 29015
- Expenditure Report of April 2015

**ADJOURNMENT**

**Motion** to adjourn was made by Hutwelker, second by Colby. No further discussion. All were in favor. **Motion passed.** Adjournment occurred at 8:15 p.m.

Respectfully Submitted,

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

Beverly Bernard, Recording Secretary

Approved on June 2, 2015