

Town of Tamworth
Board of Selectmen's Meeting
March 22, 2012
Town Office

Members Present Robert Abraham, John Roberts and James Hidden

Others Present Administrator Cassandra Pearce, Police Chief Dan Poirier, Road Agent Richard Roberts, Parks & Recreation Director H. Parker Roberts, Bruno Siniscalchi, Ruth Timchak, John Gotjen, William Farnum, Pat Farley, Karen McNiff, Ernest Mills, Sam Martin and Anne Abear.

Robert Abraham opened the meeting at 4:00 p.m.

Members of the Board welcomed James S. Hidden as Tamworth's newly elected Selectman.

Election of Officers &
Ex-Officios for the Selectmen

J Roberts moved and J Hidden supported to appoint R Abraham as Chairman of the Board of Selectmen through March 2013. Vote was unanimous. Motion passed.

R Abraham moved and J Roberts supported to appoint J Hidden as the ex-officio to the Planning Board. Vote was unanimous. Motion passed.

J Roberts moved and J Hidden supported to appoint R Abraham as the ex-officio to the Conservation Commission. Vote was unanimous. Motion passed.

R Abraham moved and J Hidden supported to appoint J Roberts as alternate ex-officio to the Planning Board. Vote was unanimous. Motion passed.

The Board requested and P Farley accepted her appointment to remain as the representative to the Mt. Washington Valley's Economic Development Council.

R Abraham was selected for ex-officio of the following other committees:

1. Capital Improvement Committee
2. Tamworth School – Superintendent communicator

J Hidden was selected as ex officio to the Economic Development Committee.

J Roberts was selected as ex officio to the Joint Loss Management Committee , the Cook Memorial Library and Long Range Planning Committee.

Departmental Reports

Police Department – Chief Dan Poirier

1. The new cruiser has been order from Crest Auto (which currently has the State bid pricing) and will take an estimated 60 – 90 days for delivery. J Hidden requested an

auxiliary battery be placed in the new vehicle due to the excess power supply needed by the equipment on the vehicle. J Roberts recommended Chief Poirier check with Crest Auto to see if it can be added into the order.

2. A thank you went out to the Fire Department for splitting the bill and paying ½ of the repairs necessary for the Tahoe that they will be taking from the Police Department when the new vehicle arrives.
3. The Town currently has a person who has been ordered to do 80 hours of community service. The trash bags and vests to pick up roadways have been supplied by the highway department and will be picked up daily by the highway department. Chief Poirier was requested to see if the person could do some raking around the Town Office.

Highway Department – Richard Roberts

1. An advertisement for the full time position that was approved at Town Meeting was viewed by the Board. The Board discussed requesting the applications to come into the Town Office sealed. After some consideration, the ad was approved and the applications will be requested to be sealed.
2. R Abraham discussed an email from David Haskell in reference to the sweeping of the roadway in front of the S. Tamworth Community Church. R Roberts advised that the highway crew would get to the area as soon as possible.
3. The Board discussed sweeping and R Roberts advised that two prices were being sought for an hourly basis pricing to sweep the Town roadways. A discussion regarding the sweeping at the KA Brett School took place. After consideration of the costs associated with the sweeping at the school, the Board recommended the highway department take on the task of cleaning up the school's driveway and to have this be one of the first areas that are swept. Sweeping is planned for the middle of April.
4. The Board thanked Gordon White for removing the post that was broken by the Town during the plowing at the KA Brett School during this past season.
5. The Board authorized R Roberts to move forward with getting prices for a crusher to be utilized at the Town garage.
6. J Roberts inquired about culvert work to be done and recommended the highway department start with Gregg's Way as the homeowners along this roadway have been patient with the Town on getting this job completed.

Parks & Recreation – H. Parker Roberts

1. H. Parker Roberts discussed the ad for painting to be done at the Town House. The Board requested he move forward with the creation of the advertisement and requested that the bid specs and contractor selected knew the priority of security any ladders and staging at the end of each day to prevent the possibility of anyone climbing on the items after the contractor leaves.
2. Voting at the Townhouse was a success.

Public Comment

1. P Farley advised that every 2 years a meeting of LRPC is held in a different location throughout the State. On 3/26/2012 at 6:00 p.m. LRPC will hold a meeting at the Tri County Cap building and members of the Board and other committees are

encouraged to attend the meeting for discussions on regionalization and sidewalks/pathways.

2. The Board was reminded of the Economic Development Commission's BIG Event scheduled for April 21, 2012 at the Town House from 10:00 a.m. – 12:00 p.m. Further advertisements will be going out to the public soon. If this meeting is successfully, it may lead to additional meeting/seminars being held .

Selectmen's Update

1. J Roberts had nothing to report at this time.
2. R Abraham gave an overview to J Hidden regarding several different items that the Board have been dealing with recently to include:
 - a. Town Treasurer –
 - i. The disagreement in interpretation between the treasurer and the Board of Selectmen regarding investing in the NH PDIP and the Board's decision within the policy to make sure that all funds held by the Treasurer are not invested there at this time. It was reported that to date, only some of the funds have been removed from the NH PDIP and the Town required bonds are still held there; even though the investment policy states no funds will be held at the NH PDIP. R Abraham advised J Hidden that he was not in favor of this decision by the Board, but was overruled by the other members; therefore, the policy was approved with the understanding that no funds would be held on deposit at the NH PDIP.
 - ii. All the treasurer files stored under the desk in the office conference room have been relocated to a more secure area so that they are not assessable to the general public.
 - iii. The mailing address on mail for the Town Treasurer has been requested to be changed from a private PO Box 55 to the Town's address of 84 Main Street – with the agreement that the mail would not be opened by the office staff. To date, it is the understanding of the Board that only two banks have changed the mailing address as required by the Town's investment policy.
 - iv. J Hidden was requested to view and become familiar with the investment policy prior to the next meeting.

UPDATE given by R Abraham regarding treasurer's court case:

R Abraham called attorney R Sager this past Monday after receiving a call from the Town Treasurer who said all addresses had been changed. R Abraham advised R Sager, who concurred, that R Abraham could discuss this with the Treasurer.

R Abraham called the Treasurer after discussions with attorney R Sager to advise her that the address changes were non-negotiable and needed to be changed. The Town Treasurer was requested to have an address change confirmation faxed to the Town Attorney from the banks that are being utilized by the Town and thought it would have been taken care of by the end of this week.

J Roberts advised that the Selectmen made a decision to request attorney Sager to file a contempt of court against the Town Treasurer as she continues to not

follow the court order to follow the investment policy and change the addresses. R Abraham advised the attorney stated that the court does not want to spend time dealing with this issue.

3. Water for the Veteran's Memorial – Main Street

R Abraham presented an email for the Board to view from David Haskell with several excerpts from May 19, 2005 Selectmen's meetings regarding the water at the Veteran's Memorial park being turned on and off since that time. J Roberts advised that it was the Board of Selectmen who requested the water to be turned off at the park after receiving a letter from the LR Water Co. advising that the water was hooked up and being utilized without their authorization. The memorial is a great tribute to Tamworth's Veterans, but the issue of that monument continues from problems of watering the lawn to the yield sign. J Roberts indicated David Haskell is telling one side of the story within this email and did when he placed articles in the papers.

The Board discussed setting up a meeting with LR Water Co. for the purpose of discussing this issue. R Abraham indicated he would contact them directly. After some discussion of who should contact LR Water Co. and how other appointments are made for Selectmen's agenda items, it was disclosed that prior items to include calling on the paving road bond has caused a problem between the Town and the LR Water Co. C Pearce inquired if R Abraham thought that this bond was recalled by the town office staff, because if he did, that was incorrect. It was a decision made by the Board of Selectmen to call on that bond due to the roadway not being repaired adequately when the line was put in.

The Town Office staff was requested to contact LR Water Co., Veteran's Memorial Committee and cemetery Trustees to come to a meeting of the Board to discuss the issue of the water for the monument property. J Gotjen thought that the reason the water being utilized at the monument was an issue was due to the ban on the use of the water by LR Water Co.

4. R Abraham requested a Town Office key be given to Paul King as Chairman of the Road Study Committee.
5. A letter has been received from an attorney representing
6. George Ricker regarding the work being done at the "stump dump" property and the approvals that they have received for the new business on the property. R Abraham indicated the property is being leased by the company. The Board will view the permit that was issued by the State of NH for this property. C Pearce will send a letter of inquiry to the company that has received the permit from the State; copying the information to Mr. Ricker's attorney. R Abraham will take a drive by the property to view the area.

Public Comment

1. Ernie Mills attended the meeting to express to the Board a concern that may be discussed later in the meeting regarding contempt by the Town Office. Specifically, two pieces of mail that had been opened after an agreement has been made not to

open the mail of the treasurer. He continued by stating he recommended Mary Mills to take action which at this time, she has not.

Anne Abear advised she was the person who opened the mail and did not feel it appropriate to have to defend herself in front of the public regarding this matter. R Abraham advised this would be discussed later in the meeting. Anne Abear expressed concern of Mary Mills sending her spouse into the meeting to deal with her concern.

John Roberts advised the public was hearing one side of the story and explained that at the request of Mary Mills the Board had discussed the issues in public. Ernie Mills agreed Mary Mills wanted it discussed in public and stated he did not feel Mary Mills has done anything wrong.

R Abraham explained that the Board was looking for Mary Mills to follow the investment policy and even though she is working on it, he was hoping it would be a little further along than what it is. R Abraham indicated Mary Mills has had problems with the Town Office, of which Ernest Mills agreed and that too would be addressed later in the meeting.

Ernest Mills advised it was a contempt of court {that the mail was opened} as he had seen the court order. C Pearce disagreed advising it was not a court order.

R Abraham ended the discussion.

2. Mr. William Farnum advised he did not appreciate ½ of the truth information being placed in the paper as what has been done by David Haskell specifically regarding the water at the Veteran's Memorial. W Farnum advised that the LR Water Company contacted the Town through a letter that the water was illegally being utilized at the monument as permission had not been received from LR Water Co to utilize water from the UU Church. Further, it was reported that the UU Church had to put a notice on the door advises the water was not to be turned back on. Mr. Farnum indicated most veterans give an honest answer; this is not the case with Mr. David Haskell.

Administration

Administrator Cassandra Pearce discussed the following with the Board:

1. A wedding is planned on Chocorua Lake Bridge on Saturday, March 24, 2012 at 4:00 p.m.
2. J Hidden will attend the local official's workshop in Moultonborough.
3. J Hidden plans to attend the Selectmen's Institute classes in Concord.
4. The Board decided they would attend a meeting with the Town Clerk for the purpose of viewing a webinar for the electronic payment option of taxes on April 16, 2012 beginning at 9:00 a.m.
5. A letter of agreement was signed with HE Bergeron for the monitoring at the old landfill.
6. An intent to excavate was signed for map 201 lot 039.
7. An intent to cut was signed for map 414 lot 053.
8. An intent to cut was signed for map 410 lot 167.

9. A veterans' tax credit was approved for map 206 lot 079.
10. A current use application for map 205 lot 031 was signed.
11. A current use application for map 414 lot 015 was signed.
12. A current use application for map 410 lots 115 – 003 & 004 was signed.
13. A land use change tax for map 401 lot 047 in the amount of \$5,000 was signed.
14. A timber tax warrant in the amount of \$164.62 was signed.
15. A timber tax warrant in the amount of \$651.19 was signed.
16. The 2012 MS2 was signed.
17. *J Roberts moved and R Abraham supported to approve a payroll manifest for pay date 3/22/2012 in the amount of \$18,935.62 which includes a transfer of \$11,809.35 for direct deposit and further to approve a transfer in the amount of \$5,761.95 for the federal tax deposit. Vote was unanimous. Motion passed.*
18. *J Roberts moved and R Abraham supported to approve an accounts payable check register in the amount of \$217,112.78. Vote was unanimous. Motion passed.*
19. *J Roberts moved and R Abraham supported to approve an accounts payable manifest in the amount of \$217,112.78. Vote was unanimous. Motion passed.*
20. *J Roberts moved and R Abraham supported to approve an accounts payable check register in the amount of \$608. Vote was unanimous. Motion passed.*
21. *J Roberts moved and R Abraham supported to approve an accounts payable manifest in the amount of \$608. Vote was unanimous. Motion passed.*
22. *J Roberts moved and R Abraham supported to accept the minutes of the March 8, 2012 as written. Vote was 2-0-1. Motion passed.*
23. *J Roberts moved and R Abraham supported to accept the non-public minutes of the March 8, 2012 as written. Vote was 2-0-1. Motion passed.*
24. C Pearce disbursed a draft internal control policy for the Board to review prior to the next meeting.
25. The Board will receive a copy of the project lists for the coming year for discussion at the next meeting.

Non-Public Session

R Abraham moved and J Roberts supported to move into a non-public session per RSA 91:A 3 II a & c. Vote was: Abraham, Yes, Roberts, Yes, Hidden, Yes. Motion passed. This motion was made at 5:22 p.m.

R Abraham moved and J Roberts supported to adjourn the non-public session at 6:15 p.m. Vote was unanimous. Motion passed.

The Board approved the wages for the Town employees effective in the checks of 4/5/2012 as approved by Town Meeting.

The Board requested a letter be submitted to the Police Chief for the personnel acknowledgement forms of the new drug and alcohol policy to be signed and returned no later than April 2.

No further decisions were made during this session.

Adjournment

R Abraham moved and J Roberts supported to adjourn the meeting at 6:15 p.m. Vote was unanimous. Motion passed.

Respectfully submitted,
Anne M. Abear

Approved by the Board of Selectmen: 4/5/2012

Robert Abraham

John Roberts

James Hidden