

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – May 6, 2020
Whitcomb Hall, Main Street, Swanzey NH
and remotely using Zoom Meeting

CALL TO ORDER

The meeting was called to order by Chair Selectman Kenneth P. Colby, Jr. at 5:30 pm at Whitcomb Hall Main Street, Swanzey, NH and remotely using Zoom Meeting. Present at Whitcomb Hall were W. William Hutwelker and Kenneth P. Colby, Jr. Also present was Town Administrator Michael Branley. Sylvester Karasinski and Recording Secretary Beverly Bernard were present via Zoom. Karasinski was in a room in his home with his wife Anne Karasinski. All votes were by roll call.

OTHERS PRESENT

Trustees of Trust Funds Steven Bittel, Solid Waste Manager Josh Whipple, Conservation Commission Wally Smith, Administrative Assistant Jenna Fraunfelder, Recreation Director Aaron Cherry

PUBLIC ACCESS

The public may participate remotely over Zoom by going to www.zoom.us, using Zoom App on a cell phone, or on a landline calling 1 929 205 6099 and entering Meeting ID 235 370 4380#. If the public is unable to access the meeting, they are asked to call 352-7411 ext. 107.

MINUTES

- The regular meeting Minutes of April 22, 2020 were considered. There was a **motion** by Hutwelker to approve the regular meeting Minutes of April 22, 2020. The motion was seconded by Karasinski and there was no further discussion. All were in favor by roll call. ***Motion passed.***
- The Non-Public meeting Minutes of April 22, 2020 and April 30, 2020 were considered. There was a **motion** by Hutwelker to approve the Non-Public meeting Minutes of April 22, 2020 and April 30, 2020. The motion was seconded by Karasinski and there was no further discussion. All were in favor by roll call. ***Motion passed.***
- The special meeting Minutes of April 22, 2020, April 23, 2020, April 27, 2020, April 29, 2020, May 1, 2020, and May 4, 2020 were considered. There was a **motion** by Hutwelker to approve the special meeting Minutes of all the above dates. The motion was seconded by Karasinski and there was no further discussion. All were in favor. ***Motion passed.***

CONSENT AGENDA

Motion was made by Hutwelker to approve the Consent Agenda. There was a second by Karasinski. There was no further discussion. All were in favor by roll call. ***Motion passed.***

- Payroll Manifest
- Payables Manifest
- Public Assistance Lien Release
- Intent to Cut – Map 79 Lot 3
- Intent to Cut – Map 79 Lot 4
- Intent to Cut – Map 79 Lot 5
- Elderly Tax Exemptions
- Annual Adoption of Town Investment Policy
- Personnel Action Report(s)

PUBLIC INPUT

There was none at this time.

APPOINTMENTS

Trustee of Trust Funds and Capital Improvements Program Committee Chair– Steven Bittel

- Alternate Uses of Carpenter Home property - Bittel said the Trustees have questions: what is the responsibility to the estate of the Lucy Carpenter Home? and two, and what is the ultimate impact of the reversionary clause? He said the reversionary clause is very strong. He said he read the response from Town Counsel and the essence of his communication does not get to the heart of the matter. Bittel said the Trustees are an independent body and have a fiduciary responsibility to the public. He said they need answers to the questions. He said Counsel responded to the authority of the Board of Selectmen versus the authority of the Trustees.

Colby said the Board isn't doing anything until a precise plan is presented to the Board. Bittel said why go out to look for uses that may be outside of the scope of the Will? He said it strikes him as not the proper order for the process. Colby said he thought there was some flexibility in the interpretation of the Will. A concise plan for usage would be submitted to the Attorney General office for consideration. Branley said Counsel recommendation was that going to Attorney General office first would deliver a narrow interpretation while going with a proposed use first might create more flexibility.

Hutwelker asked about exploring letting the building go back to the heirs. Bittel said there is a specified process. The Attorney General office handles it. Hutwelker asked if there is a cost to the Town and Bittel said he thought it would be a cost to the estate. Hutwelker said the building is an albatross because we are still maintaining it.

- Capital Improvements Program Committee - Initial Discussion regarding 2020 Capital Improvements Plan Update. Bittel said all sorts of entities are cutting back on capital budgets. This is an extraordinary time. Revenue would be down. Bittel asked if the Board might consider where the capital budget might go into the future. He suggested maybe thinking about alternatives, and cutbacks; he asked if 2020 Warrant Articles will be able to be funded. Bittel said essential services needs to be considered before roads. He asked the Board to think about this. He said he does not want to go through a lot of work putting together an update to the Capital Improvement Plan only to see it wasted. He asked if the update to the plan should be held off for a while. Hutwelker said Department of Public Works Director Glenn Smith reduced his paving budget by about 20% and he said they are looking at Department Heads to do the same. He said the Board would like to keep moving ahead with the capital budget. He said the Board is trying to stay on track. He said the comments are timely. Bittel asked about the committee meetings and whether their meetings should be pushed further out. Bittel said there is a great unknown, which are government grants and payments. Colby said that around the 20th of June, the Town will know how taxpayers are doing with payments and whether revenues will be up or down.

Karasinski said make the ultimate decisions next March and maybe Warrant Articles might be broken out into individual articles so that the taxpayers can make specific decisions about how money is spent. There was a brief discussion about warrant articles for ordinances. Bittel said he thinks it is going to turn into a lean capital year. Bittel asked about delaying the committee meeting to mid-June. The Board agreed that mid-June will probably be the best time to meet. The Board thanked Bittel.

Solid Waste Manager Josh Whipple

- Operations and Facility Improvements in Response to COVID-19 – Branley noted that the Stay at Home Order from the Governor runs through May 31 and the State of Emergency is expected to be continued indefinitely. Whipple spoke about the steps taken thus far at the Recycling Center. He spoke about the new slip lane working well. He spoke about regular cleaning at the facility. He said the employees are in two teams now, red and blue, to separate them a bit. One resident per side on a compactor and weekends have two compactors going. He said there is a huge increase in mattresses, furniture, other large items. He said folks are cleaning out homes from years of accumulation perhaps because they have time on their hands. Whipple said he hopes it will level out during the summer. He mentioned that many residents are saving their recyclables. Solid waste tons have gone up substantially. There was a discussion about construction debris and Hutwelker asked if the Town is generating revenue. He asked if the Town should be increasing fees. Whipple said that is a good idea because we are bringing in revenue but are not fully covering costs. He is anticipating a bump in pricing to the Town to be shipped out. An increase in fee might offset some of that cost increase. A scale would help with the revenue issue.

Staff will help with educating residents. Whipple said his game plan is to take recyclables again on May 19, 2020.

- Proposed Facility Improvements – Branley noted that the Recycling Center Revolving Fund has an estimated balance of \$490,590.39. Whipple proposed purchase of four heavy duty steel dumping hoppers at a cost of \$9,798.69. He spoke about using dumping hoppers to handle papers, glass, and not have to sort or touch the materials. He spoke about residents doing the sorting. He spoke about cardboard and recommended have items sit for a while before dealing with them. He spoke about steel cans.

Hutwelker said we are going to be dealing with this for a year or so and asked if Whipple considered an overhang to protect residents while sorting. Whipple said he was going to discuss this with the Capital Improvements Program Committee (CIPC) and Hutwelker suggested he move ahead as soon as possible. Whipple noted updating the Recycling page on the Town's website and also on Facebook and replacing the whiteboard at the Center with signage for posting. Whipple spoke about how the hoppers would be useful. These hold a yard and a half of material.

Whipple said \$7,000 or \$8,000 was the estimate for an overhang in the past. He said he would like to get a more recent estimate. Colby suggested time is of the essence and don't delay getting estimates. Bittel said Recycling is the one area that does not rely on appropriations currently so expenditures are non-consequential to the Town. Whipple has plenty of latitude and Bittel commended Whipple for that. Whipple said a jump in recycling market - now \$102 a ton for cardboard, which is up from last fall. He said he could have the hoppers by May 29, 2020. Hutwelker asked him to prepare a flyer for residents for the start-up of recycling once again and break out the categories for recycling. Whipple said he will do that and also will have a staff member to assist residents.

Motion was made by Hutwelker to expend up to \$10,000 for four heavy duty steel hoppers from the Recycling Center Revolving Fund and as a response to COVID-19.

There was a second to the motion by Karasinski and there was no further discussion. All were in favor by roll call. **Motion passed.**

There was a discussion about starting to take recyclables on May 19, 2020 without sorting, but when the hoppers come in they will be sorted. Karasinski said the sign at the Recycling Center is eye-catching and that would be a good place to put the information about the change.

Motion was made by Hutwelker to extend the waiver of the Town's Solid Waste Ordinance to May 19, 2020. There was a second to the motion by Karasinski and no further discussion. All were in favor by roll call. **Motion passed.**

The Board thanked Whipple.

NEW BUSINESS

2020 Summer Camp/Town Beach Discussion

Fraunfelder and Aaron Cherry were involved in discussion. Branley said he reviewed some preliminary advice coming from the Governor's office and it is impractical to follow the guidelines since it involves very small groups and enough staff to do monitoring and cleaning. Branley said as for beaches – the State has been saying they cannot open. Branley said there is a list of 33 children whose parents wish them to attend the Town's summer camp, and which is about a third to half of a normal summer.

Cherry said he has been trying to fill time with outside work. He has eleven people who are staff, including lifeguards and camp counselors, and has been doing interviews; he could eventually have staff of 14. He said training has been done at the Walpole pool in prior years and it is closed. He said they are trying to find a place to train them. He asked if 7-8 people could be at the lake for training. He said he has been holding off camp purchases, waiting for a decision from the State. Hutwelker asked about a waiver for training or for staff in case of getting an infection of the virus. Cherry said the CDC guidelines are impractical to do with employee protection. He said we would have to group children by age groups which would be difficult and keep the group size small. Having a max of 40 children would be must. Cherry said there is only one indoor space in case of rain and a problem to maintain social distancing indoors and trying to keep children apart from each other is nearly impossible. Fraunfelder said that the guidelines also say that all staff and children have to wear face masks and gloves, and this is extremely impractical. Hutwelker said as far as camp is concerned, just keep doing what you are doing by maintaining a list. Cherry asked the Board their agreement about the appropriateness of training at the lake. Karasinski said Keene State College might have a pool for use. Cherry said he would check out that idea. Branley said at this point, we continue to monitor and hope to get clarity soon. Just be ready as we can.

The Board thanked Cherry and Fraunfelder

Hazard Mitigation Plan Update Grant

Branley said Southwest Region Planning Commission (SWRPC) has informed the Town there is grant funding for this endeavor. Cost to Town is time and volunteers. Branley said that when the Town is filing for grants for other projects it is important to have hazard mitigation plan in place. Letter of Intent was asked for by Branley. The Board agreed by consensus.

March Expenditure & Revenue Report

Branley said he is having Finance Director Theresa Louder look at the April numbers. No trends showing up for the numbers for March.

OLD BUSINESS

Fire Station Project

Branley asked about a special meeting to review and discuss next steps. Branley said one survey found projects that had high approval from residents like the police station addition. He asked the Board if they wanted to have that meeting next week. Branley said potential is with Zoom. And he said Chair of the Rail Trail Advisory Committee Mike Kowalczyk wants to do a presentation as well. Consensus by the Board to meet next Wednesday via Zoom to discuss just the two items noted.

Town Operations related to COVID-19

Branley said staff has been looking into the possibility for a need for a Tax Anticipation Note (TAN). He said Louder ran the numbers and it doesn't look like the Town would need one at this time.

OTHER BUSINESS

Business Complaints related to COVID-19

Branley spoke about complaints that have been coming into Town Hall about businesses either being open when they should not or not following recommendations for operating. He said the Town is not the COVID 19 police and Branley asked the Board to support staff to not to try to investigate these complaints. He said he would like to tell staff to refer complainers to the Attorney General office for their enforcement. The Board concurred to refer complaints to the Attorney General office.

Temporary Outdoor Seating Authorization

Branley spoke about the need for some sort of form to document site plan changes for restaurants which would like to add outdoor seating as permitted during the COVID-19 pandemic. Outdoor dining can begin May 18, 2020. Branley said this form would temporarily replace site plan review process for use during the pandemic. He said the concerns are for the safety of residents. He suggested that a form could be put together and reviewed by the Planning Board. Hutwelker said he is in support of a form. Karasinski agreed and added that the form should spell out what the Governor has ordered, and that the Town has nothing to do with those executive orders. Branley said staff will get a draft put together by the end of the week.

Interaction with City of Keene and Ambulance Service

Hutwelker asked for an update on a conversation Branley had with City Manager Elizabeth Dragon regarding ambulance service. Branley said Dragon said some committees are getting up and running but nothing has been done as yet.

Whitcomb Hall Renovation

Hutwelker asked about the progress being made on the Whitcomb Hall renovation. Colby said the contractors are back on schedule.

PUBLIC INPUT

Colby asked for public input and Smith said perhaps there is no easy solution about the Carpenter Home and maybe the Town should give it up.

NON-PUBLIC SESSION(S)

Non-public session(s) per RSA 91-A:3II(b) Hiring of Public Employee(s)

Motion was made by Hutwelker to enter Non-public session pursuant to RSA 91-A:3II(b) Hiring of Public Employee(s). The motion was seconded by Karasinski. The Selectmen voted

unanimously by roll call to go into non-public session at 6:58 p.m. **Motion passed.** 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 Hutwelker to leave non-public session and return to public session. The motion was seconded by Karasinski, with all in favor. **Motion passed.** Non-public session ended at 7:04 p.m.

Motion was made by Hutwelker to seal the minutes of the non-public session. The motion was seconded by Karasinski. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.**

Non-public session(s) per RSA 91-A:3II(a)) the dismissal, promotion, or compensation of any public employee or the disciplining of such employee

Motion was made by Hutwelker to enter Non-public session pursuant to RSA 91-A:3II(a) the dismissal, promotion, or compensation of any public employee or the disciplining of such employee. The motion was seconded by Karasinski. The Selectmen voted unanimously by roll call to go into non-public session at 7:05 p.m. **Motion passed.** 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 Hutwelker to leave non-public session and return to public session. The motion was seconded by Karasinski, with all in favor. **Motion passed.** Non-public session ended at 7:17 p.m.

Motion was made by Hutwelker to seal the minutes of the non-public session. The motion was seconded by Karasinski. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.**

Non-public session(s) per RSA 91-A:3II(a)) the dismissal, promotion, or compensation of any public employee or the disciplining of such employee

Motion was made by Hutwelker to enter Non-public session pursuant to RSA 91-A:3II(a) the dismissal, promotion, or compensation of any public employee or the disciplining of such employee. The motion was seconded by Karasinski. The Selectmen voted unanimously by roll call to go into non-public session at 7:17 p.m. **Motion passed.** 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 Hutwelker to leave non-public session and return to public session. The motion was seconded by Karasinski, with all in favor. **Motion passed.** Non-public session ended at 7:25 p.m.

Motion was made by Hutwelker to seal the minutes of the non-public session. The motion was seconded by Karasinski. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.**

ADJOURNMENT

Motion to adjourn the meeting was made by Hutwelker. The motion was seconded by Karasinski without further discussion. All were in favor by roll call. **Motion passed.** Adjournment occurred at 7:26 pm.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Beverly Bernard".

Beverly Bernard, Recording Secretary

Approved on