

Town of Tamworth
Board of Selectmen's Meeting
June 30, 2011
Tamworth Town Office

Members Present William Farnum, Robert Abraham and John Roberts

Others Present Administrator Cassandra Pearce, Road Agent Richard Roberts, Police Chief Daniel Poirier, Park & Recreation Director H. Parker Roberts, Fire Ward David Bowles, Asst. Fire Chief Jim Bowles, Representatives of McLucas Trucking, State Fire Warden Robert Boyd, State Forester Tom Natale, Anne Abear and many members of the community.

Chairman Farnum opened the meeting at 4:04 p.m.

RC McLucas – 2010-11
Timber Tax Assessment

Mr. & Mrs. McLucas attended the meeting to discuss the doomage assessment imposed on their cutting operation taking place on State property. Mrs. Pearce explained that she submitted a letter to RC McLucas in April explaining the need for them to provide a report of cut for the 2010-11 cutting operation. No response was received from the company and a follow up telephone call was given by Mrs. Pearce advising RC McLucas of the requirement for reporting. The Town received the report of cut on June 8 and per the law allowance of assessing doomage, the bill was created for the 2011 tax year. The total tax assessment was \$13,997.38 which included the doomage assessment.

Mrs. McLucas advised as she understood the contract with the State of NH was for 2 years, she thought she did not have to file the report of cut until the operation was completed. The amount of the actual bill was discussed and Mrs. McLucas advised that as the Town required a bond prior to signing the intent to cut for the project, she feels that the doomage could be waived and continued by reiterating she was unaware she needed to close out the job and restart on another notice of intent to cut. Ranger Boyd advised he understood the RSA to allow the assessment of doomage to be at the discretion of the Selectmen who are the assessors. Mrs. Pearce read RSA 79:12.

After statements were given from both the State's Forester and Ranger Boyd of the outstanding reputation that RC McLucas has with operations that they have completed for the Town; the Board discussed the amount of doomage that would be appropriate in this situation.

Mr. Farnum moved and Mr. Abraham supported to assess doomage to this timber cut at 2 times the timber assessment and to abate all of the doomage with the exception of 25%. Vote was 2-1-0. Motion passed.

Department Updates

Police Department Chief Poirier discussed the following with the Board:

1. The warrant for unlicensed dogs is down to 27 from the last report of 89. Several dog owners have been in to see the Town Clerk since the last meeting to register

their animals. The Board signed the warrant allowing for an issuance of a civil forfeiture penalty for anyone who has not registered their dogs as required by law.

2. The rain date for the fireworks display has been scheduled for July 10, 2011 if needed.

Highway Department

Richard Roberts discussed the following with the Board:

1. The 4-10 hour day shifts are working out well for the highway personnel.
2. The paving on Maple Road looks nice and is just about finished.

Parks & Recreation

H. Parker Roberts discussed the following with the Board:

1. Renovation dates for the Town House interior work – Mr. P. Roberts requested to know when the work would be completed as the building is utilized though out the summer months for many events. He understands that the renovations will take 10-working days. The Board does not have a date scheduled at this time.
2. The Board also discussed the replacement of the hot water heater in which it was thought originally to be included with the ADA project taking place at the Town House. The Board requested that Mrs. Pearce discuss the work schedule proposal and requested an addendum be added to the current contract.

CIP Committee

The Board was advised that the CIP Committee would be holding their public hearing in late September in anticipation of presenting a proposal to the Board of Selectmen by October 1 for the recommendations of the 2012 Town Meeting items. The Board agreed to meet with members of the CIP at 5:00 p.m. on Tuesday, July 26 to discuss the proposal of the Town departments.

Public Comment

1. Club Motor Sports - Ms. Sam Martin representing Club Motor Sports read a prepared statement and letter to the editor from the Carroll County Independent published on June 23, 2011. The statement requested CMI's comments on the meeting of June 16, 2011 and statements that were published in the article be added to the minutes. Further, Ms. Martin indicated a statement made by Mr. J. Roberts during the June 16, 2011 meeting that appeared in an article of the Carroll County Independent dated June 23 as "we hired him to go up there as an expert and he hoped that when he comes in he wouldn't change his mind." Ms. Martin continued indicating that Mr. Howard did change his report as on 5/24/2011, he stated clearly and accurately that he would report to the Town that no violations to the Tamworth Conservation Wetland Ordinance (TWCO) are occurring at the Club Motorsports site. He also stated the 25-foot buffer described in Section F.2. of the TWCO applies to wetlands only and not the water bodies. (Note: The items provided by Ms. Martin including the statement to the Tamworth Selectmen and the Carroll County Independent article of June 23, 2011 will be attached to these minutes).
2. AED Grant – Tamworth Foundation Mr. David Little presented a check on behalf of the Tamworth Foundation for two additional AEDs for the Tamworth Police Department Cruisers. The Board thanked Mr. Little and the entire Tamworth Foundation for their contribution.
3. Fundraiser flier distribution for Tamworth Fire Department – Mr. R. Abraham discussed with members of the Tamworth Fire Department the concern of an unidentified person soliciting funding for the Fire Department at a restaurant in Conway. Members of the fire department present advised that they had an idea

Economic Development Committee's Update

which new member it was and would request that he wear identification in the future.

1. Mrs. Farley advised she attended the Mt. Washington Valley Economic Development Council's last meeting and it was very informative. She continued by discussing the driveway permit that has been applied for to gain access to the technical park and other building.
2. Mrs. Farley also discussed the LRPC dinner which was held this past Monday and advised it was a good turnout with one table filled with representatives of Tamworth.
3. Mrs. Farley Advised the Tamworth EDC will be meeting later this evening and will be working to acquire information which would be utilized as development incentives for businesses considering Tamworth.
4. Ms. McNiff discussed the LRPC byways committee and advised that the committee is first in line to receive funding from the State.

Public Hearing Grant from Tamworth Foundation

Chairman Farnum opened the public hearing at 5:00 p.m. for the purpose of accepting a grant placing a communication's antenna on the Great Hill Fire Tower.

Mr. David Bowles discussed the project and the total cost that is projected for all installation and easements to be \$17,022.45. He advised that the Tamworth Foundation has agreed to pay \$16,500 toward the project and the remaining funds will come from the fire department's 2011 budget.

Mrs. Farley and Mrs. Pearce recognized the foundation for their generosity to the Town of Tamworth.

With no further public comment, Chairman Farnum closed the public hearing at 5:05 p.m.

Mr. Farnum moved and Mr. J. Roberts supported to accept a grant from the Tamworth Foundation in the amount of \$16,500 for the installation of a radio antenna on the Great Hill Fire Tower. Vote was unanimous. Motion passed.

Watering of the Tamworth Veteran's Memorial Lawn

Mrs. Pearce advised that the Town has received a letter from the LR Water Company who is in agreement with the water being turned back on from the Universal Unitarian Church to the Veteran's Memorial. She continued by advising the agreement is for the Town to open up a new account and to make payment to the LR Water Company on a quarterly basis in the amount of \$142.57. Further the agreement allows for watering to take place only during specific hours and days of the week. Mr. D. Bowles will discuss this with the committee and the company and will report back to the Selectmen on his findings. The agreement presented was a temporary agreement. Mr. D. Bowles advised that Mr. Haskell had contacted the company to turn the water back on.

Selectmen Updates

Tamworth Board of Selectmen
June 30, 2011

1. Mr. J. Roberts advised he missed the regular meeting of the Planning Board the week before, but was able to attend the work session held this week. He advised that the Board continues to work on the forms.
2. Mr. R. Abraham met with the Superintendent of School and was informed that due to the lack of a business manager within this office, many mistakes have been made and that the anticipation of future mistakes being made is highly likely. Some items mentioned included reports being late, and the replacement of School Board members from other school districts that have resigned. He continued by advising that the elected treasurer for the school was never bonded until this year. The idea of creating a single district SAU continues to be looked at. It was reported that the State of NH will assist in finding a replacement superintendent for this district. Ms. Timchak advised that the SAU continues to look at reorganizing.
3. Mr. R. Abraham did not attend the energy committee meeting scheduled as he understood that a quorum would not be present.
4. Mr. R. Abraham inquired of Mr. J. Roberts about a package of information that was disbursed from CMI to himself and Mr. J. Roberts prior to the last meeting. He indicated he had a copy of the information made and left at the Town Office to make sure a copy was available if it was requested. Mr. J. Roberts advised that he received the package, but did not open it. He disposed of the package with the reasoning given that as a member of other Boards in the past who have received packages from CMI where instructed by Town Attorney not to open or accept the package. Mr. Farnum advised he did not receive a package from CMI. Mr. R. Abraham reiterated that the package was copied and left at the Town Office.
5. Mr. Farnum attended the last CIP Meeting and they are recommending the Planning Board complete a build out analysis for the Town.
6. Mr. Farnum advised that the Cook Library has not had a recent meeting and the Economic Development Committee will be meeting at 7:00 p.m. this evening.

Emergency Management Generator

The Board met with Dana Littlefield to discuss the generator to be placed at the KA Brett School. Mr. Littlefield discussed the funds that were previously asked for as a down payment in the amount of 50%. The Board and DW Electrical Contractors Inc. have agreed to a revised contract with 25% down, 25% upon delivery of the generator and 50% upon completion of the installation. The time frame for the delivery is 8 – 10 weeks. Mr. J. Roberts advised he was willing to begin the site work as soon as possible.

Mr. J. Roberts moved and Mr. Abraham supported to grant the generator contract to DW Electrical Contractors in the amount of \$64,750 with approval for 25% down, 25% upon delivery of the generator and the balance payable upon completion of the project. Vote was unanimous. Motion passed.

Administrative Items

Mrs. Pearce presented the following to the Board for review, discussion and approval as needed:

1. A request has been received for a digital set of tax maps and CAMA information by David Little to be utilized by the CIP committee. The Board agreed to provide the maps and CAMA information.

2. Individual Assistance Preliminary Damage Assessment Training will be held on Tuesday, July 12, 2011 at 6:00 p.m. at the Town Office.
3. An intent to cut for Map 424 lot 009 was signed.
4. An intent to cut for Map 424 lot 002 & 010 was signed.
5. A timber tax levy in the amount of \$1,039.38 was signed.
6. A timber tax levy in the amount of \$ 600.82 was signed.
7. A letter of acceptance of resignation from Donna Polhamus as a Supervisor of the Checklist was viewed. *Mr. Farnum moved and Mr. J. Roberts supported to accept the resignation with regret. Vote was unanimous. Motion passed.*
8. The investment policy adopted 6/16/11 was signed.
9. A letter to the Town's Treasurer regarding the new investment policy was signed.
10. A warrant for unlicensed dogs was signed.
11. A junkyard permit for Guy Pennell 2011-01 was presented. The Board decided they would meet at the property prior to the next meeting.
12. A junkyard permit for George Ricker 2011-02 was presented. The Board decided they would meet at this property also prior to the next meeting.
13. An abatement for 213-032-000 for 2010 was approved.
14. *Mr. J. Roberts moved and Mr. Abraham supported to approve the minutes of the June 16, 2011 meeting as presented. Vote was unanimous. Motion passed.*
15. *Mr. J. Roberts moved and Mr. Abraham supported to approve the minutes of the non-public minutes of the June 16, 2011 meeting as presented. Vote was unanimous. Motion passed*
16. *Mr. J. Roberts moved and Mr. Abraham supported to approve a Payroll Manifest in the amount of \$15,438.05 with authorization for a transfer in the amount of \$10,335.26 for direct deposit (included in this amount), and an additional transfer of \$4,443.46 to be transferred for the Federal tax deposit (not included in the amount above). Vote was unanimous. Motion passed*
17. *Mr. J. Roberts moved and Mr. Abraham supported to approve an Accounts Payable Manifest in the amount of \$3,140.00 Vote was unanimous. Motion passed*
18. *Mr. J. Roberts moved and Mr. Abraham supported to approve an Accounts Payable Check Register in the amount of \$3,140.00. Vote was unanimous. Motion passed*
19. *Mr. J. Roberts moved and Mr. Abraham supported to approve an Accounts Payable Manifest in the amount of \$ 210,147.56. Vote was unanimous. Motion passed.*
20. *Mr. J. Roberts moved and Mr. Abraham supported to approve an Accounts Payable Check Register in the amount of \$ 210,147.56. Vote was unanimous. Motion passed.*
21. The Board will discuss the recommended updates for the website on July 14, 2011.
22. *Mr. J. Roberts moved and Mr. Farnum supported the increase in the 2011 mileage rate effective July 1, 2011 to .555 cents per mile. Vote was unanimous. Motion passed.*
23. Mr. Farnum discussed recommendations of the ORC Committee to rescind several ordinances passed by the Board of Selectmen from June 25, 1963 making it unlawful to deposit sewage in the town dump; from June 20, 1964 an ordinance related to disposal of sewage; from June 20, 1964 an ordinance relating to driveway, entrances and approaches to Town highways; and from December 10, 1987 a parking ordinance. *Mr. Farnum moved and Mr. J. Roberts supported to rescind these ordinances as recommended by the ORC Committee. Vote was unanimous. Motion passed.*
24. Mr. Farnum continued by discussing other recommendations of the ORC Committee to rescind the following at Town Meeting in 2012: From 1964 – prohibiting the sale of sweep stakes tickets, and from 1958 prohibiting motor boats without an adequate muffler on Chocorua Lake. The consensus of the Board was to place these on the 2012 warrant.
25. Mrs. Pearce updated the Board on the beach testing that has begun at Chocorua Lake and will be done on a bi-weekly basis.

26. The Board discussed the playground for the Remick Park. Although Mr. J. Roberts does not believe that this would be something that Dr. Remick would have wanted, other members of the Board were willing to move forward with the proposal and to entertain proposals. Mr. J. Roberts and Mr. Farnum did not feel the need to meet with the Remick Trustees as the property is owned by the Town.
27. Mrs. Pearce discussed the FDIC's policy on bank accounts that are interest bearing accounts and the protection of Town funds under this policy.
28. The Board discussed the Chocorua Project and the letter regarding the understanding of maintenance and who (the Town vs. the State) will be responsible for what once the project is completed. Although the Board did not agree with some of the information provided and still had questions about the maintenance outside the white lines, they requested Mrs. Pearce contact HE Bergeron to move forward with the project.
29. Mrs. Pearce advised that the Town Assessor has been contacted by representatives of CMI to view their property for the purpose of determine the LUCT assessment that will be imposed upon this taxpayer. This meeting is tentatively scheduled for the end of July and the assessor has requested a copy of the alteration of terrain permit prior to that meeting.

Adjournment

Mr. Abraham moved and Mr. Farnum supported to adjourn the meeting at 6:32 p.m. Vote was unanimous. Motion passed.

Respectfully submitted,
Anne M. Abear

Approved by Tamworth Board of Selectmen: July 14, 2011

William Farnum

Robert Abraham

John Roberts