

TOWN OF TAMWORTH BOARD OF
SELECTMEN 84 MAIN STREET
TAMWORTH, NH 03886
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Selectmen's Meeting 5:30 pm

Thursday, July 28th, 2022

DRAFT MEETING MINUTES

CALL TO ORDER: Roberts called the meeting to order at 5:33 pm Present are Selectmen Doucette, Goodson, Prentice, Roberts, Behr, Ed Comeau of Government Oversight, Emily Verny administrative assistant

Motion to enter Non Public – RSA 91-A:3 II (a) session made by Roberts at 5:34 pm , seconded by Behr. Roll Call Vote: Doucette yes, Goodson yes, Prentice yes, Roberts yes, Behr yes.

Motion to leave Non Public – RSA 91-A:3 II (a) session made by Roberts at 5:56 pm, seconded by Goodson. Roll Call Vote: Doucette yes, Goodson yes, Prentice yes, Roberts yes, Behr yes.

Roberts made motion to seal the Non Public – RSA 91-A:3 II (a) session 1 July 28th, 2022 minutes at 5:57 pm. Doucette seconded. Roll Call Vote: Doucette yes, Goodson yes, Prentice yes, Roberts yes, Behr yes. Minutes are sealed.

Recess until 6:00 pm.

Public: 6:00 pm in Attendance: Selectmen Doucette, Goodson, Roberts, Behr, Prentice, Ed Comeau of Government Oversight, Emily Verny administrative assistant, Linda Cook, Bruno and Madeline Siniscalchi, via Zoom: Linda Eldridge, Government Oversight.

CHANGES/ADDITIONS TO AGENDA:

- Signature File: Approval of Driveway Permit Application for Lot 211-55 on Depot Rd
- Signature File: Amended Board of Selectmen meeting minutes from July 14th, 2022
- Non-Public RSA 91-A:3 II (c) session 3

PUBLIC INPUT:

Linda Cook would like to know why there aren't any department heads on the agenda. Roberts confirms he will get one on the agenda for next week. There is supposed to be one every week, so Roberts will make sure that happens next week.

Linda Cook asks are Monday night lawn games going on? Seadogs sign up? Roberts confirms we have not had any signups for the Seadogs game yet, but we can cancel closer to that time period. Flyers are still up to see if anyone signs up. We would need a chaperone. As for Monday night lawn games, Roberts volunteered to do them two weeks ago, but this week he wasn't able. Rain has been a factor. Roberts confirms Monday night lawn games were supposed to keep going on, so he will look into that for next week.

NEW BUSINESS:

- Ordinance Compliance Application/Process Support from Select Board – *Prentice says in following through on the junkyard violations, one of the options is to clean up the vehicles, the other option is to apply for a*

junkyard permit. Filling out state applications can be complex, some people may want to be in compliance that way for business purpose, but it would be overwhelming to figure out the paperwork. Does our attorney think it is appropriate for BOS to offer support for anyone who wants to fill out the state application? Prentice states the attorney confirms that the State actually mandates that the town offer support to residents in filing these applications, if requested. Prentice says attorney clarifies that the town is not to be an advocate or offer advice, rather direction on the forms needed and the filing process. How does the BOS feel about this process for addressing people who might be in violation of the junkyard ordinance? Could we include this information in letters that might be sent? Goodson would be willing to help but would need to be well versed in the process of filling out the paperwork, this perhaps would need support from more than one board member. Goodson would be willing to help. Doucette agrees it would be daunting but he'd be happy to help. Prentice confirms this does not have to be the BOS but the TOWN has the obligation to assist. Roberts wonders if someone with an established junkyard would be able to give guidance. Linda Cook understands the Town's responsibility to offer guidance, questions the town's responsibility to assist an individual in starting a junkyard business, they should be working that out with their personal legal counsel. Prentice clarifies that the town would just help with the process of filing the paperwork and compliance. Bruno suggests it appears the BOS is questioning the junkyards in town, is this a copout for these people? Goodson confirms without zoning, we can not prohibit junkyards from being established, but the opportunity to be an established junkyard business would enforce them to be compliant as a junk yard.

- Schedule Public Forum on Parks and Recreation Department – Goodson reads email from Jeremy Phillips, stating that recreation could play a big role in bringing vibrancy to town. Roberts wants to hear from the town, he personally would like to see a successful swim program. Goodson suggests that the swim program hinges on having a certified life guard, perhaps hiring a Rec Director that is a certified life guard would fill that need. Roberts questions if Rec Director would be a part time or full time position? Linda Cook mentioned it should have started as part time, seeing as the maintenance man takes care of the mowing and other duties. 40 hours is a lot to fill. Roberts says part time with seasonal full time might be an option. Prentice questions if there has been any conversation about sharing a Rec Director with Madison? Roberts says someone on the selectboard for Madison said they might be trying to revamp, is there room for a collaboration with surrounding towns? Student numbers in school have gone down, but this isn't just for kids. We could advertise that we need a public forum for town discussion. Roberts would like input from the community. Instead of inviting people to a BOS meeting, we should schedule a town meeting – sooner than later. Conversation ensued. Rec Department Public Forum scheduled for Thursday August 11th at 5:00 pm, put ad in paper, on exchange and website, flyers in library, post offices and local stores. Prentice offered to make a flyer.

ADMINISTRATOR REPORT:

- Account Balance: \$4,651,951

SIGNATURE FILE:

- A motion was made to approve Selectmen's Meeting Minutes for July 21, 2022 as amended by Selectman Roberts, seconded by Goodson. Roll Call Vote: Doucette yes, Goodson yes, Behr abstains, Prentice yes, Roberts yes.
- A motion was made to approve the Non-Public Minutes - RSA 91-A:3 II (a) Session #1, July 21st, 2022 by Selectman Roberts, seconded by Goodson. Roll Call Vote: Doucette yes, Goodson yes, Behr yes, Prentice abstain, Roberts yes.
- A motion was made to approve a Driveway Permit for Lot 211-55 on Depot Rd by Selectman Roberts, seconded by Prentice. Roll Call Vote: Doucette yes, Goodson yes, Behr yes, Prentice yes, Roberts yes.
- A motion was made to approve the Board of Selectmen meeting minutes from July 14th 2022 by Selectman Roberts, seconded by Prentice Roll Call Vote: Doucette yes, Goodson yes, Behr yes, Prentice yes, Roberts yes.
- A motion was made to approve Account Payable - \$22,284.82 by Selectman Roberts, seconded by Goodson. Roll Call Vote: Doucette yes, Goodson yes, Behr yes, Prentice yes, Roberts yes.

- Year to Date \$4,580,083.46

SELECTMEN'S UPDATE:

Doucette: Attended sewer commission meeting last Friday, continued discussions about hiring a septic designer to look at how the capacity was calculated originally and see if that was still valid. Been through this discussion many times but have not gotten to the point where they've started it and still haven't. A number of users of the system (4-5 people) have gotten together to fund this assessment. There was some concern between the people funding it and the sewer commission, would the people funding this assessment get something extra? Would the people funding this be bumped up on the list because many of them are seeking greater capacity? Sewer Commission is going to talk to counsel and have written agreement that clarifies any conditions that might come with this funding. This would take a number of months. The sewer commission did get an answer from DES on if they would accept the metered readings going into the system, and the answer was, no. There is only one way to calculate capacity, which is the way we've been doing it. Unfortunately, they will only accept what is on paper in handbook. Also had a meeting with chairman of fire wardens to better understand structure of the fire dept, he will be going back into website and read meeting minutes when able.

- Behr: Also went to the sewer commission meeting, there was an outside group forming to work out some of the issues with infrastructure. If we can't bring this system into compliance what can we do? We can't just leave as is, businesses are suffering. Discussion Ensued.
- Goodson: Preliminary sewer commission meeting was informal. They talked with Veno LaMontagne who does work with different grant opportunities and funding available right now such as ARPA, Gofer, EPA, Northern Borders which seems promising. Initial meeting was about first steps. First step is a feasibility study that an engineer would do on the town. Right now people in that group are looking into how to fund that. Second step is to contact the county commissioner on how much county ARPA money is available. Third step is to come up with a list of businesses that were prohibited from growth. This is just a group of people who saw a problem that seems unfixable, but are looking for solutions, as a town we have an obligation to be compliant with DES. They are looking at every single denial for septic applications, business and residential. Would this become a town entity or a sub committee of the Sewer Commission? Too soon to know if this is feasible. If it got to the point where this group would have to go through the selectboard and apply for grants, this would need to be an official committee. For now this is open to everyone. Doucette thought of another update regarding sewer commission: TCNA has submitted their change of use for a new facility, so now the sewer commission has 4-5 applications at least that they can not act on because there is no capacity. Has TCNA thought of the concept of a stand alone septic if there is no accessible capacity? Yes, that is the option they need to consider. This would be an underground concrete tank. How does TCNA get around the land deed saying they will stay on community system? Doucette believes that the town wanted people to stay on the town system to ensure a funding source to make repairs. If someone wants to get off that town system, the entity would likely still have to pay annual or quarterly fees to sewer system so that there is a constant funding system. Linda Cook asks if TCNA puts in a private septic system, who would own it, TCNA or the Town? Behr confirms, the town would own the building and the septic system, TCNA would just be fundraising to pay for it. Roberts says that raises a good question, who would be responsible for servicing it, maintaining it? Doucette says sewer commission or BOS might be faced in the future with questioning if there is new septic system being built for TCNA, would the townspeople want this building (all of it) to be on the same system to create capacity and take a load off the existing system? Financially, we'd be paying for 2 systems but only using one – but if that creates more capacity to have a vibrant downtown that might be an option. Linda Cook is not sure that would work.
- Prentice: CIP a big conversation regarding 2023/2024 are big years, a lot of discussion on where money will be whittled down out of departments. No decisions made yet because more questions came up about where things would be moved around to free up space. Personnel committee had its second meeting which went well, they have copies of policies from surrounding towns and comparing to Tamworth.

Personnel committee will meet again August 9th. Planning board meeting this week was standard business.

- Roberts: Talked to Road Agent Richard Roberts regarding discussions with Bruce Knox on designing bridge on Scott Rd, north of Chocorua Lake. Bruce came up with an option for a design that might save a couple hundred thousand dollars. This will be in the \$400,000 range rather than \$600,000 range. This is something that has to be done so that is good news. No update on Chinook Trail bridge on 1331A, but we can look into it.

PUBLIC INPUT:

Linda Cook wants to know if the other fire dept SUV is going out to bid. Roberts will look into that. Linda wanted confirmation that sewer commission will not accept meter readings, Doucette confirms correct. So, did the sewer commission go ahead and buy meters for all the buildings anyway? Doucette confirms no, those are water meters. With the recent heat wave, can you consider using ARPA funds that are already there to build the bathroom at the transfer station? You have the funds, the plan, the contract. Roberts confirms we will not look into that right now as it will interfere with the new transfer station plans.

Randall Dearborn is submitting a 91A request. On July 27th, 2022. I was in the Tamworth Town Office and witnessed Catherine Graham state that she was going to text Selectmen Lianne Prentice. I challenged her comment stating that no one should be text messaging and she stated that since she was not a town employee, she could text. 91-A request submitted for:

- All text messages to and from Selectmen Lianne Prentice, Town Administrator Keats Myer and Administrative Assistant Emily Verna to Catherine Graham starting May 2nd, 2022 to July 28th, 2022.
- The contract between the Town of Tamworth and Catherine Graham and a description of what training will take place and any progress reports.
- It was stated at the Selectmen's meeting on May 19th 2022 that training from Ms. Graham was half the cost of Municipal Resources, Inc. I am requesting a copy of the proposal from Municipal Resources, Inc. for the training of the Town Administrator, Keats Myer.

Madeline Siniscalchi questions why is Cathy Graham working if Keats is on vacation? Roberts confirms we will look into it. Goodson suggests the answer is Emily Verna is still new to the position, so it was helpful to have someone experienced in the office.

Linda Cook wants to know if we will continue with liaisons for each department? Roberts confirms as of right now, yes.

Madeline states that vacation time is approved by the BOS. Are you following a policy? Roberts confirms vacation time is normally awarded after 6 months of employment. The agreement with the Town Administrator was allowed this vacation, there are times when we go outside of the policy we have. Madeline suggests you are setting a precedence for future employees.

Linda Cook states she believes the policy is vacation time awarded after 1 year.

Randall questions what Cathy Graham is teaching/training and her credibility.

Bruno wants to know why there are so many Non-Public meetings both before and after the meeting? Roberts confirms the last 6 months have had a lot of topics come up that can not be discussed in public. Bruno wants to know if unsealed minutes are available to the public? The answer is yes, there is a book available to the public. Bruno wants to know why are some Non-Public scheduled before the public meeting, and then some after? Doucette confirms Non-Public meetings regarding personnel are usually scheduled first so that the staff person

can be here. The ones scheduled after may be things like Tax Liens. Bruno suggests tax liens should be made public, it would be an incentive for people to pay their taxes. Goodson confirms once tax liens are in the book, it has already happened and is available to the public. These Non-Public meetings might be regarding people's payment plans, or personal tax information that might not be public record at this point.

Roberts makes a motion to go into Non-Public under RSA 91-A:3 II (c) session 2, 3 and 4 at 7:07. Prentice seconded. Roll Call Vote: Doucette yes, Behr yes, Goodson yes, Prentice yes, Roberts yes. In Non-Public at 7:08 pm.

Roberts makes motion to leave Non-Public at 7:31 pm. Goodson second. Roll Call Vote: Doucette yes, Behr yes, Goodson yes, Prentice yes, Roberts yes. Minutes are not sealed.

Roberts makes a motion to adjourn.

ADJOURNMENT: 7:31 pm

MINUTES SUBMITTED BY: Emily Verny

Emery Roberts, Chair

Lianne Prentice

Karl Behr

Kelly Goodson

Richard Doucette
