

Town of Tamworth  
Board of Selectmen's Meeting  
Town Office  
February 10, 2011

Members Present      William Farnum and Robert Abraham

Others Present      Town Administrator Cassandra Pearce, Police Chief Daniel Poirier, RM Hammond, Joanne Rainville, Ruth Timchak, Rosiland Gray, Patricia Farley, Karen McNiff, David Gotgen, Sandra Flanagan, Bruno Siniscalchi, NH DOT Rep Dean Eastman, LRPC Rep Mike Izaar, Dom Bergen, Kim Noyes, Anne Abear, Sam Martin and other members of the public.

*Mr. Farnum advised that Mr. Roberts would not be available for a part of or all of this meeting and he has been requested to chair the meeting in Mr. Roberts' absence.*

*Mr. Farnum opened the meeting at 4:00 p.m.*

Department Updates

Chief Poirier discussed the following with the Board:

1. 2011 January stats were presented with minimal discussion and review.
2. The new lights that have been installed at the police station appear to need to have the timer adjusted as the lights do not seem to be turning off as they should. Additionally, there are a few bulbs that still need to be replaced as the contractor did not have adequate stock with them.

Public Comment

1. Mr. John Gotgen discussed the appropriation that is being presented on the 2011 warrant for article #19 (sidewalk maintenance). He requested a listing of the sidewalks that will be maintained for the cost shown on the warrant article. The Board advised that the sidewalks would be those in the Chocorua Village, one in South Tamworth and one on Main Street. Additionally, the cost will cover the sidewalks that may be built within the Chocorua Village and for any maintenance associated with the crosswalks. Mr. Farnum advised the price did not include the Cook Library sidewalk or the sidewalks at the Town Office. Mr. Gotgen disagreed with including the price of future sidewalk maintenance into this warrant article as they may never get built. Mr. Farnum advised that the Town voters need to be aware of the expense associated with maintenance of the sidewalks.

Mrs. Gray indicated she understood the funds were only going to be utilized for the current sidewalks and future sidewalks would require additional funding. The Board advised that was incorrect, the funds are for all current and future sidewalks.

Mrs. Farley advised that the safety of the walking residents of the village is compromised when the sidewalks are not able to be utilized. She compared the safety to replacing a stop sign and the costs that are associated with the protection of residents within Chocorua Village. She continued by indicating asking for \$35,000 from the Town's people to maintain current and future sidewalks is an excessive amount. She indicated the Board should be looking for volunteers or local businesses that are looking for a job that could do the work at a more reasonable price.

2. Mr. Gotgen encouraged the Town and State to work together to push back and clear the snow along Route 16 to allow for better site distance from Deer Hill Road and Route 113/Page Hill area. Chief Poirier advised he had spoken to the State about this problem.
3. Mr. Hammond of 64 Walker Lane attended the meeting to discuss concerns regarding the access to Walker Lane coming off of Bryant Mill Road and requested that the Board consider changing the road name. Mr. Hammond indicated that the roadway does not go all the way through and in the event of an emergency, rescue, fire and police personnel would have to turn around if they attempted to access his property on Walker Lane off of Bryant Mill Road. After further discussion, a recommendation was made to renumber the Susan Walker property off of Bryant Mill Road and to leave Walker Lane as is with an entrance off of Durrell Road. The Board agreed and a letter will be sent to Mr. & Mrs. Walker notifying them that their physical property address will be changed to Bryant Mill Road. Further, Mr. Hammond indicated that Walker Lane was not a roadway listed on any GPS. The Office staff will contact Map Insight to have this street added.
4. Mr. Abraham discussed the letter received from NH DES regarding a site cleanup of an oil spill that occurred during and/or following a fire at the residence along Walker Lane. Mr. Hammond inquired if the Town got involved in this clean up procedure? The Board indicated they do not get involved in the clean up; it is the State who monitors this cleanup.

#### TCNA Information

Ms. Rainville met with the Board to discuss the following:

1. Communication – Ms. Rainville discussed two items that have taken place recently that have affected the TCNA and she felt that if better communication was had by all, she may have responded differently to the two situations which included:
  - a. New Ambulance provider and billing procedures – the new ambulance provider will be billing residents of Tamworth. Those who have a hardship and need assistance paying the invoice can apply for assistance from the ambulance provider. The Board advised that according to federal law, the billing practice is required.
  - b. Replacement lighting in the Nurse's Office (exam room area) – after the new lights were installed the exam room did not provide adequate lighting for procedures that are conducted in that area.

Ms. Rainville advised she received a quote to replace the some of the lights and was unsure at this time who she would ask to pay for the replacement lighting. She advised that the goal is to get the lighting to an acceptable level for this room. Mr. Farnum agreed to meet with LightTech to discuss all departments concerns.

2. Town Office Staff Recognition– Ms. Rainville indicated she is very pleased with the job that is performed by the employees of the Selectmen’s office and how much they do for the Town. She advised they were very helpful and accommodating to everyone who requests their assistance.

#### LRPC – Scenic Byways

NH DOT Rep Dean Eastman and LRPC Rep Mike Izaar met with the Board to discuss the findings of the Scenic Byways Committee and what the effects of designating specific roads as a Scenic Byway could have on the community of Tamworth. Highlights of the discussion included:

1. Not all Towns have to be involved in order for a scenic byway roadway to be included within a plan.
2. It is possible that some roadways may be considered a national scenic byway designation.
3. In order to acquire funding for this type of project:
  - a. A core management plan must be achieved and
  - b. An active committee must be in place with representatives from the involved communities working on marketing and economic development.
4. Each Town does not have its own committee; it is a regional committee.
5. The area being looked at under this plan is Route 25 to Route 16.
6. Mr. Eastman discussed the federal funding available under this program which is an 80-20 matched program.
7. The erection of off premise advertising signs/billboards will not be allowed along the byway. If signs are already there, they will be grandfathered. The only signs that will be allowed are those that are purchased through the State as recreation signs.
8. Information was left for the Board to review regarding the program.

#### Administrative Matters

1. An offer from the Town’s E911 representative to attend the 2/24/11 hearing regarding the address change public hearing for Tamworth Mobile Home Park was given. Although the Board appreciated the offer, they did not feel it necessary for the representative to attend the hearing.
2. TCNA Raffle Permit – *Mr. Abraham moved and Mr. Farnum supported to accept an application for a raffle for the TCNA with the drawing to be held on 2/27/11. Vote was unanimous. Motion passed.* The Board requested all raffle permit applications to be submitted 30 prior to the event in the future.

3. Mosaic Mapping Project (UNH) – The Board discussed a prior presentation that was made by representatives of UNH who will be working with NH DRA to update all of their maps to digital. The request from UNH was to acquire a digital copy of the Town’s assessing information. *Mr. Farnum moved and Mr. Abraham supported to supply UNH with a digital copy of the Town’s information as they requested. Vote was unanimous. Motion passed.*
4. The following items were signed by the Board:
  - a. An appointment for Karen McNiff as a Commissioner to the LRPC.
  - b. The 2011 Town Warrant
  - c. The 2011 MS 6 Budget
  - d. The following Land Use Change Tax Warrants:
    - i. Map 414 Lot 057 \$1,340.00
    - ii. Map 402 Lot 004 \$4,450.00
    - iii. Map 410 Lot 139 \$1,340.00
    - iv. Map 203 Lot 010 \$2,000.00
5. *Mr. Abraham moved and Mr. Farnum supported to approve the minutes of the non-public session of 2/3/11 as written. Vote was unanimous. Motion passed.*
6. *Mr. Abraham moved and Mr. Farnum supported to approve the minutes of the regular meeting of 2/3/11 as written. Vote was unanimous. Motion passed.*
7. *Mr. Abraham moved and Mr. Farnum supported to approve the minutes of the regular meeting of 1/31/11 as written. Vote was unanimous. Motion passed.*
8. *Mr. Abraham moved and Mr. Farnum supported to approve the minutes of the non-public session of 1/31/11 as written. Vote was unanimous. Motion passed.*
9. Wireless Tower Communication Building Notification and Application – *Mr. Farnum moved to accept the wireless communications tower application for temporary service to be added to the site of 217-043-002 to expire 2/9/2012. Mr. Abraham supported this motion. Vote was unanimous. Motion passed.*
10. Economic Development Committee vs. Economic Development Commission – Mrs. Pearce advised that after some research, it appears that the Master Plan directed the Selectmen to create an Economic Development Committee and the committee answers to the Selectmen. It may be appropriate for the Committee to go back to the Planning Board who is responsible for the Master Plan to request that they consider changing the name of the committee to commission and to further consider the revised goals that have been looked at and expressed by the committee. The Selectmen advised they would like to review the information further and is willing to discuss their findings at the 1<sup>st</sup> meeting in March.
11. Town Office parking lot snow dumping – The Board requested a meeting be set up with the owners of the Other Store and the former General Store to discuss the snow dumping that has taken place behind the Town Office. The concern is that the snow has been dumped on the pavement limiting the

parking within the parking lot. This meeting will be set up for 3/10/11. In the meantime, the Board requests the highway department to move the snow that has been dumped back as far as possible.

12. The Board agreed to hold a work session on 3/7/11 at the Town Office at 8:00 a.m. for the purpose of preparing for the 2011 Town Meeting.
13. The meeting scheduled between the Selectmen and the PTA has been confirmed for 4/6/11 at the KA Brett School
14. The Board authorized Mrs. Pearce to attend the upcoming Vision Training scheduled for May 10 – 12, 2011.

#### Recess

*Mr. Farnum recessed the meeting at 5:50 p.m.*

#### Reconvene

*Mr. Farnum reconvened the meeting at 6:00 p.m.*

#### Public Hearing RSA 466:30 a

*Mr. Farnum opened the public hearing regarding the adoption of RSA 466:30-a at 6:00 p.m.*

The purpose of this public hearing is for the discussion of the adoption of RSA 466:30-a which will be a ballot question to be voted on March 8, 2011. Copies of the RSA were handed out to attendees of the meeting. The RSA reads as follows:

##### **466:30-a Dog Control Law. –**

I. Notwithstanding any other provisions of this chapter, it shall be unlawful for any dog to run at large, except when accompanied by the owner or custodian, and when used for hunting, for guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a)(4), for supervised competition and exhibition, or for training for such. For the purpose of this section, "accompanied" means that the owner or custodian must be able to see or hear, or both, or have reasonable knowledge of where the dog is hunting, where training is being conducted, where trials are being held, or where the dog is guarding, working, or herding livestock. Nothing herein provided shall mean that the dog must be within sight at all times.

II. In this section, "at large" means off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner or custodian.

III. Any authorized person may seize, impound or restrain any dog in violation of this section and deliver said dog to a person or shelter authorized to board dogs. Such dogs shall be handled as strays or abandoned dogs pursuant to applicable laws.

IV. In addition to impounding a dog found at large or in violation of this section, any local law enforcement officer may issue, in the name of the owner or

keeper of such dog, a notice of violation for a nuisance dog pursuant to RSA 466:31, II(a).

V. The provisions of this section shall not be effective in any city or town unless adopted by a city or town pursuant to RSA 466:30-b.

Questions and comments regarding this RSA included:

1. Does this RSA apply to State property as in the past an individual has been informed by the caretakers of White Lake State Park that it does not? The Board was unsure of this answer.
2. The purpose of adopting the policy allows the Tamworth Animal Control Officer to continue to deal with dogs that are not adequately accompanied by an owner or custodian. The law does not require a dog to be placed on a leash to be considered under control.

*Mr. Farnum closed the public hearing at 6:08 p.m.*

#### Non-Public Session

*Mr. Farnum moved and Mr. Abraham supported to enter into a non-public session per RSA 91:A 3 II a & e at 6:12 p.m. Vote was: Farnum Yes, Abraham Yes. Motion passed.*

*Mr. Farnum moved and Mr. Abraham supported to adjourn the non-public session at 6:35 p.m. Vote was unanimous. Motion passed.*

#### Adjournment

*Mr. Farnum moved and Mr. Abraham supported to adjourn the meeting at 6:35 p.m. Vote was unanimous. Motion passed.*

Respectfully submitted  
Anne M. Abear

Approved by Tamworth Board of Selectmen:

John Roberts

William Farnum

Robert Abraham