



BOARD OF SELECTMEN
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BOARD MEETING AGENDA
May 8, 2019
7:00 P.M.

Selectmen Present: Daniel Baker, Robyn Bates, Charles Kenison

Mr. Baker called the meeting to order at 7 p.m.

PRIMARY:

***** APPROVE MINUTES**
- May 2, 2019

Ms. Bates made a motion to approve the minutes. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** APPROVE MANIFESTS**

Ms. Bates made a motion to approve the manifests. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REVIEW SIGNATURE FOLDER – The Selectmen reviewed and signed.**

7:15 MEET WITH NOEL VIANEY
- Map 15, Lot 4

Noel Vianey met with the Selectmen to discuss his property. The Selectmen reviewed the total balance owed. Mr. Vianey noted that he paid \$2,000 in January and asked what would happen. Mr. Baker asked if he could get on a payment plan and make regular payments. Mr. Baker asked what he could afford. Mr. Vianey shared that he could commit to \$100 per month. Ms. Bates asked if there were any adults in the household. Mr. Vianey stated there wasn't. Discussion was held on letting the interest accumulate. Mr. Vianey asked what Mr. Baker would suggest. Mr. Baker asked the Selectmen how they wanted to handle this. Ms. Favreau reviewed his property tax card to make sure he was getting all of the exemptions that he was eligible to receive. Ms. Favreau confirmed that Mr. Vianey was getting the elderly but not the veteran's credit. Ms. Favreau shared that she needed a DD2-14 form. Mr. Baker and Mr. Kenison thought that he could contact the VFW in Keene. Ms. Favreau shared that she would help him fill out the information if he needed assistance. Mr. Vianey stated he would be filling out the State form for reimbursement of the education portion of the tax bill. Ms. Bates shared that it would be a good faith effort for him to put that money towards his taxes. Ms. Favreau shared that Mr. Vianey was concerned that the Selectmen would take his home by Tax Deed. She had shared with him that the Selectmen could and that was why he wanted to meet with them. Mr. Baker stated they wouldn't take by tax deed. Mr. Kenison agreed. Mr. Baker shared how the interest was being calculated. Ms. Bates shared that as of now the Town would not act on the tax deed and asked if he would contact the VFW to see about his DD2-14 form. Mr. Kenison mentioned that Bob Corrette may be able to help. Mr. Baker thought that they had tracked it down to the Keene VFW for help with a prior Veteran.

Ms. Bates thanked Mr. Vianey for his service and the Selectmen thanked him for coming in.

7:30 MEET WITH JAY SOUTHGATE VIA PHONE CONFERENCE
- Steeple Project

Jay Southgate met with the Selectmen via conference call to discuss the steeple project. Mr. Baker wanted Mr. Southgate to help the Selectmen understand LCHIP and their concern with the Secretary of the Interior's restoration requirements as it relates to the Town's steeple project. Mr. Baker shared that Mr. Southgate would be sending a flash drive with pictures to detail the condition of the wood. Ms. Favreau shared that the flash drive didn't arrive. Mr. Southgate mentioned that the only

BOARD MEETING AGENDA May 8, 2019

job he worked with LCHIP on was the Keene steeple and that was bigger but almost as deteriorated. When asked to bid, he didn't think they wanted him but they asked him to bid. It was a \$300,000 budget, everyone was happy and along the way he was presented with paper that he needed to read and sign off on. Mr. Southgate mentioned that towards the end LCHIP came to view. Mr. Southgate stated it wasn't onerous. Mr. Southgate shared that we could spend \$100 e-mailing back and forth when examining an individual piece of wood, it exceeds the cost of the wood.

Mr. Southgate stated that he would love for the Town to get an LCHIP grant and if they can identify pieces of wood that would get restored and trace on prints that he created. Mr. Southgate shared that restoring would cost more. If reusing all of the brackets, a total of 500, would get you a big LCHIP grant that would save the Town money. Mr. Southgate noted it wouldn't make a difference in the longevity of the steeple but if talking about a corner board exposed to the weather, then the life span would be shorter if having to restore. Mr. Southgate shared that he would be happy to work with us to identify pieces that we could reuse. He doesn't want to be on the phone 15 times a week because of a preservation consultant's conflict of the deterioration.

Mr. Baker asked if we take the strategy that we submit a proposal in June, would we be in a position to note the upper lantern would be replaced with cedar shakes and the first balcony would be replaced. Mr. Southgate asked if we would use his drawing for the application. Mr. Baker shared that he wasn't sure. Mr. Southgate could mark in red every piece that we plan to reuse. He cautioned that if pulling the pieces that would slow down demolition and would cost an additional \$15-25,000. Mr. Southgate could mark-up the prints with each piece that he thought reasonable to reuse. Mr. Baker agreed but he would want to check with Mr. Drasba before Mr. Southgate began. Mr. Baker mentioned that Mr. Drasba had shared that one consideration for Mr. Southgate to comment on, if we go to LCHIP, based on what we now know, we would be repairing the beam. Mr. Southgate shared that it would add a little to the cost. Mr. Southgate explained what he took when he had the crane, with the exception of one element, he has everything he needed to produce the drawings. Mr. Southgate noted he would pull certain beams to satisfy restoration to help the Town get a grant. Discussion was held on the bell tower supports, replace with like kind, clock tower, base being retained and the need to detail all of that.

Ms. Bates noted that we would go through the process of having Mr. Southgate evaluate the cost but not pulling the plug as to whether we replace or restore. Mr. Baker stated that we submit an application and consult with Mr. Drasba. LCHIP would do a review with us, we would get feedback and then the awards were given in December. Mr. Baker noted the situation that we are not only facing an LCHIP deadline but 6-7 months of waiting to know whether we receive a grant. Mr. Baker hoped that the steeple would be down. Mr. Baker shared that at the LCHIP meeting, they cautioned us that anything done in advance was suspect. It's a slippery slope, as we are running in the face of what they would like us to do – wait and then start work.

Mr. Baker noted that we were trying to estimate on the high end. If we get \$200,000 from LCHIP and it costs us another \$200,000 are we concerned? Submit the Town's proposal and LCHIP either accepts or not. Ms. Bates asked if we would go with restore, replace, or wait to hear from LCHIP. Mr. Baker stated it would be noted in the Town's proposal. Ms. Bates also asked what we do as a Town outside of LCHIP. What was Mr. Southgate's direction prior to any notification from LCHIP? Mr. Baker hoped to get notification from LCHIP. Mr. Southgate discussed selecting a small number of elements that the Town chooses to restore – they would be protected from weather. Mr. Southgate stated he wasn't aware that it would be December before we receive a final answer. He was going to call the crane operator as one goal was when the steeple came down to get it gone as quickly as possible. Selected elements would be pulled off and Mr. Southgate noted that when doing this you were dealing with lots of toxic paint. The more restoration the more toxin people would be exposed to. The Selectmen agreed with how Mr. Southgate could handle the elements, putting aside and waiting to hear. Ms. Bates thought that was a good approach.

Ms. Bates asked if Mr. Southgate had the directive to highlight the elements. Mr. Baker asked that Mr. Southgate check with Mr. Drasba first. Mr. Southgate would go through the plan and identify the items he would use in red. Mr. Southgate could hand to Mr. Drasba to see what he was recommending. Mr. Kenison suggested meeting with George Born. Mr. Southgate would begin with the 4 – upper and lower lanterns, belfry, clock tower and spire. He noted that each one has a different bracket. Mr. Southgate would mark-up a set of prints and he asked for the deadline. The Selectmen agreed that they needed the information in June and they would go over it with Mr. Drasba. Mr. Southgate asked that the dates he needed to work with be e-mailed to him.

The Selectmen thanked Mr. Southgate for meeting with them.

The Selectmen continued discussion on the requirements of LCHIP, the condition of restoration of some pieces, restoring the lower clock tower, the beams were rotten above and not sure how LCHIP would respond to that. Mr. Kenison mentioned it would be the same as the work we had done previously – LCHIP didn't agree with it. Ms. Bates asked what Ms. Favreau needed by May 17th. Ms. Favreau shared that she needed the description of the proposed project. Mr. Baker asked about what was written on the first application. Mr. Baker shared that Mr. Drasba would help with the LCHIP proposal.

BOARD MEETING AGENDA
May 8, 2019

8:00 MEET WITH THE CEMETERY TRUSTEES
- NON-PUBLIC SESSION RSA 91-A:3 II (b) - Hiring

At 8:05 p.m. Mr. Kenison made a motion to go into non-public session under RSA 91-A:3 II(b). Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 8:16 p.m. Mr. Kenison made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

***** REVIEW DRAFT OF LETTER TO NEXTERA**
- Clarifying legal fees separate from expert fees

The Selectmen reviewed the letter clarifying the request for legal fees. The Selectmen amended the letter and signed.

Mr. Baker asked of Suzanne Gray that in the future to limit discussion to the Pilot Agreement and the MOU. Ms. Gray shared that the Planning Board has some concerns. Ms. Gray reviewed the Selectmen's letter to NextEra and agreed with it. Ms. Gray shared that she had a conversation with Steven Reale of Franklin regarding their Solar Project.

***** REVIEW INVOICE FROM SCULLY ARCHITECTS**
- Historic Structure Report

The Selectmen reviewed the invoice. Ms. Bates would like to see a breakdown of the 40 hours. Mr. Kenison mentioned that Dave Drasba had stated his charges would be \$6,000. Mr. Baker asked Ms. Favreau to contact Mr. Drasba to see where they were in relation to the overall quote. The overall costs were: \$6,000 for Mr. Drasba, \$3-4,000 for the historian and the engineer was \$6,000. Ms. Bates shared that she would call Mr. Drasba. Mr. Baker stated that Ms. Bates could call if she wanted to. Mr. Kenison mentioned that he would like to see a breakdown. Mr. Baker stated that Mr. Drasba was on-site for two days. Mr. Kenison shared that he was at the historical society and at the library. Mr. Baker noted that we entered into an agreement for \$23,500. Ms. Bates stated that she would call Mr. Drasba and ask about a breakdown. Mr. Baker asked if there was any objection to paying the invoice. It was determined that they have 30 days.

***** REVIEW E-MAIL FROM SUSAN SILVERMAN**
- Interested in serving on the Committee – FireWards

Mr. Baker reviewed the e-mail. It was noted that there were three interested in serving – Greg Mattson, Andy Wood and Susan Silverman. Discussion was held on the composition of the committee being one FireWard and one Selectman. Mr. Kenison stated that would be five members. Mr. Baker wanted to appoint a committee and thought it was good to have one FireWard, one Selectman, and three at-large members. Ms. Bates agreed to sit on the Committee. Ms. Favreau would contact the FireWards to determine whom they would appoint. Ms. Bates asked that Mr. Mattson, Mr. Wood and Ms. Silverman be contacted. Ms. Favreau would follow-up.

***** REVIEW LAWN CARE BID**

Ms. Favreau shared that only one had been received and it was from the company that has done the work for the last three years. Ms. Bates asked if they had done good work. Mr. Baker asked that they pick up the glass around the Town Hall. Ms. Favreau would let them know where the glass was. Mr. Kenison noted if not their work, we should ask them to do it.

Ms. Bates asked what spring clean-up entailed and thought that it would include picking up glass. Ms. Favreau shared the mowing was per occurrence and the clean-up was a one-time charge. Ms. Favreau shared that she would receive a bill periodically.

Ms. Bates made a motion to accept the lawn care bid from JM Construction. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** DISCUSS LETTER TO KIMBERLY OLSON**
- Re: Tax Payment

Ms. Favreau explained that Ms. Olson has had difficulty dealing with Ms. Wright and that somehow the payment made sat out in the credits and Ms. Wright applied it to a newer tax year instead of the oldest tax year. Ms. Olson made a payment on the newer year, so it created a lien. Ms. Favreau mentioned that Ms. Wright had stated to Ms. Olson that she couldn't change it and that Ms. Olson had done it wrong on-line. Ms. Favreau reviewed the on-line process for making a payment. A portion was made on-line and a portion was made directly with Ms. Wright. Ms. Bates shared that there were penalties that were incorrect as well. Ms. Favreau shared that Ms. Olson doesn't care about the interest but she was afraid that the town would

**BOARD MEETING AGENDA
May 8, 2019**

take the property. Ms. Favreau shared that the Town would have a problem if taking the property due to the error. Mr. Baker stated we should want to support our employees and if it wasn't done correctly on-line, but if a mistake was made we need to acknowledge it. Mr. Baker stated it needed to be applied to the correct year – the 2016 tax year. It was noted that Ms. Wright had stated that once a payment was applied, she couldn't change it. Mr. Baker stated that it needed to be resolved. Mr. Baker shared that the Selectmen needed to sign a letter stating that they wouldn't take the property by tax lien. The Selectmen agreed.

Mr. Baker asked about the process to sign the waiver deed. Ms. Favreau shared that Ms. Wright has given them to the Selectmen. Ms. Favreau mentioned that the Selectmen could review tonight or at their next meeting. Ms. Favreau shared that in the past we have sent out a letter asking them to come in and discuss with the Selectmen. Mr. Baker thought it made sense to do the letter first. The Selectmen agreed and asked Ms. Favreau to write letters.

***** REVIEW PRIMEX CONTRIBUTION ASSURANCE PROGRAM**

The Selectmen reviewed the risk program. Ms. Bates asked if there had been claims before. Ms. Favreau shared we were saying that we would stay with them for three years. Mr. Baker explained that it was a pool and the Selectmen had reviewed last year. Mr. Baker thought it was perpetual in that they always want to have a three year contract. Ms. Favreau shared that we did a not to exceed for the year 2020. Mr. Baker asked Ms. Favreau to contact them and mentioned that the Selectmen signed an agreement that hasn't expired. Mr. Baker shared that this was how the pool works as they need to make sure they always have clients. Ms. Favreau would follow-up with Primex.

***** REVIEW PROPERTY TAX PAYMENT AGREEMENT**

Mr. Baker reviewed the payment agreement. Ms. Favreau shared that they have signed an agreement every year and don't adhere to it. After discussion the Selectmen's concern was if this was their primary residence, they could end up as a ward of the Town. It was noted that the interest was going down to 12% and when the property was sold, the Town would get the money owed. Mr. Baker asked what their situation was. Ms. Favreau didn't know. Mr. Kenison asked if they filled out any information for welfare. Ms. Bates stated we were just kicking it down the road if she doesn't pay. Ms. Favreau shared she could write a letter stating that she agreed to make a monthly payment. Ms. Favreau explained the tax deed process and shared that Jane Wright, Tax Collector sends her information out certified. Mr. Baker stated the Selectmen's side was more collection. Mr. Baker suggested looking at the circumstances more closely. Mr. Kenison asked about having her fill out a financial affidavit, then the Selectmen could determine her financial situation. Ms. Bates agreed that it was a good idea. Ms. Favreau shared they get an elderly exemption. After discussion, the Selectmen agreed not to ask for a financial affidavit.

Mr. Baker made a motion to accept a payment agreement. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** DISCUSS MEMORIAL DAY PROGRAM**

The Selectmen discussed and would continue to follow-up.

***** SUMMER RECREATION FEES**

Ms. Favreau shared that Cindi Beede asked a question about residency. Ms. Favreau explained that there were fees for residents and non-residents that we make exceptions for to attend the summer recreation program. There was someone that lives in Richmond but owns property in Fitzwilliam. They asked if they could pay the in-town rate. Ms. Favreau shared that an exception was made for someone that owned a summer residence. This request was for someone that owned vacant land. Mr. Baker shared that the recreation program wasn't self-supporting. Ms. Favreau didn't know the difference in the rates. Ms. Bates mentioned that since we subsidize, we should honor a resident.

Mr. Kenison asked for an estimate of cost. Ms. Favreau shared it wasn't expensive. Mr. Kenison stated that he felt the Selectmen should approve. Ms. Favreau thought the cost was \$150 and double for a non-resident.

Mr. Kenison made a motion to give them the resident rate because they are tax payers. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REVIEW TAX DEED LIST**

The Selectmen reviewed the letter and agreed to defer action until the beginning of June. The letter would include a deadline for the property owner to contact the Selectmen's office.

**BOARD MEETING AGENDA
May 8, 2019**

ON-GOING BUSINESS:
- STEEPLE PROJECT

The Selectmen reappointed Gretchen Wittenborg to the ZBA for her original term ending 2020. The Selectmen were awaiting contact with Mr. Filipi to determine his status on the ZBA.

Discussion was held with Mr. Grab about Memorial Day and with Mr. Mattson about the Depot, electricity to the flag pole and the Christmas tree. Ms. Bates asked if Gene Cuomo, Road Agent had talked with Mr. Mattson. Mr. Mattson shared that he hasn't talked with Mr. Cuomo. Ms. Bates mentioned that the common was probably using the bulk of the money. Ms. Favreau mentioned it was the expendable trust fund, which was changed to include the depot common. Mr. Mattson shared that area was low and they may bring some loam in but it wasn't going to be done this year. Mr. Mattson mentioned there may be some electrical work and that he and Mr. Kenison had discussed. Ms. Bates thanked them for being fiscally prudent.

Ms. Favreau shared that Mr. Jones no longer lived in town. Mr. Baker suggested that it be brought up tonight and that the Selectmen do an inspection of the property, as it was being sold. The Selectmen agreed to make an appointment to inspect the property on Thursday to determine the extent of the violations. Ms. Favreau would contact Mr. Jones to let him know. Ms. Favreau shared that she had talked with the realtor and explained that the violations would not go away just because the property was for sale. Mr. Kenison asked if our new Code Enforcement Officer should attend. Ms. Favreau would contact Justin Killeen to determine his availability on Thursday or Friday a.m. Ms. Favreau mentioned that she had shared with Mr. Killeen that if it was exterior work, that he would need to measure to make sure it met the setbacks and when finished he would go back out. Mr. Baker shared that this should be communicated with the Boards. Ms. Bates wanted it written that this was our procedure. Ms. Bates asked if at the same time they could look at Templeton Turnpike to check on Mr. Dwinell's complaint. The Selectmen agreed.

Discussion was held on the Spicer property and the process. Mr. Baker discussed what the Selectmen had done for better communication between the Boards. Mr. Kenison asked if the Selectmen could receive copies of the minutes of the different boards. Ms. Favreau shared that they were public information. Ms. Bates agreed that sharing factual information would diminish inaccuracies. Mr. Baker asked that the ZBA be invited to meet with the Selectmen. Ms. Bates asked what the workload would be over the next few months to help get them over reactive issues. Ms. Favreau shared there has been some very big issues. There is Solar and personnel issues that need to be resolved. Avitar was doing assessing and tax bills would be sent out in June. Mr. Baker noted that the Selectmen had previously discussed Town clean-up and asked that it be included on their agenda. Ms. Favreau shared that she has started writing an article for the newsletter. Mr. Favreau also shared that she had written to EverSource regarding the street light program. She had called the Town of Swanzey and they sent her their RFP. Ms. Favreau mentioned that she received a call from the EverSource District Manager. Ms. Favreau explained the process. She said the program had changed but she was in the process of reading through the information before adding to the Selectmen's agenda.

Ms. Bates asked about Fire Works. If something happened and the Selectmen didn't approve a permit could the people responsible be fined? Ms. Favreau would look into whether there were any State regulations.

Meeting Schedule:
9:00 a.m. – Thursday, May 2, 2019
7:00 p.m. – Wednesday, May 8, 2019
9:00 a.m. – Thursday, May 16, 2019
7:00 p.m. – Wednesday, May 22, 2019
9:00 a.m. – Thursday, May 30, 2019

Mr. Kenison made a motion to adjourn the meeting at 9:25 p.m. Ms. Bates seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Daniel Baker, Chairman

Robyn Bates

Charles Kenison
Board of Selectmen