

Town of Tamworth
Board of Selectmen's Meeting
August 9, 2012

Members Present Robert Abraham, John Roberts, and James Hidden

Others Present Cassandra Pearce, Penny Colby, Richard Roberts, Norman Tregenza, Brian & Mylanda Forcier, John Gotjen, Bruno Siniscalchi, Ruth Timchak, Rosiland Gray, Sam Martin, Anne Abear and several other members of the public.

The Board convened this meeting at 3:15 p.m. at the St. Andrews Church on Whittier Road for the purpose of viewing the request of the church to tie into the Town's culvert in the area to assist in correcting a drainage issue that is present on the property. After discussions with the Road Agent and consideration of the age of the culvert and the current condition, the request was denied by the Board.

The Board proceeded on Whittier Road looking at the current box culvert that is in need of being replaced. The Board believes that the box culvert could be replaced with a pipe culvert and it would correct the flow problem and be the most economical to fix the bridge. The Road Agent continues to acquire cost estimates to change the box culvert to a pipe culvert.

The Board recessed the meeting at 3:39 p.m. and reconvened the meeting at the Town Office at 3:56 p.m.

Departmental Reports

Police Department

1. P Colby presented stats for the police department for the month of July.
2. P Colby gave an update on the dog licensing program.
3. P Colby advised that all equipment appears to be running fine.

Highway Department

1. R Roberts advised that roadside mowing has begun.
2. R Roberts advised that crushing has started at the highway garage and the hired contractor is doing a great job.
3. R Roberts advised that roadside brushing continues to be worked on.
4. Grinding of Cleveland Hill Road is proposed to begin next week. R Abraham inquired about the pavement that is on the hill being grated off and used as a base to the roadway. R Roberts indicated that material would make a good base.
5. Winter sand is being put up. No purchase of sand will be necessary for quite some time.
6. A driveway permit was reviewed and approved for map 406 lot 11-001 property owned by the NH Department of Resources and Economic Development. This driveway will be utilized as an entrance for a logging operation.

Tamworth Board of Selectmen

8/9/2012

7. Bruno Siniscalchi inquired who he would need to acquire a permit from for paving of the entrances of White Lake Estates. He was informed the permit would be issued by the State of NH as the driveway entrance is off of a State road.
8. R Abraham discussed the need for a driveway permit being necessary if a property currently has an entrance. The consensus of the Board was that no permit would need to be issued, the driveway apron must be paved and if the property owner is replacing the culvert, it is a benefit to the Town.

Public Comment – None

Norman Tregenza – Floterian District Seat

Mr. Tregenza met with the Board to discuss his campaign for the Floterian District Seat which will serve several surrounding communities including Tamworth. The Board discussed the need for more care to be taken of the roadways along Route 113 toward Wonalancet, Route 113A and Route 16. Mr. Tregenza discussed the priorities of the 2013 – 2014 year which include proposed repairs to roadways and job creation.

R Abraham indicated he'd recommend a consideration of mandating auto insurance for all drivers with a minimum of liability insurance.

Brian Forcier – Driveway Issue

Mr. Forcier read a prepared statement regarding a recent letter received from the Selectmen pertaining to his driveway off of Turkey Street. This statement requested the Board's reconsideration of the requirements to that he pave the entrance to his garage driveway off of Turkey Street. He felt it was not a requirement at the time that the permit was issued to him in August of 2008. He emphasized that the new permits were established in January of 2009; therefore, did not feel the requirements pertained to his application. He felt that he was being discriminated against, stated the action was possibly illegal.

Mr. Forcier described the nature of the complaint and requested the Board consider the nature of the questions acting upon by the Board from the neighbor; how the complaint was introduced to the Selectmen for discussion; recommended that the Board resist efforts to be injected directly into disputes between neighbors; and further recommended that it should have been channeled through the appropriate departments.

Mr. Forcier reiterated that he did not meet the requirement of needing a paved apron for his driveway, he would like to Board to do some additional research and if it is required to pave the apron to consider giving him additional time beyond August 31 as was mandated in the letter to him.

R Abraham indicated he was the Selectmen who was approached by a citizen concerned with the driveway apron not being paved, he further discussed the other complaints brought to his attention to include the line of drainage for the new driveway off of Page Hill Road, the apron near the new store not being of legitimate size and a question of whether the new building was built over the property line of that neighbor. Mr. Forcier requested the individual who complained to be identified. R Abraham indicated after discussion with legal counsel, and the complaint being verbal to him and not the entire Board, the person would not be identified. Tamworth Board of Selectmen

8/9/2012

The Board will do some research regarding the requirement of paved aprons being necessary for permits issued in 2008 and granted the request to hold off on the apron paving until such time as the Selectmen respond back to him. Further, members of the Board indicated if they are incorrect in requiring a paved apron, they will correct their mistake.

Brian Forcier – Request for Information

Mr. Forcier presented a request for information under RSA 91-A to the Board in an attempt to acquire the name of the person who had the complaint regarding his property and for an actual transcript of a meeting. C Pearce advised that as the meetings are not recorded by the Town, an actual transcript is unavailable. R Abraham repeated that the individual who made the initial inquiry would not be identified as the complaint was not received in writing.

Chocorua Community Project Update

R Abraham gave a report from the CCA meeting held on Monday, 8/6 regarding the funds needed for the sound study, announcing that the CCA has offered to raise the necessary funds for the Town's portion of the study. C Pearce advised that an email was received earlier in the day from the State who has scheduled a first ever special amendment to allow these funds to become available by mid September. The funds offered by the CCA would not be necessary and the project will move forward with a notice to proceed when the funds become available. The Board was very pleased with this report and thanked the CCA for their offer.

Administrative Items

Administrator Cassandra Pearce presented the following for the Board to view, approve and sign were appropriate:

1. An intent to cut for map 415 lots 051 & 053
2. The investment policy as revised and approved by the Selectmen on June 28, 2012
3. A letter and donation to Diamond Ledge Electronics for their work on the police and fire vehicles
4. A letter to the NH Liquor Commission authorizing the sale of alcohol at 55 Chocorua Road – map 201 lot 054.
5. A letter to the NH Liquor Commission authorizing the sale of alcohol and the approval to hold entertainment outside the building for 1536 White Mountain Highway – map 211 lot 080.
6. *R Abraham moved and J Hidden supported to approve an accounts payable check register in the amount of \$286,482.92. Vote was unanimous. Motion passed.*
7. *R Abraham moved and J Hidden supported to approve an accounts payable manifest in the amount of \$286,482.92. Vote was unanimous. Motion passed.*
8. *R Abraham moved and J Hidden supported to approve a payroll manifest for 8/2/2012 in the amount of \$20,229.67, a transfer in the amount of \$13,758.51 for Direct Deposit Transfer (included in the initial amount) and a transfer in the amount of \$6,271.64 for the Federal Tax Deposit. Vote was unanimous. Motion passed.*

9. *R Abraham moved and J Hidden supported to approve an accounts payable check register in the amount of \$725. Vote was unanimous. Motion passed.*
10. *R Abraham moved and J Hidden supported to approve an accounts payable manifest in the amount of \$725. Vote was unanimous. Motion passed.*
11. *R Abraham moved and J Hidden supported to approve the regular meeting minutes of August 3, 2012 as written. Vote was unanimous. Motion passed.*
12. *R Abraham moved and J Hidden supported to approve the regular meeting minutes of August 6, 2012. Vote was unanimous. Motion passed.*
13. Board members have been invited to a meeting at the Brass Heart Inn on August 22, 2012 beginning at 6:30 p.m. for the purpose of listening to a presentation regarding a study conducted by UNH regarding the TCNA and its value to the Tamworth community.
14. The road signs on Route 16 known as "the little men" have been removed as the State of NH sent a letter to the Town that the wording on the signs are incorrect. The signs must signify that a driver must yield to a pedestrian, not stop. The Board will look at replacements being purchased from the 2013 budget. J Roberts recommending utilizing grant money for the replacement of the "little men".
15. Painting of the crosswalks within the Chocorua village will take place within the next 2 weeks.
16. Four names of interested individuals were given to the Board of possible members of a finance committee. The Board indicated they would discuss this at the next meeting.
17. The Board decided that they would meet on December 3, 10 and 17 for budget work session for the 2013 budget.
18. The Selectmen decided they would not be applying for bridge aid for the Chocorua Lake Bridge as the length of time necessary to wait for the funds to be available is estimated to be 10+ years.
19. A memorandum from Dennis Thorell as the Town's timber monitor has been received advising he is retiring effective 9/12/12. The Board decided they would contact other communities who are utilizing Dennis to see what their intentions are.

Albee Road – Cease and Desist Order

R Abraham discussed a cease and desist order that was issued by the Board of Selectmen following an emergency meeting on Friday, August 3, 2012. It came to the Board's attention that a cell tower that was approved for map 401 lot 049 – owned by Michael & Janice Connelly was to be 165' from the boundary line of an abutting property. The Board decided after receiving verbal permission from the landowner to hire HE Bergeron Engineering to officially measure the distant from the boundary line to the center of the tower's concrete base. The distance was found to be 147'. The options given to the property owner were to either remove the concrete or reapply to the planning and zoning boards (as applicable) for a site plan review amendment. J Roberts indicated the owner may be able to have a boundary line adjustment completed with the abutter property owner. This action would need the approval of the Planning Board.

Selectmen Updates

J Hidden announced that the planning board has issued a special use permit and waiver to Chocorua Valley Lumber pending State finalization & approval.

Non-Public Session

Robert Abraham moved and James Hidden supported at 4:56 p.m. to enter into a non-public session under RSA 91 A: 3 II c and a. Vote was Abraham Yes, Hidden Yes, Roberts, Yes. Motion passed.

Tamworth Board of Selectmen

8/9/2012

Robert Abraham moved and James Hidden supported at 5:40 p.m. to adjourn this non-public session. Vote was unanimous. Motion passed.

The Board decided not to honor the request of a property owner who lost his property due to unpaid taxes to the Town. The request was to waive the penalty associated with repurchasing the property.

The Board will check with H Parker Roberts regarding the items needing attention from the Town's insurance walkthrough.

Property Review

R Abraham and J Roberts walked property known as map 404 lot 005 and took a visual inspection and brief inventory of the property.

Adjournment

R Abraham moved and J Roberts supported to adjourn the meeting at 6:45 p.m. Vote was unanimous. Motion passed.

Respectfully submitted,
Anne M. Abear

Approved by the Board of Selectmen: 8/23/2012

Robert Abraham

John Roberts

James Hidden