

Town of Tamworth  
Board of Selectmen's meeting  
Town Office  
April 1, 2010

Members Present                      John Roberts, William Farnum, and Robert Abraham

Others Present                      Administrative Asst. Cassandra Pearce, Police Chief Dan Poirier, Transfer Station Attendant Glenn Johnson, Road Agent Bruce Robinson, Park & Recreation Director Parker Roberts, Representatives of Ambrose Construction, Emery Roberts, Ruth Timchet, Danny Dineen, David Gaudet, Scott Finman, Susan Ticehurst, Emery Roberts, David & Pat Farley, John Gotjen, and Anne Abear.

Site Walk #1                          The Board met at Ricker's Junkyard on Maple Road at 3:00 p.m. for the purpose of reviewing the license that was issued by the Board and is scheduled to expire in June of 2010.

The Board of Selectmen did a site walk at Ricker's Auto Salvage on Maple Road to review the salvage yard for compliance with the junkyard license that was issued in 2009. This license will be expiring in June of 2010 and the Board wanted to be sure all stipulations of the 2009 permit have been met. After a thorough walk thru the Board and Mr. Ricker agreed that two more fence sections would be added to the Turkey Street side of the yard (south-west corner) to the marked tree, and that all materials would be moved inside that boundary. The amount of cars and tires on site were discussed and the Board complimented Mr. Ricker on the progress he has made since their last visit. Mr. Ricker will be sent an application for the 2010 season and items addressed today will be completed within two weeks.

Site Walk #2                          The Board then proceeded to the Town House at 3:45 p.m. to review the ADA compliance for that building. The Board met with Parker Roberts and Bruce Robinson.

The Board met at the Town House to discuss the ADA issues. It was brought to their attention that the Governors Council had conducted a site visit last Friday and also has concerns. After some discussion and suggestions, the Board decided it best to schedule a meeting with the Governor's Council Office so a plan can be developed to meet their approval.

*Mr. Roberts called the meeting to order at the Town Office at 4:12 p.m.*

Department Head  
Reports

Police Department                      Chief Poirier discussed the following with the Board:

1. March 2010 stats were presented.
2. Dana Littlefield's status on becoming a full time police officer for the Town. His physical testing is planned for 4/12/2010.

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3. An updated personnel roster was disbursed.
4. Gas cards for the Mobil station have arrived and will be utilized while the State pumps are being worked on. Currently the pumps will remain open until the fuel is gone.
5. Mr. Abraham discussed the North Conway burglaries that have taken place.
6. Chief Poirier discussed the concern of Mr. Abraham regarding the skate boarding in front of the Town Office.

#### Highway Department

Bruce Robinson discussed the following with the Board:

1. Moore property – drainage is still working adequately. Several inches of rain have fallen in the past few weeks. The Board discussed with Mr. Robinson the need to consider pitching road so the water goes to the other side of the road. Mr. Roberts met with Mr. Moore advising that the main issue was to rebuild the hill. Mr. Roberts advised that the plan for this year is not to rebuild the hill.
2. Grading is being done behind the lake.
3. Sweeping will take place in town tomorrow (Friday, 4/2). The sweeping will be done around town and at intersections. Mr. Roberts indicated the Chocorua village sidewalks should be swept off in conjunction with the next scheduled sweepings. Mr. Roberts offered to have his company sweep the sidewalks. Mr. Robinson will advise Mr. Roberts as to when the sweeping in that area will take place.
4. Roads are expected to be posted for at least another week.
5. The Board discussed the gravel invoice submitted from Bruce Robinson Co. for crushed gravel. Mr. Roberts advised that 2 years ago all gravel purchases was awarded to Ambrose Brothers. Mr. Robinson advised he understood the gravel was put out just for the 2009 calendar year. Mr. Robinson advised gravel was available from Bruce Robinson Co. which was much closer to the site where it was needed. Mr. Roberts advised that an elected official selling a product to the Town more than \$200 in value must go out to bid per RSA 95-1. Mr. Roberts read an article advising that the law does not apply to services, but to goods and real estate. Mr. Robinson felt that the best for the Town at that time was to purchase the product from Bruce Robinson Co. Mr. Roberts continued to read an article of Friday, August 25, 1995, which was printed in the Conway Daily Sun regarding the costs associated with the highway budgets that year. It was pointed out to Mr. Robinson that this article was put out when both he and Mr. Roberts were on the Select board and that a memorandum was distributed to all elected officers of the Town notifying them of this RSA. Mr. Robinson recalled the article. Mr. Roberts advised that a violation of this statute is a misdemeanor punishable by a fine of no more than \$1,000 and a year in jail, and upon conviction the office of the violator is to be declared vacant. After a review of this information, Mr. Roberts advised he was unwilling to sign the check in the amount of \$1,493.55 for the gravel purchased, but would sign the check in the amount of \$630.00 for the rental of the equipment. Mr. Farnum concurred advising he would also not sign the gravel check. Mr. Abraham signed the original check for the entire \$2,123.55 and advised being new to the Board he was unaware

of this RSA. He advised he would not sign either of the two new checks being presented.

6. Mr. Farnum discussed Bunker Hill Road and the projected timelines for general ditching and other roads that will be looked at. Mr. Farnum requested Mr. Robinson provide a detailed listing to the Board at the 4/15 meeting of his plans for roads, culverts, ditching, and paving. Mr. Robinson advised he has prices on paving for some roads. The current plan is to finish Old Route 25 and he discussed prices received for the Maple Road area.

#### Transfer Station

Glenn Johnson discussed the repairs to the plunger of the compactor which has been scheduled for Monday, 4/5/2010 with the assistance of Mike Davis. This project is expected to take one day.

Mr. Johnson advised prices on new tires for tractor have come in at \$500/each. He continues to wait for a price from Northern Tire.

A contract for \$2500 for the SWPPP will be presented to the Board at this meeting for signatures for HE Bergeron.

#### Town House

Parker Roberts discussed the painting of the side entrance steps of the building. It is currently pressure treated lumber. Mr. Roberts advised the entrance ramp is more important at this time. The Board will be meeting with Governor's Council to have them approve the proposed changes prior to the Board making any final decisions.

Parker Roberts advised the ball fields will be open this coming Monday and Saturday (4/3/2010) will be the Easter Egg Hunt.

#### Road Agent

The Board received 3 gravel bids:

Bidder Price by <b>YARD</b>	¾ Cr	1 ½ Cr	3-6 Cr	3-6 Stone
AJ Coleman	7.50	10.13	8.63	13.50
Ambrose	9.35	9.35	8.00	14.25
Bruce Robinson	11.48	10.35	9.75	NG
Bidder Price by <b>TON</b>	¾ Cr	1 ½ Cr	3-6 Cr	3-6 Stone
AJ Coleman	5.00	6.75	5.75	9.00
Ambrose	6.23	6.23	5.33	9.50
Bruce Robinson	7.65	6.90	6.50	NG

Material testing results were attached to each bid. Mr. Roberts advised he has never seen the Town go through the requirement of testing results being a requirement for bidding material. Mr. Abraham inquired of Mr. Robinson if the material met the specifications that were being called for. Mr. Robinson advised he was not a soil scientist, but would like to see the material be good top grade material. Mr. Ambrose advised that the State spec material is being

utilized knowing that the roadways for the State are going to be paved. These specs may not need to be so specific if no paving is being done.

*Mr. Roberts moved and Mr. Abraham supported to accept the bid from Ambrose Brothers to supply gravel to the Town of Tamworth. Vote was unanimous. Motion passed.*

Public Comment

None

Board of Selectmen Updates Mr. Abraham discussed the request of the Mt Washington Valley Economic Council to have the name of Tamworth on an advertisement showing the support of the community to publicly endorse the teachers and staff of SAU #9 contracts that are currently being negotiated. He advised that the increase was to increase the budget by 1.5%. Mr. Farnum advised that the Town of Tamworth has no representation on the school board of Conway even though children of Tamworth go to the Kennett High School. He did not feel it appropriate for the Town to endorse this request. *Mr. Abraham moved and Mr. Roberts supported to not participate in the ad for the MWVEC and to not publicly support the teachers and staff contracts. Vote was unanimous. Motion passed.*

Individual Selectman's  
Access to files

Mr. Abraham discussed the authority of the Selectmen and the unlimited access that the Selectmen should have to any and all personnel files, any and all welfare files, the ability to unsealed non-public minutes and other documentation. He advised he received a verbal confirmation of this information from LGC. He advised he knew he had a learning curve to fulfill as Selectmen. He advised that he is currently registered for some of the training sessions and is taking courses on line. He is attempting to make the transition smooth and appreciates the girls and their work in the office but wanted to be clear with all respect that all employees work for the Selectmen. Mr. Abraham continued by advising he would like to review all of the personnel files in case a complaint comes in regarding an employee and should be trusted as a voted in member of the Select Board to gather the information on his own and would appreciate the access to the vault.

Mr. Farnum agreed that as a Board the Selectmen can view personnel files and this can be done at a meeting. Mr. Farnum further advised that the members sitting at the table of Selectmen make the decisions; no individual can make a decision on their own. He advised he did not have access or the combination to the vault and did not want it. He concluded by advising he was not in favor of providing Mr. Abraham with the combination to the vault either.

*Mr. Roberts moved to have Mrs. Pearce contact the vendor who is utilized to change the vault combination to change the vault combination with access to the vault to be disbursed to the office staff of Mrs. Pearce, Mrs. Abear and Ms. Noyes. Mr. Farnum supported this motion. Vote was unanimous.*

A majority of the Board agreed that the personnel and welfare files would be available for review to Mr. Abraham only at a regular meeting of the Board when

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a quorum is present. Non-public sealed minutes will not be opened unless the Board makes that decision.

#### Meetings overview

Mr. Farnum discussed the Ordinance Review Committee meeting scheduled for Monday at 7:00 p.m. at the Town Office.

Mr. Abraham attended the MWVEC meeting last week. Mr. Farnum attended to introduce Mr. Abraham.

Mr. Farnum advised that the planning board is moving ahead and is working on their project of reviewing each of the excavation sites. The first site will be the Letarte property.

Mr. Farnum advised that the energy committee would be looking for additional membership, as Mr. & Mrs. Custer will be asking to get off that Board. Mr. Tom Daley has expressed an interest in serving the committee.

#### Vincent Vaccaro – White Lake Triathlon

Mr. Vincent Vaccaro representing an organization who will be putting on a triathlon beginning at White Lake State Park in September attended the meeting to discuss the event. He advised that the triathlon would be utilizing Tamworth roadways. He will be working with the Chief Poirier to acquire the necessary permits. Anyone wanting more information can contact Mr. Vaccaro at 520-8268. The Board endorsed this event and offered to assist where they could.

#### Administrative Matters

Mrs. Pearce discussed the following with the Board:

1. Raffle permit – *John Roberts moved to accept the revised raffle permit as amended. Robert Abraham supported this motion. Vote was unanimous.*
2. UNH is looking to acquire a copy of the tax maps digitally for their properties. Cartographics will sell the items to them with the Board's permission. The Board authorized this request.
3. Mrs. Pearce discussed the cord report for growth management. She advised that this report had been given to the Planning Board. Mr. Farnum will follow up on this item.
4. Map 413 lots 004 & 004-001 driveway permits were presented. *Mr. Farnum moved and Mr. Roberts supported to approve both driveway permits as presented with the understanding that no paving will be required. Vote was unanimous.*
5. Appointment for Pat Farley to the LRPC - *Mr. Farnum moved and Mr. Roberts supported to appoint Mrs. Farley to the Lakes Region Planning Commission as recommended by the Planning Board. Vote as unanimous. Motion passed.*
6. Letter of agreement for the transfer station SWPPP not to exceed \$2500 plus reimbursable expenses. *William Farnum moved to approve the contract for SWPPP between the Town of Tamworth and HE Bergeron Engineering. Mr. Abraham supported this motion. Vote was unanimous. Motion passed.*
7. 2010 monitoring of the landfill – *William Farnum moved and John Roberts supported to approve the 2010-monitoring contract for the landfill. Vote was unanimous. Motion passed.*
8. The Board approved abatements as follows:
  - Map 212 lot 026 abatement approved.

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- Map 212 lot 023-002 abatement approved.

Sharon Nothnagle &  
Brian Forcier

Ms. Nothnagle and Mr. Forcier attended the meeting and met with the Board to discuss the Internet connection at the Town House during election events. Ms. Nothnagle indicated that the equipment necessary to provide the Internet to the Town House could be placed at the Cook Memorial Library. Mr. Forcier explained several different types of connections which could be made and advised that the service of connection could be boosted allowing for many more people to be able to connect to the service. The Board agreed with the concept but requested Ms. Nothnagle and Mr. Forcier meet with the library trustees to inquire if they would allow for this equipment to be placed within their building. The price for this equipment and its installation will be \$310.00.

Non-Public Session

*Mr. Roberts moved and Mr. Farnum supported to enter into a non-public session at 6:25 p.m. per RSA 91:A 3 II c. Vote was Roberts, Yes, Farnum, Yes, Abraham, Yes. Motion passed.*

*Mr. Roberts moved and Mr. Farnum supported to adjourn the non-public session at 7:00 p.m. Vote was unanimous. Motion passed.*

Administrative Matters

Mrs. Pearce submitted the following for the Board:

1. Abatements as follows:
  - Lakes Region Conservation Trust – denial on several parcels.
  - Map 217 lot 046 denial
  - Map 217-043-011 denial
2. Intent to excavate for map 210 lot 003
3. An automobile permit for inspection station for map 209 lot 004
4. An appointment for Daniel Dineen as an alternate for the Zoning Board of Adjustment
5. A LUCT levy in the amount of \$4,350 for map 412 lot 036
6. A LUCT levy in the amount of \$4,400 for map 414 lot 060
7. A timber tax levy in the amount of \$264.53
8. A timber tax levy in the amount of \$1,109.65
9. A timber tax levy in the amount of \$237.56
10. A timber tax levy in the amount of \$124.75
11. *John Roberts moved and William Farnum supported to approve the minutes of March 18, 2010 regular meeting as written. Vote was unanimous. Motion passed.*
12. *John Roberts moved and William Farnum Supported to approve the minutes of March 18, 2010 non-public session as written. Vote was unanimous. Motion passed.*
13. Mrs. Pearce discussed the Chocorua Village project advising that the State is expecting the approvals from the Federal Government to release the funding on or about April 30. No work will be conducted on that project until after that date.

14. Mrs. Pearce advised a review of an abatement for Mr. Gaudet of Turkey Street will be conducted with the Town Assessor on April 15.
15. A package of information had been received and placed in the read file from NE Electrical Distributors. The Board decided they would meet with them on April 29.
16. Mrs. Pearce discussed the administration of the energy grant and it was decided that it would be administered out of the Town Office.
17. The Board will be reviewing the current project listing and making updates at the 4/15 meeting.
18. Mr. Farnum advised that the water shut off located in the walkway needs to be addressed.
19. Mrs. Pearce discussed the card shower being held for Harry Thompson and the request for the Board to sign his card with accounts payable and payroll over the weekend.
20. Mr. Roberts discussed a request of Mr. Dick Swan to acquire a site plan for the highway garage property. The Board will discuss this with Mr. Robinson.
21. A letter of resignation was presented to the Board from Lee and Peg Custer from the Energy Commission effective 4/1/2010. *Mr. Roberts moved to accept these resignations with sincere regret. Mr. Farnum seconded this motion. Vote was unanimous. Motion passed.*
22. The Board discussed several bills that have been submitted for payment by individual departments.

Non-Public Session

*Mr. Roberts moved and Mr. Farnum supported to enter into a non-public session at 7:25 p.m. per RSA 91:A 3 II c. Vote was Roberts, Yes, Farnum, Yes, Abraham, Yes. Motion passed.*

*Mr. Roberts moved and Mr. Farnum supported to adjourn the non-public session at 8:18 p.m. Vote was unanimous. Motion passed.*

Recess

This meeting was recessed at 8:18 p.m. by Mr. Roberts and will be reopened on 4/2/2010 beginning at 6:30 a.m. at the Town Garage.

Reconvene

*Mr. Roberts reconvened the meeting at 6:30 a.m. at the Town Garage.*

Present were

Mr. Roberts, Mr. Farnum, Mr. Abraham, Mr. Robinson and highway personnel.

The Board reviewed the inside of the highway garage with Mr. Robinson looking at the new metal workbench, venting of pressure washer and overall appearance of the garage. The Board went outside with Mr. Robinson and looked at where Mr. Robinson plans to screen sand for the coming year. Mr. Robinson advised he would like to screen in early summer. Mr. Roberts inquired if it would be easy to do screening with an excavator if one was going to be rented for ditching. Mr. Robinson advised an excavator would help speed up the screening process. Mr. Roberts advised he would like to see the salt shed siding completed this year. The Board agreed. The Board also felt the 2 old snow plows and the oldest York rake could be sold. The Board requested Mr. Robinson to clean up the old grader tires.

The Board discussed the need for separation of rubbish taken to the transfer station. The Board requested trash be taken to the transfer station when it is open on Wednesdays. Mr. Robinson left the meeting at 7:15 a.m. to meet with Coleman's sweeper.

The Board proceeded back into the highway garage looking at the overhead doors to make sure they were working appropriately. The Board made a telephone call to Wayne Harriman and requested he try to work on the doors within the next couple of days.

The Board met with employee Gordon White and inquired if the Town owned a welder, would he have been able to make the new metal workbench that was recently built by Whyte's Welding. Mr. White advised he could have made this cart and he could do a lot of the welding for the Town.

The Board left the highway garage at 7:50 and went to the Town House to view the pitch of the walkway from the front door to the end of the walkway at the edge of the pavement. The walkway is 35 feet long by 5 feet wide with a pitch of 13 inches.

Adjournment

*Mr. Roberts adjourned the meeting at 8:20 a.m. Mr. Farnum supported this motion. Vote was unanimous. Motion passed.*

Respectfully submitted,  
Anne M. Abear

Approved by the Board of Selectmen: 4/15/2010

John Roberts

William Farnum

Robert Abraham

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