

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – August 25, 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 6:02 p.m. Also present were Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

**OTHERS PRESENT**

Fire Chief Norm Skantze, Resident Wally Smith, Resident Jane Johnson, Resident Barbara Scully, the North Swanzey Water & Fire Commissioners Gus Lerandean and Rob Herrick and Superintendent Sylvester Karasinski.

**MINUTES**

- The regular meeting Minutes of August 18, 2015 were considered. There was a **motion** by Colby to accept the regular meeting Minutes of August 18, 2015. The motion was seconded by Davis with no further discussion. All were in favor. ***Motion passed.***

**CONSENT AGENDA**

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

- Payroll Manifest
- Payables Manifest
- General Assistance Lien
- MS-1 Request for Extension
- 2015 Assessed Values for Riverbend, Evergreen Knoll, and Swanzey Township Housing

**APPOINTMENTS**

The North Swanzey Water & Fire Commissioners met with the Board. Lerandean led the discussion saying he wanted to introduce the Commissioners to Branley and answer any questions he might have regarding their work. Lerandean said the water company serves 350-400 homes and businesses in North Swanzey.

Karasinski said the new pump station on Safford Drive is not up and running just yet. Electricians are working on the electric service. Karasinski said that except for a spigot for landscaping in the middle of the roundabout being constructed on State Route 12, the rest of the water lines have been installed. Lerandean said as far as he knows the project is due to be completed by October 9, 2015.

Lerandean asked if Branley had any questions about their work and he did not. Lerandean noted the office is at North Pine Street should Branley choose to visit. The Commissioners left the meeting at 6:10 p.m.

**OLD BUSINESS**

**Estimates for Work at California Brook Dam**

Fire Chief Skantze met with the Board to discuss estimates for work to be done at the California Brook Dam. Skantze said he had been provided with four options for handling the work:

- Option A – Installed completely with SUR West Equipment before 11/15/2015 - \$35,2880.00

- Option B – Installed completely with SUR West Equipment between 11/16/2015 and 1/31/2016 - \$25,500.00
- Option C – Town provided dump trucks to assist in excavation (either time period) – **DEDUCT** \$5,000
- Option D – Invoice based on actual hours worked, with a Not to Exceed Value of \$26,500 (11/2-1/31/2016)
  - Excavator        \$100.00/hour
  - Loader            \$ 75.00/hour
  - Dump Truck     \$ 75.00/hour
  - Laborer          \$ 25.00/hour

Branley noted there a total of \$23,249 available in the Fire Pond Expendable Trust fund to provide the funds for this work.

Discussion was held regarding timing flexibility for SUR West Equipment. Colby asked for Option B with Option C as of 11/2/2015 rather than 11/16/2015. Discussion considered snow season and Town trucks not being available for this project because of duty at snow removal.

Barbara Scully spoke about the ice pond dredging wetlands permit and the need to acquire it in a timely fashion. Colby noted that the New Hampshire Department of Environmental Services (DES) is aware of this project and it would be in their best interests to expedite any permit required. Skantze said he believed that a “permit by notification” may be acceptable. It was noted that the Town paid for half of the dam fee with the State of New Hampshire and with regard to permit fees, the State of New Hampshire should be generous. It was also noted that the State of New Hampshire Department of Transportation (DOT) is responsible for requiring removal of the ice pond, not the Town of Swanzey. Scully initiated a brief discussion about the 12 inches of freeboard at the top of the dam which would be required to prevent wash out of the road in a hundred year storm.

The pond will hold 30,000 gallons of water, according to Skantze. He noted that with Town equipment the cost to perform the necessary work may be closer to \$20,500, plus permitting expenses.

Scully suggested that SUR West Equipment did not repair the riverbank properly on another project and questioned whether the Town should hire them for the dam project. Skantze responded that SUR worked with the Town until the dry hydrant at the West Swanzey Park was working properly. Scully said she didn’t think the Town should reward SUR when they have not gotten permits as needed for projects. Scully said the permit specifications were not followed by SUR for riverbank work.

Hutwelker said that the SUR West Equipment estimate was the best estimate, and SUR will be under tighter control with Skantze in charge and responsible. He also noted that this is a much more straight-forward project. Skantze said he would work with SUR to make sure the job is done properly.

Skantze said the next step is to follow through on permitting. The Board confirmed that Skantze should contact SUR to ask for a start date around 11/2/2015 and get an estimate for a tighter end date. Brickstone Land Use Consultants will help with obtaining the necessary permits. Davis said that the Board needs to know all the costs including the cost of the permit. Hutwelker asked for Skantze to get back to the Board next week.

Funds were discussed as to a source for additional money if the project comes in over \$23,000. Branley stated he did not believe there was another appropriate reserve fund so additional expenses would have to come out of the fire department’s budget. Hutwelker encouraged Skantze to speak to the State about reducing or eliminating the

permitting fees since the DOT is requiring the project. Davis and Colby agreed and stated that the Town wouldn't be doing the project if the State DOT didn't insist on it.

Branley said that he would contact Public Works Director Lee Dunham and ask if he would be okay with using the Town's dump trucks for this project.

### **Removal of Vegetation along the Riverbank at the West Swanzey Park**

There was a discussion about the cutting of vegetation along the riverbank at the West Swanzey Park. Colby said that the vegetation was not cut down to the roots – Smith said there is about 6-8 inches of vegetation still growing.

Scully said that this is the 3<sup>rd</sup> infraction of the riverbank in recent months. She emphasized that Shoreland regulations need to be consulted and adhered to. She noted that projects cannot cut vegetation on a riverbank down more than 3 feet. She complained that someone should be in charge of the project with a plan to follow. She said the bank is going to be subject to erosion due to the removal of the vegetation. Scully mentioned the granite steps that have been placed on the riverbank for access to the hydrants and said they are not appropriate without riprap or some other protection for the riverbank. She said there is no proper permitting for the granite stairs, as far as she knows. She referred to a 2013 plan – it says you have to plant within 3 days if you remove vegetation. She again recommended that someone take over management of the project.

Colby said he asked Goller for a list of plants to replace the brush to stabilize the bank but had not heard back. Scully said the Town is responsible for managing the project. Hutwelker asked for recommendation of plants; Scully said that there is a list of shrubs that can be planted there, but she doesn't know if they will grow higher than preferred to maintain the view.

Scully repeatedly urged the Board to get someone to manage this and similar projects to get the appropriate permits and do some restorations. Scully mentioned storm water planning, and siting of the pavilion which should be at least 50 feet away from the river. Colby mentioned that he had the grass expanded and reduced the paved area.

There was a discussion about who might be the appropriate person to manage these kinds of projects. Johnson noted that the Conservation Commission is not being included in planning and it should be, and could be helpful. Smith noted that no one has the expertise to deal with these kinds of projects and perhaps some training might be necessary. Davis agreed. Johnson said that there are folks on the Conservation Commission who would be willing to get educated about permits.

Scully stressed that oversight is needed for permitting. The Board agreed. Hutwelker asked Branley to obtain a copy of the 2013 permit that covers the hydrant at the park. Scully said that a permit is not needed to plant and referred to the park plan that listed shrubs for the park.

Skantze said he believes that the granite blocks assist in stopping erosion. Discussion continued regarding the proper way to use granite blocks on a riverbank. Skantze said that someone from DES did see the granite steps.

Branley said he would pull the 2013 plan. Smith noted the Town has a Code Enforcement Officer that has to deal with permits and perhaps he would be the right person to get educated about water permits. Scully asked again for someone to oversee projects like this. Hutwelker said that redistribution of workload will be addressed in the future, but Branley needs time to come up to speed with regard to distribution of Town's staffing resources. The Board agreed that based on her dealings with matters like Shoreland Protection Branley should ask Director of

Planning & Community Development Sara Carbonneau to assist with straightening out the permitting portion of this project.

There was a brief discussion about the new Health Officer, Pam Fortner.

Scully left the meeting at 7:06 p.m. Johnson left the meeting at 7:07 p.m.

#### **Tax Abatement Request from Ann and Ronald Bedaw**

Town Administrator Branley reported to the Board that the Bedaws are hoping to hear from the Board regarding this matter prior to the September 1st Board of Tax & Land Appeals filing deadline if possible. Branley reported that according to information from Vision appraisers that was provided by Assessing Coordinator Coleen Birmingham overall property values decreased as a result of the revaluation by approximately 9%. This compares to the Bedaw property which increased from the settlement value to the 2014 value by 13.8%.

Hutwelker made the point that the Bedaws own an adjacent lot whose value was dropped significantly (by almost half). The value was originally at \$76,500 but the new value is around \$35,000 – Hutwelker also pointed out the total value of both properties is now lower than in the past even though the property with a structure on it is valued higher. He said their building is among more expensive homes and the property would probably be worth more as a piece of vacant land. Value went up on the property with a building on it from \$169,000 to \$192,400. Colby suggested \$180,000 would be a reasonable figure for the lot with the structure considering the value reduction of the adjacent lot. The Board agreed, asking Branley to contact the Bedaws offering the compromise value for the lot with a building on it to avoid going before the BTLA and to note the vacant lot value has dropped significantly.

**Motion** was made by Colby to offer a compromise assessed value of the property located at 47 West Shore Road, Map 61, Lot 46 owned by Ann and Ronald Bedaw of \$180,000, noting that the Bedaws' adjacent lot has already been significantly lowered in value, and to authorize the Town Administrator to sign appropriate documents. There was a second to the motion by Hutwelker, and no further discussion. All were in favor. **Motion passed.**

#### **Tax Deeded Properties Update**

- **Landry** - Branley reported to the Board that he spoke to Human Services Coordinator Edna Coates on Wednesday regarding the potential housing of Ms. Landry if the Town were to move to evict her. Branley reported that Coates indicated that she understands that the likely housing options she is aware of have approximately a two year wait time and many of them rely on the person willingly moving there. He continued saying he made contact with Penny Reed at DHHS Elder Affairs who has been trying to assist Ms. Landry with her affairs and Reed said she will respond back to Branley after she meets with Ms. Landry.
- **Kyle Curtis of 25 Anthony Circle** – Branley reported that Curtis has paid off his deeding balance (3rd year taxes) so he is no longer eligible for tax deeding. Branley also reported that Curtis said once he gets back to work in a few weeks he is planning to try to pay \$100 per week until he is caught up on his taxes.
- **The Livengoods** – Branley reported that the Livengoods made their August payment so they are now current on their taxpayer agreement.
- **Mr. Lefebvre** – Branley reported that Lefebvre made his August payment so he is now current on his taxpayer agreement.
- **Millwood** – Branley reported that on Monday, August 24, 2015, Machelie Millwood Milton submitted an email and photo copy of a check to cover taxes on the property (\$26,000) in which she stated that she intends to deliver the check to Town Hall on Thursday of this week.

### **Homestead Woolen Mill Update**

Branley reported that he asked Town Counsel for an update regarding the Homestead Woolen Mill auction closing and was told that "Peter Tamposi (Homestead's lawyer)told me (Town Counsel) today (Thursday) that all of the issues have been resolved and the closing should occur next Wednesday, August 26."

### **NEW BUSINESS**

#### **Police Station Cleaning**

Branley reported to the Board that Police Chief DeAngelis is looking to change course regarding how the police station is cleaned. He is no longer going to use the firm previously contracted to clean the building and would like to reclassify the former police department administrative assistant to a custodial employee role. Branley said the logistics of this transition were discussed and he, Branley, is comfortable with what DeAngelis is proposing. Branley also noted that the Chief is also going to be expending more on this function overall so while it is not a concern for this year it will cost more in the 2016 budget. Branley noted that the Police Chief estimated about 10 hours per week for this work.

Hutwelker raised an issue regarding custodial services in general and whether or not custodial services for other facilities in town might be addressed. Davis suggested looking at the budget for custodial services in the fall. Colby noted that the job at the police station should be probationary.

Colby **moved** to support the Police Chief's direction regarding cleaning of the station and his suggestion for a budget transfer from cleaning line (01-4210-7-360) to part-time line (01-4210-1-115) to pay for custodial services and agreed to proceed on a probationary basis, second by Hutwelker, and all were in favor. **Motion passed.**

#### **Administrative Update**

Branley updated the Board on his activity during the week. He noted an orientation for new Health Officer Pam Fortner and that he is working on a proposed 2016 budget and warrant creation schedule and process. He asked the Board about working on a Saturday to dedicate to budget work and the Board agreed. He said he is also working on reviewing revenues to date to complete the MS 434.

Also reported by Branley was a meeting with Jay St. Jean from St. Jean Auctioneers and that selling the tax deeded properties could result in a reasonable financial return to the Town. Discussion was held about qualifying the properties; the Board agreed they supported Branley's recommendation that the Town wanted to place a reserve on the two more valuable properties with the condition that it would not be charged for the advertising under a "reserve" designation for two of the properties and the others would be considered to be "absolute".

Branley noted that DPW Director Dunham has DES coming out to inspect the Swanzey Lake Dam.

Branley asked the Board to dispense with meeting on September 8, 2015, the Tuesday immediately following Labor Day, due to it being a shortened week. With no Board meeting scheduled for that Tuesday, Branley said he could get more work done. The Board agreed.

#### **Correspondence**

- Copy of letter from Interim Carpenter Home Judith Bohannon regarding a payment issue
- Copy of email note from Branley to Gary Coburn thanking Coburn for his service on the Conservation Commission

### **Goal and Objectives for Fire Chief**

Fire Chief Skantze said he would like to meet with the Board to discuss spoke his Goals and Objectives and Budget, including facilities, ambulance services, and staffing. Branley suggested next Tuesday since Skantze is already planning to come in. Branley asked Skantze to send him a copy of Skantze's Goals and Objectives and he would come up with bullet points for discussion.

Skantze and Smith left the meeting at 7:41 p.m.

### **Non-public session(s) per RSA 91-A3II(a) Personnel Matter(s)**

**Motion** by Colby 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 7:42 p.m. **Motion passed.** Present were the Board members Kenneth P. Colby, Jr., Deborah J. Davis, W. William Hutwelker, III, Town Administrator Michael Branley 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 because it was determined that divulgence of this information would render a proposed action ineffective. The motion was seconded by Colby. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.**

### **ADJOURNMENT**

**Motion** to adjourn was made by Hutwelker, second by Colby. No further discussion. All were in favor. **Motion passed.** Adjournment occurred at 8:07 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on September 1, 2015