

## Selectman's Meeting – July 10, 2012

Present were Selectmen Deborah J Davis (arrived at 6:10), Nancy L Carlson and Kenneth P Colby, Jr. Also present was Interim Town Administrator Richard Busick. Vice Chairman Carlson called the meeting to order at 6:05 p.m. Chairman Davis assumed the chair upon her arrival.

**Financial Matters.** Selectmen reviewed and approved accounts payable and payroll manifests.

### Public Hearings.

Grants/Private funds for rail trail corridor upgrades. Pursuant to the provisions of RSA 31:95-b, the Board of Selectmen held a public hearing regarding acceptance and expenditure of grants/private funds given to the Town of Swanzey for trail upgrades along the rail trail corridor (from Sawyers Crossing Road to Pine Street) in the following amounts: \$45,000 from East Hill Foundation, \$5,000 from Kingsbury Fund, and \$20,000 from a private donor. Chairman Davis called the public hearing to order at 6:41. Present were Selectmen, Interim Town Administrator Busick, and project manager Bruce Bohannon, as well as Larry Crowder, Bill Snyder, Ruth Snyder, Glenn Page and Sandi Page. Hearing no comments or questions, *motion* by Davis to close the public hearing. Second by Colby. Davis closed the public hearing at 6:44.

*Motion* by Carlson to accept \$45,000 from East Hill Foundation, \$5,000 from Kingsbury Fund, and \$20,000 from a private donor for the purposes of expenditure on trail upgrades along the rail trail corridor. Second by Colby. All in favor.

In response to a question from Bohannon, *motion* by Colby to authorize solicitation in the upcoming issue of *Swanzey Uncovered* for donations to fund further improvements. Second by Carlson. All in favor.

Possible issuance of refunding a bond. Pursuant to the provisions of RSA 33:3-d, the Board of Selectmen held a public hearing regarding the possible refunding of a bond, with proceeds to be used to refinance the Town's General Obligation Bond dated September 26, 2012, outstanding in the approximate principal amount of \$1,452,000.00, in order to achieve interest cost savings and to pay related costs and expenses.

Chairman Davis called the public hearing to order at 6:45 Present were Selectmen, Interim Town Administrator Busick, and Sewer Commissioner members Glenn Page, Bill Snyder and Larry Crowder. Also present were Sewer Commission Administrative Assistant Sandi Page and Ruth Snyder. G. Page discussed potential cost savings.

Hearing no other comments or questions, *motion* by Davis to close the public hearing. Second by Carlson. Davis closed the public hearing at 6:48.

*Motion* by Colby to adopt the resolution authorizing the issuance of refunding a bond dated July 10, 2012, pursuant to proceeding with refunding the bond. Second by Carlson. All in favor.

*Motion* by Carlson to authorize Davis to sign the resolution on behalf of the Selectmen. Second by Colby. All in favor.

**Non-payment of outstanding bill.** Bookkeeper Theresa Louder and Treasurer William Hutwelker appeared before the Board to discuss a SRO bill, outstanding since October 2011, due from the Monadnock Regional School District. Louder, Hutwelker and Selectmen discussed strategies for inspiring dialogue and payment. Busick will request Town council to write a letter or recommend further action, for a response by July 24.

**Status of Cobble Hill Road and Warmac Road bridge projects.** DPW Director Lee Dunham and Sean James (Hoyle, Tanner & Associates, Inc.) appeared before the Board to discuss bids opened on June 29<sup>th</sup> for the bridge projects. Dunham reported that the apparent low bidder, BUR Construction, requested withdrawal of their bid, the only one of four bids received that would have been within Town budget. Dunham said that Hoyle, Tanner & Associates cannot recommend a low bidder at this time. James presented a summary of bids. James and Selectmen discussed resolution of BUR Construction's bid withdrawal. *Motion* by Carlson to accept withdrawal of BUR Construction's bid. Second by Colby. All in favor.

Selectmen agreed to notify other bidders that funds are unavailable; the projects will be re-bid in the fall, for spring construction. James stated that he believes the Town would still be eligible for 80% State funding, even with a second year of delay. Selectmen requested Busick to check with the State regarding eligibility (requesting a written response), with the intention to re-bid in the fall. James also recommended consideration of setting up the bids to first construct the Cobble Hill bridge, followed by construction of the Warmac bridge if sufficient funds remain.

**Bridge project fee amendment.** Busick reported receipt of a letter from Hoyle, Tanner & Associates advising of a reduction for the Warmac Road bridge replacement project (NHDOT Project No. 15348), as the original bid phase contract assumed that this project would be bid independently from the Cobble Hill Road Project (NHDOT Project No. 14918). *Motion* by Carlson to authorize the Chair to sign an amended contract with Hoyle, Tanner & Associates for the combined bridge projects. Second by Colby. All in favor.

**Town Hall water fountains.** Busick reported that the Town Hall water fountains are used infrequently and require expensive sampling and analysis for bacteria and nitrates. For these reasons, Busick recommend removal of the water fountains. After discussion resulting in Board endorsement of Busick's recommendation, Busick said he would obtain pricing for bottled water, and ask the DPW to remove the fountains.

**Renaming Matthews Road conservation land.** Selectmen considered correspondence from the Conservation Commission requesting that the area formerly known as the "Mill K" parcel formally be renamed the "Ash Swamp Brook Conservation Area." Selectmen agreed to send a memo to the Conservation Commission requesting Commission consideration of the name "Riley Conservation Area."

**Maintenance of conservation land off Matthews Road.** Selectmen discussed a forthcoming formal recommendation from the Conservation Commission regarding cutting plant growth.

**Consideration of civil penalties for littering and dumping.** Selectmen considered a recommendation from the Conservation Commission that that the Town enact an ordinance with civil penalties (including fines) to authorize enforcement of regulations prohibiting littering and dumping on roadsides and on all town, state and public lands within the Town. *Motion* by Colby to ask that the Conservation Commission, Police Department and Highway Department draft an ordinance for Board review within 90 days. Second by Carlson. All in favor.

**Request from Community Kitchen in Keene** Selectmen considered a letter (2<sup>nd</sup> request; first one dated December 2011) asking that a \$15,500 appropriation for the Community Kitchen be placed on the Town's 2012 warrant or in the budget. Busick reported that the approved 2012 budget has an unspent \$15,000 line item (01-4415-3-352). Busick requested and received Board authorization to contact Peggy Higgins, Administrative Manager to inform her that the Town has budget \$15,000.

**South Road ballfield improvements.** Busick reported that John Hoden, President of the Cal Ripkin Baseball League, is preparing a plan for improvements to the South Road ballfields along with a FY 2013 budget to submit to the Board. Busick reported that Hoden requests Board permission to have the three Town-owned properties that comprise the ballfields surveyed, at no cost to the Town. Selectmen authorized Hoden to have the properties surveyed, at no cost to the town. Based on the completed survey, Selectmen asked Hoden to prepare a plan for improvements.

**Neighbor complaint.** Gerry Boggis and Health Officer BethAnne Tatro appeared before the Board to discuss the condition of the property located at 127 Homestead Avenue. Busick said that the Town has been collaborating with other entities to address the situation. Board members considered asking code enforcement office Greenwood to address unregistered vehicles. Busick assured Boggis that his concerns have been heard and considered. Boggis told Selectmen that six other neighbors in the area would like to address the Board regarding the property. Busick asked Boggis to let neighbors know that the Board is taking action.

**Engineering study agreement, proposed Dollar General store.** *Motion* by Colby to authorize the Chair to sign an agreement with TEC, Inc., to be retained by the Town at a cost of \$1875 to provide engineering services to review the traffic impact and access study for the proposed Dollar General store on Route 10. Second by Carlson. All in favor.

**Whitcomb Hall Committee grant.** Carlson advised the Board that the Committee would like to apply for a grant for engineering studies. To qualify, Carlson said, the Hall would have to be designated eligible for the national and/or state historic register; a 2001 file letter is still applicable. *Motion* by Carlson to authorize the Chair to sign the letter. Second by Colby. All in favor.

**Abatement update.** Assessing Coordinator Barlow presented an overview of responses to June 26, 2012 abatement decision letters. Selectmen discussed land values in the vicinity of Map 33 Lots 2, 1-2, 1, and 33-1, and authorized adjustment of the land line valuation for Map 33 Lot 2-1 and Map 33 Lot 2-2 to achieve consistency with the land line valuation of neighboring parcels Map 33 Lot 2, Map 33 Lot 1-2, Map 33 Lot 1, and Map 33 Lot 33-1.

**Non-public session I -- RSA 91-A:3IIa, dismissal, promotion, compensation.**

Selectmen voted unanimously by roll call to go into non-public session pursuant to RSA 91-A:3IIa at 6:54 p.m. to discuss employee matters. Present were Selectmen, Interim Town Administrator Busick, Town Clerk Donna Munson and Tax Collector Lori Belletete (both of whom left at 7:07).

Selectmen came out of non-public session at 7:29 p.m., voting to seal minutes until resolution of the matter.

**Non-public session II -- RSA 91-A:3IIb, hiring.**

Selectmen voted unanimously by roll call to go into non-public session pursuant to RSA 91-A:3IIb at 7:30 p.m. to discuss hiring. Present were Selectmen, Interim Town Administrator Busick, and Solid Waste Manager Dave Krisch.

Selectmen came out of non-public session at 7:43 p.m., voting to seal minutes until resolution of the matter.

**Non-public session III -- RSA 91-A:3IIc; matters which, if discussed in public, would likely affect adversely the reputation of any person.**

Selectmen voted unanimously by roll call to go into non-public session pursuant to RSA 91-A:3IIb at 7:44 p.m. to discuss a public health issue. Present were Selectmen, Interim Town Administrator Busick, and Health Officer BethAnn Tatro.

Selectmen came out of non-public session at 7:58 p.m., voting to seal minutes until resolution of the matter.

**Consent Agenda.** Selectmen approved agenda items #1 through #12, with *motion* by Carlson to authorize the Chair to execute where necessary. Second by Colby. All in favor.

1. Signature of PAFs for two Carpenter Home employees who have completed their probation and are subject to a pay rate adjustment.
2. Signature of PAF for new Town Administrator
3. Notices of Intent to Cut Wood or Timber, Map 69 Lot 4 and Map 70 Lot 43.
4. Authorization payment of \$1,256.79 to Hillsborough Ford for repairs to DPW 2006 Ford F350.
5. Raffle Permit # 2012-18
6. Authorization for Chair to sign acceptance of East Hill Foundation grant
7. Authorization of payment to New England Fire Equipment and Apparatus Corporation in the amount of \$3,668.66 for work done on Engine #2.
8. Signature of PAF for ITA Busick to return to part-time status
9. Event Permit # 2012-12 (First Congregational Church)
10. Notice of Intent to Cut Wood or Timber, Map 20, Lot 153
11. Event permit #2012-13 (Cheshire Fair)
12. Open Container Permit #2012-04 (The Old Homestead Association)

**Consideration of Minutes of Selectmen's Meeting of June 26, 2012.** Selectmen postponed approval of the minutes of the June 26 meeting, including non-public sessions until the July 17, 2012 meeting.

Meeting adjourned at 9:07 p.m.

Submitted by  
Victoria Reck Barlow  
Recording Secretary