

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – October 6, 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, Kenneth P. Colby, Jr., and W. William Hutwelker III. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

**OTHERS PRESENT**

Resident Rebecca Hays, Resident and Conservation Commission Chair Wally Smith, John Caveney representing Cerosimo, Director of Planning and Community Development Sara Carbonneau, Gail Wood, Pete Johnson, Mike Gomarolo and Marion Bedard from the Whitcomb Hall Committee. Resident Jeanette Cook/York was also present.

**MINUTES**

- The regular meeting Minutes of September 29, 2015 were considered. There was a **motion** by Hutwelker to approve the regular Minutes of September 29, 2015. The motion was seconded by Colby with no further discussion. All were in favor. ***Motion passed.***

**CONSENT AGENDA**

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

- Payroll Manifest
- Payables Manifest
- Intent-to-cut for Map 14 Lot 1
- 2015 Assessed Values for Cheshire Fair Association, Monadnock Humane Society, & East Coast Conference

**APPOINTMENTS**

**John Caveney from Cersosimo – California Brook Road Status & Issues**

Mr. Caveney is a representative from Cersosimo Lumber, which owns Map 7 Lots 3, 4, & 5 on the class VI portion of California Brook Road along and near the Chesterfield town line. He discussed with the Board problems with unauthorized dumping, partying, and other issues on their property and because it is class VI it is not normally patrolled by the police. Caveney said he visited the site recently which is 400 acres of land adjacent to California Brook Road, which was purchased as a timber investment by Cerosimo. He spoke about a major clean-up that was needed since some unknown person dumped six barrels on the property containing an unknown substance. He said there were other items disposed of on the property such as computers, a mattress, and a pile of burned debris. He said that at the end of the road there is a party site, within sight of the Town of Chesterfield border. He said he saw a pile of debris that was still smoldering recently, with remnants of steel belted tires. He said there were three fire rings present showing that this wasn't a single instance. He said the ground is littered with spent ammunition. Caveney said that when hazardous material or unknown material is involved, the land owner is subject to the clean-up according to the State. He said he is appealing to the Town to ask for help in mitigating the problem. Caveney said he thinks that the perpetrators are coming from Swanzey. He said another owner of nearby land, Forecastle Timber, did attempt to gate the road, but the gate was torn out. Caveney said that the gate at the end of Forest Avenue has also been torn out. Caveney said he does not post the land and foot traffic is allowed for hiking and hunting.

Discussion occurred about the possibility of gating the Town road, but that it cannot be locked; the public has the right of access on the road. Hutwelker asked about the possibility of erecting a berm. Discussion went on about how a Class A or Class B trail can be gated, discontinuing the road. Branley said if the road was discontinued, then a gate would be appropriate with only private property in the area. Caveney said Class A trails are available for use by motorized vehicles by property owners owning land adjacent to the trail. He said the Class A trail does not get developed unless Town regulations are followed.

Caveney also suggested that the Town try to catch up with the perpetrators who are repeating this kind of activity. He said he doesn't want to see an adverse impact on good people to hike on or hunt on the land. Surveillance cameras were suggested. Caveney said that given shooting going on, a camera might not last long. Caveney said he tried to reach the Police Chief to discuss the problem. He said a sign saying "video surveillance" might give the perpetrators food for thought.

Smith referred to the attempt of the Conservation Commission to get an anti-dumping ordinance in place and spoke about applicable fines. Davis said that the Board will discuss the issues with Police, Fire, and Department of Public Works (DPW) heads. Caveney asked that the Town put up a sign that states there is on-going video surveillance. Branley said he thought that the video camera would be best put on private property.

Branley said making changes to the class of the road would have to go to Town Meeting. Caveney asked about not getting charged for removal of debris off the property and taking it to the Recycling Center and Branley suggested that he could provide a pass to Caveney for that purpose. The Board will look into a sign and thanked Caveney for his time. Caveney left the meeting at 6:33 p.m.

#### **OLD BUSINESS**

##### **California Brook Dam / NH Route 10**

Branley said he spoke to the New Hampshire Department of Transportation (NH DOT) District Engineer and he indicated that the State was comfortable continuing without a formal extension of the agreement with the understanding that the Town was making progress and that the work was going to be completed soon. Hutwelker asked whether an estimate had been obtained from Brickstone Land Consultants and Branley said it had not. There was a discussion about the costs that had been estimated in the past for the expense, including the cost for permits. Branley said that \$23,249 is available in the Fire Pond Expendable Trust fund to provide funds for this work, but that did not include the cost of a permit. Colby asked for a firm figure from Brickstone to assist with the permit process with the State of New Hampshire. Branley said he would speak to Dave Bergeron of Brickstone tomorrow to learn what the permitting fees are.

Hutwelker **moved** to authorize the Fire Chief to sign contract documents with SUR Construction West for work generally outlined as constructing a 30,000 gallon retention pond to replace the existing Ice Pond on NH Route 10 with work to be completed by January 31, 2016 and further to authorize an expenditure of up to \$20,000 for this work, funds to come from the Fire Pond Expendable Trust fund. There was a second to the motion by Colby and no further discussion. All were in favor. **Motion passed.**

**Continuation of informational meeting regarding lowering of Swanzey Lake Dam pursuant to RSA 482:13 –**  
Davis asked if anyone was present to learn more about the lowering of Swanzey Lake Dam – and there were none.

Colby **moved** to direct the Director of Public Works to lower Swanzey Lake below the normal fall draw down level beginning on October 23rd to allow for repairs to Swanzey Lake Dam. There was a second to the motion by Hutwelker and no further discussion. All were in favor. **Motion passed.**

## **Whitcomb Hall Furnace**

Branley reported that in his discussion with architect Katie Sutherland regarding heating of Whitcomb Hall, she suggested the Town could likely hire a firm to do a brief analysis, which she estimated would cost a few thousand dollars, that compares the up-front and operational costs of different heating systems and fuel types.

Several members of the Whitcomb Hall Committee were present to discuss costs associated with the renovations to Whitcomb Hall. Gomarlo was present to discuss the furnace options. He asked about the cost of a pellet boiler. Colby said pellet heating versus propane for heating was discussed in the Keene Sentinel newspaper recently. He referred to the information provided by the newspaper. Branley mentioned that propane is priced differently for municipalities, and it is much cheaper than for individual homes. Gomarlo said that in order to make a good decision on a boiler, you need to make a cost comparison between heating boilers and also compare maintenance costs. He referred to the cost for a pellet furnace in the neighborhood of \$43,000. He said with an energy grant of \$14,000, the cost would be reduced to around \$27,000. He spoke about the need for 191 BTUs to heat only the downstairs. He said the cost of an oil burner for the same job is approximately \$8,000. For a pellet furnace to heat the upstairs, it would have to be added to at a later date. He went on to say that if you buy a larger oil burner for \$16-18,000 you could heat both floors and still be cheaper than a pellet burner. He said while fuel oil and pellet fuel costs are close to each other, a pellet boiler might be more expensive to maintain if something goes wrong with it. Gomarlo said he didn't think it was in the best interests of the Town of Swanzey to spend \$50,000 to heat just the downstairs alone. He said he is very concerned about having enough funds to move forward with renovating Whitcomb Hall. He asked the Selectmen to look at this issue.

Gail Wood said that she is on the Committee and that she felt that costs were never clear. She said she didn't think that the money raised has been best utilized. She said she asked for a Treasurer's report and she was not given one. She felt that the Town ought to get bids for a variety of options for heating. She felt blindsided by the decision for a pellet furnace. Another Committee member, Pete Johnson, was present and he said the ultimate goal is to get a wonderful old building opened for resident use. He said that they have not been able to get an accounting of funds – even though they have been soliciting donations over time. He spoke about the funds that he has personally donated toward Whitcomb Hall. Johnson spoke about nothing moving ahead with a furnace for the Hall. Wood asked how much has been raised for the renovations. Johnson spoke about the cost of the front porch for Whitcomb Hall and he said that the funds are not being spent wisely.

Hays spoke about funds that were raised last year (\$50,000) and she asked about the bids on furnaces and whether the Board had been approached about bids. Davis referred to a plan from Director of Planning and Community Development Sara Carbonneau and Code Enforcement Officer Mike Jasmin that the Board agreed to. Johnson said that even though the Committee meets every month, things were presented by Jasmin as having been decided without any input from the Committee. Johnson referred to being knowledgeable about plumbing and electrical costs and felt that the costs being presented were too high. Another Committee member, Marion Bedard, said that she was surprised that there was never a comparison between oil and pellet furnaces before making a decision. She said she eventually realized there was a huge difference in initial costs and maintenance. Wood said she felt the work should go out to bid for the furnace.

Carbonneau said that renovations were sent out as a package bid. She said that if changes are to be made, the Town will have to bid out the entire project. Gomarlo suggested taking out the furnace for separate bidding. He referred to the Committee as being "advisory" in nature. He said the Committee didn't have enough information and he didn't think that the costs were passed down properly to the Selectmen. Hays pointed out that pellets take a lot more volume for storage and they produce dust.

Hutwelker said that it is frustrating to not know the details of how much funds were available, and how the funds are being used. He suggested that the Board also needs to know how the money is coming back to the Town in fees charged for use of the building once it is available for public use. He suggested getting a group together to focus on the situation and get due diligence done for the project.

Johnson spoke about Walpole, NH Town Hall, which is similar in appearance to Whitcomb Hall. He said they updated the bathrooms, put in an elevator, and a kitchen – and it cost about \$100,000. He said they rent out the building at a price of \$400 for renting the space. He said the same could be done with Whitcomb Hall for use for a wedding reception or other parties. He said the goal is to get the building up and running again. Hutwelker asked Carbonneau if an accounting could be obtained and she said it could.

Colby spoke about not realizing that there is no official Chairperson for the Whitcomb Hall Committee. The Board needs to have all the facts and figures before a decision can be made. He spoke about the possibility of dissolving the current Committee and reconstituting it to come up with a plan. Gomarolo said that the current Committee can do the work but they need the charge from the Board. Colby said the charge was to “get the Hall up and running”. Gomarolo said that when the term “advisory” was used, it perhaps kept the group from doing the diligence it needed to do. Davis said the fund-raising that the Committee has done has been amazing.

Hutwelker said that Jasmin and Carbonneau have worked very hard on the process. He wanted to know which folks want to focus on construction and efficiencies and which folks want to focus on raising funds as Friends of Whitcomb Hall and revenue development. He also said he is not comfortable with continuing with the existing Committee unless things could be re-focused. Hutwelker also expressed surprise that there wasn't an official Chair for the Committee. Hutwelker said he would attend the next meeting of the Committee which is October 21, 2015 at 3:30 p.m. at Whitcomb Hall. Johnson said he would contact the other Committee members and report back to the Board. Carbonneau said that she needs the Board to determine her role with the Committee, if any.

The Board thanked the committee members and Gomarolo, Cook, Johnson, Wood, and Bedard left at 7:34 p.m.

## **NEW BUSINESS**

### **Permit to Trap**

The Board reviewed two requests for permit to trap by Jerry Bussier.

**Motion** was made by Colby to authorize Branley to sign permit for trapping by Jerry Bussiere on Town property on Mt. Cresson and on Tacy property on Causeway Road. There was a second to the motion by Hutwelker. All were in favor. ***Motion passed.***

A brief discussion ensued about which permits Branley can sign and which would have to come to the Board for review. Branley is going to gather a list of the types of permits so that the Board can review them and decide how to proceed in the future.

## **OLD BUSINESS**

### **Tax Deeded Properties**

There was a brief update on properties previously discussed:

- 8 Old Lake Street – Attorney Gavin and Branley attended the district court hearing Wednesday regarding the eviction of the current occupants. Attorney Gavin indicated that we would not be able to obtain payment for the water and sewer bills. The Town will be issued a writ of possession on October 22nd.

- 556 Swanzey Lake Road – Branley informed the Board that he spoke to Mrs. Joslyn on Wednesday and she stated that she had spoken with an insurance agent and she would obtain home owners insurance by October 6, 2015.
- 52 Mountainview Road 52 Mountainview Road- To date, the September and October payments are still outstanding. Branley suggested that Mr. Lefebvre have to prove his financial situation. Hutwelker asked Branley to have them come in and bring in their financial statements to go over it with Human Services and Resources Coordinator Edna Coates to verify his income and expenses. Hutwelker said to move forward next week if Lefebvre doesn't come in.
- 27 North Winchester Street – Ms. Rumrill made her September payment today, sooner than her estimate of October 9th.

Branley said he has finalized a proposal with St. Jean Auctioneers for the auctioning of 8 Old Lake Street, 27 Aylward Avenue, 68 Diana Drive, and 28 Pondview on Saturday November 7th. There will no direct costs to the Town unless any properties are removed from the auction slate by the Town. Branley said that with auction sales, back taxes are not paid. Discussion occurred about auction reserve amounts for the Town. The Board decided to set the minimum of \$10,000 for the Aylward Avenue property and \$25,000 for the Old Lake Street property.

Colby **moved** to authorize the Town Administrator to execute the proposal with James R. St. Jean Auctioneers for the public auction of 8 Old Lake Street, 27 Aylward Ave, 68 Diana Drive, and 28 Pondview whereas 8 Old Lake Street will be auctioned with a \$25,000 minimum bid, 27 Aylward Avenue will be auctioned with a \$10,000 minimum bid and 68 Diana Drive, and 28 Pondview will be sold at absolute auction and further to authorize the Town Administrator to execute related purchase and sale agreements on the date of the auction. There was a second to the motion by Hutwelker and no further discussion. All were in favor. ***Motion passed.***

#### **Roundabout Construction Update**

Colby spoke briefly about the work being done on the Roundabout on State Route 12 at Swanzey Factory Road saying that the construction is progressing and should be done shortly.

#### **Volunteer Help with the Whitcomb Hall Committee**

Sara Carbonneau spoke to the Board about the Whitcomb Hall Committee forming and that she was asked to help out as a volunteer; she was not staff assigned. She said she went to the meetings, and sometimes took minutes. She said she does not want to go to the meetings any longer. She noted that three people were speaking on behalf of the entire Committee of nine tonight. She said she is not comfortable with the situation and will no longer be part of it.

Carbonneau left the meeting at 7:59 p.m.

#### **Board meeting with GeoInsight**

There was a brief discussion about next week's Board meeting with GeoInsight and the Water Study Committee regarding possible MBTE mitigation funding. Discussion was about inviting the members of the Water Study Committee since the topic that will be covered involves the West Swanzey Water Company. Discussion was also held about inviting the State Representatives and Representative Molly Kelly. Colby said that if the meeting can be held with constraints on excessive commentary, he would be okay with it.

#### **Carpenter Home Update**

Branley said that Coates has asked for the Board's perspective on staffing. There are a number of folks who have applied for the Administrator position and nothing has gone forward. Deficiencies at the Carpenter Home were also briefly discussed. Branley said that the Town has received an extension for a date to take care of the deficiencies reported by the State. There was a discussion about how important the repairs are and how expensive to make them. There was a discussion regarding the future of the Carpenter Home and receiving a report from Mike Jasmin on a plan with repairs. Davis said the decision about an Administrator is on hold.

#### **Administrative Reports**

Branley asked whether these reports are helpful and asked if there should be a Town Hall report from staff. The Board agreed that Branley's report is worthwhile and a Town Hall report would be valuable.

Hays left the meeting at 8:10 p.m.

#### **Town Hall closure on Wednesday afternoons**

Davis spoke briefly about the Wednesday afternoon closures of Town Hall and said she wanted to pursue a discussion on the efficiency of the current plan sometime soon.

#### **West Swanzey Athletic Association (WSAA) – West Swanzey Park**

Colby said the WSAA wants to name the park and place a plaque at the park. The Board decided that naming it is premature. Colby said he would like to get in touch with Jeff Goller and Bud Windsor to get a couple of benches in the park. Discussion was held about the granite steps to allow access to and from the river that New Hampshire Department of Environmental Services (NH DES) wants removed.

A discussion was held regarding a pavilion for the park. It was noted that there is a plan from Mike Jasmin regarding a possible post and beam structure for \$63,800. Colby said he spoke to Charlie Sheaff and Sheaff referred to a New Hampshire post and beam organization that might do it for less.

#### **Flags**

Discussion occurred about American flags on the utility poles in town. Colby said there is a need for someone to put them up and take them down. He suggested that perhaps Director of DPW Lee Dunham might be willing to take on the task.

#### **October Board meeting**

The Board spoke briefly about the possibility of not meeting on October 20, 2015 since they will be meeting on a Saturday in October to go over the budget. The Board decided that they might cancel if nothing timely comes up.

#### **ADJOURNMENT**

**Motion** to adjourn was made by Hutwelker, second by Colby. No further discussion. All were in favor. **Motion passed.** Adjournment occurred at 8:23 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary  
Approved on October 13, 2015