

Town of Tamworth  
Board of Selectmen's Meeting  
May 7, 2009  
Tamworth Town Office

Members Present

Chairman Tom Abugelis, Members William Farnum and John Roberts

Others Present

Administrative Asst. Cassandra Pearce, Road Agent Bruce Robinson, Fire Chief Richard Colcord, Jeff Tavares, Libby Hauser, Recreation Director Parker Roberts, Police Chief Dan Poirier, Shawn Varney, Transfer Station Attendant Glenn Johnson, Judson Noyes, Kim Noyes, Sandra Flanagan, Robert Abraham, Scott Finman, Tom Peters, Mr. & Mrs. Farley, Sam Martin, Glenn Walker, Roy Roberts, and Anne Abear.

*Tom Abugelis called the meeting to order at 3:01 p.m.*

Meeting with Employees

Chairman Abugelis introduced Mr. Roberts of Lakes Region General Hospital Occupational Health regarding the policy recently adopted by the Selectmen for drug & alcohol testing of town employees.

Chairman Abugelis discussed the need for a drug & alcohol policy and how it will be implemented and affect Tamworth's employees.

Mr. Roy Roberts introduced himself and gave his personal background experience, discussed how the drug and alcohol testing is conducted, where an employee could be tested and how testing reports whether negative results or positive are reported back to the Town.

Mr. Roy Roberts discussed the fire fighters being exempt from testing according to the State law due to not needing a CDL to operate a fire truck. The Board advised the members of the fire department would be included in the testing other employees would be under the non-CDL consortium. Mr. Roy Roberts advised the Board would have to decide how many non-CDL driving employees would be tested each quarter. As long as the employees selected for a test have the test conduct prior to the end of the quarter, they will be considered following the regulations of that consortium.

A question and answer sheet was disbursed to the employees explaining the testing and results in more detail. The employees were advised that testing would be conducted for 5 drugs, including, Marijuana, Cocaine, Opiates, Amphetamines, and Phencyclidine.

The cost of each test is currently \$56 per test for drugs and alcohol testing is \$45 per test.

Disciplinary procedures regarding results of testing positive were discussed.

Mrs. Pearce was requested to disburse copies of the alcohol and drug policy to the employees.

## Departmental Updates

### Police Department

Chief Poirier discussed the stats report for April 2009.

Mrs. Pearce advised of the Governor's request that all flags be put at ½ staff for a police memorial day.

The Board discussed the alarmed properties sounding when an officer is not on duty for the Town. Chief Poirier advised the Tamworth Police Department get calls after hours when there is no State or County police available; therefore, the reason vehicles are taken home by the officers. Further, the Tamworth Police Department personnel are not paid any stipend above and beyond their regular salary for hours worked over 40 hours, which includes these call out hours.

Chief Poirier advised the insurance company has agreed to a payment to the Town of \$13,400 less the \$1,000 deductible. The Town will be receiving a check in the amount of \$12,400. The Board was advised the price of a new vehicle is an estimated \$25,000. Mrs. Abear discussed some options that the Board can consider to replace this vehicle. They included leasing a new vehicle now (not recommended by DRA without Town approval), have a special town meeting, ask DRA to use undesignated fund balance to purchase a new vehicle by way of overspending the budget, or wait until next year's Town Meeting to make the purchase and get authorization to lease a new vehicle. The Board requested additional information prior to committing to making a decision on what option they would chose to replace this vehicle. Mr. Roberts advised the Town could lease a vehicle without Town Meeting approval. The majority of the Board advised they are interested in replacing the vehicle as soon as possible.

Chief Poirier discussed the damage to the equipment inside of the vehicle advising that a majority of the equipment is unharmed due to its location in the vehicle.

### Highway Department

#### Whittier Road

Mr. Robinson advised the gravelling of Whittier Road should be completed by the end of this week. He advised he would be meeting with FR Carroll to acquire a paving schedule.

Mr. Robinson advised speed on this road is the only concern he has heard as a complaint since this road construction has begun. Ms. Martin inquired if the road height compare to the driveway height would remain, as the drops into the driveways appear to be much more than what they were prior to any road repair. Mr. Robinson asked for specific driveways

in which were concerns. Ms. Martin discussed Riverside Service Center. Anyone who has concerns or comments about this road project is requested to contact Mr. Robinson.

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| Meador Road         | Mr. Robert Abraham advise the highway department has filled some of the holes on Meader Road and looks forward to the grading to begin. Mr. Robinson advised that grading would begin as soon as the Whittier Road project is finished.  |
| Breakneck Hill Road | Mr. Farnum advised that just north of "Breakneck Hill Road" a very large hole was notice in the road and reported he placed a marker in the road today to warn travelers. Mr. Robinson advised he would look at the area after the meeting.  |
| Union Hall          | <p>Mr. Robinson viewed the broken railing and access to Union Hall and advised the railing was being fixed that day. Additionally, Mr. Robinson advised the entire building needs a facelift and reminded the Board of the deficiencies reported by Mr. Haskell last year. The pavement is old and broken in the roadway.</p> <p>The Board discussed the flagpole base that was damaged and discussed the pole that is removed each year. The Board discussed the possibility of leaving the pole with the base to prevent future damage. The Town also discussed who owns the land that the flagpole and base are on and who owns the flagpole and base. These were questions that could not be answered by anyone at this meeting.</p>   |
| Transfer Station    | Mr. Glenn Johnson advised the chipper would be down for a few days waiting for welding to be done to the shroud.   |
| Public Comment      | <p>Mr. Tom Peters requested the Board consider allowing the Chocorua Community Association to put banners up on light poles that will be installed in the future as part of the Chocorua Community Project. Mr. Peters advised that if the Board was willing to enter into a contract with PSNH and Fairpoint Communication and pay a processing fee of \$425 the Association would be able to put banners up on the utility poles to advertise businesses. Mr. Peters discussed the insurance requirements for the agreement and the advertising that would be done to include a sign welcoming travelers to Chocorua. Mr. Peters advised the Chocorua Community Association could pay the processing fee.</p> <p>Mr. Abugelis advised this should have been placed on the agenda as an item for the Board to discuss thoroughly. Mr. Peters will contact Mrs. Pearce to be added to a future agenda of the Board.</p> <p>Ms. Flanagan inquired if a marquis was considered as a welcoming sign for Chocorua? Mr. Peters indicated it was not a consideration at this time.</p> |

## Economic Development Committee

Mrs. Farley formally requested the Board consider appointing 7 full voting members to the Economic Development Committee and 2 alternate members. Mrs. Farley will forward the listing of recommended membership to Mrs. Pearce prior to the next meeting. Further, Mrs. Farley will be meeting with the Board at the next meeting to discuss the Committee's development. Mr. Farnum advised a directive needed to be created for that Committee.

## Handicapped Entrance

Ms. Sandra Flanagan inquired as to why the Town Office entrance does not have a handicapped door at the back entrance. The Board advised the entrance to the Town Office is handicapped accessible per ADA requirements. Ms. Flanagan advises she witnessed a patron in a wheelchair having a difficult time with the doors.

## Non-Public Session

*Mr. Farnum moved and Mr. Roberts supported to move into a non-public session per RSA 91 A:3 II e to discuss pending litigation against the Town with Glenn Walker of G. Sansoucy Group. This motion was made at 4:38 p.m. Vote: Farnum, Yes, Abugelis, Yes, Roberts, Yes. Motion passed.*

*Chairman Abugelis moved and Mr. Roberts supported to adjourn the non-public session at 5:17 p.m. Vote was unanimous. Motion passed.*

The Board met with Mr. Glenn Walker of George Sansoucy Group regarding an abatement application of Pinetree Power for the tax year 2008. The Board was given an update on the status of the abatement.

## Pending Matters

The Board discussed the following pending matter:

- Ordinance Review Committee Meeting is rescheduled for 5/18/09
- Conservation Commission meets on 5/11/09.

## Administrative Matters

1. Gregg's Way: A written notice was received from Bill and Linda Jones advising that they believe the best place to put drainage for Gregg Way is in the middle of street not off to the side. Mrs. Pearce advised the wetlands application has expired to work in the area of the river. Mr. Roberts advised no wetlands permit would be needed if the drain were connected to the catch basin. William Farnum discussed altering the roadway to force the direction of the water. The Board requested the road agent meet with Mr. & Mrs. Jones to discuss their concerns.
2. *Mr. Roberts moved to accept the minutes of April 23, 2009 as written. Mr. Farnum supported this motion. Vote was 2-0-1 with Mr. Abugelis abstaining. Motion passed.*
3. *Mr. Roberts moved and Mr. Abugelis supported to approve the minutes of April 30, 2009 as written. Vote was 2-0-1 with Mr. Farnum abstaining. Motion passed.*
4. An intent to cut for map 406 lot 056 was signed.
5. *Mr. Farnum moved and Mr. Roberts supported to sign the agreement between the Town of Tamworth and First Student for the 2009 swim program transportation. Vote was unanimous. Motion passed.*

6. 2007 property taxes - The Board viewed the 2 deeds for properties that did not pay their 2007 property taxes that will be deeded to the Town. Those parcels are map 415 lot 090-013 and map 216 lot 214. The Board was advised that a tenant currently resides in the home of map 415 lot 090-013.
7. Library Trustees – Mrs. Pearce advised the Library Trustees would be attending the May 21, 2009 meeting beginning at 5:30 p.m. The Board advised they would be discussing the perception of the relationship between the Trustees and the Selectmen and the Town Office, what the Trustee's long-range goal would be for the building, winter maintenance, and budgets.
8. Monkey Trucks – Mrs. Pearce reminded the Board of the re-grand opening of Monkey Trucks on May 23, 2009 and the invitation for their participation in the event.
9. Townhouse repairs – The Board viewed two proposals for construction repairs to the Town House and advised they would like to meet with Parker Roberts to discuss the proposals further.

Non-Public Session

*Mr. Abugelis moved and Mr. Roberts supported at 5:40 p.m. to enter into a non-public session per RSA 91A:3 II c & e (matters which could effect the reputation of a person if discussed in public and pending litigation filed against the Town). Vote was: Abugelis, Yes, Roberts, Yes, Farnum, Yes.*

*Chairman Abugelis moved and Mr. Roberts supported to adjourn the non-public session at 5:53 p.m. Vote was unanimous. Motion passed.*

The Board was given an update on the Angel Auto property clean up, the Nelson Communication claim against the Town for payment from the Chocorua Community Project and discussed the property which would be taken by tax deed that currently has a tenant residing at the property.

Adjournment

*Mr. Roberts moved and Mr. Abugelis supported to adjourn the meeting at 5:54 p.m. Vote was unanimous. Motion passed.*

Respectfully Submitted,  
Anne M. Abear

Approved by the Board of Selectmen: 5/14/09

Tom Abugelis

John Roberts

William Farnum