

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – May 10, 2016  
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

**CALL TO ORDER**

The meeting was called to order by Vice Chair Kenneth P. Colby, Jr. at 6:00 p.m. at the Swanzey Town Hall. Present were Vice Chair Kenneth P. Colby, Jr., and Sylvester Karasinski. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard. Selectman W. William Hutwelker III was not present.

**OTHERS PRESENT**

Director of Department of Public Works (DPW) Lee Dunham, Administrative Assistant Jenna Elwell, Resident Tim Bell

**CITIZEN CONCERNS**

None

**MINUTES**

- The regular meeting Minutes of May 3, 2016 were considered. There was a **motion** by Karasinski to approve the regular meeting Minutes of May 3, 2016. The motion was seconded by Colby with no further discussion. All were in favor. ***Motion passed.***
- The non-public meeting Minutes #1 and #2 of May 3, 2016 were considered. There was a **motion** by Karasinski to approve the non-public meeting Minutes #1 and #2 of May 3, 2016. The motion was seconded by Colby with no further discussion. All were in favor. ***Motion passed.***
- The special meeting Minutes of April 26, 2016 were considered. There was a **motion** by Karasinski to approve the special meeting Minutes of April 26, 2016. The motion was seconded by Colby with no further discussion. All were in favor. ***Motion passed.***
- The non-public meeting Minutes #1, #2, #3, #4, #5 and #6 of April 26, 2016 were considered. There was a **motion** by Karasinski to approve the non-public meeting Minutes #1, #2, #3, #4, #5, and #6 of April 26, 2016. The motion was seconded by Colby with no further discussion. All were in favor. ***Motion passed.***

**CONSENT AGENDA**

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

- Payroll Manifest
- Payables Manifest
- Event Permit #2016-10 – MHS 26th Annual Walk for Animals
- Event Permit #2016-11 – Ididarun 10K Road Race
- Appointment of Beverly Bernard as an Alternate to the Trustees of Trust Funds
- Application for Current Use – Map 70, Lot 43 (Homestead Avenue)
- Application for Current Use – Map 3, Lot 35-2 (389 Massey Hill Road)
- Personnel Action Reports

**APPOINTMENTS**

**DPW Director Lee Dunham – Summer Paving / Chip Seal**

Dunham spoke about chip sealing Town roads at an estimated cost of \$76,645.80.

**Motion** made by Karasinski to approve expenditure of up to \$80,000 for chip sealing of Town roads to come from the DPW budget. There was a second to the motion by Colby. All were in favor. **Motion passed.**

There was a brief discussion about flag-raising at the West Swanzey Park on Memorial Day.

### **NEW BUSINESS**

#### **Andrew Madison – Granite State Rural Water Association**

Madison spoke about using grant money to work with Town boards and local residents to highlight potential management options for protecting water resources. He noted he worked on a plan for Walpole, NH. He noted that because he uses grant money there is no charge to the Town. Karasinski pointed out that Swanzey's aquifers reside beneath commercial enterprises in Town.

#### **Tax Deed Discussion**

Resident Tim Bell met with the Board to discuss his parents' tax obligations for property located at 715 Old Homestead Highway. He said his father served the Town in the Police Department and with the Fire Department. He said he was here to protect his interest in the property and find out if there could be a payment plan. Bell asked about a re-assessment of the property. He said he believes the assessment is too high. Bell also said he has Power of Attorney for the property.

Colby said he appreciated everything Carl Bell has done for the Town in the past. Colby informed Bell that you cannot go backward with assessments. Colby also said the Town is not in the real estate business and asked Bell if a payment plan is a viable option for the family. Bell said it was. Colby suggested sitting down with Branley to set up a payment plan. Colby stressed the one year that needs to be caught up to eliminate going to tax deed. Bell agreed to work with Branley to come up with a payment plan.

#### **Potential Acceptance / Waiver of Tax Deeded Properties**

Branley noted the following properties are subject to tax deed, but current payment agreements are in place:

OWNER(S)	ADDRESS	MAP/LOT	2014 LIENS (DEEDING BALANCE)
Richard A. Burke	41 Winch Hill Rd	62/14/2	\$547.56
William E. Carson Jr	296 Eaton Rd	49/3/2	\$6,123.85
Elwin E. Faulkner	27 North Winchester St	57/43	\$4,248.42
Neil Jr. & Cindy Livengood	84 Joslin Rd	18/1	\$1,755.32
Morse Family 2000 Rev Living Trust	49 South Rd	31/9	\$7,574.07
Francis L. Mullett Family Trust	19 Lake St	18/149	\$1,612.05
Bernice A. Sheldon Estate	28 California Brook Dr	73/17	\$85.54

The following properties were also discussed.

OWNER(S)	ADDRESS	MAP/LOT	2014 LIENS (DEEDING BALANCE)	TOTAL BALANCE	DESCRIPTION
Smith, Jr. Howard F.	187-191 South Rd	24/54	\$4,311.76	\$15,649.29	Land & Buildings; potential deed issues
Curtis, Jacob R. & Kyle L.	25 Anthony Circle	87/2/5025	\$1,177.25	\$2,631.13	Mobile Home (appears to be on pad) in Pine Grove
Bell, Carl E. & Patricia	715 Old Homestead Hwy	33/79	\$4,554.53	\$11,894.97	Land & Buildings; no frontage, deeded right of way
Williams, David A. Jr. & Suthasinee	56 Diana Dr	87/2/5056	\$775.55	\$1,700.65	Mobile Home (no pad) in Pine Grove
Zoerheide Rev. Trust, Jack D.	94 Old Richmond Rd	12/4	\$8,185.71	\$19,404.15	Land & building (currently appears to be being "used" as a 3 family)
			<b>\$19,004.80</b>	<b>\$51,280.19</b>	

Branley said that he thought the Smith situation had deed issues and was going to get resolved. Branley said that the Curtis family paid off \$1,000 yesterday and will be paying off the rest of what is owed tomorrow and informed the Board that all of the taxes owed on the Zoerheide property were paid off. Williams paid \$300 and a payment plan was proposed that would pay off the deed year balance in two months. He noted the Town has an offer pending for 68 Diana Drive, which will save the Town money to clean up the property.

Karasinski **moved** to notify the Tax Collector that the Board will not accept the Tax Collector's Deed for the property located at 187-191 South Road owned by Howard Smith, Jr. and 715 Old Homestead Hwy owned by Carl and Patricia Bell as presented because doing so would subject the municipality to undesirable obligations or liability risks, including obligations under real estate covenants or obligations to tenants, or for any other reason would be contrary to the public interest. There was a second to the motion by Colby and no further discussion. All were in favor. **Motion passed.**

Karasinski **moved** to notify the Tax Collector that the Board will not accept the Tax Collector's Deed for the property located 41 Winch Hill Rd., owned by Richard Burke, property located at 296 Eaton Rd., owned by William Carson, Jr., property at 27 North Winchester St., owned by Elwin Faulkner, property at 84 Joslin Rd., owned by Neil Jr. & Cindy Livengood, property at 49 South Rd., owned by Morse Family Trust, property at 19 Lake, St., owned by Francis L. Mullett Family, and property at 28 California Brook Dr., owned by Bernice A. Sheldon Estate as presented because they have initiated monthly tax payment agreements. There was a second to the motion by Colby and no further discussion. All were in favor. **Motion passed.**

**Three Year Contract for Ambulance Service between the Town of Swanzey and DiLuzio Ambulance Service, LLC**  
Branley said the proposed contract has been reviewed by Counsel and deemed suitable. Discussion was held regarding DiLuzio providing good service to the Town of Swanzey residents.

Karasinski **moved** to execute the contract for ambulance services between the Town of Swanzey and DiLuzio Ambulance Service, LLC for the term of July 1, 2016 to June 30, 2019. There was a second to the motion by Colby and no further discussion. All were in favor. **Motion passed.**

**Review of Recreation Department Job Descriptions and Guidelines for Recreation Staff**  
The Board reviewed the guidelines and job descriptions provided to them.

Karasinski **moved** to approve the guidelines for recreation staff and the department job descriptions for the following positions: Summer Day Camp Counselor/Staff, Coach, Water Safety (Swim) Instructor – Lifeguard, Gate Keeper, and Recreation Director as proposed. There was a second to the motion by Colby and no further discussion. All were in favor. **Motion passed.**

**Carpenter Home Expenditure**

Branley informed the Board that Carpenter Home Administrator Judith Bohannon is requesting authorization to expend up to \$3,125 for labor and materials (\$1,925.00 for materials is included in the \$3,125) to remove the slider in Room #10 and replace it with a window and wall. This will remove something that is a source of heat loss and a potential hazard to the residents and staff. The George Whitcomb Jr. Common Carpenter Home Income Fund has an estimated balance of \$5,927.68. Karasinski asked who would be doing the work and Branley confirmed that Code Enforcement Officer Jasmin assisted with the estimate but will not be doing the work. Colby asked about DPW doing the work, but Branley said that they are busy with cemetery work at this time of year.

Karasinski **moved** to authorize the expenditure of \$3,125 from the George Whitcomb Jr. Carpenter Home Common Income Fund for labor and materials to remove the slider at the Carpenter Home and related improvements. There was a second to the motion by Colby and no further discussion. All were in favor. **Motion passed.**

**Potential Change of Board of Selectmen Meeting Night**

Branley informed the Board that email from School Board Chair Michael Blair stated the School Board has not yet changed their meeting night. This subject was tabled by the Board for now.

**Brown Field Follow-up**

Discussion was briefly held regarding the cutting of trees at Brown Field. Branley stated Hutwelker had asked Dunham and Chuck Beauregard to attend next week's meeting.

## **Swearing in of Beverly Bernard as Alternate Trustee of Trust Funds**

Colby swore in Beverly Bernard as Alternate Trustee.

### **NON-PUBLIC SESSIONS**

#### **Non-public session(s) per RSA 91-A:3II (c) Reputation**

**Motion** was made by Colby to enter nonpublic session pursuant to RSA 91-A:3 II (c) Reputation, seconded by Karasinski. All in favor by Roll Call and the ***motion passed***. The Board entered nonpublic session at 6:56 p.m. Present were Kenneth P. Colby, Jr. and Sylvester Karasinski. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

**Motion** was made by Karasinski to come out of non-public session, seconded by Colby. All in favor by Roll Call and the ***motion passed***. Non-public session ended at 7:00 pm.

**Motion** was made by Colby to seal the minutes because divulgence of the information likely would affect adversely the reputation of a person other than a member of this board, seconded by Karasinski. All were in favor and the ***motion passed***.

#### **Non-public session(s) per RSA 91-A:3II (c) Reputation**

**Motion** was made by Colby to enter nonpublic session pursuant to RSA 91-A:3 II (c) Reputation, seconded by Karasinski. All in favor by Roll Call and the ***motion passed***. The Board entered nonpublic session at 7:06 p.m. Present were Kenneth P. Colby, Jr. and Sylvester Karasinski. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

**Motion** was made by Karasinski to come out of non-public session, seconded by Colby. All in favor by Roll Call and the ***motion passed***. Non-public session ended at 7:10 pm.

**Motion** was made by Karasinski to seal the minutes because divulgence of the information likely would affect adversely the reputation of a person other than a member of this board, seconded by Colby. All were in favor and the ***motion passed***.

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

**Motion** was made by Karasinski to enter nonpublic session pursuant to RSA 91-A:3 II (b) Hiring of Public Employee(s) seconded by Colby. All in favor by Roll Call and the ***motion passed***. The Board entered nonpublic session at 7:11 p.m. Present were Kenneth P. Colby, Jr. and Sylvester Karasinski. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

**Motion** was made by Karasinski to come out of non-public session, seconded by Colby. All in favor by Roll Call and the ***motion passed***. Non-public session ended at 7:12 pm.

**Motion** was made by Karasinski to seal the minutes because divulgence of the information likely would affect adversely the reputation of a person other than a member of this board, seconded by Colby. All were in favor and the ***motion passed***.

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

**Motion** was made by Karasinski to enter nonpublic session pursuant to RSA 91-A:3 II (b) Hiring, second by Colby. All in favor by Roll Call and the ***motion passed***. The Board entered nonpublic session at 7:13 p.m. Present were Kenneth P. Colby, Jr. and Sylvester Karasinski. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

**Motion** was made by Karasinski to come out of non-public session, seconded by Colby. All in favor by Roll Call and the ***motion passed***. Non-public session ended at 7:15 pm.

**Motion** was made by Karasinski to seal the minutes because divulgence of the information likely would affect adversely the reputation of a person other than a member of this board, seconded by Colby. All were in favor and the ***motion passed***.

#### **Non-public session(s) per RSA 91-A:3 II (a) Personnel Matter(s)**

**Motion** was made by Karasinski to enter nonpublic session pursuant to RSA 91-A:3 II (a) Personnel Matter(s), second by Colby. All in favor by Roll Call and the ***motion passed***. The Board entered nonpublic session at 7:16 p.m. Present were Kenneth P. Colby, Jr. and Sylvester Karasinski. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

**Motion** was made by Karasinski to come out of non-public session, seconded by Colby. All in favor by Roll Call and the ***motion passed***. Non-public session ended at 7:24 pm.

**Motion** was made by Karasinski to seal the minutes because divulgence of the information likely would affect adversely the reputation of a person other than a member of this board, seconded by Colby. All were in favor and the ***motion passed***.

#### **ADJOURNMENT**

**Motion** to adjourn was made by Karasinski. The motion was seconded by Colby without further discussion. All were in favor. ***Motion passed***. Adjournment occurred at 7:29 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary  
Approved on May 17, 2016