

Town of Tamworth  
Board of Selectmen's Meeting  
May 17, 2012  
Town Office

Members Present                      Robert Abraham, John Roberts and James Hidden

Others Present                      Administrator Cassandra Pearce, Chief Daniel Poirier, Road Agent Richard Roberts, Kim Trammell, Steve Gray, Brenda Robinson, John Wheeler, Ned Beecher, John Mersfelder, Mike Lowrey, Jill Lavoie, Bruno Siniscalchi, Ruth Timchak, and other members of the public.

*R Abraham opened the meeting at 3:59 p.m.*

Brenda Robinson –  
Tamworth Swim Program                      Brenda Robinson and Steve Gray attended the meeting to discuss an Authorized Provider Agreement between the Town of Tamworth and the American Red Cross. This type of agreement is now required to be signed by all swim program providers who utilize the standards of the American Red Cross. Most Towns who utilize these programs already have the contracts. This agreement is not for CPR/FA certification, it is solely for the swim program. The certifications for CPR/FA are currently being taught by Steve Gray. The Board was advised that this agreement is with the Red Cross, not with the State of NH. The agreement allows for a 30 day break in contract stipulation within the agreement. Due to the management changes which have taken place within the structure of the American Red Cross, several organizations across the country have left the American Red Cross. B Robinson advised this agreement is for one year and the swim program may not be the program that the Tamworth Swim Program follows in the future.

The Board authorized Brenda Robinson to sign agreement.

Richard Roberts-  
Highway Department                      R Roberts reported on the screening which has begun of sand at the highway garage. Currently the equipment is being rented from Bob Davis.

Town of Tamworth – Board of Selectmen's Meeting  
May 17, 2012

FR Carroll is working on placing Tamworth on their list of projects that will begin soon. It was reported that most roads will be shimmed due to the expense associated with paving. The Board discussed the catch basin that will need to be put in along Depot Road. Marsh Lane will be realigned.

Roadside mowing will be done utilizing a rented tractor beginning in August.

The Board approved two driveway permits for map 212 lots 031 & 045.

Dan Poirier-  
Police Department

Chief Poirier discussed a grant that has been offered to the Tamworth Police Department for the purchase of new radios. The funds that were allocated will allow the department to receive two new radios. These radios will be new to the department and will not at this time be replacements of any of the current equipment.

Non-Public Session

*R Abraham moved and J Hidden supported to move into a non-public session per RSA 91 A:3 II c. This motion was made at 4:19 p.m. Vote was Abraham, Yes, Roberts, Yes, Hidden, Yes. Motion passed.*

*R Abraham moved and J Hidden supported to adjourn the session at 4:27 p.m. Vote was unanimous. Motion passed.*

No decisions were made during this session.

Personnel Policy –  
Drug & Alcohol Policy

*R Abraham moved and J Hidden supported to adopt the revised drug and alcohol policy for employees of the Town by amending the post accident section of the policy and removing the chart which signifies when testing will be accomplished. Vote was unanimous. Motion passed.*

As this policy has been approved and adopted by the Fire Wards, it will be in effect for all employees of the fire department including the volunteers.

## Selectmen's Updates

1. J Hidden advised the recent meeting of the Economic Development Committee held last week was a review of the BIG Event which was held.
2. J Hidden advised that the planning board meeting held last night discussed a letter from FEMA regarding the updating of the maps and what could and could not be forwarded to FEMA. The planning board has decided to move forward with sending a letter on their own.
3. John Roberts discussed the Trustee of Trust Funds and the Cemetery Trustees meeting held recently and indicated that it was reported that Alexander Cook has indicated she would be resigning from her position as Town Trustee. Thus far, a resignation has not been received.
4. It has been determined that the water issue at the Veteran's Memorial should be under the authority of the Trustees of Trust Funds. This warrant article was passed in 1986 and all future dealings pertaining to the water issue at the monument will be addressed by the Town Trustees. J Roberts indicated the last status of the seasonal water hookup at the memorial was that the Town was waiting for a copy of the letter that was sent to the PUC from LR Water Co. R Abraham advised he had put in another call to the LRWC and has not received a return call. R Abraham agrees to pass on the information to the trustees.
5. R Abraham had a meeting with the Superintendent of the SAU who reported on several problems which have occurred recently to include a freezer going bad, a failed monitor on the fuel tank, and a septic pump failure.
6. Currently the SAU is working on a flow of communications plan for the purpose of keeping essential individuals and offices aware of emergency issues that may take place at the school when children are present. The Town Office may be considered within the general notification policy to allow residents/parents to call to acquire information regarding what may be going on at the school to prevent unnecessary alarm by the public.
7. A joint board meeting was held with MRI who is still working on some of the financial records to clear them up and assist the SAU

follow through on the writing of cash and other policies to prevent any problems in the future.

8. A report has been made by the SAU that they are having difficulties finding a bus driver for a bus that is owned by the KA Brett School and at times it has been necessary for the principle of the school to drive the bus to insure transportation of some students – further it was reported that some parents have received reimbursements for driving their children to school. A suggestion from the SAU Office was to certify a couple of the current employees to allow them to drive the bus if needed.
9. The new superintendent has recently attended meetings with the School Boards and the meetings being held with MRI.
10. The appointments have not been made for the study committees to review the possibility of creating a cooperative district or to withdraw from SAU #13.
11. R Abraham attended the recent Conservation Commission Meeting and the Board will be meeting with Ned Beecher later in this meeting to discuss the Chocorua Valley Lumber property.

Public Comment

R Timchek discussed the recent planning board meeting in which a letter was received by that Board asking David Little to recues himself from the Board during a public hearing in which Paul King was representing a taxpayer. She continued by advising that an apology was given by David Little to Paul King after a vote was made by members of the Board indicating they did not see the need for David Little to recues himself.

Ned Beecher-  
Conservation Commission  
Chocorua Valley Lumber

N Beecher attended the meeting to discuss information and penalties associated with the wetlands violation which occurred on the property of Chocorua Valley Lumber. He gave background information with dates of visits, letters and the initial report of the violations and how the violations were discovered. The Board currently has an ongoing and compounding penalty that is being assessed at \$100/day. The current fine has accumulated to approximately \$75,000. The Board with N Beecher discussed the possibility of collecting the fine at this time and utilizing it as leverage to continue the company on task of correcting the

violations. After further discussion, the Board indicated they would prefer to see the funds utilized by the landowner to fix the property and not ask for the penalty at this time. As neither Board, nor N Beecher knew of the financial situation of the company, they felt this to be appropriate. The violation area is equivalent to 2.68 acres and is the 3<sup>rd</sup> violation by this individual landowner. N Beecher indicated that a SUP has been filed through the planning board and is being reviewed by the conservation commission. The Board decided they would invite the property owner to a meeting of the Board to discuss the current conditions of the property, future plans and the penalty that remains in effect.

R Hammond discussed a possible solution would be a performance bond being issued to the Town on behalf of the company.

Ned Beecher –  
Conservation Commission  
Conservation Easements

N Beecher discussed the current negotiations taking place with Robert Floyd of South Tamworth to consider a conservation easement for more of his property for the preservation of land. The current area is north of the highway near the campground. The effect on the tax base is that if the area is not in current use, it will be taxed at a current use status for valuation. The commission utilizes funds within their budget to cover costs and if they do not have enough within the budget they utilize the funds that they have set aside within the NHPDIP for the purpose of acquiring property. The Board agreed they wanted to maintain this property under a conservation easement and authorized the Commission to move forward.

John Wheeler, Jill Lavoie &  
Mike Lauwee – 2011 Audit  
Findings

Members of the Board met with J Wheeler representing the Town Trustees and Jill Lavoie and Mike Lowrey representing the Cook Library. The Board discussed the need for both boards to close out their interest revenue as it is earned at the end of the year. Funds that are earned in 2011 should be posted by the end of 2011 and not in the year 2012. All understood this finding and advised it would be done. Further, it was

Town of Tamworth – Board of Selectmen’s Meeting  
May 17, 2012

discussed that the chart of accounts that are being utilized by the Cook Library needed to be revamped to follow the municipal accounting guidelines for numbering. The Town Office will offer to work with the bookkeeper at the library to correct the accounting lines.

Further, J Wheeler has agreed to change the mailing address for the Town Trustees to the Town Office and a box has been established at the Town Office to hold their incoming mail. The discussion regarding the expected resignation of Alexander Cook from the Board of Town Trustees took place. J Wheeler advised that Mrs. Cook has shown concern with the requirements of the federal I9 form and does not want to provide the documents. It was reported that Mrs. Cook will be into the Town Office on Friday to provide the documentation so that she can get paid for her services as a Town Trustee prior to her resignation.

#### Public Comment

1. Mr. Hammond discussed his letter to the Board regarding a building at the end of Walker Lane that was damaged during a fire and what the Board's plan is to deal with the hazard. J Roberts indicated that he, as health officer, recently wrote a letter to the property owner inquiring about the intentions of the property. Further, J Roberts indicated although he contacted the landowner through the letter, he did not believe that there was a health hazard on the property. Mr. Hammond indicated the Board in the past had sent letters to other property owners in South Tamworth about the need to clean up their property. He inquired if a time limit had been placed within the letter in order for the owner to respond. J Roberts indicated there was no time limit given. R Abraham indicated if the health officer is unsuccessful in reaching the owner, the Board of Selectmen may need to get involved.

#### Administrative

C Pearce presented the following for the Board to consider and to sign:

1. A fund balance policy which will be given for discussion and review at the 5/31 meeting.
2. The town office lawn has not been mowed this season as the person who was doing last year has moved out of Town. The Board was asked

to consider the options for mowing the lawn and approved requesting Parker Roberts to do the mowing for now.

3. The Board has received a utility easement for the fire tower and it appears to not need the approval of the Board. The information will be left in the Selectmen's read file.
4. Milton Norcross has advised he is still interested in begin the Town's fire warden and has left his number and new mailing address for the Board to utilize if someone needs to contact him.
5. The Board has not received a response from Harry Miller as to whether he is interested in being on the ZBA. J Roberts indicated he would contact Mr. Miller directly prior to the next meeting.
6. Timber Warrant \$21.15
7. Timber Warrant \$76.69
8. Timber Warrant \$1,187.91
9. Timber Warrant \$827.75
10. Timber Warrant \$934.42
11. Timber \$0
12. \$3,271,539 Spring Property Tax Warrant
13. A request has been received from Sammy's Restaurant in reference to their desire to have an outside entertainment/drinking area. It was reported that the fire and police departments have both looked at the area and are in agreement with allowing this establishment to move forward with the request. The Board signed a letter authorizing the outdoor events. Bruno Siniscalchi discussed the possibility of noise being an issue with the outside entertainment. The Board directed him to contact the police department if necessary.
14. A current use application was signed for map 410-026.
15. A current use application was signed for map 410-115-002.
16. The following abatements were either granted or denied as indicated:
  - 415-040 Granted
  - 213-044 Denied
  - 401-014 Granted
  - 205-015 Granted
  - 203-065 Granted
  - 211-016 Granted
  - 207-012 Denied
  - 210-016 Granted
  - 203-020 Denied

- 215-008 denied
- 218-010 denied
- 203-044 granted
- 203-037 granted
- 402-022 granted

17. *R Abraham moved and J Hidden supported to accept the payroll manifest of 5/17/2012 in the amount of \$16,823.82 with a direct deposit transfer of \$11,460.12 included in the above amount and a federal tax deposit transfer of \$5,121.34 not included in the above amount. Vote was unanimous. Motion passed.*
18. *R Abraham moved and J Hidden supported to approve an accounts payable manifest in the amount of \$214,413.94. Vote was unanimous. Motion passed.*
19. *R Abraham moved and J Hidden supported to approve an accounts payable check register in the amount of \$214,413.94. Vote was unanimous. Motion passed.*
20. *R Abraham moved and J Hidden supported to approve the minutes of the 5/3/12 non-public session. Vote was unanimous. Motion passed.*
21. *R Abraham moved and J Hidden supported to approve the regular meeting minutes of 5/3/12. Vote was unanimous. Motion passed.*

#### Tax Collector –

#### 2012 Tax Deeds

K Trammell presented 7 tax property deeds to be taken for parcels that have not paid their property taxes from 2010. 5 properties are land only and 2 properties have buildings on them that are not occupied. She indicated the Board has the option of accepting the deeds of the tax collector and taking over the parcel or they can sign a waiver which gives reasons why the parcels are not being taken. After a review of the information, *R Abraham moved and J Roberts supported to accept the deeds of the Tax Collector for the following lots: map 404 lot 005, map 216 lot 092, map 216 lot 093, map 215 lot 120, map 215 lot 121, map 216 lot 281, and map 216 lot 098. Vote was unanimous. Motion passed.*

#### Non-Public Session

*R Abraham moved and J Hidden supported to enter into a non-public session at 6:20 p.m. per RSA 91 A:3 II a, c, and e. Vote was: Abraham, Yes, Hidden, Yes, Roberts, Yes. Motion passed.*



*J Roberts moved and J Hidden supported to adjourn the non-public session at 6:57 p.m. Vote was unanimous. Motion passed.*

*J Roberts moved and J Hidden supported to seal the non-public minutes for a period of 6 months and will be reviewed on 10/18/12. Vote was unanimous. Motion passed.*

Adjournment

*R Abraham moved and J Hidden supported to adjourn the meeting at 6:58 p.m. Vote was unanimous. Motion passed.*

Respectfully submitted,  
Anne M. Abear

Approved by Tamworth Board of Selectmen: 5/31/2012

Robert Abraham

John Roberts

James Hidden