

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – October 12, 2016  
Whitcomb Hall, Main Street, West Swanzey, NH

**CALL TO ORDER**

The meeting was called to order by Selectman W. William Hutwelker III at 6:03 p.m. at Whitcomb Hall, Main Street, West Swanzey, NH. 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**

SVE Engineer Rob Hitchcock, Director of Public Works Lee Dunham, West Swanzey Sidewalk Committee members Marion Bedard, Mike Gomarlo, Gordie Ayotte and Lena Whipple. Emergency Management Director Bruce Bohannon, E-911 State Committee member Susan Merritt, Keene Postmaster Jay Pompei, Pat Bauries, Conservation Chair Wally Smith, Amanda Littleton, Ron Robbins, and Swanzey School Board Representatives Bob Mitchell, Michael Blair, Elizabeth Tatro, Eric Stanley and Cheryl McDaniel-Thomas. Also present was Michael Kelleher, Fire Chief Norm Skantze, and among many residents, Katherine Snow, Bob Nadeau, Rich McCall, Ann Haberman, Cheryl Kelly, JohnThompson, Sonia Faulkner, Sherry Page, Rob Hawkins, Penny Yardley and Liz Dean.

**MINUTES**

- The regular meeting Minutes of October 5, 2016 were considered. There was a **motion** by Colby to approve the regular Minutes of October 5, 2016. The motion was seconded by Karasinski. All were in favor. ***Motion passed.***
- The non-public meeting Minutes # 1 and #2 of October 5, 2016 were considered. There was a **motion** by Colby to approve the non-public Minutes #1 and #2 of October 5, 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
- Report-of-cut Operation 16-441-10 – Map 14 Lot 1
- General Election Warrant
- Committee Appointments
- Personnel Action Reports

**OTHER MATTERS**

**Historical Committee Member Sworn In**

Lee Dunham was sworn in as a new member of the Historical Committee by Selectman Karasinski.

**PUBLIC INPUT**

Pat Bauries was present to discuss the invitation of the Board to the Swanzey School Board Representatives to attend tonight's meeting in regard to the School Board vacancy which occurred when Joseph Smith resigned from the School Board representing the Town of Swanzey. She said she was concerned and disappointed that if the Board was going to discuss the procedure for replacement, she believed that this meeting was not the appropriate venue to do so. She noted the voters decision in 2005 stated that Selectmen from all the towns in the school district

were to choose a replacement when a vacancy occurred. Hutwelker said it was not his understanding that the Selectmen involved in selecting a replacement was to be from all of the towns in the regional school district; and he said that it was his understanding under the school district policy from 2005 that the Town of Swanzey Selectmen could appoint a member of the School Board if the vacancy was for a Swanzey representative. Bauries replied that the Swanzey Selectmen should ask to be invited to a School Board meeting so that all the members are present. She said she feels that it is a conflict of interest for one of the Board members to participate in this discussion and the venue should be at the school board meeting so that the entire membership of the school board can be present. She made a comment about the ethics of the situation being questionable.

Hutwelker said the primary reason the Selectboard changed their meeting night was so to be able to attend school board meetings and meet with school board members. He went on to say the reason the Swanzey representatives on the school board were asked to come tonight was because he wants to maintain open communication with those members and to clear the air about next steps since the Town Administrator informed the Board that there were 21 days to fill the slot, not a lot of time. Hutwelker said he disagrees with Bauries about the understanding of the process and the ethics involved.

### **APPOINTMENTS**

#### **Ron Robbins President Keene Sno Riders – Request to use Town property and Class VI Portion of Massey Hill Road**

Robbins met with the Board and requested a one year renewal of permission to use three Town properties and also permission to use a Class VI portion of Massey Hill Road, trails that they have used in the past. He said he thought the permission was granted through 2018. However, Robbins said the group would be comfortable with granting permission on a yearly basis. Colby said he knew of no resident complaints. The Board agreed to confirm use through 2018 and to renew at that time. Branley said that neither the Police Chief nor the Public Works Director have any concerns. Robbins said he had documentation that the land owners are willing to have the riders use their property and could provide that to the Town Administrator.

Colby **moved** to grant permission to the Keene Sno Riders, and no other motorized vehicle types, to utilize Town property identified as Map 38 Lot 22, Map 38 Lot 23, and Map 89 Lot 12 for a term from today to May 13, 2018, including the Class VI portion of Massey Hill Road for the same term, subject to providing documentation from affected land owners that they are willing to have the riders use their property, and authorize the Town Administrator to sign relevant paperwork. There was a second to the motion by Karasinski and no further discussion. All were in favor. ***Motion passed.***

#### **Amanda Littleton – Falls Brook Culvert Project Wrap-up**

Littleton thanked the Board for their cooperation for the project and said it was a positive experience. She noted that a volunteer planting day was held recently. She said grant requests have been submitted to make sure the Town has payments in due time. She provided a statement of Profit & Loss, showing Income of \$243,340 and Expenses of \$248,439 – she noted the change orders totaled \$7,400.11. She documented the final construction cost to be \$202,265.47 somewhat above originally planned for at \$194,865.36. She said that they have been able to bring down the overage/loss to \$5,000 and asked the Town to fund the total amount or some partial contribution. Dunham said he would look at his operating budget to see if he has any funds left and respond next week. Littleton said she would return next week for a response from the Board.

#### **Swanzey School Board Representatives – School Board Vacancy**

Swanzey School Board representatives Michael Blair, Bob Mitchell, Elizabeth Tatro, Eric Stanley, and Cheryl McDaniel-Thomas met with the Board. Hutwelker explained why the Selectboard asked the school board representatives from Swanzey to be at this meeting; he said the Board wants a chance to communicate better with

the representatives and to determine which board is responsible for replacing Joe Smith. The history of the situation was reviewed. In 2005 the vote at Town Meeting determined that the Selectboard was to select the person to fill the vacancy. In 2013 the State Legislature changed the law and Blair said that the modified RSA states that the remaining school board members appoint the person for the vacancy. The Board of Selectmen and the school board representatives present agreed that the RSA supersedes the 2005 district policy. It was also agreed that if the remaining school board members are unable to select a replacement to fill the vacancy, the Board of Selectmen would then do so. Hutwelker said he would recuse himself from deliberation on an individual to replace Smith since he is Moderator for the school district and will need to appoint whoever is chosen should the school board and Selectmen fail to do so.

Colby asked if the representatives are in agreement. Blair said the Swanzev school board members agree to follow the RSA to move forward. Upton & Hatfield, Attorneys at Law, Attorney O'Shaunessy's opinion that the RSA supersedes the 2005 district policy was referred to. Hutwelker said that he agrees that the the Swanzev representatives of the school board are responsible for selecting a replacement. Blair said he wanted to make sure that the Selectmen didn't think the school board believed the Selectmen are incapable of selecting a candidate. Hutwelker suggested continuing communication with the Board – Tatro noted an invitation to an upcoming meeting on November 5, 2016.

Blair said he did have a conversation with Cheshire TV and would like to see more discussion with the Selectboard to move that relationship forward.

Potential land swap was discussed. Mitchell asked if the Town is interested in the Wilcox property. Hutwelker responded that the Town is interested in any available property to try to solve the problem with the current Town Hall facility. Colby stressed that nothing is cast in stone and the Board is just considering what their options might be. Tatro said she thought the district is looking to get rid of property rather than add property. Colby said it is important to sit down and discuss issues in an open forum.

#### **Engineer Rob Hitchcock, Sidewalk Committee, & Stratton Free Library Trustees – Main Street Project & Sidewalk in front of Stratton Free Library**

Discussion was held regarding the desire by the Sidewalk Committee to see depressed curbing installed from the street to the Stratton Free Library to facilitate access by people who have difficulty walking. Since this change would require removal of granite curbs and disturbance of the walkway in front of the library there would be a cost. Branley noted that he received an email from Gordie Ayotte stating that \$80,000 in funds promised to offset the cost of the sidewalk would be held up until the issue around the request of the library is resolved.

Hitchcock spoke about the options to accommodate the request. One option is to use an existing driveway, add one ADA parking space and add a sidewalk to the existing sidewalk. Another option would be depressed curb at the front of the building and removing a parking space and the third option would be a depressed curb at a nearby pole which would save the parking space. Hitchcock noted that the nearby driveway runs over Town property as well as private property. Branley noted that would require a new easement and thus likely would not meet the time requirements. Based on the project timeline a decision needs to be made tonight.

There was discussion between members of the Sidewalk Committee and Hitchcock about the options. The committee eliminated the idea of using the existing driveway. They considered the depressed curb directly in front of the library and the other option at the utility pole further down the street.

Gomarlo suggested putting up mailboxes in the church parking lot to free up parking spaces on the south side of the street. Branley said the line of travel has to be maintained for the postal service and Postmaster Pompei

confirmed that was the case. There was a discussion about ADA compliance and the obligation of the Town. The discussion was about the age of the building and there being no driveway access which makes being ADA compliant difficult. Roll-up access is being requested, no necessarily ADA access. The Committee stressed the important issue is access in front of the library. Hutwelker pointed out the no one from the Committee or the Stratton Library brought this topic up in the past and everyone knew there was going to be granite curbing.

Branley noted that once the final asphalt is in there will be a six inch curb. Hitchcock suggested that someone could use the existing driveway as a ramp to access the library. It was noted that an additional nearly \$10,000 is needed to accommodate depressing the curb at the front of the library. Hitchcock said that it is not a safe situation to have someone park and wheel out into the street to access the depressed curb.

Gordie Ayotte said the Committee would be willing to pay for some of the cost to get the depressed curb in front in the library. Gomarlo then said the Committee is willing to pay half of the cost for adding depressed curb in front of the library, which the Sidewalk Committee members present agreed to. Hitchcock said he would get an estimate as soon as possible.

Discussion occurred about striping the area in front of the depressed curb to prevent parking there. Hutwelker asked the Committee and Librarian Haley if there was anything else and Whipple said she didn't say anything about ADA compliance because she thought the library is a public building and ADA compliance would be considered. Haley and the Sidewalk Committee members present agreed they did not know of any other issues with the project. Colby said that there isn't an obligation by the Town for ADA compliance due to the age of the building. Colby said this is not an attempt to make access ADA compliant but rather to make for easier access.

#### **NEW BUSINESS**

##### **Home Occupation – Eric Brosseau, 397 Massey Hill Road (Map 3, Lot 35-3)**

Colby **moved** to qualify as a Home Occupation the proposed use of a portion of an existing home at 397 Massey Hill Road (Map 3, Lot 35-3), subject to Planning Board review, all limitations specified in the application, and continued compliance with all applicable provisions of the Town Zoning ordinance, and furthermore to authorize the Chairperson to execute any necessary documentation on behalf of the Board related to this decision. There was a second to the motion by Karasinski and no further discussion. All were in favor. ***Motion passed.***

#### **PUBLIC INFORMATIONAL SESSION**

##### **Proposed changes to addresses and street names - Public Informational Session opened at 7:22 pm**

##### **Chair Hutwelker left the meeting at 7:24 pm**

Bohannon presented the E-911 Committee recommendations to make the changes to the following streets: Centerview Circle, Depot Road Extension, Homestead Avenue, Houghton Point South, Houghton Point North, Lake Shore Road, Maple Street, Massey Hill Road, and creation of two private roads off Old Homestead Highway for Edgewood Apartments.

Bruce Bohannon explained the need for the address and number changes requested for 911. He read off the members of the 911 committee and introduced the individuals present from the committee. Bohannon spoke about the emergency situations where confusion has resulted in emergency responders going to the wrong addresses. Bohannon gave the group a brief history involving the work of the committee. Bohannon provided some proposed new names for streets. Chief Skantze spoke about the problems getting to homes on streets with similar names when first responders are trying to reach families with emergency situations.

Bohannon explained that the Town is trying to get the zip code for all non-PO Box mail in Swanzey changed to 03446 instead of the current practice of using Keene zip code 03431 for north Swanzey residents. Postmaster Pompei spoke about the effort involved getting Washington level officials to change the zip code. He said he is waiting to hear from the District Manager for a final determination as to whether it could happen. Bohannon asked for residents to write a letter to the Town about the desire to have a single zip code for the town. Pompei said that address management database will be updated at the same time as the change is official. He said the postal service will keep the old address and new address coded the same for a year so there should not a disruption in mail delivery.

Katherine Snow asked about the rationale for changing the addresses. Bohannon said that since there are duplicate road names in Keene and in Swanzey packages are sometimes lost. Bohannon noted there is no mail delivered from either of the Swanzey post offices. Rich McCall asked about UPS and FedEx deliveries – Pompei said they get the addresses from the post office. Snow noted that the zip code 03446 comes up as East Swanzey. Bob Nadeau lives on Lake Shore and complained that he has trouble getting his mail. Pompei provided his business card to a number of residents – he said he would try to resolve postal issues for them.

Susan Merritt spoke briefly. Ann Haberman, Lake Shore Road, asked about date of changes and Merritt said 911 data will be done immediately as of January 2017. Haberman noted that she has to pay for all the changes, new checks, business cards, documents. She said the Town is forcing the change on residents.

Bohannon said that if residents can make a suggestion for a new name before the 26<sup>th</sup> of October, the Town will consider it. He said the committee meeting will be at Whitcomb Hall at 10:00 a.m. on the 26<sup>th</sup> Branley said the residents can put their comments in writing, especially if all the residents agree. Cheryl Kelly, Maple Street, asked about the names of streets being changed. North Maple is staying the same, and she asked how the determination was made as to who gets changed. Bohannon said they looked at a number of factors including flow of traffic.

Mike Gomarolo asked about the historic district and if some streets in that district can keep their names. He noted Homestead Avenue should remain the same. John Thompson, West Swanzey, asked about what is driving this – what emergency problems? Bohannon gave examples saying that Grove Street and Pine Street versus North Pine Street have caused responders to go to both addresses when not sure which address has the call.

Branley summarized the dates impacting the name changes and opportunities for public input. Sonia Faulkner, Homestead Avenue, she said there has been some confusion and she said the name should go back to names from the past. She said Hiponnecky (sic) Road was an earlier name for Homestead Avenue. She also acknowledged that making the change is a pain but for emergency situations this is a good idea and in the long run for the better. Sherry Page on Lakeshore Road and said there is only one Lakeshore Road. She said the property is on the water and the residents want to keep a name with “water” in it. Bohannon said that the Committee does have some suggested street names with “water” in the names.

Rob Hawkins, Massey Hill, asked why both ends of Massey Hill Road have to be changed. Bohannon spoke about confusion with Marcy Hill Road. Penny Yardley, Houghton Point North, asked about North or South Houghton and why need to change both– Merritt said north and south are a problem, but Houghton Point could be kept for one of the roads.

Colby tried to explain the situation about listening to the public and the opportunities to be heard. Cheryl Kelly asked about needing to change deeding paper and Branley said that deeds do not need to be changed. She said she understood the need to change and asked if the Town will reimburse residents for the expense.

Karasinski emphasized the post office will keep both addresses for a year and address changes can be made over time.

Liz Dean, Massey Hill, asked about forwarding mail. Pompei said that forwarding would be one year for both addresses.

Gordie Ayotte, Maple Street, said folks never have a problem finding houses on his street and he said Ashuelot Street - the other end of Maple Street = has fewer houses than the section that is being changed. Another resident asked about possibility of joining the two Massey Hill Roads. Branley stated based on the distance and terrain it was unlikely. Skantze said the changes are driven by state law. Dunham spoke about GPS versus landline connections and the ability to trace a location from each. He said a cell phone is not always useful for finding a location. Bohannon said suggestions will be taken by Branley.

**Public Hearing closed 8:19 pm**

### **OLD BUSINESS**

#### **West Swanzey AA Memorial Park Bench & Monument Donation Policy**

Karasinski **moved** to approve the West Swanzey AA Memorial Park Bench & Monument Donation Policy and Form as proposed. There was a second to the motion by Colby and no further discussion. All were in favor. **Motion passed.**

#### **Fire Department Expenditure – Pagers**

Branley said Chief Skantze requested approval of an expenditure of \$4,150 for pagers from the Emergency Communication Expendable Trust Fund, which has an estimated balance of \$67,068.15. Three quotes have been provided to comply with the Purchasing Policy. In addition the form designed for communication between the departments that utilize the Emergency Communication ETF has been filled out and submitted.

Karasinski **moved** to authorize the expenditure of \$4,150 from the Emergency Communication Expendable Trust Fund for the purpose of buying pagers. There was a second to the motion by Colby and no further discussion. All were in favor. **Motion passed.**

#### **Southwest Region Planning Commission (SWRPC) Follow-up**

This item was tabled.

### **ADJOURNMENT**

**Motion** to adjourn the meeting was made by Karasinski. The motion was seconded by Colby without further discussion. All were in favor. **Motion passed.** Adjournment occurred at 8:32 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary  
Approved on October 19, 2016