Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – December 23, 2025
Whitcomb Hall
17 Main Street, Swanzey, NH

CALL TO ORDER

The meeting was called to order by Chair W. William Hutwelker III, at 5:30pm. 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, Richard Lane, Jay Ward, Victoria and Mark Ames, Ann Karasinski, Jim and Marcy Jarzabek, Mark and Victoria Scalera, Ginnette Groome, Edward Grant, Kristen Reynolds, George Hoffman, Liz and John Traynor, Carol McIntyre-Peale and Jim Peale, Jack Franks, Avery Franks and Finance Director Theresa Lounder.

MINUTES

The regular meeting minutes of December 9, 16 and 17, 2025 were considered. **A motion was made by LaBelle to approve the minutes as amended. Tempesta seconded the motion, and it passed 3-0.**

The non-public session minutes of December 12, December 16 and December 17 #1, 2, 3, 4, and 5, 2025 were considered. **A motion was made by LaBelle to approve the minutes as presented. Tempesta seconded the motion, and it passed 3-0.**

CONSENT AGENDA

A motion was made by Labelle to approve the Consent Agenda. Tempesta seconded the motion, and it passed 3-0.
A. Payroll Manifest
B. Accounts Payable Manifest

PUBLIC INPUT

None

APPOINTMENTS

None

OLD BUSINESS

A. Budget Update as needed
Finance Director Theresa Lounder provided the most recent version of the budget, which includes the changes that were made during the work session in the previous week; the draft increase is now at 5.88%, which is below the default budget increase of 6.23%. This includes a 2.5% COLA increase; Theresa provided 3 models of merit increase percentages for the Board to consider. The Board's consensus was to allow for a 2% merit increase which changes the draft budget increase to 6.63%, which is slightly over the default budget of 6.23%.

NEW BUSINESS

A. Proposed Planning Board Amendments 2026

The Board reviewed the amendments that will be placed on the March ballot. Hutwelker commented on the Wetlands Conservation amendment and said he hopes the voters will take an opportunity to go to the website to review and understand the changes and to be able to appreciate all the work put into this amendment by the Conservation Committee and the Planning Board.

B. **Acceptance of Unanticipated Revenue- Donations in memory of Wally Smith RSA 31:95-b** (amount of $525) & the First Responders Assistance Non-Restricted Trust Account (amount of $300)

LaBelle made a motion to accept the unanticipated revenue for the First Responders' Assistance Non-Restricted Trust Account, in the amount of $300.00 and for the Conservation Fund (in memory of Wally Smith): $525.00, for a total of $825.00. Tempesta seconded the motion, and it passed 3-0.

ADMINISTRATIVE UPDATE

Lori Rautiola reported that there was a cost overage on the Webber Hill project because the State requested the extension of the guardrails to provide better protection; there was also damage to the guardrail on Hale Hill Road which needs to be replaced.

LaBelle made a motion to encumber funds from the DPW budget into 2026 in the amount of $35,000 for the added cost of the additional guardrail for the Webber Hill Project and the damaged guardrails on Hale Hill Road. Tempesta seconded the motion, and it passed 3-0.

NEW BUSINESS - continued

C. **Water study Committee** – Hutwelker explained this is one of two committees he is hoping to create; this one is to discern whether the Town should pursue the purchase of the West Swanzey Water Company and whether it will go on the ballot for 2027. He asked the other Board members for suggestion of names of people who might have expressed interest in being on such a committee. He requested they provide the names by the next meeting.

D. **250th Committee** – This committee would be to determine if the Town would like to celebrate the 250th anniversary of the signing of the Declaration of Independence and how to celebrate. He is requesting name of those interested in being on the committee.

E. 2026 Town Warrant Review

Town Administrator Lori Rautiola began to review the warrant articles with the Board. This was paused to begin the public hearings.

PUBLIC HEARINGS

Chair Hutwelker recused himself from the Board of Selectmen and took a seat among the public. Acting Chair Jim Tempesta then opened the Public Hearing at 6:01pm. He provided ground rules for public comments for a respectful meeting and asked those who wished to speak to sign in.

A. Proposed Plane View Senior Housing Project CDBG Application

LaBelle read aloud the explanation for the Application, which is for a Community Development Block Grant for funds of up to $500,000 for Economic Development Projects. All projects must directly benefit a majority of low and moderate-income people. Tempesta asked for public comment.

Jay Ward asked for clarification of the term of 'up to $500,000' and whether it might be for less. Jack Franks, General Partner of Plane View Senior Housing Limited Partnership, responded that the grant would be for the full $500,000. Ward asked for clarification of the loan terminology; Franks replied that it would be a $500,000 grant which would be supported by the Town; of that, $30,000 would be paid to the Town for administration of the grant and the remaining $470,000 would be a loan for the development project; after the compliance period the money would be returned to Town who would then become the beneficiary of the funds. Ward clarified with Franks that the grant would be a benefit to the Town after the project is in compliant. Ward then asked what the loan would be used for; Franks said the money would be used to buy the property and that the guidelines are very strict and the funds must be used for the intended purposes which are monitored by the NH Housing Finance Authority and HUD. Ward also asked if more than $470,000 would be needed to purchase the property. Franks said the appraisal is yet to be done but will be sanctioned by the NH Housing Finance Authority. If the $470,000 isn't enough, the developer generally will take a loan to make up the difference. Ward asked if for some reason the project gets abandoned, who would be responsible for the loan. Franks replied that there is a bond on the development to cover that. Ward said that he heard there needs to be significant construction completed by May 10th to meet the site plan regulations; Franks replied that May 10 is the drop-dead date for construction to begin, and they are expecting to start April 15. Their intent is to comply with vesting schedules in place. Ward asked how much administration work this will take and wondered if the Town staff have time to oversee this grant. Lori said there would be an impact on the Finance and Administration workload. Ward then asked the Board to consider why the Town should assist the developer when the developer is currently suing the Town. Franks replied that while he is involved in both, Avanru Development Group is a different project; this project is senior housing for the Town. He explained there is an 8-year waiting list in the Swanzey and Cheshire County area; Ward said it is hard to see a distinction between the two entities. Ward then asked about the median income requirement; Franks replied that 100% of units would be classified as affordable.

George Hoffman said he's heard about the blight of elderly housing in the State and in the County but wants to know if there has been any study specifically for Swanzey's need for senior housing. There is a concern about the taxpayers supporting this. Franks said there have been 4 or 5 studies which show the need is overwhelming. Another study is being done mid-January which he would be willing to share. Franks said the survey takes the specific location of the property and surrounding areas. Hoffman feels it will be a tremendous burden on the Town's water, police, and fire. He asked if there is any state mandate that requires Swanzey to accept the grant. Lori said accepting the grant will be up to the Board of Selectmen. Hoffman confirmed that there will be 74 units and would like to know if one person meets the requirement, can other people live there. Franks said when applying for the apartment, the applicant must meet income standards, verify they are living there and are complying with strict regulations because if anyone else was living there, that would offset the income requirements and would not be permitted; Franks said it's heavily monitored by the management company and the State. He said that there would be 63 one bedroom/one bath and 11 two bedroom/two bath apartments. Applicants must be 62 or older to live there. Hoffman said that while $500,000 may seem like a lot, it will be a tremendous burden on the community, and he hopes that the Board takes that into consideration.

Victoria Ames (Planning Board member speaking as a private citizen) said she thought the property transfer had already taken place. Mark Scalera said he believes it was sold for $550,000. Franks said it has been purchased and will be resold to the partnership who will receive the tax credits; a private equity investment will ultimately be the owner of the property. Ames asked who fills out the application and how much time is needed by the Town Admin to complete it. Lori said that the application was sent by Donna Lane, who is a consultant for the project and said she hasn't been through one before and that there will be some work done by town staff. Ames said she felt the public hearing notice was not publicized widely enough, and knowing that the Board values transparency and citizen participation, she wonders how they will make the decision and would there be plans for more participation. Tempesta replied that the Board could make the decision tonight and that is why they are having the public hearing. He said they also could take it under advisement, but this is currently the only opportunity for the public to comment. Ames asked what is the deadline for submitting the application and is the Board confident they can make a well-informed decision? Franks reminded the group that there is a $30k administration allowance for the work that Town staff has to do and said the application is basically done; there is not much for Town to do because the consultant has completed it. Ames said she saw on the CDFA website that January 26 at 4pm is the deadline and feels that it is too soon for the Board to decide. She also asked if the Town has worked with other private interests in the past; Theresa Lounder said she didn't remember having done so in the past. Ames referred to a statement on the CDFA website, and she asked which community-based organizations they would partner with for this project. Franks said that statement doesn't apply to this project. Ames asked how many grants the town can apply for and would applying for a public facility grant through the same entity such as for the Water company project be comparable for priorities. Does the Town have sufficient resources to manage the grant? What public needs might go unaddressed if the staff is working on this project. She reminded the Board that in 2022, voters strongly supported the Planning Board recommendation to rezone North Swanzey to reduce the zoning density.

Mark Scalera (Planning Board member speaking as a private citizen) stated that while Franks said there is a distinction between the Avanru Development Group and the Plane View Senior Housing, if this project requires any changes that would need to go before the Planning Board or Zoning Board, it won't feel different because some of the members of those boards won't show up or will have to recuse themselves because of that litigation. He said that the two can't be separated.

Michael York stated that May 10 is not the start date but is the date that significant construction is required as determined by the Planning Board. He went on to state that this would make 9 senior housing properties in Swanzey, and the Town is being overburdened for EMS, police and fire requirements. He said grants are not free money; it is taxpayer money and should only be used to benefit the community. He feels we have met the burden in this area for low income and senior housing in the area.

Franks started to rebut by saying that they aren't here to relitigate the project and that the community does need the project. Hoffman asked for a point of order. LaBelle reminded the group that the building is happening regardless of the grant. Hoffman asked if it is prudent to express their opinions so that when the Board deliberates, they will know the opinions. Tempesta said it is the purpose of the meeting.

Kristen Reynolds said she is worried about doing business with a company who is suing the Town. She wonders if the Town can use the $470k in any way such as to pay the current legal costs.

Victoria Scalera said that this grant appears to be an income restrictive project and asked if accepting the grant would do anything to impede the age restriction on the project. Franks replied that it is for people aged 62 and over. Victoria said she is having trouble understanding what the benefit of the grant is. Franks said the CDB Grants are available for various reasons; generally, they help to bridge financing during the project, then the developer returns the money to the Town to use as needed. She asked what the term of the loan would be and Franks said the compliance period may vary but it is generally 15 years but could be up to 60.

Victoria Ames said she did not understand the compliance period and would like to know what the period is and wants to know how to measure compliance. She also said she had reviewed the CDB grant program summary from the CDFA website which listed the kinds of grants available. Under the housing program, it says that ineligible activities would include new housing construction unless through a federally recognized CBDO (community-based development organization) and wants to be sure this is an appropriate use of the Grant.

Jay Ward clarified that the grant funds are not eligible to be used for construction by for-profit companies, but that Franks is using it to purchase the property. He is concerned about the length of time before the Town would be able to use it and asked what it can be used for; he feels the Town should understand that before moving forward. Franks said his consultant would be able to answer that, but she wasn't able to be at the meeting. Franks's understanding that it is generally 15 years but could be longer. He also said the Town could apply twice a year for a grant, so perhaps the Town could use a grant for infrastructure such as for the water company. Jay said that while the $500K sounds like a lot of money, he wants to know when the Town would get the money. If it takes 15 years, then it may not be so wonderful.

George Hoffman asked if it is possible to delay the decision because there are a lot of questions left unanswered and with Franks' consultant not here to provide answers, and with the inclement weather and it being 2 days before Christmas, he wondered if this could be tabled.

Franks pointed out that because of the project in West Swanzey next to Gomarlo's, the Town received $840K and he was happy he was able to help participate for the Town's benefit.

Tempesta made a motion to close the public hearing at 6:57pm. LaBelle seconded the motion and it passed 2-0-1.

Tempesta made a motion to open the public hearing at 6:58 for the next hearing. LaBelle seconded the motion and it passed 2-0-1.

B. Residential Anti-displacement and Relocation Assistance Plan for the Proposed Plan View Senior Housing Project CDBG Project

LaBelle read the summary of the plan which outlines measures under the Uniform Relocation Act, required for CDBG projects that involve any displacement or relocation of persons (or businesses), if the Town were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated. The project owner will follow the Uniform Relocation Act.

Tempesta opened the meeting for Public Comment.

Jay Ward said many want to know how this works; does this refer to the people who currently live in the house on the building site? What is the plan? Franks said that this plan is established through HUD and is already in place. It is criteria that they must abide by, and it is a direct cost to Franks. Lori asked for a copy of the plan and Franks said that Donna has the plan which she could forward; he said it is all regulated by HUD. Lori confirmed that the Town would not need to be involved. Jay asked if we could confirm there is nothing for the Town to do. Franks also stated that their lease expires in March.

Tempesta made motion to close the public meeting at 7:02pm. LaBelle seconded the motion and it passed 2-0-1.

Tempesta made the motion at 7:02pm to open the next hearing. LaBelle seconded the motion and it passed 2-0-1.

C. Proposed Housing and Community Development Plan

LaBelle read the summary: A Housing and Community Development Plan is required to be eligible to apply for CDBG funds. The proposed Housing and Community Development Plan (HCDP) identifies needs, which currently exist or are anticipated during the next three years. The Plan provides a basis for guiding the Town's housing and community development objectives and actions. In addition, the proposed Plan now includes a CDBG Citizen Participation plan that details the CDBG requirements for public hearings, as well as CDBG National and State goals.

Tempesta asked for public input.

Jay Ward asked about the 2012 plan – has it been updated since 2012? Is it the intent of the Town to update the plan with a new date? Lori said the 2026 budget includes funds for the master plan. Jay asked if this 2012 plan is going to be updated but Lori was unsure.

Victoria Ames said she is confused about the plan that was approved in 2012 and would like clarification on this project.

Mark Scalera said some questions have not been answered; it gives him the feeling of being railroaded and others feel the same way; he wants to be sure the Board does their due diligence and gets answers before deciding.

Tempesta made a motion to 7:08pm to close the public hearing. LaBelle seconded the motion and it passed 2-0-1.

Tempesta and LaBelle discussed whether they could decide then and both agreed that they should get more answers. Tempesta asked if they could have a meeting with Donna to get more answers; Franks said they could and asked for a list of questions for Donna. Ward made suggestions for getting more input. Victoria Ames asked if the public could get the answers. Mark Ames said there are a lot of people who would have liked to be here. Ginnette Groome said the holiday and the weather kept people away. Victoria Ames said the public hearing was not posted on the Town website. Ed Grant

said to just vote 'No'. Scalera said that at the next meeting the Board could report the answers before asking for more questions so there are no redundant questions.

LaBelle made a motion to reopen the public hearing; and to continue it until January 14, 2026, at 6pm. Tempesta seconded it and the motion passed 2-0-1.

LaBelle made a motion to close the public hearing at 7:20pm. Tempesta seconded and the motion passed 2-0-1.

Hutwelker rejoined the meeting and took the role of chair.

NEW BUSINESS - continued

F. 2026 Town Warrant Review

Lori Rautiola finished reviewing the warrant articles with the Board.

PUBLIC INPUT

York thanked Tempesta for his work chairing this meeting, and for hosting the Christmas party. He said he knows someone who is going to be submitting a petition to change the Town government to a Town Manager and counsel form of government and will be submitting it on the last day of the deadline.

Lori said the petition warrant articles are due by the 13th and anything with a bond is due by the 9th.

Ward asked if a petition article needs a public hearing and was told it doesn't, but that it can be debated at the deliberative session.

Scalera said he has been a regular attender of these meetings for years and has represented Wilson Pond. He hopes the Town will apply for a grant for a water shed program. There is a volunteer system currently to clean up the beach area and to test waters; he is asking the Town to write a grant to get a program in place that addresses the aquatic growth and other issues.

NON-PUBLIC SESSIONS

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

A motion was made by LaBelle to enter a non-public session pursuant to RSA 91-A:3, II (a) which was seconded by Tempesta. All were in favor by Roll Call and the motion passed**.** The Board entered the non-public session at 7:59pm. Present were W. William Hutwelker III, James Tempesta and Mark LaBelle. Also present were Town Administrator Lori Rautiola and Recording Secretary Susan Ells.

A motion was 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 8:13pm.

A motion was 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; Tempesta seconded the motion, and it passed 3-0.

ADJOURNMENT

A motion was made by LaBelle to adjourn the meeting; Tempesta seconded the motion, and it passed 3-0.

Adjournment occurred at 8:15pm.

Respectfully Submitted,

Susan Ells, Recording Secretary

Approved on January 28, 2026