

Town of Tamworth  
Board of Selectmen's Meeting  
March 4, 2010  
Tamworth Town Office

Members Present                      Tom Abugelis, William Farnum and John Roberts

Others Present                      Administrative Asst. Cassandra Pearce, Police Chief Daniel Poirier, Road Agent Bruce Robinson, Town Clerk/Tax Collector Kim Noyes, Russ Dowd – Pinetree Power Plant Manager, David Gaudette, Malcolm Longenecker, Sam Martin, Robert Abraham, David Farley, Patricia Farley, Ruth Timchet, Rosiland Gray and Anne Abear.

*Chairman Abugelis opened the meeting at 4:00 p.m.*

Non-Public Session                      *Mr. Farnum moved at 4:00 p.m. and Mr. Roberts supported to enter into a non  
#1    public session per RSA 91:A 3 II b & c. Vote was Roberts, yes, Farnum, yes, Abugelis, Yes. Motion passed.*

*Mr. Roberts moved to adjourn the non-public session at 4:25 p.m. Mr. Farnum supported this motion. Vote was unanimous. Motion passed.*

*Chairman Abugelis reopened the regular meeting at 4:25 p.m. and reviewed the agenda for those present.*

Police Department                      Chief Poirier discussed the following with the Board:

1. Stats for the month of February 2010
2. The unsuccessful search of the police department for a sergeant. After considering the options available to the Tamworth Police Department, Chief Poirier recommended hiring Dana Littlefield as a new officer for the Town effective 3/31/2010. *Mr. Farnum moved and Mr. Roberts supported to offer a conditional offer employment to Mr. Dana Littlefield pending the passing of the required health screening testing, physical requirement of the State of NH Police Academy and background investigation effective 3/31/2010. Vote was unanimous. Motion passed.*
3. Chief Poirier recommended the Board appoint Officer Frechette to the position of Sergeant effective 3/31/2010. *John Roberts moved and William Farnum supported to promote Officer Frechette to the position of Police Sergeant effective 3/31/2010. Vote was unanimous. Motion passed.* The Board requested Officer Frechette to attend the March 10 Town Meeting for her swearing in ceremony.
4. Chief Poirier advised Officer Frechette will be away at training from March 8 – March 14 but believes she would return to attend Town Meeting on 3/10 for the swearing in ceremony.

5. Outgoing Chairman Abugelis expressed his appreciation to Chief Poirier during his tenure as Selectmen.

#### Highway Department

Mr. Robinson discussed the following with the Board:

1. All town roads have been posted to a weight of 6-ton.
2. Several trees along Great Hill Road were damaged during the windstorm last week.
3. Outgoing Chairman Abugelis expressed his appreciation to Mr. Robinson during his tenure as Selectmen

#### TCNA

Joanne Rainville and Chele Miller of the TCNA met with the Board to discuss the connection of the TCNA to the Town's internet service. It was explained that the Town's computer service provider has reviewed the connection and does not feel there will be a problem and that it is safe. Mr. Roberts advised he felt that the Town should have contacted their provider when the inquiry was first made, not making the TCNA wait for a response. The Board authorized the reconnection of the TCNA to the internet and advised that any work to be done to the service will be done by the Town's computer service provider, not by the TCNA programmer.

Mr. Abugelis thanked the TCNA for the work that they do for the community of Tamworth.

#### David Gaudette Tax Abatement

Mr. Gaudette met with the Board to discuss his 2009 tax abatement advising that due to the revaluation assessment process and practice, he was not given the opportunity to appeal his 2009 property assessment due to the notification coming from the Town after the close of the hearing dates. Mr. Gaudette claimed the new assessment on his property places him in a financial hardship as the assessment has doubled. Members of the Board were each given a disk containing laws of the State of NH Assessing Standard's Board.

Mr. Gaudette expressed a concern that the assessor had not entered his building and therefore, could not have assessed the property accurately. Mrs. Pearce presented a 2009 abatement recommendation from the Town's assessor advising that the assessment be revised from \$142,900 to \$112,100 and an abatement be issued in the amount of \$562.73 plus interest. The reason for the recommendation were read by Mrs. Pearce. The Board advised they were not prepared to approve this abatement at his time, as they have not had an opportunity to review the recommendation of the assessor. The Board was advised that they have until July 1, 2010 to respond to Mr. Gaudette.

#### Carroll County Transit

Malcolm Longenecker of Carroll County Transit met with Board to discuss the proposed transit system from North Conway to Wolfeboro and beyond. The routes will run from 6:00 a.m. – 6:00 p.m. Monday – Friday with special fares for student, the elderly and the disabled. The regular cost per day for the same bus usage will be \$2/day and \$1.00 more if a transfer to another bus is necessary. Mr. Longenecker explained demand response fares in which an individual can be picked up for transportation at a location other than the designated stop.

Mr. Longenecker gave examples of the estimated costs for public transportation vs. personal vehicle usage.

It was advised by Mr. Roberts that if there was anything that the Selectmen could do to assist in the stopping points, to let the Board know.

PineTree Power  
Russ Dowd

Russ Dowd of Pine Tree Power met with the Board to discuss a noise complaint by the Town and copied to Mr. Dowd. Mr. Dowd updated the Board on the pollution control modifications made since his last meeting with them. He further advised that there are other businesses in the area that could cause a noise concern to the neighbors along with the forest management changes to buffer zones that have been made by many in the neighborhood. Anyone having concerns could contact Mr. Dowd at [Russell.dowd@gdfsuezna.com](mailto:Russell.dowd@gdfsuezna.com). Mr. Dowd advised he would not be responding to this email complaint.

Public Comment

1. The next regular meeting of the Selectmen will be held on March 18<sup>th</sup> at 4:00 p.m. The Board will hold a meeting in Concord with legal counsel on March 11 beginning at 9:00 a.m.
2. The Board discussed election coverage for March 9. Mr. Abugelis advised he would be available from 4 – 7:00 p.m. Mr. Farnum and Mr. Roberts advised they would split up the remainder of the day.

Non-Public  
Session #2

*Mr. Farnum moved at 6:00 p.m. to enter into a non-public session per RSA 91-A: 3 II a & c. Mr. Roberts supported this motion. Vote was Roberts, Yes, Abugelis, Yes, Farnum, Yes. Motion passed.*

*Mr. Farnum moved and Mr. Roberts supported to adjourn the non-public session at 6:50 p.m. Vote was unanimous. Motion passed.*

Administration

1. Mrs. Pearce advised she had not received the requested information from the planning board regarding subdivisions that took place since April 1, 2009. She advised she would need this information soon in order to properly assess the property owners for the 1<sup>st</sup> billing of 2010.
2. A letter of interest has been received from an abutter who would like to purchase 599 Old Mail Road that was taken by tax deed. The Board would like to review the letter and the property before making any decisions on this item.
3. A notice had been placed in the paper looking for residents who would be interested in serving on the zoning board of adjustment and thus far, only 3 people have expressed an interest; John Mersfelder, Tom Daily, and Harry Miller. Mr. Farnum advised a joint hearing is planned for 3/24/10 with the planning board and recommended the Board appoint the 3 interested members to get this committee started. *John Roberts moved to appoint Mr. Mersfelder, Mr. Daily and Mr. Miller to*

*the ZBA Board. William Farnum supported this motion. Vote was unanimous. Motion passed. Mr. Farnum will work on setting up the 1<sup>st</sup> meeting.*

4. Mrs. Pearce discussed the Silver Star Banner Day Proclamation requested. The Board decided they would not at this time entertain this proclamation.
5. Mrs. Pearce inquired if the Town had a Tamworth flag? The Board advised they did not.
6. A PA 30 for an elderly and disable tax lien was signed.
7. Mrs. Pearce discussed correspondence received from the State of NH and HE Bergeron regarding the Chocorua Project phase II and III. She advised of the changes proposed from the State of shifting funds from construction to engineering. She requested the Board allow her time to review the documentation further before their approval.
8. The Board decided to post a meeting for Monday, March 08, 2010 at 3:00 p.m. to discuss the upcoming town meeting.
9. The Board reviewed the RFQ for the 2010 assessing pickup work. RFQs were received from Municipal Resources, Inc. and Commerford, Nieder and Perkins (CNP). *Mr. Farnum moved and Mr. Roberts supported to enter into an agreement with CNP for the assessing pickup work for the 2010 year. Vote was unanimous. Motion passed.*
10. The pole agreement with Fairpoint Communications was presented for banners to be placed within Chocorua Village. Mrs. Pearce advised that Mr. Tom Peters has reviewed the agreements and agreed to the recommended changes. *Mr. Farnum moved and Mr. Roberts supported to approve the pole agreement with Fairpoint Communications. Vote was unanimous. Motion passed.*

#### Selectmen Matters

Mr. Roberts expressed his discontent with Mr. Abugelis placing signs of election support on his property and an article of support in the local paper in which he signed as an elected official (Selectman) of the Town. Mr. Abugelis advised that in his 4 years as being an elected official he would not endorse any particular candidate, but as he would not be running for reelection, he felt it his right to make an endorsement. Mr. Roberts reminded him of the necessity for him to remain in office up to 5 days after the election for the purpose of allowing time for the new candidate to be sworn in and the potential need for a recount if requested. Mr. Abugelis advised he forgot of both of these requirements. Mr. Roberts informed Mr. Abugelis of the position that the Board has been put into if a recount was necessary and other members of the Board were unavailable. Mr. Roberts advised of his 27 years in politics and he has never seen anything like it. Mr. Abugelis advised it was the position of he and his wife to support Mr. Abraham. Mr. Farnum discussed the letter to the editor and how that effected many people in Town and the Selectmen. Mr. Roberts advised both Mrs. Farley and Mr. Abraham have run a clean campaign until now with the signs on Mr. Abugelis' property looking like the Selectmen have been placed in the middle of the campaign by showing their support of one candidate over another. Mr. Abugelis advised it was not his intention to put the Board into this position. Mr. Abugelis advised he feels he has acted with integrity over the past 4 years as Selectman, but again did not think of the 5 day waiting period in which the Selectmen have been put into a vulnerable position. He reiterated it was not his intent to speak for the entire Board.

Mr. Farley advised the letter to the editor is what concerned him in which he showed his support of Mr. Abraham by pointing out that the Town has elitist and aerostatics people

in the community. Mr. Farley requested Mr. Abugelis elaborate on the statements and names given to the people in Town in which he was referring to. Mr. Abugelis advised he after a review of the candidates felt with the issues facing the community Mr. Abraham was the best candidate and advised an individual group in Town has exerted a lot of influence in Town and he was taking a stand to that issue. Mr. Farley advised Mr. Abugelis had printed some pretty nasty words about Tamworth residents. Mr. Abugelis advised the letter to the editor was not framed to name individuals.

Mr. Roberts advised that the Town of Tamworth has a wide variety of people and reminded Mr. Abugelis what they can do when they work together for the good of the community. Mr. Abugelis advised he felt that he had done a great deal on the Board during his 4-year tenure. Mr. Roberts disagreed and advised he has sat on many Boardss and felt it important to let Mr. Abugelis know he was glad that Mr. Abugelis would not be sitting on the Select board representing Tamworth any longer.

Mr. Abugelis was reminded of RSA 659:44. Mr. Abugelis read communication between his wife and Mrs. Farley that advised she was welcome to place a sign on their sign if she wanted also and that he and his wife would support her for Selectmen. He advised this email was brought to his attention and was an email that he must have forgotten about. Mr. Abugelis inquired if there was any way to mediate the situation at hand. The Board advised there was nothing that Mr. Abugelis could do to mediate the problem and he apologized for the situation at hand.

Mr. Abugelis requested Mr. Abraham to remove the signs from his property.

Later in the meeting, Mr. Abugelis advised that if the other Board members would like, he would resign his position as Selectmen and has decided that he would not sit at the polls. The Board advised they did not desire him to resign but recommended he consider not sitting at the polls for the reasons of negative impact that have already been stated. He advised he would be putting a letter of apology in the paper of the following day.

#### Administration:

1. *William Farnum moved to approve an abatement for map 211 lot 053. John Roberts supported this motion. Vote was unanimous. Motion passed.*
2. *William Farnum moved to approve an abatement for map 410 lot 130. John Roberts supported this motion. Vote was unanimous. Motion passed.*
3. *William Farnum moved to approve an abatement for map 215 lot 030. John Roberts supported this motion. Vote was unanimous. Motion passed.*
4. *William Farnum moved to approve an abatement for map 213 lot 034. John Roberts supported this motion. Vote was unanimous. Motion passed.*
5. *William Farnum moved to approve an abatement for map 410 lot 154. John Roberts supported this motion. Vote was unanimous. Motion passed.*
6. *William Farnum moved to approve an abatement for map 404 lot 030. John Roberts supported this motion. Vote was unanimous. Motion passed.*
7. *William Farnum moved to approve a timber tax levy in the amount of \$573.70. Mr. Roberts supported this motion. Vote was unanimous. Motion passed.*
8. The Board signed an intent to excavate for map 413 lots 013, 014, & 015.

9. The Board signed an intent to excavate for map 218 lot 098. Mr. Farnum requested the Planning Board be copied on all intents to excavate.
10. The Board approved a driveway permit for map 412 lot 036.
11. *Mr. Roberts moved and Mr. Farnum supported to approve minutes of 2/18/2010. Vote was unanimous. Motion passed.*

Non- Public  
Session #3

*Mr. Farnum moved at 7:41 p.m. to enter into a non-public session per RSA 91-A: 3 II a, c, & e. Mr. Roberts supported this motion. Vote was Roberts, Yes, Abugelis, Yes, Farnum, Yes. Motion passed.*

*Mr. Farnum moved and Mr. Roberts supported to adjourn the non-public session at 8:19 p.m. Vote was unanimous. Motion passed.*

Adjournment

*Mr. Farnum moved to adjourn the meeting at 8:19 p.m. Vote was unanimous. Motion passed.*

Respectfully submitted,  
Anne M. Abear

Approved by Tamworth Board of Selectmen: 3/18/2010

John Robert

William Farnum