

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – July 21, 2015
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

CALL TO ORDER

The meeting was called to order by Chair Deborah J. Davis at 6:00 p.m. at the Swanzey Town Hall. Present were Deborah J. Davis and Kenneth P. Colby, Jr. W. William Hutwelker III joined the meeting at 6:01 p.m. Also present was Recording Secretary Beverly Bernard.

OTHERS PRESENT

Bookkeeper Theresa Lounder, Assessing Coordinator Coleen Birmingham, Fire Chief Norm Skantze, Resident Loretta Wright, Human Services and Resources Coordinator Edna Coates, Members of the Municipal Facilities Review Committee including Chair Don Skiba, Glenn Page and Wally Smith, State Representative Ben Tilton, Resident Rebecca Hays, Code Enforcement Officer Mike Jasmin, Keene Sentinel Reporter Meghan Foley and Interim Carpenter Home Administrator Judy Bohannon.

MINUTES

- The regular meeting Minutes of July 7, 2015 were considered. There was a **motion** by Colby to accept the regular meeting Minutes of July 7, 2015. The motion was seconded by Davis with no further discussion. All were in favor. ***Motion passed.***
- The Non-Public meeting Minutes #1, #2, #3, #4 of July 7, 2015 were not considered. There was a **motion** by Colby to table the Non-Public meeting Minutes #1, #2, #3, #4 of July 7, 2015 until next week. 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.

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 6:04 p.m. ***Motion passed.*** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, W. William Hutwelker, III, Code Enforcement Officer Mike Jasmin 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 6:08 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.***

OLD BUSINESS

Void Abatements Issued for Properties

Bookkeeper Theresa Lounder met with the Board to discuss abatements to be voided. She said that the property owners have received or will be receiving assessment refunds due to the type of transaction.

The abatements are as follows:

Abatement # 2015-11	TBK Realty	57/26
Abatement #2015-12	Fiebelman Revocable Trust	19/73
Abatement # 2015-14	D & J Bixby	84/12-6
Abatement # 2015-15	J & R Pasquarelli	26/12
Abatement # 2015-16	J & R Pasquarelli	26/12-7
Abatement # 2015-17	G & B Rouleau	35/24
Abatement # 2015-18	S Lambert	15/19-2
Abatement # 2015-19	G. Tolman	84/7
Abatement # 2015-20	McKinney 1983 Living Trust	79/6-364

Hutwelker asked how to prevent the need for these sorts of abatements in the future. Lounder said she will work with Birmingham to establish the appropriate procedure.

Motion was made by Colby to void the abatements as itemized by the Bookkeeper in accordance with the list as presented above. There was a second by Hutwelker, and no further discussion. All were in favor.

Motion passed.

Timber Tax abatement. Joseph Paolilli, Eaton Road, Map 40, Lots 4 & 3-7

This matter was discussed at the July 7, 2015 meeting. Assessing Coordinator Coleen Birmingham met with the Board to discuss a request for abatement of timber tax already paid, as the timber value came in below the estimated taxed amount. Birmingham spoke about the abatement request and said she compared numbers provided by the mill slips and the report, and the numbers do match. Mr. Paolili did get paid less than the amount that was taxed. \$97.54 is requested as a refund.

Motion was made by Colby to grant the refund of \$97.54 to Joseph Paolili Jr. Eaton Rd. Map 40 Lots 4 and 3-7, as an adjustment based on the proceeds from the timber sale money received by Paolili as being less than anticipated for timber yield and as taxed. There was a second by Hutwelker, all were in favor.

Motion passed.

Lencioni Proration and Abatement Request

Birmingham met with the Board to discuss the request of the Lencioni family for a proration taxable value for property at 18 Forest Avenue due to a fire on May 30, 2015 which destroyed a barn and adjacent shed. She referred to RSA 76-21, II – which allows for Selectmen to prorate the taxes for the year and directs the calculation of the proration. The requested proration would lower the barn assessment from \$9,900 to \$1,600. Hutwelker asked if the barn was being replaced, and Birmingham replied that should the family decide to replace the barn they would need to get a building permit and at that time the assessed value would be revisited.

Colby **moved** to grant the request of the Lencioni family for proration of taxable value for a barn located at 18 Forest Avenue from \$9,900 to \$1,600 due to the destruction of the barn by fire. There was a second by Hutwelker and all were in favor. ***Motion passed.***

Reimbursement Expenses for Staff Training

Assessing Coordinator Coleen Birmingham requested from the Board approval for reimbursement of expenses incurred for training sessions at Vision User Group Conference held May 28-29, 2015. Expenses incurred included gas for mileage driven and meals, a total of \$230.27.

Motion was made by Colby to approve reimbursement to Coleen Birmingham for expenditure of \$230.27 for training of Birmingham at the Vision User Group Conference held May 28-29, 2015, second by Hutwelker, and all were in favor. **Motion passed.**

Used Oil Collection Assistance Grant

The Board considered a request to authorize Bob Osterhout to be able to sign application for Used Oil Collection Assistance Grant on behalf of the Town. The NH Department of Environmental Services requires the Board of Selectmen to take action by vote at a Selectmen meeting to authorize Bob Osterhout as the Grantee Signor for the Oil Collection Assistance Grant on behalf of the Town of Swanzey.

Colby **moved** to authorize Bob Osterhout as the Grantee Signor for the Oil Collection Assistance Grant on behalf of the Town of Swanzey. There was a second to the motion by Hutwelker and no further discussion. All were in favor. **Motion passed.**

NEW BUSINESS

Public Hearing – Whitcomb Hall Grant

Pursuant to RSA 31:95-b the Board considered acceptance of grant money (\$10,000.00) from East Hill Foundation & signing of contract. Whitcomb Hall Committee submitted a successful grant application for renovations/restoration of the front entryway and exterior lighting for Whitcomb Hall.

Public Hearing opened at 6:30 p.m. by Chair Davis.

Davis read the notice for public hearing and opened the hearing for comments from the public. Carbonneau said she noted the E & W G Foundation is the proper name of the foundation. She noted monies will be used to renovate the front entry and exterior lighting for Whitcomb Hall. She also noted that the Chair needs to sign the acceptance documents. Tilton asked about handicapped accessibility. Carbonneau said the plan is for two main entrances, one in front and one in back, and handicapped accessibility will be planned for the back of the building.

Public Hearing closed at 6:33 p.m. by Chair Davis.

Colby **moved** to accept the \$10,000.00 grant award from E & W G Foundation to be used for renovations/restoration of the front entryway and exterior lighting for Whitcomb Hall and to authorize the Chair of the Board of Selectmen to sign the Grant Contract. There was a second to the motion by Hutwelker and no further discussion. All were in favor. **Motion passed.**

Public Hearing – Falls Brook Project

Pursuant to RSA 31:95-b to consider acceptance of grant money for Falls Brook Project. Due to two notices of public hearings being published with different public hearing dates (July 21, 2015 and July 28, 2015), the Board was asked to open and then continue the public hearing to July 28, 2015.

Public Hearing opened at 6:35 p.m. by Chair Davis.

Davis read the notice for public hearing and opened the hearing for comments from the public. Carbonneau requested that the hearing be continued to July 28, 2015 due to multiple dates being published for a public hearing.

Public Hearing closed at 6:37 p.m. by Chair Davis.

Colby **moved** to continue the public hearing for the Falls Brook Project to Tuesday, July 28, 2015 at 6:30 p.m. at the Swanze Town Hall without further notice. There was a second to the motion by Hutwelker and no further discussion. All were in favor. **Motion passed.**

OTHER BUSINESS

California Brook/Fire Pond Plan

At a previous meeting the Board met with Fire Chief Norm Skantze to discuss efforts to restore this fire pond, and it was noted that engineering, permitting and construction costs would come in at between \$5,000 and \$10,000 for this effort. The Board asked for more accurate figures before it would authorize the Chief to move forward with the project and the funding for the project. It was noted that as of December 31, 2014, the Fire Pond Expendable Trust Fund had a balance of \$18,288, and an additional \$5,000 is scheduled to be added this year per Town Meeting article 4. It was also noted that the Board signed a one-year Temporary Operating Agreement the NH Department of Transportation on August 22, 2014, to set interim operations and maintenance standards and responsibilities.

Chief Skantze met with the Board and spoke about SUR Construction West Inc. in Winchester, New Hampshire, who is prepared to provide estimates for the work. He noted that Manager Erica Payne at SUR Construction West will be getting back to Skantze soon with the estimate. Colby said he will continue to monitor the situation because the date for the one-year operating agreement is approaching and the State of New Hampshire Department of Transportation (DOT) may require removal of the boards soon. Colby also noted that the boards need to come out soon anyway in order for preliminary work to be done. Skantze spoke about the possibility of putting in a gravel road for digging out the pond. Colby said he was inferring that sometime in the fall of 2015, the work might be completed, and that given a schedule to present to the State now, the State may allow more time to the Town to complete the work.

Disposition of Tax Deeded properties

It was noted that the Board voted to proceed with tax deeding of the following properties, which are now Town-owned:

FORMER OWNER	LOCATION	MAP/LOT	BOS Decision	Deed Date	Book/Page
Cushing, Walter & Tammi	68 Diana DR	87/2-5068	5/5/2015	6/19/2015	2908/0595
Landry & Berthiaume	12 North Pine ST	18/234	5/5/2015	6/19/2015	2908/0593
Luce, Anna	28 Pondview RD	73/22-0508	5/5/2015	6/19/2015	2908/0585
Monroe, Keith	8 Old Lake ST	18/142	5/5/2015	6/19/2015	2908/0590
Joslyn, Nicholas E.	556 Swanze Lake RD	61/2-0011	5/19/2015	6/19/2015	2908/0587
Spears, Charles & Martha A	27 Aylward AVE	72/108	5/19/2015	6/25/2015	TBD

On June 25, 2015, Code Enforcement Officer Mike Jasmin visited and examined each of the properties and has provided reports for each. All but the Spears property on Aylward Avenue appear to be occupied.

On June 30, 2015 the Board voted to proceed with notice of sale per RSA 80:89 for the following three properties:

FORMER OWNER	LOCATION	MAP/LOT	Deed Date	Book/Page
Luce, Anna	28 Pondview RD	73/22-0508	6/19/2015	2908/0585

Monroe, Keith	8 Old Lake ST	18/142	6/19/2015	2908/0590
Spears, Charles & Martha A	27 Aylward AVE	72/108	6/25/2015	2909/0422

The first two properties (Luce & Monroe) are presently occupied and the Board considered whether to proceed with eviction of the holdover occupants. The third property (Spears) is unoccupied and has been posted for no trespassing.

And the Board agreed to explore conveyance of the following properties back to the previous owner per RSA 80:80,VI. A brief discussion occurred regarding the Joslyn property; it was determined that research needs to be done to learn who the official owner is of the property.

FORMER OWNER	LOCATION	MAP/LOT	Deed Date	Book/Page
Landry & Berthiaume	12 North Pine ST	18/234	6/19/2015	2908/0593
Joslyn, Nicholas E.	556 Swanzey Lake RD	61/2-0011	6/19/2015	2908/0587

For the Landry property, family friend Loretta Wright said she has a third party willing to purchase the property so that Ms. Landry can remain in the house.

Wright met with the Board to discuss the possible buyer for Landry property. She said the man has been ill and was not able to attend the meeting. She said she informed him of the fees and penalties that would apply, and he informed her that he would purchase the property for \$15,000 without fees and penalties. Colby said he did receive a call from the individual today about his offer for the property. Life tenancy document for Landry is possible. Wright said she reviewed the costs for maintaining the property, basic housing costs, and learned that after those costs, Landry has about \$500 a month to live on. Wright noted that the new buyer would be responsible for taxes on the property.

There was a discussion about whether or not the home is habitable. Wright said there isn't a plan for repairs to be made. Hutwelker said that he is concerned about habitable condition, and with no anticipation of repairs they might have to consider other options. Wright said that Landry has help with cleaning the house and for personal hygiene and she felt that the house was habitable and clean. Hutwelker thanked Wright for her time spent on trying to help Landry.

The Board agreed to take the information under advisement and get back to Wright. Wright left the meeting at 6:56 p.m.

The Board also decided to hold off on any action on the following property, until such time as a meeting can be held with representatives of the Pine Grove Mobile Home Park to discuss the possibility of some sort of arrangement. Davis asked Carbonneau to place Claudette Healy from Pine Grove Mobile Home Park on the agenda for the next meeting of the Board.

FORMER OWNER	LOCATION	MAP/LOT	Deed Date	Book/Page
Cushing, Walter & Tammi	68 Diana DR	87/2-5068	6/19/2015	2908/0595

There was a **motion** by Hutwelker to begin eviction proceedings for Anna Luce at property owned by the Town at 28 Pondview Road, Map 73, Lot 22-0508 and for Keith Monroe at property owned by the Town at 8 Old Lake Street, Map 18, Lot 142. There was a second to the motion by Colby and discussion was held regarding the Chair to discuss legal issues with Town Counsel. No further discussion was held, and all were in favor. **Motion passed.**

Update on State of New Hampshire Legislative Action

Representative Tilton filled in the Board on action by PUC Utilities regarding a gas pipe proposal. Tilton said part of the proposal includes a Keene connection with a possible 12,000 customers. He said there will be a hearing in the near future to discuss concerns. Hutwelker asked if there was any benefit to the Town of Swanzey. Tilton said he was not sure and passed some written materials on the subject to the Board.

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 6:56 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, Recreation Director Judy Bohannon 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 6:59 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.**

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 Hutwelker. The Selectmen voted unanimously by roll call to go into non-public session at 6:59 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, Recreation Director Judy Bohannon 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 7:22 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.**

Municipal Facilities Review Committee Report

The Board considered a report from the Municipal Facilities Review Committee. Chair Skiba was present to review the report with the Board and answer questions from them. Hutwelker said that the report was terrific. Skiba spoke about how the committee approached the problem with a minimalist point of view. He noted that they agreed to deal with the Fire Station first, and then address Town Hall. He also noted that the idea of renting a

building for temporarily housing a Fire Department would cost the Town money that would be essentially “thrown away”.

He spoke about a two-phase approach for moving staff around while renovations are being done to Town Hall. He noted that Police, Recycling, and DPW renovations can be managed using reserves over time, or adding a small amount to bonding for the Fire Department and Town Hall. He said he believed that the total bonding request to cover all the facilities in Town that need work would be less than for the Fire Department alone.

He noted that the spreadsheet numbers in the report are place-holders. And the next step would be to get estimates to make those numbers more accurate. He spoke about a steel building, with different types of siding. He mentioned Nanotech as an example of a steel building that looks good.

He said that the Committee needs the approval from the Board to get estimates on costs. He said once the Board has approved moving ahead to acquire estimates, he believe that it would take a couple of months to gather the numbers and report back to the Board.

Hutwelker asked about land acquisition and Skiba did acknowledge that land would be needed for the DPW/Recycling Center for the future. He said the plan would address 5 – 10 years of service for DPW, Recycling, and the Police Department.

There was a discussion about more parking for Town Hall and how to acquire land for parking from either the State of New Hampshire or the Monadnock Regional School District (MRSD). Skiba also spoke about a proposed ADA compliance tower/elevator on the side of Town Hall. Hutwelker thanked Skiba and said the job was well done.

Colby made a **motion** to authorize the Municipal Facilities Review Committee to acquire estimates for the work to be done, second by Hutwelker, and no further discussion, all were in favor. ***Motion passed.***

Hutwelker asked for comments from others from the Committee that were present. Page said that they are meeting with the Fire Chief for a reduced size fire station that addresses his requirements. He also mentioned clear-span buildings might be useful. Wally Smith also mentioned a Police Center addition that will need to be addressed. Smith said there is room in the back for a small addition.

Skiba also addressed the marketing potential for a clear span structure for the Recycling Center. If the revenue drops because the buyers are paying less, you can use a clear span structure that protects residents from the weather and which could increase the desire to recycle and therefore increase volume and revenue.

Colby suggested a walk through for the property on Pine Street. Discussion was held about the properties owned by the Town on Pine Street and how to merge properties to achieve more space for the DPW and Recycling Center. Colby also suggested the possibility for re-aligning the road to provide more space to the Recycling Center and DPW. Skiba agreed to look into the possibility of moving Pine Street over a few feet to gain property sufficient to provide expansion space for Recycling Center and DPW.

Scheduling for Board Meetings

Carbonneau asked about the August meeting schedule, and the Board decided to meet every Tuesday during the month.

Conservation Commission New Member Sworn in

Beverly Bernard was sworn in to the Conservation Commission by Chair Davis.

Marketing with Email Blasts

Hutwelker asked about the possibility of a town-wide distribution list for email blasts. The discussion included thoughts about a Facebook page for the Dillant-Hopkins Airport to market the airport and how the Town might benefit from that.

CONSENT AGENDA

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

- Raffle Permit 2015-17 – Mini's Too 4H Club
- Event Permit 2015-21 – East Swanzey Fire and Rescue/Mud Bog Boogie
- Event Permit 2015-23 – Whitcomb Hall Committee BBQ/Complete Streets Demonstration Event
- Event Permit 2015-24 – Swanzey Planning & Community Development/Rail Trail Celebration
- Appointment Papers – Beverly Bernard – Conservation Commission Member, term to expire Town Meeting 2018
- Personnel Action Report(s)

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

- Carpenter Home Accounts Receivable and Receipts – June 2015
- Notice of foreclosure auction, dated July 7, 2015, regarding property at 30 Perry Lane, Unit #9.
- Letter from Fitzwilliam Selectboard, dated July 9, 2015, regarding forum on proposed gas pipeline scheduled for July 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 7:58 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on July 28, 2015