

Town of Swanzey, New Hampshire
TRUSTEES OF TRUST FUNDS
Meeting Minutes – June 27, 2013

Note: Minutes are not final until reviewed and approved by the Trustees. Review and approval of minutes generally takes place on the next regularly scheduled meeting of the Trustees.

CALL TO ORDER: The meeting was called to order by Chairman Richard Scaramelli at 9:00 a.m. Present were Chair Scaramelli, Steven Bittel, Ed Morenz and Recording Secretary Beverly Bernard.

OTHERS PRESENT: Town Administrator Shane O'Keefe.

MINUTES: Minutes were not considered.

NEW BUSINESS:

Issue: Select Board-authorized expenditure of funds from the Municipal Transportation Capital Reserve account for surveys in connection with the Whitcomb Hall project in West Swanzey.

Source documents for the discussion:

- Select Board minutes of May 21, 2013 (page 4 of 8);
- Warrant article creating Muni Transportation Cap Reserve (2012 Ann. Rept., p. 60 [Art. 6]); and
- RSA 261:153VI (Vehicle Registrations - fees).

The meeting opened with a discussion around the Board of Selectmen's decision to disburse funds from the Municipal Transportation Capital Reserve account in support of the Whitcomb Hall project. The Selectmen decided to expend the money for a survey to establish certain boundaries. Trustee Bittel questioned the selection of this reserve fund as to whether or not the criteria of the fund were broad enough to cover this type of expense. Scaramelli asked Bittel to describe his position, and once Bittel had finished, asked O'Keefe to describe the Board of Selectmen's rationale for selecting the fund.

Bittel referred to RSA 261:153VI (the enabling act for the warrant article creating the Municipal Transportation Capital Reserve Fund) and said the RSA is quite broad so he did not see an issue there. By contrast, he noted that the Municipal Transportation Capital Reserve account created in Article 6 at the 2011 Town Meeting specifically limited the account to "roads and bridges." Having read the text of the minutes of May 21, 2013, it appeared to Bittel the off-road surveying associated with the Whitcomb Hall project would not be covered. Bittel had asked for this meeting to clarify the issue. He said that to resolve the issue, the Trustees need a better understanding of the specific surveying work and its nexus to roads and bridges or get an opinion from Town counsel as to the adequacy of the action.

O'Keefe then was asked to discuss the decision of the Selectmen to fund the survey from the Municipal Transportation Capital Reserve Account. He said that on May 14, 2013, the Board of Selectmen received the request from the Main Street Advisory Committee for a survey of the land. O'Keefe said the thinking at the meeting of the Selectmen was that parking was on street for most part and the right of way was in need of clarification. A survey has to be done on the entire property in order to get the correction for one line. The Selectmen felt that the account was the correct one to use.

Scaramelli said the Minutes specifically addressed the southwest corner of the property which was once the Universalist church lot. The Universalist church lot is the land surrounding the Veterans monument at the corner of Christian Hill Road, Homestead Avenue, and Main Street. The Universalist church is no longer there.

The Trustees consulted a tax map for that property (Map 72, Lot 23), which turns out to be Town owned property on the corner of Homestead Avenue and Main Street. The Trustees, along with O'Keefe, determined that the lot in question is indeed Town owned and on the opposite side of and well down Main Street from Whitcomb Hall. Accordingly, the survey study is for the right of way to be determined for both roads. Therefore the use of Municipal Transportation Capital Reserve Account funds for surveying this land was deemed appropriate.

Morenz **moved** to accept the findings from examination of the Town map which showed the lot in question to be Town owned, being bordered by Main Street and Homestead Avenue, and therefore suitable for funding a survey to establish road right of way with the Municipal Transportation Capital Reserve Account. The motion was seconded by Bittel, and all were in favor. **Motion passed.**

OTHER MATTERS:

O'Keefe suggested a recommendation to the Board of Selectmen that when expenses are coming in from trust funds, there should be a review with the Trustees before a decision is made.

O'Keefe also mentioned the West Swanzey Athletic Association building for which the acquisition of the building and land was funded by the Conservation Land Acquisitions Capital Reserve Account begun in 1988 funds. O'Keefe told the members that the new Open Space Non-Restricted Fund has been established and documented in the master book which contains the Trust accounts and their amendments.

O'Keefe also provided to Scaramelli copies of "thank you" notes sent to citizens for donations made to various accounts.

A brief discussion was held regarding the current market. Morenz said he sees no issues right now.

ADJOURNMENT:

Morenz **moved** to adjourn, seconded by Bittel. Adjournment was at 9:34 a.m. Next scheduled meeting is July 11, 2013 at 9:30 a.m. at the Swanzey Town Hall.

Respectfully Submitted,



Beverly Bernard, Recording Secretary