



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
October 30, 2019
7:00 P.M.

Selectmen Present: Daniel Baker, Robyn Bates, Charles Kenison

Guests: Paul Kotila, Kevin Woolley, Heil Lindquist, Susan Silverman, Dorothy Zug

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

PRIMARY:

7:00 PUBLIC COMMENT – No comments

***** APPROVE MINUTES**
- October 24, 2019

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

***** APPROVE MANIFESTS**

Mr. Kenison made a motion to approve the manifests. Ms. Bates 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 JIM & JOANNE DARIS – NON-PUBLIC SESSION RSA 91-A:3 II(c)

At 7:12 p.m. Mr. Baker made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 7:36 p.m. Mr. Baker 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. Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

7:30 MEET WITH CONSERVATION COMMISSION

Paul Kotila shared that Matt Buonomano had met with the Conservation Commission to see if there was interest in purchasing his property of approximately 108 acres. The Conservation Commission didn't make any conclusion with Mr. Buonomano. Mr. Kotila shared with the Selectmen that the Conservation Commission was interested in purchasing the property as it's an opportunity and probably won't come up again. Mr. Kotila discussed the easement on the property. The property can be used for forestry, agriculture. The easement would allow the owner to withdraw (on the west end of the property) approximately 8.4 acres for the purposes of developing an artist colony with up to 6 cabins. Mr. Kotila shared that Mr. Buonomano gave a price of \$85,000. Mr. Kotila asked if the Selectmen think this was something to move forward on, the first thing to be done would be to have an appraiser that was qualified with easements to look into the value. Mr. Kotila handed the Selectmen a list of assessors. Mr. Kotila stated that a standard real estate agent wasn't qualified. A person that understood the law to value with the conservation easements was needed. Mr. Kotila explained why a qualified appraiser was needed. Mr. Kotila shared that Mr. Buonomano wasn't in a hurry as Mr. Buonomano mentioned 1-2 years. Mr. Kotila shared that the consensus of the Conservation Commission was that who knows when an opportunity like this would come up again. Ms. Zug stated that there was the easement and it abuts the ski hill.

Mr. Baker stated that the Selectmen have a letter from Mr. Buonomano about the ski trails and not advertising because they haven't been maintained and Mr. Buonomano felt there was a liability. Mr. Kotila stated that the trails haven't been maintained

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in many years and was maintained by the Recreation Commission. Mr. Baker mentioned the cell tower and asked if it abuts the property. Mr. Kotila wasn't sure. He mentioned the south side has been developed. Ms. Bates mentioned her property, and the other property owners near Mr. Buonomano. Mr. Baker asked where the 8.4 acres were. Mr. Kotila stated it wasn't clear but was immediately adjacent to the property located to the east near the house. Mr. Kotila mentioned that the easement doesn't include the house. Mr. Baker stated the benefit was the 8.84 acres and noted not being able to do anything with the rest of the land. Mr. Kotila stated that development was limited. Mr. Baker asked what could go there. Mr. Kotila shared that nothing could go there but it would give the Town the ability to redevelop the ski trails up there. Mr. Kotila noted the appraiser would also look at the value of timber. Mr. Kotila mentioned that agriculture was allowed. Mr. Lindquist stated the owner couldn't restrict access to the property. Mr. Baker stated that he was trying to understand the potential of purchasing. Mr. Kotila shared that as long as a permitted option within the easement it could be done. It does require approval by the Conservancy. Mr. Kotila asked if the Selectmen were interested enough to pursue and if so, the next step would be to get it appraised. Ms. Bates asked the Selectmen what they wanted to do. Ms. Favreau asked if the Conservation Commission could purchase. Mr. Kotila shared that they can't approve a purchase without Town approval. Mr. Kotila asked how the purchase could be funded. Mr. Kotila was interested in whether the Town wanted to pursue, then get appraised to find out what the cost might be.

Mr. Buonomano didn't want the Selectmen advertising the ski trails because of the liability. Ms. Zug asked if the law provided liability. Ms. Favreau shared that Mr. Buonomano wanted people to use the trails but he doesn't want the Town advertising it. Mr. Woolley noted that the snowmobiles were insured by the State. Ms. Zug asked them to think of the value of Central Park, the open area in the middle of Town. Ms. Zug stated it was priceless to have the open area in Town. Ms. Bates stated that she wasn't going to step in because it was close to her house. Mr. Lindquist stated his interest was to keep it open.

Dana Pinney asked if the Monadnock Conservancy felt there was value would they help with purchasing. Mr. Pinney asked if Mr. Kotila knew about his and if he had looked into. Mr. Kotila stated that because the Monadnock Conservancy holds the easement, he wasn't hopeful that they would provide funding for purchasing. Mr. Woolley stated that the property abuts Town property already. Mr. Kotila mentioned that the property has access in 2-3 different locations because there are 2 right-of-way. Mr. Kotila shared his interest was because of where the property was located – in the middle of town. Mr. Kotila noted if there was sufficient interest, the Town could redevelop some of the recreational activities that were there. Ms. Silverman shared that the property was also a watershed and a potential source of water for the Town. If the Town can afford to do it and not a burden on tax payers, we should at least look into. Ms. Bates asked what it would cost to get an independent appraisal. Mr. Kotila stated that he didn't know and shared that the Conservation Commission would be willing to cover that cost. Mr. Kotila noted that the Conservation Commission has not discussed it. Mr. Kenison mentioned it was a beautiful piece of land.

Mr. Baker would like to go through with the appraisal and he wanted to see the maps to see how the property played into the trails. Mr. Baker stated his only hesitation was the tax impact for property owners this year. Mr. Kotila explained the reason for hiring an independent appraiser. Mr. Lindquist didn't think that it could be ready to be on this year's warrant and it would be for 2021. Mr. Lindquist noted that we wouldn't want to rush into this. Mr. Baker asked about using Avitar as an appraiser for this type of land. Mr. Kotila stated he wasn't sure and thought the Selectmen might want to ask Avitar. Mr. Kotila explained the reason for using a qualified appraiser with easement experience. Ms. Favreau shared that Avitar has the property value at \$120,000. Ms. Favreau didn't know if it took the easement into account but she would ask the assessor.

Mr. Baker stated he was in favor even more so if it was for the following year. Mr. Kotila stated that they wouldn't want to have an appraisal that was too old. It was noted that Mr. Buonomano wasn't in a hurry. Mr. Baker stated the Selectmen were interested and it wouldn't go on this year's warrant. Mr. Kotila asked if it was a decision not to entertain for this year and were the Selectmen saying no. Mr. Kotila asked if the Selectmen wouldn't support putting on the warrant for this year. Mr. Kotila shared that he would prefer it to be put on next year. Mr. Kenison agreed. Mr. Kotila stated there were a lot of pieces to this. Mr. Baker thought it would have a better chance of passing next year.

Mr. Kotila asked the Selectmen if they wanted the Conservation Commission to identify an appraiser. Mr. Baker stated that he would like the Conservation Commission to make a recommendation.

Mr. Kotila shared that the balances in the Conservation Commission's expendable trust fund was almost \$40,000 and the Land Use Change Tax fund balance was \$87,400. Mr. Kotila noted that the Conservation Commission has been trying over time to accumulate funds and theoretically, they might be able to cover the cost of purchases the land but it would deplete three quarters of their funds, if they spent \$85,000 for the property. Mr. Baker mentioned if the solar project goes through, some land was in current use. Mr. Kotila shared that the Conservation Commission wanted to discuss what other possibilities there might be for funding the purchase without just going to Town meeting. Mr. Baker mentioned that some staff were going to a grant workshop.

Mr. Kotila shared that the Conservation Commission would come up with an appraiser to recommend to the Selectmen.

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8:00 MEET WITH JUSTIN KILLEEN

The Selectmen wanted to meet with Justin Killeen to discuss maintenance of Town owned buildings. Ms. Favreau shared with Mr. Killeen a listing of the buildings that the Selectmen have reviewed so far. Mr. Baker shared that the Selectmen don't have a good maintenance process for any of the Town owned buildings and they were trying to get ahead of it. Mr. Baker shared that the Selectmen have learned a lot from the steeple, that if you don't take care of it, it costs more. Mr. Baker noted that the Selectmen are categorizing the repairs as immediate, next 2 years, 3+ years or research before a decision with high priority. Immediate repair was defined to maintain the value of the building. The Selectmen wanted to have a resource to do a quarterly review by someone with a construction background. Mr. Baker noted there are 10-15 locations. Mr. Killeen noted to do a foreman's assessment, make some notes and get in touch with contractors to look into. Mr. Baker would like Mr. Killeen to go through this with the Selectmen and asked if he was interested. Mr. Killeen stated that he was. Ms. Bates asked Mr. Killeen to share his construction experience. Mr. Killeen discussed his work experience from gutting and rebuilding stick homes to electrical and building log homes. Mr. Killeen currently works for Bensonwood as an estimator. Bensonwood builds homes throughout the US and Alaska. Mr. Kenison asked if Mr. Killeen could give an estimate of cost. Mr. Killeen acknowledged that he could and shared that he has experience with repairing. Mr. Baker stated that the Selectmen have another site visit to schedule to look at the Fire and Police Department building, Highway Barn and the Transfer Station. The Selectmen would like Mr. Killeen to accompany them on the site visit. Mr. Baker shared that the Selectmen would like to schedule next week. It was noted that the Selectmen could give Mr. Killeen a brief overview of what they found at the Town Hall. The Selectmen agreed to do a site visit on Thursday at 3 p.m. with Mr. Killeen. Ms. Favreau would contact Chief DiSalvo and Gene Cuomo. Mr. Kenison thought if time, they could run through some of the serious items they have identified.

*** DISCUSS MEDIA POLICY

Mr. Baker shared that he took an interview with the Sentinel but wished that Attorney Manzelli would have discussed. Attorney Manzelli wanted the Selectmen to discuss with her before doing an interview. Ms. Bates shared that Attorney Manzelli, during the Public Hearing, noted that the Selectmen's comment was "no comment at this time". Mr. Baker stated that he wished Attorney Manzelli had reminded him before it happened. Mr. Baker asked if one person should be the point person. Ms. Favreau asked if we should direct the caller to Attorney Manzelli. Attorney Manzelli had suggested that the questions be asked for so that the Selectmen could discuss. Ms. Bates felt it was as if the Selectmen were hiding something. Mr. Kenison suggested having them (reporters) talk with Ms. Favreau first. Mr. Baker asked to have a conversation with Attorney Manzelli on how to handle media requests as the Selectmen don't want it to appear that this was a secret. Mr. Baker asked for this to be added to the Agenda with meeting with Attorney Manzelli. Mr. Baker asked for any suggestions in the meantime, as he wanted to get the word out to everyone.

*** DISCUSS LETTER RECEIVED FROM MATTHEW BUONOMANO Re: Ski Trails

Mr. Baker discussed Matt Buonomano's letter. Mr. Buonomano doesn't want the Town to advertise the ski trails as it becomes a liability for him. Mr. Baker didn't have a problem with not advertising. Ms. Favreau shared it was included in the trail map. Ms. Bates mentioned that she thought it was included in the hiking maps that are in the Recreation Department. The Selectmen discussed the trails not being maintained and noted they weren't in good shape. The Selectmen understood why Mr. Buonomano was concerned about the liability. Mr. Baker stated that the Town would handle what they can but couldn't be responsible for what the Bed and Breakfasts would advertise. Ms. Bates mentioned writing a letter to the Economic Committee to note that it shouldn't be advertised. Ms. Favreau would also alert the Recreation Commission.

Mr. Baker asked that a letter be sent to Mr. Buonomano noting what the Selectmen would do but mentioning that the Selectmen wouldn't go looking for anything that was already in print. It would be removed from the website. Mr. Kenison suggested asking Mr. Buonomano to post signs. Ms. Bates asked for the map of the area for discussion at the next Selectmen's meeting.

*** REVIEW EMAIL FROM MICHAEL BRANLEY Re: Ambulance Service

The Selectmen reviewed and noted that they need to understand why it would be higher. The Selectmen questioned whether Swanzey pays the difference or was it a flat rate. Ms. Bates stated she was a proponent of using one of our buildings and having it staffed in Fitzwilliam. Mr. Baker didn't think we could move forward until we have collaboration with other towns, at least Troy. Discussion was held on using the Town's building, ambulance, and Troy probably being more inclined to collaborate than Richmond.

The Selectmen agreed that a decision needed to be made. Mr. Baker asked if the Selectmen would have the support of the committee. Ms. Bates shared that 3 voted for the Selectmen, and 2 voted to stay with the FireWards. Mr. Baker would like the Selectmen to meet with the committee. Mr. Baker asked Ms. Bates if she felt the support of the committee was to report to the

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Selectmen, then it could go on the Warrant as being recommended by the committee that was formed to look into. Mr. Baker wanted to make sure there was support. Ms. Bates wanted the committee to meet with the Selectmen. Mr. Baker shared the process of speaking to Warrant Articles and Mr. Baker noted that because Ms. Bates worked on the committee she would speak to the article. Ms. Bates agreed.

*** **EVERSOURCE – TREE CUTTING** - The Selectmen reviewed.

*** **NON-PUBLIC SESSION RSA 91-A:3 II(e) – LEGAL**

At 8:36 p.m. Mr. Kenison made a motion to go into non-public session under RSA 91-A:3 II(e). Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 9:26 p.m. Ms. Bates 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. Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

*** **NON-PUBLIC SESSION RSA 91-A:3 II(a) - PERSONNEL**

At 9:26 p.m. Mr. Kenison made a motion to go into non-public session under RSA 91-A:3 II(a). Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 9:46 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.

ON-GOING BUSINESS:

*** **STEEPLE PROJECT**

- **Email regarding agreement** – Mr. Baker wanted the do not exceed added. Mr. Baker also wanted to make sure we are thankful to the highway department guys for helping.
- **Email Regarding Beams** – Mr. Baker responded to Jay Southgate.
- **Invoices** – Mr. Baker shared that Wade Leventry wasn't charging for the day he was here when the steeple was removed as Mr. Leventry wanted the experience. It was suggested to keep track of the Town's cost using the highway department guys. It was definitely a full day of work was done by the highway department. The Selectmen discussed the invoicing and that Mr. Baker would work with Ms. Favreau to adjust the invoice tracking.

Ms. Bates made a motion to approve the Top Dawg Design Build, LLC invoice. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

The Selectmen discussed how to track the billing to the phases. Mr. Baker noted that the phases may need to be tweaked but it was worth tracking.

Mr. Baker mentioned the shoring of the back wall that needed to be done.

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

*** **PRIME WETLANDS PROJECT**

*** **AMBULANCE SERVICE**

*** **SOLAR**

INFORMATION

- **Letter from Attorney General - Consolidated Communications** – The Selectmen reviewed.
- **Notice of Volunteer Fire Grant** – The Selectmen reviewed. It was noted that it was a matching grant and would be under the Forest Fire budget.

Meeting Schedule:

7:00 p.m. - Wednesday, October 2, 2019
9:00 a.m. - Thursday, October 10, 2019
7:00 p.m. - Wednesday, October 16, 2019
9:00 a.m. - Thursday, October 24, 2019
7:00 p.m. - Wednesday, October 30, 2019

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Mr. Kenison made a motion to adjourn the meeting at 10:06 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