Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – August 20, 2025
Whitcomb Hall
17 Main Street, Swanzey, NH

CALL TO ORDER

The meeting was called to order by Chair W. William Hutwelker III, at 5:31pm. at Whitcomb Hall, Main Street, Swanzey, NH. Other members present were Selectmen James Tempesta and Mark LaBelle. Also present were Town Administrator Lori Rautiola and Recording Secretary Susan Ells.

OTHERS PRESENT

Kai Kraemer with FACT TV, Michael York, Jay Ward, Representative Jennifer Rhoades, Wendy Pellitier, Joanne Mead, Curtis Mead, Adam Paquette (Town Planner), Jeremy Turner

MINUTES

- The regular meeting minutes of August 6, 2025 were considered. There was a motion by LaBelle to approve the minutes as presented which was seconded by Tempesta and there was no further discussion. All were in favor and the motion passed.

- The non-public session minutes of August 6, 2025 #1, 2, 3, 4, and 5 were considered. There was a motion by LaBelle to approve the minutes as presented. The motion was seconded by Tempesta and there was no further discussion. All were in favor and the motion passed.

CONSENT AGENDA

There was a motion made by Labelle to approve the Consent Agenda. There was a second by Tempesta. There was no further discussion. All were in favor and the motion passed.

A. Payroll Manifest
B. Accounts Payable Manifest
C. Open Container Permit -Goselin-Whitcomb Hall
D. Raffle Permit-Feeding Tiny Tummies
E. Open Container Permit-Bednar-Whitcomb Hall
F. Notice of Intent to Cut-M/227 L/8-M/228 L/1 - M/231 L/20- M/231 L/21
G. Notice of Intent to Cut-M/23 L/20
H. Land Use Change -1393 Old Homestead Hwy
I. Land Use Change -9 Winch Hill Rd
J. Land Use Change -Pebble Hill Rd
K. Land Use Change – Winch Hill Rd
L. Event Permit-Frogg Brewing
M. Event Permit-Elijah's Race

PUBLIC INPUT

There was none.

APPOINTMENTS

A. House Representative, Jennifer Rhodes

State Representative, Jennifer Rhodes is serving her third term representing Cheshire 17, comprising Winchester, Swanzey, Richmond, Troy, and Fitzwilliam. She is vice chair of the House Criminal Justice and

Public Safety Committee. Rep Rhodes explained several of the bills that passed this past session and some that didn't, as well as cuts that were made to budgets.

Chair Hutwelker told her that the Board is concerned about some of the legislation that was passed that takes away local control. Adam Paquette and Lori Rautiola had drafted a letter to the Governor expressing the Town's concerns; Paquette spoke about the concerns the Town has regarding HB457 and HB631. The zoning changes directed by the State are too broad and don't tailor to each municipality. Swanzey feels the legislation doesn't consider our town's size, character, population, nor the planning and zoning board officials. The Town feels the changes should come from the Town by working with those boards. It removes the voice of the town residents. Rhodes sympathized and said there was no zoning bill that she supported.

Hutwelker asked if the public had questions and there were none.

Hutwelker said that as a municipality, the Town is only allowed to lease town property for one year but would like to offer a 5-year lease. He asked why the State is allowed to offer 5-year leases, but towns are not. She referred him to RSA 127:1 – breakdown of flowchart; the chapter version will give details.

Hutwelker asked Rhodes when the legislation comes down and puts the burden on the Town, will there be funding support from the State to help with infrastructure improvements like sewer, water, and roads. She felt that unfortunately there would likely be no help from the State.

Chair Hutwelker thanked Representative Rhodes for coming to speak with them.

B. Town Forester, Jeremy Turner RE: Tracy Tract on Causeway Line

Jeremy Turner introduced himself; he's been helping the Town regarding town forests, most recently Mt Cresson. He created planning documents and helped to rehab some of the recreational trails. DPW Joe DiRusso had asked him if he could look at the Causeway Tracy Tract. When Turner gave DiRusso feedback from that site evaluation, DiRusso invited him to meet with the Board. He was asked to give feedback if there is a viable project. There are 38 acres; the bulk of the property is wetland; it is a well-drained sandy site suitable for forestry operations; the trees are from the 1938 hurricane era with an overstory of primarily very large white pine trees; the understory consists of 5 to 15-year-old trees. There is opportunity to enhance biodiversity. Hutwelker asked how it would be managed; Turner said there is 8-12 acres of commercial forest land which has not been harvested in 80+ years. He would harvest the merchantable timber. The maturity of pine causes decay and stress and makes it harder to fight off problems. Most of the trees are showing those maturity issues. Since they are all about the same age, they are all in the same condition. Hutwelker asked what the process would be to remove the trees. Turner said he would be the agent for the Town who would tell him what the goal is; he would put together some options; the Town would choose the option, then he would choose the right contractors, tools, equipment, skills set, reputation, etc. through public bidding. He would report back and help the Board make the decision and award bid; he'd make the agreements; would make sure they are complaint, supervise, and take care of accounting and paperwork. He would work with neighbors and public integration etc. to make it a good experience. Hutwelker said they had an experience several years ago with Mt Caesar; that project left slash. Turner said he would probably use equipment that would leave chips instead of slash. Bill asked if there is a wildfire issue if it doesn't get managed; Turner agreed that with all those trees it certainly could be a likely burn; the other 30 acres is wet edge forest, wetlands, nothing commercial – no reason to touch it. It is important to leave it the way it is.

Jay Ward told Turner that he is on the Conservation Commission and when Mt Cresson was harvested, they invited public to understand the slash piles that were left to help with the biodiversity and the reason to leave

them. He asked if access roads would be needed. Turner said there is simple access with good soil to work on without having to do much road building. They wouldn't need to go through the wetlands. They'd want to educate the public about what is happening and why. Ward complimented the work done at Mt Cresson; he thought it was well done. Turner would invite NH Cooperative Extension Wildlife biologists as a third resource who could provide an objective opinion. This is no charge to the Town. He'd suggest making a younger forest that is science-based. Hutwelker said the deed restriction encourages harvesting and allows for recreational use only and would provide opportunities for trail creation. Next steps are for Turner to take further steps to take the Town to the RFP process.

C. **Wendy Pellitier-LLS Cardinal Surveying and Land Planning**

Curtis and Joanne Mead hired Wendy Pellitier to survey their boundaries to determine the line between their property and the cemetery; in the process they found the plans from the 1982 survey by Herb Russell and discerned that the granite posts along the cemetery had been ignored. The Mead's line is 6 feet into the cemetery, and some graves are on their property. Ms. Pelletier proposed a boundary line agreement to use the granite posts as the line. Ms. Mead said that originally, their property was 4.5 acres, and Day Road was a logging road. They put their house on the market but couldn't sell it, but they did sell 3.5 acres, leaving 1 acre for their home. They always thought the cemetery line was where the posts were and didn't know there was a discrepancy until a neighbor had their land surveyed and learned that the previous survey was wrong. There had been a pin marking the line and Mr. Mead asked an employee working in the cemetery who told him the pins were removed because they ruined their mowing equipment. Ms. Pelletier said this issue affects the other 2 lots, but this proposal is just for the Meads. They are planning to remove some trees and need to know who owns the property the trees are on. If they ever sell their home, it would be a deterrent for a buyer to have a grave on the property. Mr. Mead said they would like a corner pin, but Ms. Pelletier recommended using the granite posts once they are clearly marked instead of pins. With the adjustment, the lot would be .99 acres so it is within a margin of error, so no variance would be needed. Tempesta asked for clarification of the location of the trees; Ms. Mead said they are staggered and not on the line. She asked who would have to pay for the boundary line adjustment and Hutwelker said the Board already voted to pay the invoice that has been submitted. Ms. Pelletier said she would suggest the Town ask a lawyer to confirm a boundary line adjustment was appropriate. Rautiola will reach out to the Town's attorney. Ms. Mead asked if they have to alert the abutters. Rautiola said the attorney will inform her if that is necessary.

NEW BUSINESS

A. Phone System Proposal

Lori reported that we have no phone system due to the lightning strike last week; she received 2 proposals; her recommendation is to go with the proposal from Sangoma in the amount of $7,683.49 to replace the phone system; the other proposal might have saved some money initially, but it would take more time to implement and being without the phones has been extremely problematic. Initial payment will be taken from the InvestNH fund because it is for infrastructure; the cost will be reimbursed by the Town's insurance carrier, Primex. When that money is received it will be used to reimburse the InvestNH fund.

LaBelle made a motion to authorize Lori Rautiola to accept the proposal, Switchvox On-Prem by Sangoma, Quote #78110 which was seconded by Tempesta and there was no further discussion. All were in favor and the motion passed.

B. **Elderly Exemption Qualification Limits –** delayed until next meeting.

C. **Cable Franchise Renewal –** delayed until next meeting.

D. **Usage of Town Vehicles –** LaBelle said that he was told that some of the employees are taking Town vehicles home, and he's concerned about liability, especially if they live out of town; Tempesta said he thought

the police chief had authority to let officers take vehicles home. Rautiola will investigate it and Hutwelker said the Board will discuss it with department heads at upcoming meetings.

PUBLIC INPUT

Michael York said he is looking forward to being on the Governance Committee. The first meeting is on 8/21 at 6pm.

ADMINISTRATIVE UPDATE

Rautiola announced the NHDES is in the process of conducting an instream flow test. This is a routine test and DPW Director DiRusso and the Swanzey Lake Association has been notified. This test will support the development of a watershed-wide water management plan for designated Ashuelot River. RSA:483:9-c. There should be no discernable drop in water level; it should only take a couple hours.

Rautiola reported that the PILOT Agreement for the East Coast Conference at Pilgrim Pines should be completed next week by Attorney Cordell.

Rautiola stated the City of Keene offered for her to take part in the interview process for the hiring of a new Airport Director. The first round of interviews was done this week.

NON-PUBLIC SESSIONS

Non-public session(s) per RSA 91-A:3, II *(e)* Consideration or negotiation of pending claims or litigation threatened in writing or filed by or against the public body, or by or against any member because of his or her membership in such body.

There was a motion made by LaBelle to enter a non-public session pursuant to RSA 91-A:3, II (e) which was seconded by Tempesta. All were in favor by Roll Call and the motion passed**.** The Board entered the non-public session at 7:15pm. Present were W. William Hutwelker III, James Tempesta and Mark LaBelle. Also present were Town Administrator Lori Rautiola and Recording Secretary Susan Ells.

There was a motion made by LaBelle to come out of the non-public session, seconded by Tempesta. All were in favor by Roll Call and the motion passed. The Non-public session ended at 7:46pm.

There was a motion made by LaBelle to seal the minutes because divulgence of the information likely would affect adversely the reputation of a person other than a member of this Board; the motion was seconded by Tempesta. All were in favor and the motion passed.

Non-public session(s) per RSA 91-A:3, II (c) Matters which, if discussed in public, would likely affect adversely the reputation of a person

There was a motion made by LaBelle to enter a non-public session pursuant to RSA 91-A:3, II (c) which was seconded by Tempesta. All were in favor by Roll Call and the motion passed**.** The Board entered the non-public session at 7:46pm. Present were W. William Hutwelker III, James Tempesta and Mark LaBelle. Also present were Town Administrator Lori Rautiola and Recording Secretary Susan Ells.

There was a motion made by LaBelle to come out of the non-public session, seconded by Tempesta. All were in favor by Roll Call and the motion passed. The Non-public session ended at 8:07pm.

There was a motion made by LaBelle to seal the minutes because divulgence of the information likely would affect adversely the reputation of a person other than a member of this Board; the motion was seconded by Tempesta. All were in favor and the motion passed.

Non-public session(s) per RSA 91-A:3, II (c) Matters which, if discussed in public, would likely affect adversely the reputation of a person

There was a motion made by LaBelle to enter a non-public session pursuant to RSA 91-A:3, II (c) which was seconded by Tempesta. All were in favor by Roll Call and the motion passed**.** The Board entered the non-public session at 8:08pm. Present were W. William Hutwelker III, James Tempesta and Mark LaBelle. Also present were Town Administrator Lori Rautiola and Recording Secretary Susan Ells.

There was a motion made by LaBelle to come out of the non-public session, seconded by Tempesta. All were in favor by Roll Call and the motion passed. The Non-public session ended at 8:20pm.

There was a motion made by LaBelle to seal the minutes because divulgence of the information likely would affect adversely the reputation of a person other than a member of this Board; the motion was seconded by Tempesta. All were in favor and the motion passed.

ADJOURNMENT

There was a motion by LaBelle to adjourn the meeting which was seconded by Tempesta; there was no further discussion. All were in favor and the motion passed. Adjournment occurred at 8:21pm.

Respectfully Submitted,

Susan Ells, Recording Secretary

Approved on September 3, 2025