

Town of Tamworth  
Board of Selectmen's Meeting  
April 23, 2009  
Tamworth Town Office

Members Present William Farnum and John Roberts

Others Present Administrative Asst. Cassandra Pearce, Road Agent Bruce Robinson, Mr. & Mrs. Davis Farley, Mr. & Mrs. Scott Finman, David Haskell, Nancy Russell, Sam Martin, John Gotgen, Susan Ticehurst, Anne Abear and many other members of the community..

*The meeting was called to order by Interim Chair William Farnum at 4:15 p.m. Mr. Farnum advised the Board had just completed a site walk of Ricker's Junkyard and would discuss this later in the meeting.*

Department Head Reports

Highway

Whittier Road Mr. Robinson advised the work at Whittier Road is coming along well and further advised that the grinder is removing 10.5" of pavement.

Mr. Robinson presented gravel tests as presented by Ambrose and as tested by HE Bergeron Engineering for material being utilized by the Town on the Whittier Road project. The gravel testing from Ambrose showed the material passed as State of NH Spec 304.3. Mr. Robinson advised the test conducted by HE Bergeron on 4/23 showed the material did not pass State specification. Mr. Robinson advised another test would be conducted on the material on Friday, April 24. The Board will await those test results and will hold a special meeting next week if necessary to discuss the test results. Mr. Robinson advised the gravel test would cost \$90 per test.

The Board received two quotes for gravel needs of this road. The quotes received were discussed later at this meeting.

Mrs. Pearce discussed certificates of insurance that will be sought from W.S. Lloyd Inc, Frank Evans and Robert Hanson. Mr. Robinson advised 3 large trucks would be utilized to haul gravel for the Whittier Road project.

Mr. Robinson updated the Board on the piping along the roadway and advised they were found to be in good shape. The Board discussed the roller being utilized on the Whittier Road project. Mr. Robinson advised the roller belonged to FR Carroll.

Union Hall Flag  
Pole

Mr. Robinson advised Whyte's Welding would be working on repairs to the Union Hall Flag Pole by the end of the week.

Greater Ossineke  
Chamber of Commerce

The Board met with Ms. Cynthia Lamond of the Greater Ossipee Chamber who discussed a community guide that is printed and disbursed by the Chamber. This guide offers information for the Towns of Effingham, Freedom, Madison, Ossipee, Sandwich and Tamworth. An estimated 20,000 books are printed each year and are placed at many local businesses and rest areas for the public's use. Ms. Lamond requested the Board consider paying a membership fee of \$100 to show the support of the guide and the Chamber. The Chamber disburses scholarships with the money that is collected from these guides. Further, the \$100 will allow for the Tamworth website to be linked to the Chamber's website. The books are expected to be available on or about Memorial Day, 2009.

Without hesitation, the attendees of the meeting encouraged the Board to fulfill the request of Ms. Lamond. Mr. David Haskell offered the entire \$100 for the membership for the Town. Mr. & Mrs. David Farley offered to pay ½ of the fee. The Board accepted the donation and graciously thanked Mr. Haskell and Mr. & Mrs. Farley for their donations.

*Mr. Farnum moved and Mr. Roberts supported to approve the Town of Tamworth to support and join the Greater Ossipee Chamber of Commerce as paid for by Mr. Haskell and Mrs. & Mrs. Farley for the coming year. Vote was unanimous. Motion passed.*

## Chocorua Project

Mrs. Judy Abugelis visited the Board of Selectmen to discuss issues at the Dam Ice Cream Shop that remain to be addressed. They include:

- Landscaping – when construction was done, no rocks or stones were removed and topsoil was placed with straw on top of it. Rocks have worked up through, pictures were presented for the Board's review.
- Sign damage – the Board viewed pictures of the sign damage.
- Driveway water runoff – The current drain at the end of the driveway is not collecting any of the run off and the water is going into the driveway. A swale was recommended to direct the water to the storm drain.

The Board advised Mrs. Abugelis that they were aware of the problems that exist with the run off and will consider these items as they continue to wrap up this project.

## Administrative Items Part I

Mrs. Pearce discussed the following with the Board:

1. Cleveland Hill Bridge – The wetlands permit has been issued and will need to be posted at the site. The permit was signed by the Board as the landowners of the property.
2. Cutting trees at the Transfer Station – The Board authorized Mr. Johnson to remove the trees at the transfer station as he recommended.
3. Library website link – Mrs. Pearce advised that the library has requested a link from the Tamworth Website to their website. The Board requested this be discussed when the Board meets with the library Trustees.
4. Truck Warranty – Mrs. Pearce advised Liberty International is checking with the Town once again to offer the extended warranty on the new 6-wheelers. The Board advised they were not interested in the extended warranty.
5. Monkey Trunks Opening Day – Mrs. Pearce announced she received an email from the owners of Monkey Trunks advising they would be opening on May 23, 2009 and the day would be free to all Tamworth residents. Members of the Board were requested to assist in the festivities that day.
6. 2009 Assessing Update – The Board discussed a letter from CNP (Tamworth's assessing firm) which advised that of the 1830 improved properties in the Town, 815 interior inspections did not get completed. Mrs. Pearce advised that the 815 properties could be sent new letters to attempt to do interior inspections, but there would be an additional expense to the Town. The Board was not in favor of the additional expense.

Attendees of the meeting discussed the assessing process and the time(s) that the assessors visit properties. Some felt that the Town was spending too much money on the assessing. The Board advised of the State's requirement to ensure all are equally taxed.

7. GP Auto salvage - Mr. Farnum advised that he and Mr. Roberts visited the property of GP Auto salvage and he revisited the property earlier this week. Mr. Pennell who

- owns the property has met the requirements of a junkyard ordinance and will be issued a license for the coming year. *Mr. Roberts moved and Mr. Farnum supported to renew the junkyard license of GP Auto Salvage on map 415 lot 019. Permit to expire on June 30, 2010. Vote was unanimous. Motion passed.*
8. KA Brett School Update – Mr. Littlefield of the KA Brett School Board discussed the recent meetings of the School Board and the cuts that have been made to comply with the \$250,000 removed from the 2009 budget. The school will no longer be offering Spanish as a course.
  9. Superintendent Resignation – Mr. Littlefield announced that Mrs. Gwen Poirier has resigned as the current superintendent.
  10. Emergency Management – Mr. Littlefield advised that the shelter workshop held last week was a good workshop and he advised he is looking for a grant to assist in the purchase of a generator to replace the one at the school.
  11. Conservation Commission – Mr. Ned Beecher was present at the meeting to discuss the appointments as recommended by the Commission. *Mr. Roberts moved and Mr. Farnum supported to appoint Kristen Reid Faris (full member), Nelson O'Bryan (Alternate) and Scott Eldridge (Alternate) to the Tamworth Conservation Commission. Vote was unanimous. Motion passed.*
  12. Landfill Testing – Mr. Beecher advised he would be in contact with HE Bergeron to discuss this testing.
  13. Ricker's Junkyard License – Mr. Farnum advised that he and Mr. Roberts visited the junkyard of Ricker's Auto Salvage and advised the owner has taken care of and met most of the compliance issues. *Mr. Roberts moved to grant Ricker's Auto Salvage a junkyard license for map 215 lot 036 located at 112 Maple Road with the stipulation that the fencing will be installed by 8/1/09, all material must be moved and put behind the fence between Maple Road and the fence, and the number of tires are to be reduced to 6,000 total allowed on the lot. Further, the number of vehicles shall be capped at 1,000. This license to expire on June 30, 2010. Mr. Farnum supported this motion. Vote was unanimous. Motion passed.*

Public Hearing  
Community Development  
Block Grant – Tamworth  
Pines

*Interim Chair Farnum opened the public hearing on the Grant at 6:02 p.m. and announced that informational packets were available for the public to view.*

Grant Administrator Donna Lane reviewed the proposal for this grant advising Community Development Block Grant funds are available to municipalities through the NH community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, public facility and housing projects and emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

This is a proposed implementation application to the Community Development Finance Authority for up to \$12,000 in Community Development Block Grant Feasibility Study funds for the Tamworth Pines Cooperative Infrastructure Feasibility Study. The funds will be used to study infrastructure systems, primarily electric, septic systems, and roads and water distribution. The community has a community well and the study would include a review of the well house and equipment. The majority of the residents at the park are of low and moderate income.

This project conforms to Tamworth's Housing and Community Development Plan's Goal of: Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

Funding request: up to \$12,000

*With no public comment, this public hearing was closed at 6:12 p.m.*

*Interim Chair Farnum opened the public hearing on the Housing and Development Plan at 6:13 p.m.*

Grant Administrator Donna Lane discussed the Housing and Community Development Plan.

The plan as approved by the Board:

### **TOWN OF TAMWORTH HOUSING AND COMMUNITY DEVELOPMENT PLAN**

The Town of Tamworth commits to the following goals to meet its Housing and Community Development needs:

**Goal:** Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

**Goal:** Encourage economic development activities to increase quality industrial and commercial development. Encourage the expansion and retention of employment opportunities for residents. (Short-term and Long-term goal).

**Goal:** Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

**Goal:** Preserve and promote the town's historically and culturally significant structures. (Short-term and Long-term goal).

**Goal:** Promote activities that protect the health and safety of residents and visitors. (Short-term and Long-term goal).

As a matter of policy, Tamworth will minimize the involuntary displacement of households from their neighborhoods.

These goals are consistent with Tamworth's Master Plan and Ordinances.

Any federal CDBG grant funds awarded to address any of these goals shall be expended consistent with national objectives and shall, at a minimum, provide improved housing in accordance with Section 8 standards, be used for public facility projects, employment opportunities, or feasibility studies. All CDBG funded projects, shall primarily benefit low and moderate-income persons or households, and shall not benefit moderate-income persons to the exclusion of low-income persons.

Adopted by the Board of Selectmen on April 23, 2009.

*With no public comment, this public hearing was closed at 6:14 p.m.*

*Interim Chair Farnum opened the public hearing on the Displacement and Relocation Certification at 6:15 p.m.*

Grant Administrator Donna Lane discussed the displacement and relocation certification policy:

### **DISPLACEMENT AND RELOCATION CERTIFICATION** Town of Tamworth

#### **RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

*Every effort will be made to avoid temporary or permanent displacement of an individual due to a CDBG project undertaken by the Town.*

However, if the situation should arise, the Town of Tamworth will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to any household, regardless of income that is involuntarily and permanently displaced.

If the property is acquired, but will not be used for low/moderate income housing under 104(d) of the Housing and Community Development Act of 1974, as amended, the displacement and relocation plan shall provide:

- a. Comparable replacement housing in the community within three (3) years of the commencement date of the demolition or rehabilitation;

- b. A description of the proposed activity;
- c. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be demolished or converted to a use other than as low and moderate income dwelling units as a direct result of the assisted activity;
- d. A time schedule for the commencement and completion date of the demolition or conversion;
- e. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units;
- f. The source of funding and a time schedule for the provision of replacement dwelling units;
- g. The basis for concluding that each replacement dwelling unit will remain a low and moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
- h. Relocation benefits, including reimbursement for moving expenses, security deposits, credit checks, temporary housing, and other related expenses and either:
  - 1. Sufficient compensation to ensure that, at least for five (5) years after being relocated, any displaced low/moderate income household shall not bear a ratio of shelter costs to income that exceeds thirty (30) percent, or:
  - 2. A lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above or a Section 8 certificate of voucher for rental assistance provided through New Hampshire Housing Finance Authority.
- i. The right to elect, as an alternative to the benefits in subparagraph 2. above, to received benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; and
- j. The right of appeal to the director of CDFA where a claim for assistance under subparagraph 2. above, is denied by the grantee. The director's decision shall be final unless a court determines the decision was arbitrary and capricious.
- k. Subparagraph (2) a. through g. above shall not apply where the HUD Field Office objectively finds that there is an adequate supply of decent, affordable low/moderate income housing in the area.

#### CERTIFICATION OF COMPLIANCE

The Town of Tamworth anticipates no displacement or relocation activities will be necessitated by this project. Should some unforeseen need arise, the Town certifies that it will comply with the Uniform Relocation Act and Section 104 (d) of the Housing and Community Development Act of 1974, as amended.

*With no public comment, this public hearing was closed at 6:18 p.m.*

*Mr. Roberts moved and Mr. Farnum supported to adopt the Housing and Community Development Plan as presented. Vote was unanimous. Motion passed.*

*Mr. Roberts moved and Mr. Farnum supported to adopt the Residential Antidisplacement and Relocation Assistance Plan. Vote was unanimous. Motion passed.*

*Mr. Roberts moved and Mr. Farnum supported to approve the submittal of the application and vote to authorized Mr. Farnum as Interim Chairman to sign and submit the application and upon approval of the CDBG application, authorize the Chairman to execute any documents that may be necessary to effectuate the CDBG contract. Vote was unanimous. Motion passed.*

#### Selectmen Items

Mr. Farnum discussed the road verification project he has been working on and advised that once this part of the project is completed, the information will be submitted to the State to verify the mileage of road in which the Town is accepting moneys for on an annual basis from the Highway Block Fund.

The Board was advised that a representative of UNH will be at their meeting of May 14 to discuss the road project and what is offered by UNH to assist on this project.

Non-Public Session

*Mr. Farnum moved and Mr. Roberts supported to enter into a non-public session per RSA 91 A: 3 II e to discuss a pending claim or litigation which has been filed against the Town. This motion was made at 6:30 p.m. Vote: Farnum, Yes, Roberts, Yes. Motion passed.*

*Mr. Farnum moved and Mr. Roberts supported to adjourn the non-public session at 7:55 p.m. Vote was unanimous. Motion passed.*

The Board discussed a claim filed against the Town by Nelson Communication who is demanding final payment on the Chocorua Community Project. The Board decided they would discuss this claim with the Local Government Center.

Administrative Items

Part II

1. Transfer Station Work – The Board discussed the slab work at the transfer station that was proposed for the 2009 year. It was agreed by the Board that this work should be started.
2. Gravel for Whittier Road – The Board reviewed the two gravel quotes received for Whittier Road. The quotes received:
  - Bruce Robinson Company - \$8.15 per ton without delivery, \$10.75 per ton with delivery
  - Ossipee Aggregates - \$7.00 per ton without delivery, \$11.50 per ton with delivery - Also, price given of \$10.50 per yard

Adjournment

*Mr. Farnum moved and Mr. Roberts supported to adjourn the meeting at 8:10 p.m. Vote was unanimous. Motion passed.*

Respectfully submitted,  
Anne M. Abear

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

Thomas Abugelis

John Roberts

William Farnum