

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – September 21, 2016
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

CALL TO ORDER

The meeting was called to order by Selectman W. William Hutwelker III at 6:00 p.m. at the Swanzey Town Hall at 620 Old Homestead Highway. Present were Selectmen William Hutwelker III, Kenneth P. Colby, Jr. and Sylvester Karasinski. Also present was Town Administrator Michael Branley and Recording Secretary Beverly Bernard.

OTHERS PRESENT

Director of Public Works and member of the Whitcomb Hall Committee Lee Dunham, SVE Engineer Rob Hitchcock, Whitcomb Hall Committee Chair Pete Johnson and member Mike Gomarlo, Conservation Commission Chair Wally Smith, State Representative Jim McConnell, Fire Chief Norm Skantze, Fire Inspector Eric Mattson, Resident Gus Lerandeau, Emergency Management Director Bruce Bohannon and Susan Merritt from the E-911 State of NH Office. Also present were residents Katherine Snow, Paul Ledell, Paul and Judy Fassett, Marty Hopkins, and Stan Fisher.

MINUTES

- The regular meeting Minutes of September 7, 2016 were considered. There was a **motion** by Colby to approve the regular Minutes of September 7, 2016. The motion was seconded by Karasinski. Discussion: Colby noted that page 7 under **Old Business**, where the subject is park bench dedications, needed to be changed. He requested that the Recording Secretary add that he “didn’t know that the park was a cemetery”. All were in favor. **Motion passed.**
- The special meeting Minutes of September 10, 2016 were considered. There was a **motion** by Colby to approve the special Minutes of September 10, 2016. The motion was seconded by Karasinski. All were in favor. **Motion passed.**
- The regular meeting Minutes of September 14, 2016 were considered. There was a **motion** by Colby to approve the regular Minutes of September 14, 2016. The motion was seconded by Karasinski. Discussion: Colby asked the Recording Secretary to note on page 2 of 6 that he excused himself from the meeting at around 6:10 pm to take a personal phone call. Colby added that he did not vote on the Carpenter Home Non-Restricted fund and wished to have that stated in the minutes. All were in favor. **Motion passed.**
- The non-public meeting Minutes #1, #2, #3 and #4 of September 14, 2016 were considered. There was a **motion** by Colby to approve the non-public Minutes #1, #2, #3 and #4 of September 14, 2016. The motion was seconded by Karasinski. Both 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
- Resolution creating The Carpenter Home Non-restricted Account
- Intent-to-cut Operation 16-441-17 – Map 41 Lot 88
- Report-of-cut Operation 15-441-17 – Map 32 Lot 20-2
- Land Use Change Tax A-5 for Map 79 Lot 6-3
- Personnel Action Reports

PUBLIC INPUT

Mike Gomarlo asked for the fan to be shut off so that he could hear the proceedings. Branley shut down the fan.

APPOINTMENTS

Engineer Rob Hitchcock – Main Street Project Update

Hitchcock provided a construction cost summary showing that the Contract Amount was \$713,466. He said the approved changes add up to \$10,991 and with the addition of overlay of parking lot at the Fire Department at a cost of \$3,300 the adjusted total contract value is now \$705,775. He said curbing should be done shortly, and sidewalks will be done within a few weeks. The expectation is that the paving will be completed before middle of October. Lights should be in by then as well, said Hitchcock. He noted a volunteer (with pseudonym of Mae West) has come forward to provide new mailboxes for residents on the street. Hitchcock asked for clarification on steps for Whitcomb Hall. He noted a 6.8% slope for the walk, which matches what was there before construction began. Hitchcock asked for someone from the Sidewalk Committee to be there when the first concrete is poured to approve the sidewalk. Gomarlo says he isn't necessarily easy to find and that he "hides" now. Hitchcock spoke about placing granite blocks around the Whitcomb Hall parking lot. He also noted that Scott Self could design the railings because the Committee is looking for an historical look. In summary the project is coming in within cost estimates and on-time. The Board thanked Hitchcock for his update.

NOMINATIONS

Ellen Edson – Whitcomb Hall Committee

The Board considered the application of Ellen Edson to join the Whitcomb Hall Committee.

Colby **moved** to appoint Ellen Edson as a member of the Whitcomb Hall Committee for a one year term expiring after the 2017 Town Meeting. There was a second to the motion by Karasinski. All were in favor.

Motion passed.

Whitcomb Hall Committee – Facility Use Agreement, Approval to Apply for Grants, and First Floor Project Status

Gomarlo, Johnson, and Dunham were present to speak to the Board about the revised rental agreement. Johnson said the Committee changed the occupancy level and took out references to the second floor, added information about the trash and no smoking anywhere on the premise. Johnson said that Code Enforcement Officer Mike Jasmin came up with a good idea to hand out on the seating charts areas that cannot contain tables or chairs. He noted that the center remains open in the plans and it might prove helpful to renters to know precisely where they cannot place tables and chairs.

Hutwelker asked to review in more detail the rental agreement. The contact phone number was discussed. Hutwelker asked about legal protection. Branley noted that the proposed agreement was reviewed by insurance and Johnson said that renters have to produce proof of insurance. Hutwelker asked that for item #8 regarding CLEAN-UP, trash should be removed from the property, not just from the Hall. Monitoring an event was discussed. Johnson pointed out item #12 regarding RIGHT OF ENTRY AND TERMINATION and Hutwelker asked for a monitor to be present added to the item. Gomarlo pointed out that if it were the Garden Club having a luncheon there would be no need for a monitor. Hutwelker spoke about renters need direction about where to find tables and where other supplies are involved. Johnson suggested that the Town Administrative Assistant call a Committee member to meet with the renters to show them where supplies are ahead of time and review with them the rules for use of the building. Colby asked about a walk-through at the end of the event to check for proper trash removal and any other issues that might have arisen. Hutwelker suggested adding enough to the fee to cover a paid monitor for the event. There was a discussion about access to the building using access codes. There was a discussion about the number of persons allowed at the event. Johnson suggested adding exact numbers to the rental agreement. There was a discussion about the acceptable number of seated participants –

Gomarlo stated he would like to get to 100 people seated; right now it is limited to 75. Johnson said that it depends on Code Enforcement and the Fire Department. Branley and Johnson will work on a number for renters to call. Johnson said he was happy to be the one to receive the call. Hutwelker asked if there is a space for storage of tables and chairs that is not on the second floor. Johnson suggested that Town records be removed from the front room so it could be used for storage of tables and chairs. When asked about how rates were determined, Johnson said that the rates came from gathering rates for other rentals from neighboring towns. Hutwelker asked Johnson to raise the rates to cover a monitor. There was a discussion about using credit cards versus cash, which the Town is working on but cannot provide at the moment. Gomarlo made reference to some possible compromise regarding closing off of doors to stairs for the second floor. He also noted that there should be special exceptions to use of the building because it is an historical building. Johnson spoke about doors being locked and a door at a back landing of the building needs to be addressed. There was a discussion about Code Enforcement being the ultimate decision-maker for occupancy of the building. Johnson stated he had asked Jasmin and Skantze to attend their meeting on Tuesday however they did not attend. Fire Chief Norm Skantze said that there is a list of items to be addressed in the memo that was provided to the Committee. Colby asked who is capable of making the decision about the door and Colby added he is not capable of making that decision. Skantze said that with life safety being considered, elimination of open stairways is a priority. When the building eventually has fire sprinklers in place, the front stairway can be opened. Colby said that these sorts of questions cannot be answered by the Board. Colby said the give and take should be done before coming to the Board. Hutwelker suggested a meeting with Eric Mattson, Mike Jasmin, Peter Johnson, and Rick Robideaux to discuss what needs to be done to get the C.O. and the Board directed Branley to set it up. Mike Jasmin's memo was referred to as listing out what needs to be done but a new item arose regarding the door at the landing.

Branley and Johnson agreed to meet to make changes and to coordinate a meeting between Mattson, Jasmin, Johnson, and Robideaux.

Johnson asked for permission to move ahead with grant applications. Branley asked if there are any restrictions that would be applied to building if the grants were awarded, and Johnson said he didn't think there were. The Board agreed by consensus to authorize Dunham or Branley to sign the grant applications.

Johnson spoke about considering the committee be called the "Friends of Whitcomb Hall" versus being a Town committee. Bohannon suggested the committee should remain a committee of the Town.

PUBLIC HEARING

Public Hearing opened at 7:04 pm

A public hearing was held regarding proposed changes to addresses and street names on the following streets – Old Eaton Road, Old Lake Street, North Grove Street, South Grove Street, and North Pine Street, creation of a new private road off Matthews Road, and creation of a new private road off South Grove Street. Bruce Bohannon was present to discuss the need to change the street names. He asked residents to sign a sign-in sheet. He spoke about duplicate names and numbering issues that have led the State of NH to recommend street name and number changes to assist emergency responders. He spoke about the history of the problems starting around 1995 because of duplicate names that are similar sounding and the fact that four towns share the same zip code. He spoke about a request to the postal service to eliminate the North Swanzey 03431 zip code so as to match the rest of the town using 03446. Bohannon named the streets impacted by the changes and spoke about the rationale for needing to make the changes.

Questions: Katherine Snow asked about changing the zip code and noted that the 03446 zip code now says East Swanzey. She asked if that would be changed to reflect all of Swanzey. Paul Ledell asked about incidents where there have been problems. Bohannon said that there were two incidents, but Skantze said that there were

dozens, one was a fire fatality; one was a heart attack with a death, and others where the responders went to the wrong area. Ledell asked about GPS locating persons. Skantze said that many residents have land lines and the physical address is needed. Ledell emphasized the imposition for changing licenses, and other documentation like credit cards. Skantze said the Town of Swanzey is one of the last communities to follow through in making the changes. Bohannon said that the postal service will carry both addresses for one year. A lot of changes can be taken care of over time. Ledell asked if the people on the streets could choose the new name of the streets. Bohannon said that they are open to getting suggestions from the residents. Ledell asked about renaming Old Lake Street to Underwood Street since the Underwood family has lived there for more than 200 years. Bohannon said the Town is trying to not set a precedent of using the names of people who live on the streets currently. He said if a precedent is set, others may want to name streets for residents on their streets.

Susan Merritt explained the time element with a 911 call. She said a chain of people are involved. Dispatch passes along information to others who can sometimes make mistakes with similar street names. As to a family name being used by the street Merritt referred to a national addressing agency which recommends against using names of living people. Bohannon read from a guide for 911 which said to not name a street for family members or politicians. Merritt noted that the recommendation may be because a disagreement could arise among residents of the street. Snow noted that Bohannon's reference sounds like only a guideline and Underwood should be considered given the history.

Gus Lerandeau noted ultimately the decision is up to the Board of Selectmen. Colby said that they want to hear the concerns of the public. Colby said the he disagreed regarding using the Underwood name as setting a precedent. Judy Fassett asked about the suggested names and noted some residents might not care. Branley affirmed the Board has to hear every opinion and try to decide how to handle the input they receive, and noted that Lilac Street was proposed by some residents, and now the Town has heard that someone else does not like the idea.

Residents were informed that on Wednesday, Sept. 28, at 10:00 am there will be a meeting of the 9-11 committee at the Fire Department downstairs, which is open to anyone of the public wishing to attend.

Marty Hopkins, North Pine Street, said that many people cannot attend a public hearing and a letter from the Town with two names to choose from would be a good idea so that people could have a say in the name change. Hopkins affirmed that she cares what the other neighbors have to say on her street and that folks are not always able to make the time to come to hearings. Kathy Snow said she supports Hopkins idea. Hutwelker said the Town is doing as much as it can to move forward but does not want to delay the process. Judy Fassett asked for confirmation that new street signs would be up by January 5, 2017. Dunham said that he cannot order the signs until the Board makes their decision about the street names, but he said that it would be done. All the mail will come out of Keene, as is now.

Stan Fisher said he lives in West Swanzey, and asked why modern software cannot give emergency responders the location of an emergency address. He spoke at length about problems he has had with his address in the past.

Public hearing closed at 7:41 pm

NEW BUSINESS

Future paving of State Route 32 and impact on Sewer Manholes

Jim McConnell spoke about Route 32 and the sewer situation. He said he spoke to John Kallfelz, District Engineer at the Department of Transportation, and Kallfelz said that the Town should consider putting in rings. McConnell noted that Kallfelz also said that performing the required sewer manhole work could be incorporated into their

contract, which the Town would pay for. Lerandeau said that each item is a bid item, so that you know what you are paying for, per unit. McConnell said the Town Sewer Commission has also requested being part of the contract. Hutwelker thanked McConnell for his efforts on behalf of the Town.

OLD BUSINESS

Proposed Revisions to Fireworks Ordinance – Fire Chief Skantze

Mattson and Skantze were present to discuss proposed revisions of the fireworks ordinance. He reviewed some of the changes with the Board. Colby asked about clean-up of fireworks debris on someone else's property after the event. Skantze said he didn't think they want to go to that level of enforcement. He said that he is just trying to comply with the State RSA – and provide some control over the fireworks themselves. Branley said that the litter ordinance could be enforced when debris is left behind. Colby asked if the fireworks ordinance could note the litter ordinance in some manner. Skantze said that the noise ordinance is another ordinance which doesn't have to be in the fireworks law. The Fire Department would only enforce the fireworks ordinance. Colby suggested referencing the litter or noise ordinances in the document. Karasinski added there should be a site plan for fireworks and a mandatory site inspection. Wally Smith asked if the reference could be added to the permit application. Colby said he is asking for these additions so that fireworks permit applicants are made aware of the ordinances that might impact their fireworks displays. Branley suggested submitting the proposed revisions to Town Counsel for review, adding reference to the litter ordinance.

Hutwelker suggested these changes:

- the ability to deny a permit to someone who has been in violation in the past
- require a plot plan showing where the fireworks will be lit
- Increase the space required to buildings or woodland to 75 feet

Skantze said he thought it is a good idea for these changes:

- a plot plan showing where the fireworks will be lit
- increase the amount of space required to be away from the property line to 75 feet
- mandatory inspections for first use
- \$100 fine for each infraction and denial of a permit the following year after a violation

The Board agreed on all suggested changes.

Skantze said that changes require a public hearing. Branley said he will have Town Counsel review the changes, and the after Board review if any changes are needed, the proposed changes can go to public hearing.

120 Pine Street Property

Branley spoke to Interim Recycling Center Manager Josh Whipple and Director of Public Works (DPW) Dunham about the possibility to use this property to address needs of both departments. Whipple said his preference would be for something on the Recycling Center site. Dunham said that DPW could use the property. Branley stated the building could also be used for off-site record storage. Discussion occurred about having inmates at the County Jail help out with work to be done at the property. Branley said he would like to clean out the building and have Jasmin work on getting bids for repairing the roof. It was noted that if no other use, the building can be used for storage. The Board agreed to move forward.

West Swanzey AA Memorial Park Bench & Monument Donation Policy

Branley provided a proposed policy for the Board to consider. There was a brief discussion about the points of the policy and Colby said that he would like to be an additional point of contact. The Board agreed to go forward by consensus to have Branley take the proposed policy to Town Counsel for review.

Municipal Facilities Review Committee (MFRC) Status

The Board discussed getting Chair of the MFRC Committee Don Skiba on the CIP Committee. Branley noted that the number of members was set by Town Meeting when the Committee was created and the Committee is full. Hutwelker asked if Branley would provide the list of CIP members to the Board and Branley agreed to do so. Karasinski said he could serve as an Ad Hoc member and release a place for Skiba. Branley will follow up.

NEW BUSINESS

Land for Town Facilities

Branley said that Jack Wozmak is beginning a conversation about whether there might be land owned by City of Keene, specifically airport property, which might be available to the Town for town facilities.

On-going Projects

- **Personnel Policy Forms**

Hutwelker noted that the Administrator's Report notes that Human Services and Resources Coordinator Edna Coats is still waiting for seven Personnel Policy acknowledgement forms to be returned to her and has been waiting for quite some time. Hutwelker asked that the failure to provide the form go into the Department Head and employee's personnel files if the forms are not forthcoming within the week.

- **Joint Lost Management Committee**

Branley noted that the committee is required by law – identifying employee safety issues. He is still waiting for membership from a few departments. Follow up same as above.

Property Tax Mediation

Hutwelker asked if the Smith BTLA Appeal had gone to Town Counsel and Branley stated it had not. The BTLA will require the parties to meet to discuss a settlement.

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 8:33 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 8:46 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 8:52 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***.

Property for Sale at Carlton Bridge

A brief discussion was held about property for sale near to the Carlton Bridge. There were concerns about wetlands on the property. Branley said he will finish due diligence on both the South Street and Carlton Road properties to bring to the Board for their consideration.

ADJOURNMENT

Motion to adjourn the meeting was made by Colby. The motion was seconded by Karasinski without further discussion. All were in favor. ***Motion passed***. Adjournment occurred at 9:00 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary
Approved on September 28, 2016