

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – June 7, 2016
East Fire Station, South Road, Swanzey, NH

CALL TO ORDER

The meeting was called to order by Chair W. William Hutwelker III at 6:03 p.m. at the East Fire Station on South Road. Present were W. William Hutwelker III, Kenneth P. Colby, Jr., and Sylvester Karasinski. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

OTHERS PRESENT

Conservation Chair Wally Smith, Town Clerk Ron Fontaine, Director of Planning and Community Development Sara Carbonneau, and Resident Jeanne Thieme. Also present was Assessor Dave Marazoff, and Trustees of the Stratton Library, Chair Robert Kenney, Susan Ells, Marion Bedard, and Hazel Balch, as well as Assistant Librarian Jennifer Gomarolo and Library Director Carol Haley.

MINUTES

- The regular meeting Minutes of May 31, 2016 were considered. There was a **motion** by Colby to approve the regular meeting Minutes of May 31, 2016. The motion was seconded by Karasinski with no further discussion. All were in favor. ***Motion passed.***
- The non-public meeting Minutes #1 and #2 of May 31, 2016 were considered. There was a **motion** by Colby to approve the non-public meeting Minutes #1 and #2 of May 31, 2016. The motion was seconded by Karasinski with no further discussion. All were in favor. ***Motion passed.***
- The special meeting Minutes of June 2, 2016 were considered. There was a **motion** by Colby to approve the special meeting Minutes of June 2, 2016. The motion was seconded by Karasinski with no further discussion. All were in favor. ***Motion passed.***
- The non-public meeting Minutes of June 2, 2016 were considered. There was a **motion** by Colby to approve the non-public meeting Minutes of June 2, 2016. The motion was seconded by Karasinski with no further discussion. All were in favor. ***Motion passed.***

CONSENT AGENDA

Motion was made by Colby to approve the Consent Agenda except for the item of Committee/Commission appointment forms which he said he wanted to discuss later in the meeting. There was a second by Karasinski. There was no further discussion. All were in favor. ***Motion passed.***

- Payroll Manifest
- Payables Manifest
- Intent-to-cut Operation 16-441-11 – Map 62 Lot 10-3
- Open Container Permit Application 2016-03 – Old Homestead Association
- Abatement 2016-01 Map 70 Lot 7
- E911 Committee Charge
- Committee/Commission appointment forms
- Personnel Action Reports

CITIZEN CONCERNS

Jeanne Thieme expressed concerns about Troy Hill Road being used as a party location. She said there is a lot of tinder present because of past timber cut and young people are partying and lighting fires up there. Her concern is that fire at the location could impact homes on Hale Hill road. She said there are palettes being burned on the site. She said there are roads that come in from Troy as well as from Swanzey. She said that she wanted the Board to be aware of the situation. Hutwelker suggested doing something similar to what was done on California Brook Road where teenage partying was on-going. The police began to patrol the area. Branley said he would follow up with the Police Department and Carbonneau said she copied the information to the Fire Chief.

APPOINTMENTS

Ron Fontaine - Town Clerk's Office Update

Town Clerk Ron Fontaine met with the Board to update them and he said things are going well. Fontaine said there is progress toward the ability of citizens to use credit cards or to pay electronically and that this will help people who cannot get to Town Hall due to their work hours. He said he is feeling good about the job. Discussion continued on the idea of using a credit card for registration purposes. He said mail will still go out ahead of time with notice informing residents to be able to go on line to register motor vehicles. Hutwelker asked Fontaine about any data preparation that can be done ahead of time.

Hutwelker also asked Fontaine about vital records. Fontaine said he has been to the State Capital in Concord, NH for his vital records training. Hutwelker asked about Historical records and Fontaine said he has been exposed to the books, but hasn't had any time to do much further as yet.

A brief discussion was held about the Deputy position. Fontaine said that he thought it is a bit early to eliminate temporary Karen Elliott's assistance. He said he is still relying on her. Hutwelker asked Fontaine to touch base with Branley on a weekly basis from now on regarding Elliott's help.

Director of Planning & Community Development Sara Carbonneau - Municipal Facilities Survey Update

Sara Carbonneau spoke about the survey on the bond vote. She said she provided bond votes in both 2015 and 2016 to Jay Whittemore, who analyzed the survey results. Her major take-away from his conclusions is that the Town needs to do a better job of communicating with business owners and summer residents as well as year-round residents. More public outreach sessions were recommended. She also noted that he made some suggestions regarding packaging the bond proposals differently. She spoke briefly about next steps.

Hutwelker said he was encouraged that the people who took the time to come to meetings to learn about the reasons for the bond were supportive of the ideas presented and the Town needs to do more workshops or public hearings to reach people who normally don't come to meetings. Carbonneau suggested that the Capital Improvement Program (CIP) committee could be broken into two parts: one to delve into equipment needs and planning for acquisitions, the other to look at facilities and buildings. Carbonneau noted that the work already completed can be a beginning point. She said the work needs a high level of attention – a lot of work and a lot of time to make sure there is marketing done. She said that analyzing the need should include the Carpenter Home. She said she doesn't think that there isn't enough time to do a facility bond proposal for 2017.

Hutwelker said he thought that if the Fire Station had been removed from the bond, it would have passed. And it is sad outcome because it was intended as a way to create a safer environment for everyone. Karasinski said that \$2.3 million going into Town Hall would not be a good investment. He said Town Hall needs to be in another location, all on one level, with adequate parking. He said he would like to see Town Hall with a larger footprint. He mentioned land at the airport across from the Tartan Fox. Colby said he is looking for fresh input. Branley asked about the Municipal Facilities Committee and said he thought the Board should consider if they will continue to exist or if they should be disbanded and thanked for their work. Smith said he was on that committee

and everyone worked hard, but the proposal wasn't successful. He said there wasn't enough time to market the ideas to the public. He noted that some people will be against any spending, no matter what they learn about it. Carbonneau also suggested new faces for the CIP Committee. She said most folks who responded to the survey were older residents and the younger folks need to be engaged.

Branley said that he felt that making some progress this year was important, even if it was just putting more money into capital reserves. Branley asked the Board to consider whether the plan provided by the Municipal Facilities Committee could be the overall plan for the future, but aspects of the plan could be worked out individually. Colby suggested a brain-storming session between the Board and the Committee and others on staff might generate direction. Hutwelker asked Branley to set a date for the brain-storming session. Saturday July 9th was decided on at 9:00 a.m. at Town Hall. It was agreed to invite Municipal Facilities Committee members, Department Heads, and the new CIPC members to the session.

Assessor Dave Marazoff – Property Tax Abatement Recommendations

Dave Marazoff with M&N Assessing Services, LLC met with the Board to discuss several tax abatement requests.

- **Map 38 Lot 1 – 11 West Swanzey Road**

The first discussed was the Market Basket property at 11 West Swanzey Road, Map 38, Lot 1. Marazoff spoke about speaking to Jack White, attorney for Market Basket. He noted that the market appraisal had yet to be acquired and would not be ready by July 1st. He recommended denying the application since there is no evidence submitted in support of the request.

Colby **moved** to deny the abatement for the property at 11 West Swanzey Road known as Map 38, Lot 1 as recommended by the contract assessor, M&N Assessing Services, LLC. There was a second by Karasinski and no further discussion. All were in favor. **Motion passed.**

- **Map 32, Lot 6-3 - 54 Whitcomb Road**

Marazoff said that he visited the property. He said the recommendation is to abate the \$25,000 value of the garage and living area which is within the garage. His recommendation is to reduce the value to \$80,000 from \$105,000 for the building. No change in the land value.

Colby **moved** to grant the abatement of \$25,000 in value for the property at 54 Whitcomb Road and known as Map 32, Lot 6-3 as recommended by the contract assessor, M&N Assessing Services, LLC. There was a second by Karasinski and no further discussion. All were in favor. **Motion passed.**

- **Map 31 Lot 3 - 6 South Road**

Marazoff said that the abatement requested is due to condition of the property. He said he visited the property with Code Enforcement Officer Mike Jasmin and had a conversation with Mr. Pappas. Marazoff said he is recommending that the assessment be lowered for 2016 tax year only at this time. Pappas was asked if they had paid taxes in 2015 and he informed Marazoff that he had arranged with the bank for the bank to pay the taxes for 2015. Marazoff said some of the property is over assessed given its condition. But the outbuildings, barn, riding area are not over assessed at this time. Changes recommended would lower the 2015 tax valuation from \$474,500 to \$347,297 for 2016. He also recommended monitoring the property since there is a probability that the property will be rehabilitated over the next several months. He recommended a one year lower value and revisit for 2017. As for abatement for 2015 tax year he recommended no abatement to any other party since the applicant was not aggrieved.

Colby **moved** to deny the abatement request for 6 South Road and known as Map 31, Lot 3 for year 2015 and lowering the value of the property to \$347,297 for year 2016 as recommended by the contract assessor, M&N Assessing Services, LLC. There was a second to the motion by Karasinski and no further discussion. All were in favor. **Motion passed.**

- **Map 18 Lot 274 – 9 Young Court**

Marazoff said the property was purchased in 2015 by Arnie Filipi who then sold it for \$150,000 in 2016. He said Mr. Filipi did repairs to the foundation and updated the septic system. Marazoff recommended \$20,000 in taxable value abatement. The cost of fixing the foundation was \$20,000. \$120,600 valuation for assessment for 2015 is recommended given the cost to cure.

Hutwelker questioned whether it should be abated since the buyer (Mr. Filipi) knew the property was in “rough” shape when he purchased it and intended to flip the property after fixing it up. Marazoff said he is relying on testimony from others. The condition of a property at April 1st is the primary criteria and he was not involved with the Town at that point. \$140,600 valuation remains in effect in 2016.

There was a discussion about who gets the abatement and the prior owner paid taxes from April to November and therefore should get a portion of the abatement.

Colby **moved** to grant an abatement request for 9 Young Court and known as Map 18, Lot 274 for year 2015 in the amount of \$20,000 in taxable value, lowering the property value for year 2015 to \$120,600, to be pro-rated apportioned with one portion to Mr. Filipi and the remaining portion to the previous owner, Mary Starkweather, as recommended by the contract assessor, M&N Assessing Services, LLC. There was a second to the motion by Karasinski and no further discussion. All were in favor. **Motion passed.**

Stratton Library Trustees – Discussion regarding becoming a Town Public Library

Mr. Kenney spoke about the desire of the Trustees for the Stratton Library to become a public library. Branley read aloud the letter from Attorney Barton L. Mayer with the firm Upton & Hatfield LLP which stated a need for a Cy Pres petition to the court and then a new Board of Trustees would be elected. Branley said that there are legal steps to take. There was a discussion about whether or not the name of the library would need to be changed. Branley mentioned the by-laws of how the Library functioned and that it would be up to the elected Trustees to confirm the by-laws. Branley said that the Town Meeting would have to vote to accept the library as a public Town Library. Branley said the Cy Pres would need to be in the works while day to day operations would continue. Gomarlo asked who decides the number of Trustees and Branley said that could be discussed with the Board so long as it is an odd number. Branley spoke about staggering terms of Trustees. It was noted that Hazel Balch can remain a Trustee so long as she runs for election. There was a discussion about Alternates being appointed in case of a death of a Trustee. Branley stated he believed the Selectmen appoint alternates upon the recommendation of the Trustees. Hutwelker said the Board would appreciate recommendations from the current Board of Trustees of the library. There was a discussion about funds and who would control the funds. They can either be held by the Trustees of Trust Funds or the Library Trustees. Branley explained what he thought would be on the Warrant Article. The Board thanked the Trustees for attending the meeting.

NOMINATIONS

Capital Improvement Program Committee 3 year term – Francis Faulkner

There was a **motion** by Colby to name Francis Faulkner to the Capital Improvement Program Committee for a term of 3 years, ending with Town Meeting 2019. There was a second to the motion by Karasinski and no further discussion. All were in favor. **Motion passed.**

NEW BUSINESS

Main Street Engineering

The initial phase of work for engineering is completed so Branley sought funding authority to move forward. SVE proposed (some of which was outlined in the original Scope of Services as “Items not included in our proposal but which may be required”):

- Wetland permitting - \$4,000
- Township Housing Easement - \$3,000
- Delaney/Stinson Easements - \$2,000
- Construction Services - \$7,500
- Town Counsel has also spent some time working with SVE to draw up the easements. Suggestion was made by Branley to appropriate \$1,500 as an estimate to cover those expenses.

The funding source for the prior engineering work was the Municipal Transportation Capital Reserve Fund, which has an estimated balance of \$160,178.93.

Colby **moved** to appropriate \$18,000 for easement, permitting, and construction engineering services from the Municipal Transportation Capital Reserve Fund for services to be provided by SVE Engineering and Town Counsel on the Main Street project. There was a second by Karasinski. Branley noted that the Archeological Study might delay work, but there was a study done within the last several years that might expedite the process. All were in favor. **Motion passed.**

Certificate of Recognition – Elizabeth Scribner Skowlund – Committee/Commission appointment forms from Consent Agenda Item

There was a brief discussion about how to present the certificate to Ms. Skowlund. This is to recognize Ms. Skowlund’s upcoming 100th birthday and a donation made in her honor.

Motion was made by Colby to honor Ms. Elizabeth Scribner Skowlund with a Certificate of Recognition in celebration of her upcoming 100th birthday. The motion was seconded by Karasinski and there was no further discussion. All were in favor. **Motion passed.**

OLD BUSINESS

Wage & Classification Study Proposals

Hutwelker asked to reconsider the proposal. He said that the Board acted in haste last week. Colby said he gave it further thought – he said he isn’t willing to consider anyone from Minnesota or Maryland – but he would be willing to discuss options with Mr. Jacobs to see if a reduction in cost could be considered. Also, Colby suggested focusing on the Police Department. There was a discussion about having Mr. Jacobs meet with the Board and it was agreed to pursue a meeting.

Potential Tax Deeded Properties

The Board reviewed a letter written by Branley, as requested by the Board, and addressed to Carl Bell and Patricia Bell regarding tax issues with the Old Homestead Highway property. The Board agreed that the letter was appropriate and should be sent.

Update on Conservation Commission Activity

Smith noted that the Water Protection Committee was formed at the June 6, 2016 meeting of the Commission, with tentative meeting planned for Thursday, June 16th. Smith also spoke about possible infringement of private property on Town-owned land at Swanzey Lake which the Commission is pursuing by hiring a surveyor to locate boundary pins.

NON-PUBLIC SESSIONS

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

Motion was made by Colby to enter nonpublic session pursuant to RSA 91-A:3 II (a) Personnel Matter(s) seconded by Karasinski. All in favor by Roll Call and the ***motion passed***. The Board entered nonpublic session at 8:17 p.m. Present was Kenneth P. Colby, Jr., W. William Hutwelker III, and Sylvester Karasinski. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

Motion was made by Colby to come out of non-public session, seconded by Karasinski. All in favor by Roll Call and the ***motion passed***. Non-public session ended at 8:21 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***.

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Motion was made by Colby to come out of non-public session, seconded by Karasinski. All in favor by Roll Call and the ***motion passed***. Non-public session ended at 8:37 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***.

ADJOURNMENT

Motion to adjourn was made by Colby. The motion was seconded by Karasinski without further discussion. All were in favor. ***Motion passed***. Adjournment occurred at 8:38 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on June 14, 2016