

Selectman's Meeting – May 29, 2012

Present were Selectmen Deborah J Davis, Nancy L Carlson and Kenneth P Colby, Jr.* Also present was Interim Town Administrator Richard Busick. Chairman Davis called the meeting to order at 6:07 p.m.

*Due to a hand injury, Selectman Colby was unable to sign documents at this meeting. The absence of Colby's signature on documents signed by Selectman Davis and Carlson at the May 29, 2012 meeting does not indicate his lack of support for those decisions, all of which were supported by the full Board.

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

2012 paving plan bid opening. On behalf of Selectmen, DPW Director Dunham opened the six submitted paving bids at 6:15 and read the totals.

Lane Construction Corporation \$170,745.00
United Construction Corporation \$173,432.50
Frank W. Whitcomb \$182,242.61
Allstate Asphalt \$189,982.00
Basin Brothers Trucking \$196,554
Pike Industries \$205,361.30

Selectmen advised that they will review and award bids at the June 12, 2012 business meeting.

Grounds maintenance equipment bid opening

On behalf of Selectmen, Busick opened the three submitted bids at 6:26 and read the totals.

Motion by Colby to accept Jerry Gomarlo's \$800 bid on the 2006 ExMark LHP5223KA lawnmower, and to accept George Griffin's \$525 bid on the 2007 ExMark PHZ19KA343 lawnmower. Second by Carlson. All in favor.

Proposed closing to the public of Town Hall on Wednesday afternoons from noon to 5:00

p.m. Busick informed Selectmen that surveyed Town Hall employees strongly support the concept of a weekly block of "quiet time" for uninterrupted work. Busick and Selectmen discussed various approaches to accomplishing customer service while giving employees time to accomplish their work, as well as providing coverage during lunch hours. Selectmen said that employees will have to be flexible in the months when Wednesday falls on the first or last day (October 31, in 2012).

Motion by Colby to close Town Hall to the public on Wednesday afternoons from noon to 5:00 on a 90-day trial basis, beginning June 20, with a report back at the trial's conclusion on September 19. Second by Carlson. All in favor.

Selectmen requested extensive public notice, including a notice on page 2 in the Sentinel, and signage at the Recycling Center, Town Hall and post offices.

Davis recommended that the Board revisit the option of a weekly 6:00 p.m. closing for the Tax Collector's office and Town Clerk's office one day/week, possibly with deputies to cover the extra hours.

Maintenance of Forbush Lane DPW Director Dunham appeared before the Board to report that Lou Berube (Discount Oil and L& G Realty Trust) received Zoning Board of Adjustment approval for a special exception to install two 30,000 gallon tanks for propane storage on Forbush Lane (Map 3 Lot 3), subject to Mr. Berube getting written permission from Selectmen allowing him to maintain and repair the Class VI portion of Forbush Lane. Dunham reviewed the history of

Forbush Lane and the presence of propane tanks in the vicinity. Dunham said that the Town salts the road as far as the Seventh Day Adventist Church (Map 3, Lot 2). Dunham reported the presence of major potholes, and said that the installation of a proposed fire cistern would require access and road maintenance for fire equipment to extract and replenish water from the cistern. Dunham said that his objective is to identify and document maintenance responsibilities.

Mr. Berube also was present, and attested that he has been maintaining Forbush Lane for the past 20 years (including plowing, cutting back trees, maintaining culverts, picking up tires and other dumped refuse), as it is the only access to his property. Mr Berube said that Scrap-It has gated the Marlborough end of the road. (The Town of Marlborough has not discontinued the road.) Busick advised Selectmen that RSA 236:9 allows Selectmen to give written permission to private parties to maintain or repair Class VI roads.

Motion by Colby to give written permission to allow Discount Oil, L&G Realty Trust, and (currently) Lou Berube to use and maintain Forbush Lane as a Class VI road at the discretion of and in accordance with the direction of the DPW Director, per RSA 236:9. Second by Carlson. All in favor.

Eastfield Crossing Association request to place street lighting of Bellview Drive & Barden Circle into the Town's operating budget. Selectmen expressed support for bringing the request to voters, as has been done with similar requests in the past. Davis noted that the Board's policy of recent years has been to attempt to reduce rather than increase the cost of streetlights. Busick will suggest to the Eastfield Crossing Association consideration of a petitioned warrant article in 2013, and will advise preparation of supporting documentation.

Meeting with Bookkeeper Theresa Louder

- MRSD refusal to pay October 2011 invoice for School Resource Officer on the basis that he was "not working" due to an injury that occurred while chaperoning a group of MRHS students during off-work hours. Busick advised Selectmen that the SRO would not have chaperoned had he not been SRO. Louder advised Selectmen that the District still owes the Town a minimum of \$1,774.11 on an original 12/31/2011 invoice amount of \$3,843.59. Selectmen discussed options for resolving the issue, and agreed that the Board feels that the District owes the money to the Town because the SRO was assigned to the District at the time of the accident. Louder stated that the SRO was not on the job at the time, so worker's compensation was not pursued, and an accident report was not filed. Louder said that, lacking a finalized agreement between Town and school district, the Town has been billing in accordance with the terms of the draft agreement. **Motion** by Carlson to bill the MRSD the entire \$3,843.59 as an outstanding receivable, and ask for payment immediately. Second by Colby. All in favor.
- Use of Total Notice LLC to conduct required registry searches and mortgage notifications following execution of tax liens. Louder suggested a different account/coding to facilitate tracking. Selectmen advised that use of Total Notice LLC is on a trial basis; if use is continued, a separate accounting code may be appropriate.
- Trustees of Trust Funds payments. Louder discussed advantages and disadvantages of the current and proposed procedure for payment requests from and paid to Trustees of Trust Funds. For Board consideration, Louder suggested asking for payments as projects are completed (to ensure that payments do not get overlooked, as well as to spread payments over the year) rather than requesting all payments at the end of the year. Louder said that RSA 35:11 & RSA 35:12 are applicable. Selectmen expressed interest in follow-up discussion.

- Busick complimented Lounder’s dedication and professionalism, observing that Lounder “treats the Town’s money as if it were her own,” “hunting down pennies when others might let them go.” Selectmen expressed their appreciation of Lounder and her work.

Meeting with Recycling Center Manager Dave Krisch

- Updating existing Recycling Center ordinance, to be called the Solid Waste Processing Facility Ordinance, and making additional modifications to update the policy. Selectmen and Krisch reviewed proposed changes. **Motion** by Carlson to bring the Solid Waste Processing Facility Ordinance, as presented, to public hearing. Second by Colby. All in favor.
- Request to replace an existing electric powered forklift used for interior building functions. Krisch reported receipt of four quotes ranging from \$4,600 to \$10,500, and recommended Granite Industrial Trucks (Milford, NH) for the delivered cost of \$4,600. Krisch requested funds be taken from the Recycling Center Improvements Capital Reserve Fund. Busick advised that Selectmen and Recycling Center Manager (Solid Waste Manager) are authorized as agents to expend the fund. **Motion** by Colby to authorize the purchase. Second by Carlson. All in favor.
- Selectmen expressed gratitude to Krisch and Stewart for providing comprehensive materials to inform their consideration.

Restitution for extradition services (RSA 31:95-b). Busick reported that the Police Department had to pay an unanticipated \$1,900 to an extradition service to transport a prisoner from California back to NH. The PD operating budget (line item 01-4210-4-685; Case Expenditures) covered the expense. Chief DeAngelis requests authorization to transfer \$1,900 back into the same line item account. Busick reported on details of the case. **Motion** by Colby to authorize the transfer of \$1,900 received from restitution to the PD operating budget line item 01-4210-4-685 (Case Expenditures). Second by Carlson. All in favor.

Reimbursement for an abatement refund (RSA 31:95-b) Busick advised Selectmen that Bookkeeper Lounder recommended that the \$3,306 received as reimbursement for an abatement refund check paid in error in 2011 to Monadnock Developmental Services remain as offsetting revenue for 2012. **Motion** by Carlson to retain the refund as offsetting revenue for 2012. Second by Colby. All in favor.

Old Home Day funds Request from Old Home Day Committee to authorize acceptance and expenditure of \$650 received from crafters and vendors. **Motion** by Colby to authorize acceptance and expenditure (RSA 31:95-b). Second by Carlson. All in favor.

School Board member resignation Selectmen received the resignation of Bruce Barlow. Members discussed the need to advertise to fill one vacancy on the School Board, and one vacancy on the Budget Committee. **Motion** by Carlson to accept Barlow’s resignation, and thank him for his service. Second by Colby. All in favor.

Board participation with Town of Sullivan withdrawal committee Selectmen expressed dissatisfaction with the response apparently generated by the School Board chairman regarding

Swanzey's participation on the withdrawal committee. Selectmen reiterated their position that the Town currently has a lot on its plate, and will respond when it can.

Keene State College camp agreement **Motion** by Carlson to authorize Busick to sign the facility rental agreement on behalf of the Board. Second by Colby. All in favor.

Proposed Dollar General Store access and utilities Following discussion initiated by Carlson from her perspective as Planning Board Selectmen's Representative, Selectmen expressed agreement in their general concern regarding safety issues related to the proposed driveway location, as well as concern regarding plans to provide sewer service from South Winchester Street rather than extending service south on Route 10.

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

Selectmen voted unanimously by roll call to go into non-public session pursuant to RSA 91-A:3IIb at 7:35 p.m. to discuss succession upon the retirement of Solid Waste Manager. Present were Selectmen. Interim Town Administrator Busick and Solid Waste Manager Krisch. Selectmen came out of non-public session at 7:49 p.m. Selectmen voted 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 8:10 p.m. to discuss progress in filling the Deputy Tax Collector position (interviews conducted 5/25/2012) and to discuss a conditional offer of probationary employment to the Town Administrator candidate. Present were Selectmen and Interim Town Administrator Busick. Selectmen came out of non-public session at 8:59 p.m. Selectmen voted to seal minutes until resolution of the matter.

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

1. East Hill Foundation Grant Application for a grant amount of \$65,000 for trail upgrades along the former rail service corridor. Funds to be used for trail improvements on a 1.75 mile stretch of trail along Eaton Road, continuing from the end of 2011 trail improvements at Matthews Road and Sawyers Crossing Road. The Town has received over \$15,000 in grant funds in previous years from the East Hill Foundation for other projects.
2. PAFs for Recreation Department seasonal hires (lifeguards and summer help)
3. Timber tax levy warrants
4. Authorization of Chair to sign management letter to Vachon, Clukay & Co., PC for 2011 audit.
5. Notice of Intent to cut; Map 89, Lot 005
6. Notice of Intent to cut; Map 15, Lot 4
7. Conditional Offer of Probationary Employment forms for two Call Firefighters (offers approved on 5/12/2012).

Consideration of Minutes of Selectmen's Meeting of May 15, 2012. Correction to agenda item: Request for support and approval of a proposed noise ordinance -- change quiet hours to "10:00 p.m. to 7:00 a.m." Selectmen approved the minutes of the May 15, 2012 meeting, as corrected, including non-public sessions.

Meeting adjourned at 9:25 p.m.

Submitted by Victoria Reck Barlow, Recording Secretary