

TOWN OF TAMWORTH  
Board of Selectmen's Meeting  
April 16, 2009  
Tamworth Town Office

Members Present

Tom Abugelis, William Farnum and John Roberts

Others Present

Administrative Assistant Cassandra Pearce, Road Agent Bruce Robinson, Police Chief Daniel Poirier, Sam Martin, Mr. & Mrs. Scott Finman, Mr. & Mrs. David Farley, John Gotgen, Robert Abraham, David Haskell, Ruth Timchet, Attorney Richard Sager, Attorney Bradley Helfer, George Ricker, Jay Rancourt, Anne Abear, and many other members of the community.

*Chairman Abugelis opened the meeting at 4:01 p.m. and reviewed the agenda for the attendees of the meeting.*

Department Heads

Police Department

Chief Poirier displayed the helmets that have been received as a result of a grant that was approved for the Tamworth Police Department. Any child needing a bicycle helmet can contact Chief Poirier requesting one. Chief Poirier discussed the continuing issues arising from children who are riding their bikes on Town and private property and have created damage to some of the locations. Chief Poirier discussed the meeting he held at the KA Brett School with the 7<sup>th</sup> and 8<sup>th</sup> grade classes, which he advised was successful, as the nuisance activity of the children has been reduced.

Highway Department

Mr. Robinson advised that the roads were drying out and he would begin lifting some of the road bans next week. He advised some roads would remain posted due to them being soft.

Mr. Robinson discussed the decision of the Board made after he left the meeting last week to not put the gravel for Whittier Road out to bid. He inquired why this decision was made and advised the Board that the current gravel being received from Ambrose does not meet the Town's required specification that is the same specification that is utilized by the State. Mr. Roberts advised the Board is unaware that the gravel purchased in the past met the specifications. Mr. Robinson advised the gravel purchased from Bruce Robinson Company met specifications and the Board has never asked for testing results that could have been provided. Mr. Robinson pointed out that the gravel being utilized on the Cleveland Hill Bridge project also required the specific State specs to be utilized. Mr. Robinson advised that he would not have put gravel on any road that did not meet the Town and State's specifications. Mr. Robinson advised he had the material from Ambrose tested by HE Bergeron and the material did not meet specs as it was found to have high silt content.

After this information was presented by Mr. Robinson, the Board advised since time is limited, bidding the gravel needs out cannot be accomplished. Mr. Robinson will contact Ambrose advising that they must provide the Town with gravel testing that shows the material that is being received by Ambrose meets the Town and State's specification. This testing must be conducted by an independent lab and will be at the expense of Ambrose. Further, the Board will require the material be tested at the site on a daily basis.

Mr. Robinson advised that the price of liquid asphalt has dropped per FR Carroll. Mr. Robinson advised he would be meeting with FR Carroll and the Board requested Mr. Robinson to get additional prices from other vendors who may be able to supply the Town with gravel if the need arises. Mr. Robinson was requested to give the prices that he receives to the Selectmen's Office for the Board to view. Individual vendors recommended for prices included Coleman, Dow, Milton, and Ossipee Aggregates.

Mr. Robinson advised Whittier Road would be staked on Monday, April 20, 2009.

Other

Chairman Abugelis advised he would be out of Town for 8 days starting Saturday, April 18, 2009 and advised Mr. Roberts will chair the meeting of the Board of Selectmen on April 23.

#### Public Comment

Chocorua Village Spring  
Clean Up

Mrs. Pat Farley thanked everyone who assisted with the spring clean up of Chocorua Village. Mr. Gotgen discussed the seeding needs. Mr. Roberts advised this would be done later in the season.

Union Hall Road Needs

Mr. Haskell inquired about the flagpole base at Union Hall needing to be repaired. Mrs. Pearce advised she had not gotten an opportunity to speak with Mr. Robinson regarding this issue. Mr. Haskell advised the street sign for Union Hall also needed to be replaced.

UNH Road Review

Mr. David Haskell advised a representative of UNH was available for the May 14, 2009 meeting beginning at 4:30 p.m. The presentation will take approximately ½ an hour. The Board agreed to meet with the representative on the date specified.

#### Board Liaison Reports

Master Road Project

Mr. Farnum advised he met with Mr. Robinson and Mr. Poirier to begin the project of reviewing the road listings. Mr. Farnum discussed three maps that are being reviewed and the database that he is creating.

Upcoming Planning Board Meeting

Mr. Farnum reminded Mr. Roberts of the Planning Board's meeting of April 22. He advised he would put items in Mr. Roberts' box for review prior to the meeting.

Energy Committee

Mr. Farnum advised he attended the Energy Committee meeting and approximately 8 residents attended expressing interest in serving the Town on this committee. No recommendations of appointments have been made by the Energy Committee.

4/21 Election

Mr. Farnum advised Chris Canfield would not be available in the morning of April 21, 2009 for the election. He has appointed Paul Chant as the assistant moderator to fill in during that time. Mr. Roberts advised he was informed by PSNH that power will be available on 4/21 and their work has been rescheduled to 4/23.

Conservation Commission

Mr. Roberts discussed the Conservation Commission meeting he attended on 4/13. Recommended appointments will be made to the Board of Selectmen in the near future. Mr. Roberts advised members of the Commission expressed an interest in assisting with the testing at the old landfill. The Board recommended Mr. Beecher contact HE Bergeron to discuss training needs for the well testing.

Transfer Station

Mr. Abugelis discussed a request of Mr. Johnson at the transfer station to remove 4 trees at the facility to make additional room for chipping. Mr. Roberts and Mr. Farnum will meet with Mr. Johnson to discuss his request and will make a decision at the next meeting.

Meeting with Cook Memorial Library Trustees

Librarian Ms. Jay Rancourt attended the meeting advising that members of the trustees were unavailable to meet with the Board due to their work schedules. The Board advised Ms. Rancourt that they feel the need to keep the communication open between the Trustees and the Selectmen and felt it very important that the Trustees attend a meeting of the Board. The Board requested Ms. Rancourt reiterate to the Trustees the need for them to attend a future meeting.

Ms. Rancourt presented a proposal of the savings made by the Trustees after the 2009 Town Meeting. The reduction totaled \$1,490. The Board will decide if the 2009 appropriation to the library will be decreased to this new budget when they meet with the Trustees.

Pending Matters

Roadside Mowing	Mrs. Pearce presented a bid proposal for the 2009 roadside mowing and the bid was approved by the Board to place in the Carroll County Independent and the Conway Daily Sun. Mr. Farnum will place the ad on the website.
Webmaster	Mr. Farnum will be setting up a training session for the office personnel to begin administering the Town's website.

#### Administrative Matters Part I

Mrs. Pearce discussed the following with the Board:

- Plumbing bill for the highway garage – Mr. Roberts will discuss the bill received from Mr. Boothby over the upcoming weekend.
- Elderly exemption – 2009 review:
  - Map 211 lot 014 approved
  - Map 208 lot 032 approved
  - Map 415 lot 090-004 approved
  - Map 211 lot 014-016 approved
  - Map 216 lot 090 approved
  - Map 214 lot 194 approved
  - Map 203 lot 042 approved
  - Map 211 lot 014-027 approved
  - Map 206 lot 007 approved
  - Map 214 lot 161 approved
  - Map 415 lot 090-027 approved
  - Map 205 lot 015 approved
  - Map 211 lot 041 approved
  - Map 211 lot 014-023 – denied
  - Map 206 lot 054 denied
- Timber Tax Levy in the amount of \$843.99
- Notice of intent to excavate for map 210 lot 003
- *John Roberts moved and William Farnum supported to approve the minutes of 4/9/09. Vote was unanimous. Motion passed.*
- Mr. Glenn Walker of the Sansouci Group will be attending a meeting with the Board on May 7, 2009. This meeting will be during a non-public session to discuss a property tax abatement filed by Pinetree Power.
- A representative of LR Occupational Health will be at the May 7, 2009 meeting to discuss the drug testing policy and procedures that are expected to begin in June. The Board advised this would be a paid meeting for the employees.
- The economic development presentation by Mrs. Farley has been moved to May 14 at 5:30 p.m.

#### Non-Public Session #1

*Mr. Abugelis moved and Mr. Roberts supported to enter into a non-public session per RSA 91 A:3 II c & e (to protect the reputation of others and to*

*discuss pending legal matters). This motion was made at 4:55 p.m. Roberts, Yes, Farnum, Yes, Abugelis, Yes. Motion passed.*

*Mr. Abugelis moved and Mr. Roberts supported to adjourn the non-public session at 5:08 p.m. Roberts, Yes, Farnum, Yes, Abugelis, Yes. Motion passed.*

The Board discussed issues related to the Chocorua Community Project and advised further discussions will be held with Ms. Lane at the meeting of 4/23/09.

#### Recess

*Chairman Abugelis recessed the meeting to confer with Town Counsel at 5:08 p.m.*

#### Reconvene

*Chairman Abugelis called the meeting back to order at 5:32 p.m.*

#### Ricker's Junkyard Public Hearing

*Chairman Abugelis opened the public hearing regarding Ricker's Junkyard License at 5:32 p.m.*

Attorney Richard Sager reviewed items 1 – 13 of the Tamworth Junkyard License to determine if Mr. Ricker had met the requirements of the application and the Board of Selectmen for his junkyard application for map 215 lot 036 at 112 Maple Road.

Attorney Brad Helfer advised certified letters had been sent to all abutting property owners to assist in answering some of the items.

After a thorough review of the items the following remain to be addressed:

1. A site walk of the property – the Board decided they would have this site walk prior to the next meeting.
2. Item #1 - The personal property will be added to the map showing the location of the dwellings along with the location of the slabs, garages, etc.
3. Item #7 – location of cement vaults need to be placed on the map.
4. Fencing needs to be adequate to the property.
5. The Board agreed to allow for 1,000 vehicles on the site and a maximum of 6,000 tires.

*Mr. Roberts moved and Mr. Farnum supported to accept the junkyard application as complete with the understanding that the following items be conducted – Vote was unanimous, motion passed:*

- *A site walk of the property to be held on 4/23 at 3:00 p.m.*
- *Item #1 - The personal property will be added to the map showing the location of the dwellings along with the location of the slabs, garages, etc.*
- *Item #7 – location of cement vaults need to be placed on the map.*
- *Fencing needs to be placed*

The public was invited to speak at the hearing. No discussion was given from the attendees of the meeting.

*Mr. Roberts moved and Mr. Farnum supported to close the public hearing on Ricker's Junkyard at 6:33 pm. Vote was unanimous. Motion passed.*

Attorney Helfer discussed the State hearing scheduled for 4/27/09 for Mr. Ricker. The Board advised they would discuss this matter again at the April 23, 2009 meeting.

Attorney Sager was requested to follow up with Attorney Helfer from this public hearing.

## Administrative Matters

### Part II

Mrs. Pearce discussed the following with the Board:

- Time Warner Cable discussed the feasibility study it will be conducting to give the Nurse's Office the ability to utilize their services for internet and telephone service. It is possible that the entry into the Town Office may need to be changed and holes may have to be cut into the walls to access the Nurse's Office. The Board will review the feasibility study when it is complete and will comment on the proposal at that time.
- A payment request for the Chocorua Community Project was submitted in the amount of \$12,000. The Board advised they would hold off on this approval for the adequate documentation from Ms. Lane who will be attending the 4/23 meeting.

## Non-Public Session #2

*Mr. Abugelis moved and Mr. Roberts supported to enter into a non-public session per RSA 91 A:3 II c (to protect the reputation of other). This motion was made at 6:50 p.m. Roberts, Yes, Farnum, Yes, Abugelis, Yes. Motion passed.*

*Mr. Abugelis moved and Mr. Roberts supported to adjourn the non-public session at 7:00 p.m. Roberts, Yes, Farnum, Yes, Abugelis, Yes. Motion passed.*

The Board discussed property that if the taxpayer does not pay the oldest taxes due are scheduled for deeding on April 30, 2009. No decisions were made during this non-public session.

## Adjournment

*Chairman Abugelis moved to adjourn the meeting at 7:00 p.m. Mr. Roberts supported this motion. Vote was unanimous. Meeting was adjourned.*

Respectfully submitted,  
Anne M. Abear

Approved by Tamworth Board of Selectmen: 4/30/09

Thomas Abugelis

John Roberts

William Farnum