

Town of Tamworth  
Board of Selectmen's Meeting  
Town Office  
September 16, 2010

Members Present                      John Roberts, William Farnum, and Robert Abraham

Others Present                      Town Administrator Cassandra Pearce, Police Chief Daniel Poirier, Road Agent Bruce Robinson, State Police Sergeant Davies, Police Sergeant Penny Colby, Police Officer Dana Littlefield, John Mersfelder, David Little, David Bowles, Bill Rich, Karin McNiff, Mr. & Mrs. David Farley, Ruth Timchak, Sam Martin, Sandra Flanagan, Jeff Tavares, Lucy Bellen, Justin Bellen, Anne Abear and other members of the public.

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

Highway Department              Mr. Robinson discussed the following with the Board:

1.        All sand has been screened and the location of the sand had to be changed.
2.        Paul King will be coming in to give the Town proper elevations of the highway department property and a plan will be determined as to what will be done on the property next year.
3.        Bunker Hill work will begin next week. The Board discussed the buried telephone lines within the roadway. Mr. Robinson advised Dig Safe has been out and was unable to locate the lines. He continued by advising that additional lines are buried up Page Hill and along Turkey Street. Those lines will be located when the work is done on those roads.
4.        Mr. Roberts inquired what the plan was for the material that is excavated from the Bunker Hill project. Mr. Robinson advised the material will be hauled back to the Town garage and mixed with the current material.
5.        Mr. Roberts requested a meeting with Mr. Robinson and the other Board members regarding the wall on Cleveland Hill Road. A site walk was scheduled for Monday, 9/20/2010 beginning at 4:00 p.m.
6.        Mr. Roberts advised he received a call from Ron Moore and Russell Eaton regarding the holes on Washington Hill Road on the Route 16 end. Mr. Robinson will view the area.
7.        Mr. Abraham discussed a concern brought to him of trash along Page Hill and Depot Road. He requested signs be placed at both ends advising that littering was illegal. Mr. Robinson and Chief Poirier will discuss this and report back to the Board with a recommendation. Suggestions of placing trail cameras along the roadway and utilizing the prison inmates to pick up the trash were made.

Police Department                Chief Poirier discussed the following with the Board:

1.    Everything within the department is going well.
2.    The Reach the Beach Relay will be held throughout the community on Friday, September 17, 2010. Anyone traveling is asked to watch for these racers.
3.    Sergeant Davies of NH State Police attended the meeting for the purpose of performing a taser demonstration on Tamworth's newest police officer, Dana Littlefield. After an explanation of the tool that can be utilized by police officers, it was announced that the officer's certification includes being tased

themselves. A presentation was made and with Chief Poirier and Jeff Tavares holding both sides of Officer Littlefield the certification was completed. Officer Littlefield was tased and is now able to carry and utilize the tool on his belt.

#### Radio Repeater on Great Hill Road

Bill Rich & David Bowles were present to discuss a monetary gift that will be given to the Town of Tamworth for the purpose of placing a radio repeater on Great Hill Road. The current estimates received according to Mr. Bowles for this project are at \$16,500. Mr. Rich advised that he understands the project will not be done until possibly June of 2011. The purpose of this repeater placement is to allow for better radio communication in remote areas of Town. The repeater will be for the sole use of the Town of Tamworth and will not be utilized by OVMA. Mrs. Pearce advised that as the Fire Department was not asking for additional funds to be raised since the Foundation has agreed to pay the entire cost of this repeater, the Board would only need to hold a public hearing to accept the funds and would not have to go to Town Meeting. The consensus of the Board was to approve the gift from the Tamworth Foundation. Board members thanked Mr. Rich for the Foundation's generosity.

#### Rescue Department

Captain Tavares discussed the revised protocol recommendations being made for the rescue department pertaining to an individual who is a paramedic. The request allows for the purchase of an upgraded CO2 monitor that will cost no more than \$8,000. The Board inquired about the additional items that were being asked for at the last meeting and why a change was being made? Captain Tavares advised that the vote of the Rescue Squad was to hold off on the purchase of the other items until 2011. The Rescue Squad will present with their 2011 budget requests for the additional items to be purchased in 2011. Mrs. Pearce discussed the use of the Huff Fund to pay for this \$8,000 upgrade during the 2010 year. *Mr. Farnum moved and Mr. Roberts supported to purchase the updated CO2 monitor at a cost of up to \$8,000 with the funds to cover this cost to come from the Huff Fund. Vote was unanimous. Motion passed.*

#### Zoning Board of Adjustment Update

Mr. Mersfelder discussed the reestablishment of the Zoning Board of Adjustment and the accomplishments that have been made since the members were appointed. He discussed the application that was acted upon, the individual applications that have been created, the ZBA 2010 handbook that has been acquired for each member and the rules of procedure that have been written. Mr. Farnum requested a copy of the rules for procedure for the Selectmen. Mr. Mersfelder discussed the ordinance being created by the LURC and the requirement for appeals from this type of ordinance to go to Superior Court, not the ZBA; referencing RSA 674-21. The 2011 budget has been submitted to the Town Office, no further meetings have been scheduled and the ZBA will remain dormant until an application for an appeal is received. The Board thanked Mr. Mersfelder for his work on this Board. Mr. Mersfelder recognized Ms. Prentice for her work.

#### Conservation Easement Deed for the Robert Freeto Property in South Tamworth

#### "Gilman Lot"

Mr. Mersfelder presented a Conservation Easement Deed for the Board to consider signing which will give the Town of Tamworth Conservation Commission an easement from the Society for the Protection of NH Forests for property they are acquiring known as the "Gilman Lot". He advised that the Town Attorney has reviewed the document, made recommended changes and the funds have been raised by the Tamworth Conservation Commission to cover the cost of the easement that the Commission will be receiving.

*Mr. Farnum moved and Mr. Roberts supported to sign the conservation easement deed for the Gilman Forest Lot being received from the Society for the Protection of NH Forests. Vote was unanimous.* Although Mr. Abraham voted in favor of this motion, he requested time to view the document and would come in to sign the document on Friday, September 17, 2010.

#### Other items of Interest From the Cons. Comm.

Mr. Mersfelder discussed other offers of land purchases and/or easements that have come to the Conservation Commission from the Wright Brothers and Cersosimo Lumber Company. Mrs. Pearce announced that the Commission has offered the administrative assistance position to Chris Conrod. The Board expressed their satisfaction with this candidate advising that Mr. Conrod would do a great job.

#### Public Comment

Ms. Flanagan discussed that during the beautification project of Chocorua Village, the access that was utilized to fix the dam on her mother's property was removed. The Board advised that there was never a designated access to this dam from Route 16. After some discussion, the Board advised that the water would have to be let down; equipment would have to be moved in from the Route 113 side of the property if access cannot be reached from Route 16.

#### Selectmen Updates

1. Mr. Farnum attended the Cook Library Trustees meeting and a concern was expressed about the town office parking lot lights and a streetlight that was out. Mr. Farnum advised he adjusted the parking lot lights timer. The budget for the library will be turned in after their October meeting.
2. Mr. Abraham discussed the LURC meeting advising that the ordinance is complete with the exception of a noise regulation. He advised that the committee worked on the definitions and the plan to send the ordinance to the planning board after their 9/29 meeting. The Board inquired if after the public hearing in which the planning board may vote to approve the ordinance and send it to the Town for a vote, the ordinance becomes in effect immediately? This inquiry did not have an answer. Mr. Abraham advised this type of ordinance is only utilized in one other Town in the State (Whitefield).
3. Mr. Roberts discussed the Conservation Committee meeting held on Monday with the understanding that a groundwater protection ordinance will be presented to the planning board at their 9/22 meeting. The Board was advised that the ordinance will be available on the website in the next few days. Mr. Roberts advised he had concerns regarding the ordinance, but would like to review the ordinance further before his concerns are expressed.
4. The Conservation Commission took a tour of the Transfer Station property. Mr. Farnum advised he attended this tour and recommended not to do any further timber harvesting or trail marking on the property. There are several signs of wildlife on the property. A second tour will be scheduled for this winter.
5. Mr. Farnum was approached by a member of the PTA/PTO regarding an article approved at Town Meeting several years ago for \$4,000 to be raised for playground equipment. He advised the committee has funds available and if an area cannot be determined for the playground equipment to be

- placed, the money will be sent back to the Town. Ms. Timchek recommending the library as a location that is considered. The Board recommended the organization to contact Mr. Parker Roberts.
6. Mr. Abraham discussed a meeting he had with Attorney Judy Reardon regarding the maintenance of sidewalks this winter. He advised she gave him a package of paperwork in which she determined that it is a requirement for the Town to maintain the sidewalks. He further discussed RSAs she gave him indicating that the Town should be maintaining the sidewalks. He recommended she bring her concerns to the Board. Mr. Roberts and Mr. Farnum both advised that they were unwilling to maintain the sidewalks that were placed within Chocorua Village during the winter season. Mr. Abraham advised Ms. Reardon indicated she might take legal action against the Town if the walkways are not maintained. Possible suggestions of cost sharing to maintain the sidewalks were discussed.
  7. Mr. Roberts announced a Conservation Commission and Outing Club planned workday for 10/30 (rain date 11/6) for property on Page Hill Road. Anyone wanting to assist in this event is asked to contact a member of the Commission.

## Administrative

Mrs. Pearce discussed the following with the Board:

1. A FEMA workshop on benefit cost analysis scheduled for 9/23 – 9/24. The Board approved Mrs. Abear to attend this training.
2. An approval has been received for the energy grant. The next step is for the Board to come up with a project work schedule and submit it to the grantor. After some discussion of whether the project should be put out to bid, request for proposals, or whether the Town will utilize the original contractor (LightTech), the Board requested Mrs. Pearce to check the requirements of this grant and to report back to the Board. The grant is for \$39,000.
3. Mrs. Pearce advised she received a price from Paul King to complete the Sandwich/Tamworth town lines. The cost to Tamworth would be \$2500. The Town awaits Sandwich's response.
4. The Board reviewed a list of capital reserve accounts previously established and after some discussion, decided what funds would be placed on the 2011 Town Warrant to be moved, reallocated, or closed out.
5. It was reported that the canopy and equipment has been moved from the Cleveland Hill Cemetery as requested by the Board.
6. The Board reviewed and approved a revised version of the Transfer Station/Beach Facility Permit policy. *Mr. Farnum moved to adopt the revised policy for the Transfer Station and Beach Facility permit policy as presented. Mr. Roberts supported this motion. Vote was unanimous.*
7. An application for a raffle permit was presented for the TCNA to hold a raffle on 9/18. After some discussion on the policy requirements to request a permit 30 days in advance, *Mr. Farnum moved and Mr. Roberts supported to waive the 30-day requirement for this application. Vote was unanimous. Motion passed.*
8. An intent to cut was signed for map 406 lot 056.
9. Mrs. Pearce presented a deed for the Board to sign for property that was taken on Durrell Road for back taxes earlier this year. Mrs. Pearce explained that this deed would not be disbursed until the funds are received directly from the attorney on September 30. The Board signed the deed.
10. *Mr. Roberts moved and Mr. Farnum supported to approve an accounts payable manifest in the amount of \$321,409.21. Vote was unanimous. Motion passed.*
11. *Mr. Roberts moved and Mr. Farnum supported to approve an accounts payable check register in the amount of \$321,409.21. Vote was unanimous. Motion passed.*
12. *Mr. Roberts moved and Mr. Farnum supported to approve a payroll manifest in the amount of \$16,117.41. Vote was unanimous. Motion passed.*
13. *Mr. Roberts moved and Mr. Farnum supported to approve the 9/2/2010 regular meeting minutes. Vote was unanimous. Motion passed.*
14. *Mr. Roberts moved and Mr. Abraham supported to approve the 9/2/2010 non-public minutes. Vote was unanimous. Motion passed.*

15. *Mr. Roberts moved and Mr. Farnum supported to approve the 9/8/2010 non-public sealed minutes. Mr. Abraham was not present at the meeting. The minutes were placed in a sealed envelope. Mr. Abraham requested to view the minutes and was denied by the other members of the Board as the minutes were sealed. Vote was: Roberts, Yes, Farnum, Yes, Abraham, Abstain ? Mr. Abraham disagreed with the other members of the Board and inquired if the other Board members needed to be reminded of the RSA, which allows him as a Selectman, to view all sealed minutes? The other members of the Board were willing to review the RSA if needed.*
16. *Mr. Roberts moved and Mr. Farnum supported to approve the minutes of 9/10/2010 regular meeting. Vote was unanimous. Motion passed.*
17. *Mr. Roberts moved and Mr. Farnum supported to approve the 9/10/2010 non-public minutes as presented. Vote was unanimous. Motion passed.*
18. *The Board was presented with new IRS laws regarding fire and rescue personnel's pay. The law indicates that these individuals are employees of the town, must pay federal, social security and Medicare taxes on the stipends they receive. The Board agreed to send a notice to the fire wards and the rescue department to let them know that their individuals will be paid through payroll for the 2010 year. Mrs. Pearce will work on putting information together regarding how the drug and alcohol policy will affect these employees. This will be discussed again at the next meeting.*

Non-Public  
Session

*Mr. Roberts moved and Mr. Farnum supported to move into a non-public session per RSA 91 A: 3 II c & e. This motion was made at 7:04 p.m. Vote was Roberts, Yes, Farnum, Yes, Abraham, Yes. Motion passed.*

*Mr. Roberts moved and Mr. Farnum supported to adjourn the non-public session at 7:23 p.m. Vote was unanimous. Motion passed.*

Adjournment

*Mr. Roberts moved and Mr. Abraham supported to adjourn the meeting at 7:23 p.m. Vote was unanimous. Motion passed.*

Respectfully submitted,  
Anne M. Abear

Approved by Tamworth Board of Selectmen: 9/30/2010

John Roberts

William Farnum

Robert Abraham