

Town of Tamworth
Board of Selectmen's Meeting
November 29, 2012
Town Office

Members Present Robert Abraham, John Roberts and James Hidden

Others Present Administrator Cassandra Pearce, Road Agent Richard Roberts, Anne Abear, Sam Martin, Jim Hoenscheid, Bruno Siniscalchi, Rosiland Gray, Patricia and David Farley and Dana Littlefield.

Chairman Abraham called the meeting to order at 4:00 p.m.

Department Updates

R Roberts discussed the following with the Board:

1. Mason Hill Road continues to be worked on.
2. The wood building at the highway garage has been finished and a word of appreciation was extended to Tim Robinson, Dan Walker and Chris Baker for their assistance in working on this project.
3. J Roberts recommended a sign be placed near Loring Road directing winter hikers to utilize that roadway to prevent people from utilizing the class VI roadway.
4. R Abraham recommended sending a letter to the residents who own property at the end of Turkey Street on the Page Hill Road end. This letter would be a follow up to the information that the fence and sign are within the Town's right of way and the Town takes no responsibility should these items be damaged during the winter season. R Roberts indicated he spoke to the land owners and J Roberts indicated a letter was not necessary. The Board will not send a letter as long as R Roberts has addressed the issue personally with the owners.
5. R Abraham discussed the usage of salt and reminded R Roberts to utilize as little as possible on the roadways, mixing the product with sand when possible.

Public Comment

1. Pat Farley thanked members of the Board who attended the recent LRPC meeting.
2. Jim Hoenscheid of Motorsports Holding LLC met with the Board to discuss the Club Motorsports project off of Route 25. He indicated that a project similar in design has been completed in NY and indicated it would be worth

the Board's time to view that project. He continued by discussing the new litigation that has been filed by St. Andrew's in the Valley and Focus against Motorsports Holding LLC. He indicated that this new lawsuit was a filing by a private entity to enforce the Tamworth Wetlands Ordinance.

Mr. Hoenscheid continued by discussing the history of the project and the work that has been done to date on the property. He discussed prior lawsuits filed and the unfounded accusations of encroachments to the wetlands and failure to follow erosion control protection measures.

Mr. Hoenscheid discussed the lengthy site visit to the property by a wetlands scientist hired by the Town and another scientist hired by CMI. During the site walk the Town's scientist indicated to CMI's scientist that no violations were found. When the report was written by that same scientist, he reported violations were found. When CMI attempted to meet with the Board at a regular meeting of the Selectmen to discuss this, the opportunity to discuss the report with the Selectmen passed; Mr. Farnum would not allow CMI to speak and further CMI representatives were informed that they would be removed from the meeting if needed for interrupting the meeting.

Mr. Hoenscheid concluded his statement by presenting a request to Tamworth Selectmen instructing the Town's legal counsel to file a motion to intervene in the matter of St. Andrew's in the Valley Episcopal Church v Motorsports Holding LLC to become party to the litigation so that the Town's interests are fully represented. The letter further indicates that Motorsports Holding has in fact not violated the Town's Wetlands Ordinance.

The Board thanked Mr. Hoenscheid for his presentation and advised the letter of request would be submitted to Town Counsel for review and comment. R Abraham requested Mr. Hoenscheid attend the next meeting of the Board on 12/13/12 to determine if the Board has made a decision on his request.

The Board received a letter of 6/13/2011 that was sent regarding the scientists findings.

2013 Budget Review – Emergency Management

The Board met with Dana Littlefield for the purpose of discussing the 2013 budget proposal for Emergency Management. The budget request is for \$20,225 which includes an update to the Emergency Operation Plan and the purchase of a trailer to be utilized as a storage facility and mobile emergency response

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vehicle in the event of a disaster and the items stored in the trailer are needed. The EMD is working on grants to offset 50% of the cost associated with the updated plan and the trailer.

The Board gave recommendation of businesses that could be sought to get the best price for a new trailer for this department and discussed the housing location of the unit.

Selectmen Updates

1. J Roberts discussed the cemetery trustees meeting recently held in which the 2013 budgets were discussed and the creating of specs that is being worked on to put the maintenance of the cemeteries out to proposal for the 2013 year.
2. J Hidden discussed the LRPC meeting held and indicated the meeting was specific to road work and repairs that are planned.
3. J Hidden discussed the recent planning board meeting held in which an SUP and a corrected BLA were issued. Further, the planning board will be holding a public hearing regarding the changes to the flood plain ordinance and subdivision ordinance as recommend by FEMA. This public hearing will be held on Wednesday, December 19, 2012 and will be presented for a vote at the upcoming 2013 Town Meeting.
4. R Abraham also discussed the LRPC meeting and indicated most of the State and Federal highway funding will be utilized from Concord south with bare minimal work being done north of Concord.
5. R Abraham addressed P Farley regarding an email received from the Mt Washington EDC and indicated he responded to the email.
6. P Farley discussed the all day retreat of the LRPC executive board recently held and advised that the primary focus of this retreat was to discuss mutual working relationships between towns and schools to assist in offsetting some of the expenses regionally. This would include infrastructure such as water and sewer.

Administrative Items

1. The Board signed a sympathy card and offered condolences for the recent passing of Guy Pennell, owner of GP Auto.
2. An intent to cut for map 408 lot 059 was signed.
3. A yield tax levy was signed in the amount of \$4,133.13.
4. A yield tax levy was signed in the amount of \$1,771.00.
5. *R Abraham moved and J Hidden supported to approve a payroll manifest for pay dated November 29, 2012 in the amount of \$39,249.83 with a transfer of \$16,366.39 for direct deposit and a transfer of \$8,733.12 for the federal tax deposit. Vote was unanimous. Motion passed.*

6. *R Abraham moved and J Hidden supported to approve an accounts payable check register in the amount of \$261,138.71. Vote was unanimous. Motion passed.*
7. *R Abraham moved and J Hidden supported to approve an accounts payable manifest in the amount of \$261,138.71. Vote was unanimous. Motion passed.*
8. *R Abraham moved and J Hidden supported to accept the minutes of 11/1/2012 as written. Vote was unanimous. Motion passed.*
9. *R Abraham moved and J Hidden supported to accept the minutes of 11/15/12 as written. Vote was 2-0-1. Motion passed.*
10. *R Abraham moved and J Hidden supported to accept the minutes of 11/15/12 non-public session as written. Vote was 2-0-1. Motion passed.*
11. The Board discussed a noise concern that is being heard by a property owner on Chinook Trail in the Wonalancet area. Mr. Hidden will investigate the complaint over the weekend.
12. *R Abraham moved and J Hidden supported to accept the new mileage rate of .565 effective January 1, 2013. Vote was unanimous. Motion passed.*
13. The Board discussed the RFP for the Town's annual audit and as members wanted to review this further before making a decision, members will discuss the RFP again at a future meeting.
14. The Board discussed a mobile home on Bookholz Way that was attempted to be moved after being foreclosed upon. The mover and property owner were notified as the property is not current on its taxes; it cannot be moved.
15. The Board discussed the recent destruction which took place at the Curry property of a vehicle. The vehicle in the yard has been significantly damaged and stripped of its doors, hood and windows damaged. R Abraham recommended towing the vehicle to the new property of the vehicle owner and leaving it there. After further consideration, this idea was not agreed upon and the Board will be requesting the owner to sign the vehicle over to the Town so that the vehicle can be taken to a salvage yard or the current owner could do the same.
16. The presentation of the Boston Post Cane will not take place as originally planned as family members of the recipient are unable to be present during the week. Members of the Board were asked to check their schedules for a weekend date that would work for the presentation.
17. The Board agreed to host a Christmas lunch for the employees. This will be held on December 17, 2012 at the Town Office. The Board discussed other possibilities such as giving each employee a turkey. This latter idea was decided against.
18. On 1/28/2013 beginning at 9:00 a.m. mandatory employee safety training will take place at the Town Office.

19. The Board discussed the shoveling of the Town Office. It was decided that the Board was happy with Mr. Bergen's service last winter and he should be contacted again for the upcoming winter season.
20. The Board requested a listing of all properties that were taken for tax deed by the Selectmen. They will plan an upcoming bidding process for some of these properties in the near future.
21. The Board was reminded that the budget meetings begin on Monday, December 3 at 8:00 a.m.
22. The Board will discuss the insurance options for employees effective 7/1/2013 at the meeting of 12/3. R Abraham indicated he was leaning toward staying with Schoolcare, but changing the plan slightly.

Non-Public Session

R Abraham moved at 5:23 p.m. and J Roberts supported to enter into a non-public session per RSA 91-A: 3 a, c, & e. Vote was: Abraham, Yes, Roberts, Yes, Hidden, Yes. Motion passed.

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

R Abraham moved and J Roberts supported to unseal sealed non-public minutes of May 7, 2012, which were resealed by a majority of the Board after a review on 11/15/2012. Vote was unanimous. Motion passed.

A motion was made by Robert Abraham and supported by John Roberts to leave a letter placed within an employee's personnel file in the file and not remove it. Vote was unanimous. Motion passed.

Adjournment

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

Respectfully submitted,
Anne M. Abear

Approved by Board of Selectmen: 12/13/2012

Robert Abraham

John Roberts

James Hidden

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