

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – June 28, 2016
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

CALL TO ORDER

The meeting was called to order by Chair W. William Hutwelker III at 6:00 p.m. at the Swanzey Town Hall at 620 Old Homestead Highway. 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

Assessor Dave Marazoff, Chair of the Open Space Committee Victoria Ames, Code Enforcement Officer Mike Jasmin, Conservation Commission Chair Wally Smith, Administrative Assistant Jenna Elwell, Citizen Gus Lerandeanu.

MINUTES

- The regular meeting Minutes of June 21, 2016 were considered. There was a **motion** by Colby to approve the regular meeting Minutes of June 21, 2016. The motion was seconded by Karasinski. All were in favor. ***Motion passed.***
- The non-public meeting Minutes #1, #2 and #3 of June 21, 2016 were considered. There was a **motion** by Colby to approve the non-public Minutes #1, #2 and #3 of June 21, 2016. The motion was seconded by Karasinski. All were in favor. ***Motion passed.***

CONSENT AGENDA

Motion was made by Colby to approve the Consent Agenda. 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 16-441-13 – Map 83 Lot 1, Map 82 Lot 6, and Map 81 Lot 14
- Public Assistance Liens
- Release of Liens
- Veterans Tax Credits
- Committee Appointment Forms
- Personnel Action Reports

CITIZEN CONCERNS

There were none

APPOINTMENTS

Open Space Committee (OSC) Chair Victoria Reck Ames – OSC Membership

Ames was present to discuss with the Board a request to reduce the number of members to 5 (Planning Board representative, Board of Selectmen representative, and three At Large members). It was noted that the committee currently has seven members. Ames reviewed the history of the creation of the OSC and accomplishments of the committee since its origination. She spoke about community projects and events that were sponsored by the OSC. She spoke about focusing now on conservation easements as a better direction for the committee. There are five members currently including the Selectmen's representative. Hutwelker asked about Alternates and Ames said that five members are adequate.

Colby **moved** to change the membership of the Open Space Committee to five total members: one member appointed by and representing the Planning Board, one member appointed by and representing the Board of Selectmen, and three At Large members. There was a second to the motion by Karasinski and no further discussion. All were in favor. **Motion passed.**

NOMINATIONS

Robert Smith – Capital Improvements Program Committee 1 year term – Hutwelker recused himself from this decision

Colby **moved** to appoint Robert Smith as a member of the Capital Improvement Program Committee for a one year term expiring after the 2017 Town Meeting. There was a second to the motion by Karasinski and no further discussion. Both Colby and Karasinski were in favor. **Motion passed.**

Whitcomb Hall Committee Terms

The Board briefly discussed rotating terms for the Whitcomb Hall Committee members. They reviewed proposed terms provided by Peter Johnson.

Colby **moved** to rotate terms of the Whitcomb Hall Committee members based on Peter Johnson's recommendation: Peter Johnson 2018, Gail Wood 2017, Mike Gomarolo 2017, Lee Dunham 2019, Sharon Greatbatch 2019, Ann Bedaw 2018, Gerry Bussier 2017, Marion Bedard 2016, Judy Bohannon 2016, second by Karasinski. There was a brief discussion about how to manage the change in terms. All were in favor. **Motion passed.**

NEW BUSINESS

Auction results for Tax Deeded Properties Located at 556 Swanzey Lake Road and 12 North Pine Street

- 556 Swanzey Lake Road - \$30,000
- 12 North Pine Street - \$51,000

The Board discussed with Branley drawing up deeds and closing as soon as possible to get the properties back on the tax rolls. Branley noted that the amounts cover all the taxes owed.

Colby **moved** to authorize the Town Administrator to move ahead with the deeds and closings for the 556 Swanzey Lake Road property and the 12 North Pine Street property. There was a second by Karasinski. Discussion: A brief discussion followed regarding options for dealing with properties where there is an issue with the title of the property. The Chair called the vote. All were in favor. **Motion passed.**

Internet at Richardson Park

The Board briefly discussed authorizing Branley to enter into a two year contract to create a cell phone hot spot at Richardson Park so the Recreation Director is able to use internet at the Park. Branley said it is a good option for the Recreation Director to monitor activity at the park. The hotspot for use by the Recreation Director at other locations as well. Branley will confer with George Osborn at EMF to confirm 2 GB is sufficient.

Colby **moved** to authorize the Town Administrator to enter into a 2 year contract to provide an internet cell phone hot spot for use by the Recreation Director with enough GB of service as recommended by EMF, Inc. There was a second to the motion by Karasinski and no further discussion. All were in favor. **Motion passed.**

Decision regarding use of PA-28 Inventory of Taxable Property Form

This is an annual action needed for the Board to confirm that the Town will not use the PA-28 Inventory of Taxable Property Form in 2017. The Board confirmed that they would not use the PA-28 Inventory of Taxable Property Form in 2017.

Motion was made by Colby to not use PA-28 Inventory of Taxable Property Form in 2017. Karasinski seconded the motion. All were in favor. **Motion passed.** The Board signed the appropriate paperwork.

July Meeting Schedule

The Board reviewed the proposed meeting schedule as follows:

- Wednesday July 6 – normal meeting
- Saturday July 9 – coffee & conversation at 9 a.m. and joint CIPC MFRC Meeting at 10 a.m.
- Wednesday July 13 – normal meeting
- Wednesday July 20 – normal meeting
- Wednesday July 27 – no meeting to be held

Colby **moved** that Board meetings in July shall take place on Wednesdays at 6 p.m. with the first Wednesday meeting on July 6, 2016 and that the Board would not meet on the 27th of July. There was a second to the motion by Karasinski and no further discussion. All were in favor. **Motion passed.**

Informational sessions regarding Main Street Project

The Board considered the idea of an information session for the public regarding the Main Street Project. They considered and decided on July 21, 2016, a Thursday, as the date for the session to occur at the Fire Station in West Swanzey. The meeting will be held at 6:30 p.m.

Assessor Dave Marazoff – Property Tax Abatement Recommendations for Map 34 Lot 23, Map 58 Lot 1-78; Map 72 Lot 31

Marazoff was present to discuss with the Board his recommendations for the last of the abatement requests with the exception of the Cheshire Fair request. Marazoff suggested he would be ready on the 13th of July with his recommendation for that request.

- **Eversource Energy** – Marazoff said that this is an ongoing appeal dating back to 2011-2012 appeals currently scheduled for Superior Court in early 2017. He also noted that a stay of order on all municipal appeals by the taxpayer at the Board of Tax and Land Appeal (BTLA) level is under current consideration. For these reasons he recommended denial of appeal for 2015 assessment at this time.

Colby **moved** to deny the abatement request of Eversource Energy for year 2015 for the property known as Map 58 Lot 1-78 and others as recommended by the contract assessor. There was a second to the motion by Karasinski and no further discussion. All were in favor. **Motion passed.**

- **Stephen Hill** - Marazoff said he uses a cost approach when comparing to the market value. Marazoff said a cost adjustment would allow for certain mixed quality and outdated features in the home to be updated. He therefore recommended lowering the 2015 assessment from \$329,200 to \$303,200.

Colby **moved** to grant abatement to Stephen Hill for property at 51 Sawyers Crossing Road known as Map 34, Lot 23 by \$26,000 in taxable value for 2016 with a revisit of the property in 2017, as recommended by the contract assessor. There was a second to the motion by Karasinski, and no further discussion. All were in favor **Motion passed.**

- **Cherb, LLC – Former Homestead Woolen Map 72, Lot 31 - 2 South Winchester Street**
Hutwelker recused himself from this discussion.

Marazoff noted that the terms of sale were for \$10,000 at auction, plus the liability of the taxes due at that time. There was a discussion regarding the property assessment of \$950,400 for tax year 2015. Marazoff met with the new owners and noted that the breaking up of the building for leasing to various companies would not be acceptable today in its current condition. He said there are fire safety issues with the building. Marazoff said he walked through the building and sections of the mill looked useable and with minor improvements could handle renters. He noted that the water system could be replaced and/or updated. He noted that he considered the heating system present in the building. He placed some weight of his assessment on the age of the main heating boiler, which is inoperable. He said the cost to cure these issues would drop the assessment. He recommended an assessment of \$580,000. Colby stressed that he wants to see an assessment that is defensible at the BLTA. Marazoff noted that the current owner did not provide any additional information from the tax payer other than a sales agreement. Marazoff said that BLTA will require supporting documentation for the appeal.

Karasinski asked whether the property owner should be approached and asked for additional input. Marazoff said that providing documentation does not guarantee a granted appeal. Branley noted that while the onus is on the taxpayer, at the BTLA the Town still has to defend its value.

Colby **moved** to grant the abatement to Cherb, LLC for property at 2 South Winchester Street known as Map 72, Lot 31 (former Homestead Woolen Mill) as recommended by the contract assessor to lower the 2015 assessment from \$950,400 to \$583,380. There was a second to the motion by Karasinski and no further discussion. Colby and Karasinski were in favor. **Motion passed.**

Marazoff noted that the owners expressed some interest in converting the building to senior housing and that he suggested that they should go to the Board with a plan.

- **Gravel Pit - 2.4 acres off of Carlton Road – site for Lane Construction** – Marazoff said that 2009 was the last assessment done. The tax payer is taking 2.4 acres out of current use so a land use change tax bill needs to be issued. He said he toured the site and spoke about current costs with Gary Patch. Historically in 2006 the land was assessed at \$50,000 an acre. In 2009 it was \$60,000 per acre of value. \$158,000 is the amount he came up with. Penalty would be 10% or \$15,800.

Motion was made by Colby to issue the land use change tax bill as proposed for \$15,800 for land coming out of current use on Map 24, Lot 2-2. There was a second by Karasinski. All were in favor. **Motion passed.**

The Board thanked Marazoff for his efforts on behalf of the Town.

Code Enforcement Officer Mike Jasmin

- **Ford Property Update**
He spoke about the discussion with Grace Ford regarding the agreement to remove trash on her property. He said Ford did sign the document agreeing to disposal of her property by the Town, including the Quonset hut, and the document was notarized. Jasmin asked for \$2,000 in additional funds to make sure there are enough funds to do the job of removing the remaining debris. He noted that the Quonset hut is also among the materials that Ford is consenting to being removed. Jasmin said he will visit the property

on a weekly basis so as to ensure the situation will not repeat itself but there is no guarantee it won't occur again.

Motion was made by Colby to expend up to an additional \$2,000 to clean up the Ford property, the funds to come from the Tax Deed Operating Budget line. There was a second by Karasinski and no further discussion. All were in favor. **Motion passed.**

- **Standard operating procedures for tax deeded properties**

Jasmin passed out a document outlining a recommended process for handling these properties in the future. He noted that that he would like to see better security for properties taken by tax deed. He suggested perhaps No Trespassing signs – snow fencing, security cameras. He said the Swanzey Lake property was vandalized and made uninhabitable.

Pine Street property was discussed. He spoke about communicating with former owners in removing their personal property once property has been sold through the auction process.

Karasinski suggested speaking to the Swanzey Police Department regarding some of the ideas Jasmin has.

Accept unanticipated funds per RSA 31:95-b.

The Board was asked to accept money as follows, totaling \$9,973.71 in donations:

- \$220.00 to Carpenter Home (in memory of Doris Gilcott)
- \$7,500.00 to Recreational Rail Trail Non-Restricted Account
- \$758.71 to Swanzey First Responders' Assistance Non-Restricted Account
- \$550.00 to Swanzey Historical Comm. (Museum) Non-Restricted Account
- \$675.00 to Whitcomb Hall Restoration Non-Restricted Account
- \$270.00 to Whitcomb Hall Restoration Non-Restricted Account (in memory of Leo Short Sr.)

Colby **moved** to accept the funds as listed and to remit them to the custody of the Treasurer to be held in the General Fund or to the Trustees of Trust Funds to be held in the appropriate account. There was a second to the motion by Karasinski and no further discussion. All were in favor. **Motion passed.**

May Expenditure Report

Branley referred to the report and asked the Board if they had any response. There was a brief discussion about dispatch services numbers. Branley stated sometimes with items like that the Town has to finalize the budget before number are presented by the provider. There will be no more expenses in that account.

NHMA Legislative Policy Process

There was a discussion about actions that the Board could take to participate in the process. There was a discussion about asking Gus Lerandeau to attend the Legislative conference representing the Town. Lerandeau said he would think about it for a week and confirm next week.

OLD BUSINESS

Wage Study

Branley spoke about informing Mr. Jacobs of the Board's decision of last week. He noted that Jacobs said he could lower the price to \$5,000 if Town staff assisted with collecting and compiling comparable data.

Certification for Ballot results

Branley noted that he was informed that a required signature by the Town Clerk to certify the ballot results was not sent to the Department of Revenue Administration (DRA) as it should have been. Since Town Clerk Fontaine was not clerk for the election the Board will need to sign a letter certifying the results. The Board agreed.

Conservation Commission Change in meeting date

Wally Smith noted that the Conservation Commission will be meeting on June 30, 2016 instead of the regular first Monday of the month since for July it is the 4th of July holiday.

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 7:15 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 7:21 p.m.

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:3, II (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 7:22 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 7:30 p.m.

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:3, II (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 7:31 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 7:50 p.m.

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 7:50 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Beverly Bernard".

Beverly Bernard, Recording Secretary

Approved on July 6, 2016