

Town of Tamworth
Board of Selectmen's Meeting
Town Office
April 5, 2012

Members Present Robert Abraham, John Roberts and James Hidden

Others Present Administrator Cassandra Pearce, Police Chief Dan Poirier, Treasurer Mary Mills, Road Agent Richard Roberts, Fire Chief Richard Colcord, Recreation Director H. Parker Roberts, Dana Littlefield, Ruth Timchak, Patricia Farley, John Gotjen, Bruno Siniscalchi, David Bowles, John Mersfelder, David Haskell, Mark Albee, John Wheeler, Sam Martin, Anne Abear and other members of the community.

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

Department Updates

Police Chief Poirier discussed the following with the Board:

1. March 2012 stats for the police department.
2. A report that the new Animal Control officer – Jo Anne Gayer is working out well.
3. The Board discussed the recommendation from the last meeting to place an auxiliary battery within the cruiser that was recently ordered. Chief Poirier advised that the order had already been placed and at this time it is unable to be placed into the vehicle prior to delivery. The new vehicle is expected to be delivered by the end of May or the beginning of June. In addition to the recent work done on the old cruiser, it appears the vehicle now also needs brakes.
4. Chief Poirier discussed the memorandum received from the Selectmen regarding the employees of the police department signing off on their understanding of the revised drug and alcohol policy. He continued by stating that the employees of the police department have not received all answers to their questions and that they would like time to discuss this further with the Selectmen. The Board decided they would have an employee meeting on April 19, 2012 beginning at 3:00 p.m. to answer any questions that the employees may have.

Fire Chief Colcord discussed the following with the Board:

1. Expressed the desire to attend the meeting of the Board with other employees on April 19 regarding the drug & alcohol policy amendments. R Abraham indicated the policy would be amended with a table that is in the policy being removed.
2. Expects a proposal from Pope Security for the town house system by the end of next week.
3. Chief Colcord advised he spoke to Huggins Hospital about drug testing and that there are specific times that testing can be done. R Abraham indicated that it may be a case in which the testing would be done at Memorial Hospital.
4. Dana Littlefield indicated that the current administrator under LRGH in Laconia could issue a blanket testing allowance for the Tamworth employees who arrive at the hospital for this type of testing.
5. Chief Poirier expressed his concern regarding an employee returning to work immediately after a drug screen without the receipt of a negative test and the potential for another incident/accident from occurring. The Board felt this could be

at the discretion of the Department Supervisor. Dana Littlefield indicated that an employee should be medically cleared to return to work.

6. Chief Poirier again expressed concern with the embarrassment of taking an employee (specifically police department personnel) for a drug test.
7. C Pearce recommended having a representative of LRGH at the meeting of April 19 to assist in answering questions of the Board and the employees.
8. R Colcord discussed the easement over State land between the State of NH, Dred and Tamworth for the fire tower. He indicated that he is unaware of any item to be signed by the Town for this easement. D Bowles reiterated his understanding of no signatures being required from the Town.

D Bowles indicated that the easement has gone before Governor and Counsel and has been approved. He awaits the paperwork. The electrical and radio installation contractors have already been selected.

It was agreed upon by D Bowles, Chief Colcord and members of the Board that any agreements or signatures required for this project on behalf of the Town would be that of the Selectmen, not the fire wards. J Roberts expressed that any easement given would be to the Town of Tamworth, not the Tamworth Fire Department. The Town should additionally be copied on any paperwork that is received from the State by the fire department.

Richard Roberts discussed the following with the Board:

1. The tree cutting at the highway garage property has been completed.
2. Some of the main roadways in Town will have the bans removed.
3. Sweeping continues throughout the Town.
4. A tree on Durrell Road near the home park has been determined to be owned by the Town and will need to be removed. J Roberts indicated there were several trees in the community that need to be addressed including one near the Nordeen property that was reported quite some time ago and awaits to be taken down.
5. The Board discussed cutting taking place near Hank Letarte's property.
6. Chief Poirier indicated that the trees damaged during a recent motor vehicle accident will also need to be removed.
7. The Board approved a driveway permit for map 402 lot 024. J Roberts reminded R Roberts that the driveway entrance needed to be paved.

Parker Roberts discussed the following with the Board:

1. The advertisement for the painting at the Town House was discussed. The Board requested that the specs include bid requests for both brushing and spraying the building. Members of the Board expressed concerns with spraying the building with the possibility of overspray taking place. The Board requested the type of paint to be Benjamin Moore or equivalent, and the contractor must have a minimum \$1,000,000 insurance policy.

Public Comment

1. Patricia Farley discussed the electrical needs for the fire tower which will also hold an antenna for the Tamworth Wireless. She inquired if the tower had any security measures to prevent vandalism. The Board advised that there was no security at

this time. David Bowles indicated that Tamworth Wireless will be placing a camera on the tower at no cost to the Town. P Roberts indicated that the cameras need to be appropriate to work day or night. D Littlefield agreed that the area is very assessable to the public.

Zoning Board of Adjustment

John Mersfelder met with the Board to discuss the reappointment of individuals to the ZBA and the information regarding other members of the Board who may not live in Town or who have not attended meetings for some time. The Board requested letters of interest be submitted to two individuals to see if they still had an interest in serving on the ZBA. Members of the Board agreed to reappoint Leanne Prentice and Tom Daley to the Zoning Board of Adjustment. Letters will be sent to Harry Miller and Danny Dineen.

Veteran's Memorial Watering Issue

The Board anticipated the presence of representatives of LRWC to discuss the water being turned on from the UU Church to the memorial at this meeting. Since representatives of LRWC were unavailable, the Board discussed with the Cemetery and Town Trustees new and old regarding the water issue. R Abraham indicated he sent a fax to the Public Utilities Commission (PUC) explaining the desire of the community to have a seasonal connection for watering of the lawn and plants at the memorial. He continued by indicating that the request for a season connection/usage would have to come from LRWC to the PUC and not from the user (the Town). R Abraham indicated a possible solution being a shallow well being installed. He state that was not practical at this time. The Board discussed metering the water usage. David Haskell advised there are no other meters in the community. David Bowles advised that during his conversations with NH DES, authorization was given as long as it was acceptable with the PUC.

The PUC has in the past allowed for a discounted seasonal rate in communities for the purpose of use of water at cemeteries, but did not believe that was offered by LRWC within the Tamworth community. David Bowles and members of the Board were agreeable the recommendation to send a letter to LRWC asking that they work on an agreement with the PUC for the water usage at a discounted rate and for seasonal purposes.

It was reported that the hook up at the UU Church was done by Boothby Plumbing and not by John E Roberts Excavating. At this time, John Wheeler reported that there is not been any amendments to the agreement that was made between the Town and the UU Church.

The Board requested contact be made again by the Town Office to LRWC to request that they attend the next meeting of the Board.

Town Treasurer

The Board met with Town Treasurer Mary Mills at her request. She thanked the Board for their time, welcomed the newest members of the Selectmen, James Hidden and expressed her satisfaction with the elections and the new Board. She continued by

indicating she had written a letter to the editor recently and hoped that everyone could work together. M Mills advised that there are issues before them:

1. The Town has gone to paperless with the banks; therefore, there is no documents coming in the mail. C Pearce and R Abraham indicated they disagreed and that although items may be printed off the internet, there is still a potential that items will need to be mailed to the Treasurer. The Board reiterated the need to have the mailing addresses of all accounts changed from the personal PO Box of Mary Mills to the Town's address. M Mills indicated that the account addresses cannot be changed at the local branch and as of the statement of March 30, 2012, the only account that had been changed was that of MVSb.

M Mills again expressed that there was no urgency and that there is proof with the attorney that letters have been sent to the banks requesting that the addresses be changed.

The Board indicated that if the banks are refusing to change the addresses as the Town Treasurer is requesting, that there is a possibility that the funds should not remain in those banks.

R Abraham advised that the order of the court was set with the deadline as to when M Mills was to change the addresses on the accounts. The date has passed and now M Mills is in contempt of court from this order. M Mills inquired if it was worth spending Town funds on legal fees for this? The Board agreed it was and J Roberts advised that the full Board of Selectmen agreed with the investment policy. R Abraham stated he had a conversation with M Mills after communication with Town Attorney and he felt that he expressed the importance of her following through with the requirement promptly. J Roberts reminded M Mills that the contempt of court filed requests that the M Mills personally reimburse the Town for all legal fees that are expended while she is in contempt of court. Further, he made a statement to the Board indicating that Mary Mills had put the Selectmen and the Town into the legal position and the requirement of the investment policy for mail to come to the Town Office.

M Mills indicated she could not do the jobs of the banks and that she can only request that they make the changes. R Abraham stated he would be at the bank first thing tomorrow and request the addresses be changed. M Mills stated she did not have time to do that.

2. M Mills discussed the treasurer file boxes that were placed under the Treasurer's desk. She indicated one of the reasons they were left there was due to the fact that she and other elected officials had been informed that there was no room in the storage area of the basement for these items. She stated she did place them in the storage area and the last time that she looked for the items, she was unable to locate one box that were placed downstairs.
3. M Mills advised that the investment policy is only for one position within Town and pointed out that the Trustee of Trust Funds receive mail at home.

4. M Mills discussed RSA 33:A in which she stated details that the Town is not in compliance with as it requires the Town to have a committee to determine the disposition of records.
5. J Roberts expressed that the Board had requested M Mills to come into meet with them on several occasions. M Mills indicated she had been requested twice and explained why she was unavailable.
6. J Roberts spoke to M Mills and indicated that as she does not like the investment policy that has been established, she is trying to skirt around the issues pertaining to the requirements of the policy and coming up with all kinds of other problems. He continued by indicating that the Selectmen will deal with the other issues, but would like to settle the current issue before them.
7. M Mills indicated the Town is broken due to the lack of communication and stability. She continued by requesting the Selectmen to consider a study by NH LGC as has been recommended by her before. She expressed concern with the way policies are being written up and indicated there was a proper way including inviting everyone to be involved in the process.
8. R Abraham discussed the Selectmen's meeting of 3/22/2012 in which Ernest Mills (M Mills' husband) attended and made accusations that the Town Office staff was in contempt of court. He continued by indicating that there is no official legal violation that has taken place by the office staff. M Mills indicated that there were grounds for a violation. The Board indicated that was at M Mills discretion.

Updates

1. J Roberts advised he had not attended other meetings since the last Selectmen's Meeting, but plans to attend the Cook Library meeting next week.
2. J Hidden attended the recent planning board meeting in which they selected officers, considered a lot merger and discussed the build out analysis as approved by Town Meeting.
3. P Farley updated the Board regarding the BIG (Business Idea Generator) workshop scheduled for April 21, 2012 at the Town House. She advised fliers have gone out. She discussed several representatives who would be present at the meeting to include USDS Rural Development, financial institutions, and members of the Mt. Washington Valley Economic Development Committee.
4. P Farley discussed the updated membership of the Tamworth Economic Development Commission and advised she would send a new contact list for appointment updates to the Town Office.
5. R Abraham and P Farley discussed the recent meeting of LRPC regarding trail ways and bike paths. The proposal is to paint the pedestrian and bike paths differently on the shoulders of the roadway and to narrow the traveled way of traffic. Additionally, the meeting discussed ideas regarding consolidation of services between Towns for the use of equipment, fuel purchases, and other areas.
6. LRPC will hold their annual meeting on June 25 and a Tamworth business is being considered as a recipient of the Achievement of Excellence Award.

Project Listing

The Board viewed and added items to their proposed project listing for the coming year. Items included the Chocorua Community Project, the Road Study Committee, meeting with owners of the old stump

dump property off Route 41, placing a flag pole at the Town House and employee health insurance review.

The Board discussed the Road Study Committee and R Abraham indicated it would be a good idea to digitize the records of the Town in the future. R Abraham indicated that Paul King has refused a key to the Town Office, David Little and Chris Conrod and other members of the Road Study Committee are doing a great job. It is anticipated that the project will take a couple of years to complete.

Administrative

1. The Board signed an agreement for the Town Clerk/Tax Collector's office to lease/purchase a copier for \$40/month with the balance being placed in the 2013 budget for purchasing the equipment in 2013.
2. *R Abraham moved and J Hidden supported approved an abatement for map 211-014-018 as presented. Vote was unanimous. Motion passed.*
3. The Board reviewed and signed two letters of support for SB-218 as requested by Pine Tree Power Co.
4. A memorandum was signed by the Board addressed to the Town Treasurer to close out a timber bond.
5. *J Roberts moved and J Hidden supported to reappoint Nelson O'Bryan and Bill Batchelder to the Conservation Commission. Vote was unanimous. Motion passed.*
6. An intent to cut was signed for map 217 lot 052.
7. An intent to cut was signed for map 421 lots 001, 002, & 005 and Map 420 lot 010.
8. An intent to excavate was signed for map 210 lot 003.
9. A timber tax levy in the amount of \$6,337.47 was signed.
10. A timber tax levy in the amount of \$1,399.44 was signed.

Non-Public Session

R Abraham moved and J Hidden supported to enter into a non-public session at 6:10 p.m. per RSA 91-A: 3 II c. Vote: Abraham, Yes, Roberts, Yes, Hidden, Yes. Motion passed.

R Abraham moved and J Hidden supported to adjourn the non-public session at 6:26 p.m. Vote was unanimous. Motion passed.

No decision were made during this non-public session.

Administrative

1. *R Abraham moved and J Hidden supported to approve a payroll manifest in the amount of \$19,715.67 for payroll check date 4/5/2012, a transfer in the amount of \$13,328.34 for direct deposit and a transfer of \$6,052.09 for the federal tax deposit. Vote was unanimous. Motion passed.*
2. *R Abraham moved and J Hidden supported to approve an accounts payable manifest in the amount of \$240,014.93 for checks dated 4/5/12. Vote was unanimous. Motion passed.*
3. *R Abraham moved and J Hidden supported to approve an accounts payable check register in the amount of \$240,014.93 for checks dated 4/5/12. Vote was unanimous. Motion passed.*
4. *R Abraham moved and J Hidden supported to approve the non-public minutes of 3/22/12 as written. Vote was unanimous. Motion passed.*

5. *R Abraham moved and J Hidden supported to approve the regular meeting minutes of March 22, 2012 as amended as recommended by Anne Abear regarding the conversation with Ernest Mills. Vote was unanimous. Motion passed.*
6. The Board was informed about an extension request letter received from Ellen Moot for her intent to cut for map 407 lot 093.
7. The Board reviewed and advised that the internal controls policy as presented at the last meeting is a great base starting policy and indicated it could always be updated in the future as needed. *R Abraham moved and J Hidden supported to adopt the internal controls policy as a basis for future guidelines. Vote was unanimous. Motion passed.*
8. The Board discussed the open position on the Board of Trustees of Trust Funds. J Roberts advised William Farnum was interested in filling the position. *J Roberts moved and J Hidden supported to appoint William Farnum as a Town Trustee to fill the vacancy on that Board until the next election in March of 2013. Vote was 2-1-0. Motion passed.*
9. J Roberts advised that the cemetery and town trustees have held a couple of meetings regarding mowing and that the same individuals who mowed last year will be utilized this year; all were requested to provide certificates of insurance on file prior to starting and Mark Albee will take over the cemetery maintenance program and will be looking for volunteers soon.

Non-Public
Session

R Abraham moved and J Hidden supported to enter into a non-public session at 6:40 p.m. per RSA 91-A: 3 II c. Vote: Abraham, Yes, Roberts, Yes, Hidden, Yes. Motion passed.

R Abraham moved and J Hidden supported to adjourn the non-public session at 6:49 p.m. Vote was unanimous. Motion passed.

No decisions were made during this non-public session

Adjournment

R Abraham moved and J Hidden supported to adjourn the meeting at 6:49 p.m. Vote was unanimous. Motion passed.

Respectfully submitted,
Anne M. Abear

Approved by the Board of Selectmen: 4/19/2012

Robert Abraham

John Roberts

James Hidden