

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

Members Present John Roberts, William Farnum and Robert Abraham

Others Present Administrator Cassandra Pearce, Road Agent Bruce Robinson, Police Chief Dan Poirier, Jay Poulin of HE Bergeron, Shannon Thomas of Sprint/Nextel, David Little, Jeff Burke, Sam Martin, Patricia & David Farley, Karen McNiff, John Mersfelder, David Gaudet, Ruth Timchak, many paving bidders, Vince Vaccaro , Anne Abear and other members of the community.

John Roberts called the meeting to order at 4:03 p.m.

Department Reports

Police Department Chief Poirier had nothing to report from his department at this time. Mr. Abraham advised the logging operation along Turkey Street is utilizing the unauthorized entrance. Chief Poirier will check on this operation.

Highway Department Pine Hill Road – Mr. Robinson advised he submitted a letter of recommendation after the meeting advising that the highway department was willing to plow the roadway from Route 113 to the power lines to give Mr. Letarte access to his gravel pit. The Board agreed with this recommendation. If any further plowing will be done, it is recommended that several trees be trimmed or taken down. The Board requested a meeting be set up for Monday, 12/20/10 beginning at 8:00 a.m. Everyone is to meet at the top of Pine Hill. A brief discussion ensued regarding the requirements of holding public hearings for cutting trees along a scenic roadway. The Board advised 3 letters have been received in regard to the Road Agent's recommendation to maintain a portion of the road through the winter months.

Bolles Road – Mr. Robinson discussed the letter received from Alan Phenix regarding the area of roadway that will no longer be maintained by the Town. Mr. Robinson advised that his response was that the Town will do their best to ensure that the roadway access is not

hindered with debris or snow. Board members all agreed that since this portion is not a Town road, it should not be maintained. Mr. Robinson advised that there is a significant area for a truck to turn around and for the placement of snow off the roadway. Mr. Roberts gave a brief history of this roadway.

Paving Bids

Mrs. Pearce read the 2011 paving bids received as follows:

These are the total bids for a portion of Washington Hill Road, MacGregor Road, High Street, Maple Road, and Transfer Station. Alternate pricing was received for a portion of Cleveland Hill Road and Durrell Road.

FR Carroll - \$298,565.60
Pike Industries - \$343,595
R & D Paving \$344,550.08
GMI Paving - \$327,199.25

The numbers will be reviewed and discussed by the Board on 12/20 with a decision being made on 12/30/10.

HE Bergeron – Chocorua Community Project

Mr. Jay Poulin of HE Bergeron attended the meeting to review the maintenance option for sidewalks within Tamworth, Chocorua and South Tamworth and to discuss the proposed cost estimates which came in at \$25,000 with the current sidewalks being maintained and the estimated \$35,000 budget for the proposed sidewalks that may be built. Mr. Poulin informed the Board that this price was based on a snow dump being available within the community. Mr. Roberts inquired if this price included a police officer for details? Mr. Poulin advised it did not. Further, Mr. Poulin advised the price did not include actual maintenance to the sidewalks. This price is for clean up at the end of snow storm. The sidewalks will not be maintained during the storm. Mr. Farnum recommended the Board consider getting a price for each individual area when bidding is done as it may be more reasonable.

Vince Vaccaro Pine Pitch Challenge

Mr. Vaccaro advised the event went very well and requested permission from the Board to run another triathlon on 9/24/2011. He continued by reporting 96 people participated in this event in 2010. With better

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advertising in 2011 it is expected that 250 people may participate. The Board advised they were in favor of the event taking place in 2011 and requested Mr. Vaccaro to contact the Tamworth Police Department to see if Chief Poirier would like to make any changes.

Shannon Thomas
Sprint Cell Service Provider

Ms. Thomas met with the Board to discuss the current cell service plan that the Town has with Sprint/Nextel. She advised she has reviewed the policy and would like the Board to consider making changes to the plan that will allow for better service. The new telephones that are available for trial do not have the push to talk capabilities, but believe that better service is available. The Board advised they were willing to give the new telephones a try at the cost of .99 after a demo phone is received and tried by an employee of the Town. The current telephone being discussed does not allow for an additional telephone number to be added. The telephones are one line phones. There are other phones that are available with this capability, but the service may not be as good.

Conservation Commission
Update

Mr. Mersfelder attended the meeting to discuss the Beaver Brook property in South Tamworth that has been offered to the Commission at the price of \$95,000. The Commission has been able to negotiate the price down to \$85,000 and has raised approximately \$76,000 to date. This transaction is expected to take place on or before 12/31/2010. The Community School will hold the property and will grant an easement to the Commission. A public hearing will be held on December 27, 2010 by the Conservation Commission. Mr. Roberts discussed the access to the property and the buildings that are on the property. The consensus of the Selectmen was to move forward with project. The Commission was thanked for their work on this project.

David Little
AT & T Cell Tower
Discussion

Mr. Little advised that AT & T has come to the Planning Board to discuss a request to place a temporary and permanent microwave dish on the

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existing tower at 680 White Mountain Highway. The Planning Board has approved the Selectmen issuing a permit for this temporary microwave dish to be placed on the tower without site plan review. The permanent dish will require site plan review by the Planning Board. Mr. Little explained that according to the cell tower regulations all companies must come to the Planning Board to discuss whether a site plan review is necessary. Mr. Little will provide a copy of the letter being sent to AT & T which will allow the Selectmen to issue the permit for the temporary dish. Mr. Farnum inquired if a time limit could be placed on the permit being given for the temporary dish? Mr. Little advised that may be difficult as it will depend on when AT & T receives their FCC license as to when the change will be made.

Public Comment

Mr. Little presented a letter to the Selectmen expressed concerns with Selectman Abraham's statement at the December 1, 2010 Planning Board Meeting. He requested help from the Selectmen to resolve questions by Mr. Abraham concerning his credibility and damage to his reputation both with members of the Planning Board and the public. This issue is as a result of Mr. Abraham as a Selectmen's Representative to the Planning Board making statements that Mr. Little had excavated and removed soil from his property and that he had violated various laws and hadn't gotten all the necessary permits, including 155-E and Terrain Alteration. Mr. Little advised that he certainly can make mistakes like everyone else and if he has, he was willing to correct them and make restitution as necessary, but if he has not, then making false statements about him in a public forum was slander. Mr. Little gave background regarding work that was done to his property in 2006 as part of his forestry plan to increase the total acreage of non-forest upland openings and to enhance the diversity of wildlife habitat. The result of the harvest improved the views of Sandwich Range. Mr. Little explained RSA 227-J: 9 and RSA 485-A: 17, IV pertaining to timber cutting and harvesting. The work being performed on Mr. Little's property was brought to the Board because a neighbor had asked questions about what was being done on his property. The project was described to the Board and if a concern was expressed, the Board did not let him know about it at the time. Mr. Little discussed the easement which is held by the Society for the Preservation of NH Forests and the Forest Stewardship Council's program which certifies forest stewardship practices.

Mr. Abraham advised his statement at the planning board meeting advising that Mr. Little had some knowledge of the work in regard to the excavation of land. He continued by advising that he did not accuse Mr. Little of doing anything illegal and that he thought Mr. Little had some experience. Mr. Abraham apologized for the misunderstanding. Mr. Little advised that Mr. Abraham indicated he had received several complaints regarding the work on his property. Mr. Abraham indicated that was true, but it was not his affair. He indicated he could not stop people from contacting him with their concerns and that some concerns were brought prior to him being elected to the Selectmen's office. Mr. Abraham again apologized to Mr. Little and advised he did not mean to degrade Mr. Little; nor was he trying to railroad Mr. Little.

Mr. Farnum expressed his concern with this being the second time within the last month that Mr. Abraham's past statements at Planning Board meetings which have been brought to the Selectmen attention. Mr. Farnum advised he would like to review what specifically was said at that meeting. Mr. Farnum reminded Mr. Abraham that he is an alternate to the planning board and that he was very close to making a motion to remove Mr. Abraham from this ex-officio position. Mr. Abraham advised Mr. Farnum was entitled to his opinion.

Mr. Roberts advised that Mr. Little had done a great job on the project and it had enhanced the views. Mr. Abraham advised he does not have any concerns with the work done by Mr. Little.

Mr. Roberts requested a copy of the recorded meeting tape from Sam Martin who indicated she would provide one tape to the Selectmen on Monday, December 20.

Pat Farley
Economic Development
Committee

Mrs. Farley requested the Board of Selectmen appoint Ms. Karen McNiff to the Lakes Region Planning Commission as a commissioner representing the Town of Tamworth. *Mr. Farnum moved and Mr. Abraham supported to appoint Ms. McNiff to the Lakes Region Planning Commission as the 3rd commissioner for the Town of Tamworth. Vote was unanimous. Motion passed.*

Mrs. Farley discussed the lightning pitch program which is an event at which entrepreneurs from the communities' within the LRPC area pitch their business ideas to an audience of professionals, investors and service providers. This event is planned to benefit many through creative ideas that could become a reality because of the audience that is provided to the enterprising individuals who could explain their businesses in the region.

Board members were invited to LRPC's annual meeting scheduled for June of 2011.

Karen McNiff
LRPC's Byways Committee

Ms. McNiff updated the Board from the discussion that took place at the last meeting regarding the Byways Committee's recommendation to continue on with the project that was started several years ago. Ms. McNiff advised she has just sent the response she received regarding signage over Mrs. Pearce late this afternoon. Mrs. Pearce will make the information available to the Board. Ms. McNiff reminded the Board that she would need a decision from the Selectmen by year end. Ms. McNiff requested to be placed on the agenda of 12/30 to meet with the Board.

Club Motorsports
Route 25 property

Mr. Jeff Burke provided the Selectmen with a copy of the Carroll County Independent newspaper advising of his concerns of Motorsports Holdings (CMI) article indicating that they have begun the work on their property even without the permission of the Town. He reviewed a court decision between Maud Anderson and Motorsports Holdings which advised CMI must be granted a special use permit from the Planning Board prior to proceeding with the project. He further expressed concern with the website of CMI showing a video of work that has been done on the property to include bridges and roadways. Mr. Roberts recommended that the Selectmen contact CMI to request permission to view the property to see what work has been completed. Mr. Farnum recommended members of the Conservation Commission to also attend this site visit.

Selectmen's Update

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1. Mr. Farnum advised he received a report that the Cook Library has a leak in the building. The Trustees are attempting to address the problem.
2. Mr. Abraham advised that the next zoning ordinance public hearing will be held on 12/22 at 7:00 p.m. at the KA Brett School.
3. The next groundwater ordinance regulation public hearing will be held on 12/29 at either the KA Brett School or Runnell's Hall at 7:00 p.m. The location will be announced when the hearing is finalized.
4. Mr. Roberts advised that the Conservation Commission would hold a public hearing on 1/5/2011 at 6:30 – 7:30 p.m. to discuss the warrant article received to abolish the Commission. The Planning Board will hold their public hearing also on 1/5/2011 beginning at 7:30 p.m. regarding the petition received to abolish the Planning Board.

Administration

The Board signed the following:

1. An intent to cut for map 405 lot 021
2. An intent to cut for map 218 lot 036
3. An intent to cut for map 410 lot 011
4. An intent to cut for map 414 lots 78, 79, 81, and 78-1
5. An intent to cut for map 407 lot 082 & for map 408 lot 012
6. The Board reviewed a driveway permit for map 402 lot 004 and since the work is being completed by Bruce Robinson Company (Road Agent's Co.) he cannot sign the permit. The Board will view the application over the weekend.
7. *John Roberts moved and William Farnum supported to approval of the payroll manifest in the amount of \$30,613.51. Vote was unanimous. Motion passed.*
8. *John Roberts moved and William Farnum supported to approve an accounts payable manifest in the amount of \$567,279.26. Vote was unanimous. Motion passed.*
9. *John Roberts moved and William Farnum supported to approve an accounts payable check register in the amount of \$567,279.26. Vote was unanimous. Motion passed.*

Mr. Roberts recessed the meeting at 6:17 p.m. to be reconvened at the KA Brett School.

Mr. Roberts brought the meeting back to order at 6:32 p.m. at the KA Brett School Board Meeting.

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Generator Bids

Emergency Management Director opened the bids received as follows:

DW Electric Cont. Inc.

- a. Estimate #1 – Caterpillar Model G150LG LP \$71,000
- b. Estimate #2 – Cummins Model 140GGLB LP \$70,500
- c. Estimate #3 – Cutler/Hammer Model EGEN150GLSY LP \$65,500
- d. Estimate #4 – Genarac/Siemens Model SG150LP \$64,000

Ray's Electric

- a. Estimate #1 – Kohler Model 250REZX LP \$141,680
- b. Estimate #2 – Kohler Model 150REOZJE \$48,956

Mr. Farnum moved to conditionally award the bid to DW Electric pending review of all of the bids. John Roberts supported this motion. Vote was unanimous.

Adjournment

Mr. Roberts moved and Mr. Farnum supported to adjourn the meeting at 6:47 p.m. Vote was unanimous. Motion passed.

Respectfully submitted,
Anne M. Abear

Approved by Tamworth Board of Selectmen: 12/20/2010

John Roberts

William Farnum

Robert Abraham