

Town of Tamworth
Board of Selectmen's Meeting
May 21, 2009
Tamworth Town Office

Members Present William Farnum, John Roberts, Tom Abugelis

Others Present Administrative Asst. Cassandra Pearce, Police Chief Daniel Poirier, Road Agent Bruce Robinson, Mr. & Mrs. Custer, Mrs. Priscilla Remick, Ms. Russell, Ms. Martin, Mr. Aspinall, Ms. Shroader, Sharon Malenfant, Nancy Sheridan, Linda Jones, Ann McGarity, Denise Boewe, Peter Case and Mrs. Abear.

Chairman Abugelis opened the meeting at 3:45 p.m. at the Town House for a review of the renovation exit plans from the building. After this portion of the meeting concluded, the meeting was reconvened at 4:00 p.m. at the Town Office. Chairman Abugelis reviewed the agenda for this meeting and reminded all that the meeting of 5/28/09 has been cancelled. The next regular meeting will be June 4, 2009.

Department Reports

Police Department Chief Poirier gave an update on the status of Officer Frechette who was injured in an automobile accident in April. Chief Poirier awaits documentation for Officer Frechette's doctor releasing her back to work. Chief Poirier advised part time officer Christopher Keaton has begun taking shifts when he is available.

Highway Department Road Agent Bruce Robinson informed the Board the base pavement and shoulder work had been completed on Whittier Road. All driveways have been put back into their original condition. Signage is still left to be done. The cost of the project cannot be determined at this time as Mr. Robinson is waiting for the final bill from FR Carroll to arrive. An estimated 2,200-ton of base coat material was used on the project.

Mrs. Pearce advised the highway department has picked up the tires on Hemmingway Drive as requested by the Board.

Mr. Robinson updated the Board on grading of the roadways with Great Hill Road being done today and the plan to grade Meader Road soon.

Mr. Farnum discussed two narrow locations along Great Hill Road and Pease Hill in which he requested Mr. Robinson view now that these roads will be utilized more with the bridgework on Cleveland Hill Road. Mr. Farnum also requested the culvert railing near David Brown's property be adequately marked to warn people of its location.

The Board suggested placing a sign in the village to inform travelers of the road closure on Cleveland Hill Road due to the bridge repairs.

Mr. Roberts requested Mr. Robinson provide the Board with a listing of items to be addressed over the next few months by the highway department.

The Board was advised they have not received any bids for mowing. These bids are due by 4:00 p.m. on May 28. Mr. Roberts inquired if a price had been received to rent a mower? Mr. Robinson advised he presented one last winter to

the Board. Mr. Roberts requested Mr. Robinson acquire a price for renting a mower for 1-month.

Mrs. Pearce reminded Mr. Robinson to meet with Mr. & Mrs. Jones to discuss the proposed drainage easement on Gregg's Way.

Public Comment

The highway department was commended for the great job they did on Whittier Road (Old Route 25). Chief Poirier discussed his speed enforcement along this roadway.

Town House Exit Project

The Board discussed the two options that were presented for the Town House renovation. After much discussion regarding the proposals, the cost of each and displaying the proposals, *Mr. Farnum moved to accept the proposal of a 4 x 8 structure to be built and to place the project out to bid. John Roberts supported this motion.* The Board discussed the expense that would be incurred draw up the plans and place them out to bid. *Mr. Farnum withdrew his motion. Mr. Roberts withdrew his second.*

Mr. Farnum moved to hire Mr. Marrone to renovate the exit according to the design presented with the Town having the option to upgrade the materials as necessary. John Roberts supported this motion. Vote was unanimous. Motion passed.

Green Mtn. Conservation Group

Mr. Scott Aspinall, as Tamworth's liaison and Ms. Tara Schroeder, Director of the Green Mtn. Conservation Group attended the meeting to discuss the Ossipee Watershed's Water Quality Report from 2002 – 2008. A full detailed report was presented to the Board. Ms. Schroeder advised this project was completed through countless hours by volunteers and includes all 6 towns in the Ossipee Watershed region. Mr. Aspinall advised the amount of road salt that is being utilized during winter months has become a concern to the watershed. Mr. Aspinall advised the Town of Tamworth sits directly over a very large aquifer and the public needs to be very conscientious of the contaminants that could affect the future of the water supply. Mr. Farnum and Ms. Schroeder discussed the impact of water quality in regard to impervious vs. pervious surfaces. Bio retention areas were discussed.

Ms. Schroeder advised the plan is to have Towns within the watershed would receive a comprehensive report of water quality every 5 years. An open round table discussion will be held on November 5, 2009 (location TBA) to discuss the reduction in road salt. The State has been invited to that meeting.

Ms. Schroeder and Mr. Aspinall acknowledged and thanked the Board for their continued support and annual donation to the Green Mountain Conservation Group.

Ms. Schroeder discussed the grant funding that has been received to test 60 wells over this summer. The kickoff meeting to discuss this grant will be held on June 26 from 10 a.m. – 12:00 p.m. at the Ossipee Watershed Group's office. Mr. Aspinall was requested to report back to the Board at a July meeting regarding this grant.

A discussion regarding the disposal of medications took place and the potential impact that inadequate disposal is having on wildlife.

Sexual Offender Policy

Chief Poirier advised that the State of NH has no standard law on sexual offenders and their allowable living locations; therefore, the ordinance being presented is be challenged in court in the City of Dover. Many communities who considered adopting this ordinance have tabled the policy pending the outcome of the court case. Chief Poirier advised that some of the registered sex offender in NH are listed on a website, other are not. He further advised 5 registered offenders live within the Town. Others are required to register as they come to our community for a visit such as to utilize the camping facilities or to visit friends and relatives. The Board requested Chief Poirier inquire about the status of the case in Dover and update the Board at the next meeting.

Police Cruiser Replacement

Mrs. Pearce discussed RSA 32:11 which allows for a community to apply to NH DRA in the event an emergency expenditures or over expenditure is necessary. Chief Poirier advised he has checked into leasing a new vehicle with the condition that the lease contain a non-appropriation clause in the event the lease payment is not approved at the next town meeting. Chief Poirier advised the cost of the new vehicle fully equipped is \$24,000. The Board authorized moving forward with a public hearing to request the NH DRA approve the anticipated over expenditure of the 2009 budget for the purpose of purchasing a new police cruiser during the 2009 year for \$24,000. This public hearing will be held on June 4, 2009.

Mr. Roberts discussed the timeline for the anticipated return of Officer Frechette. Chief Poirier advised he could not determine that date until she returns to the doctor.

Chief Poirier discussed the current positions open within the State Police in the area with 3 sergeant and 7 trooper positions open. Chief Poirier discussed the plan to stop dispatching at Troop E after 11:00 p.m. All calls will be sent to Concord who will in turn dispatch an officer to the emergency. Mr. Roberts did not feel this to be an issue for the Tamworth Police Department as calls will still go through for the community, but will be dispatched from a different location.

Department Meeting

Chairman Abugelis advised the Board has decided to begin holding meeting with department heads and requested Chief Poirier be present for a non-public session beginning at 3:30 p.m. at the meeting of June 4. The Board will meet with Mrs. Pearce at the end of that scheduled meeting. Both sessions will be held during a non-public session for the purpose of discussion personnel matters.

Cook Library Trustees

Chief Poirier advised the alarm situation at the Cook Library has improved and he continued by discussing the WI-FI service offered at the Library. The concern of the use allowed outside the building was expressed. He recommended the trustees consider discussing their allowed use with their programmer or the State police to prevent predators from using their system for inappropriate communication purposes.

Chairman Abugelis thanked members of the library trustee's board for attending this meeting advising that the Selectmen requested their attendance at this

meeting to advise the need to keep communication between the two Boards open was a necessity.

Chairman Abugelis reminded Select Board members they have no control over the library trustee board, but felt that they could facilitate some of the projects that both board faces such as building and winter maintenance. Mr. Roberts agreed and further advised a long-term plan for the library building has not been submitted to the Select Board to review; therefore, they are unaware of what the plan of the trustees is.

Mrs. Malenfant gave the Board an update on the information regarding how the Library trustees plan to work on the future long range planning of the library. The Board discussed the capital reserve funds that are set aside each year at Town Meeting for the building maintenance.

Mr. Case advised the maintenance committee made up of himself and Lloyd Hadden have reviewed the building. Mr. Case advised that the library trustees hold meetings that are open to the public with minutes available for review at any time. He further advised he did not understand that there was an issue with communication between the two boards. Chairman Abugelis advised he personally did not have the time to read all meeting minutes; therefore, the reason that a liaison of the Selectmen attends some of the other board meetings. The Selectmen were advised the library trustees meetings are held on the 2nd Monday of each month beginning at 7:00 p.m. Chairman Abugelis volunteered to be the liaison between the Selectmen and the Cook Library Trustees and will be attending their meetings.

A discussion regarding the appropriation for 2009 took place. The Board decided they would withhold the difference in the appropriation for salary increases from the 2009 final disbursement. The trustees agreed this upon this plan.

Selectmen's Top 10 Project List

The Board reviewed and updated the following top 10 priority projects:

- Chocorua Project – The Board is currently in litigation with Nelson Communication and is waiting to close out phase I prior to beginning any planning on phase II.
- 2009 Paving – Mr. Robinson updated the Board earlier in the meeting on this project advising that the base coat was finished.
- Cleveland Hill Bridge – Contracts have been signed with Dubois Excavating and the work has begun. The culvert was removed today and the road will be closed for a few weeks.
- Long Term Road Maintenance Plan – The Board discussed the presentation last week by UNH Technology Center and Mr. Haskell. *Mr. Roberts moved to purchase the software from the UNH Technology Center from the 2009 budget. Mr. Farnum supported this motion. Vote was unanimous. Motion passed.* Mr. Roberts will contact Chief Kinmond from Moultonborough to discuss training of employees on this software.
- Junkyards – GP Auto and Ricker's Junkyards have been issued licenses by the Town to operate junkyards. The Town is in litigation with Angel Auto at this time. The last update from Angel Auto was their plan to clean up their facility no later than September 2, 2009. Mr. Farnum recommended the Board consider Mtn. View Auto Service as the next facility to bring into compliance for a junkyard license.

- Safety/Joint Loss Management Committee – A committee needs to be appointed by the Board and the policies of that committee will be reviewed at that time.
- DES Application for SWPPP – The plan has been revised and is currently being reviewed.
- Tri Town Assessor – Mr. Roberts discussed his opposition to continue the revaluation cycle beginning 2010. He recommended the Town not spend the money to do any further revaluation work with the exception of pickups due to the cost associated with this type of assessing. He discussed other communities and what they do for revaluations and property value updates. Chairman Abugelis advised he, especially during these economic times, agreed with Mr. Roberts. The Board decided they were still open to meeting with other communities to discuss their thoughts regarding a tri town assessor.
- Energy Committee Appointments – *Mr. Roberts moved and Mr. Abugelis supported the appointments of Marletta Maduski, Art Smith, Gerrit Awart, and Chris Conrad to the Energy Committee. Vote was unanimous. Motion passed.*
- Cemeteries – The Board held a meeting with the Town Trustees and consider this task complete.

Administrative Matters

1. Mr. Farnum advised a generous donation has been offered to the Town of an electric pressure washer described as a 1994 Clark Delco 3000 PSI. *Mr. Roberts moved and Mr. Farnum supported to accept this generous gift. Vote was unanimous. Motion passed.*
2. Monkey Trunks grand reopening will be held on Saturday May 23 beginning at 10:30 a.m.
3. Mrs. Pearce discussed the expense to fix the flagpole base at Union Hall of \$263.75. Mrs. Abear will contact Mr. Haskell to inquire on the ownership and maintenance of this flagpole. This expense will come from the highway budget this time as they hired the welder.
4. A supplemental intent to cut was presented for map 415 lot 099.
5. The 2009 1st issue property tax warrant was signed in the amount of \$3,809,084. Bills will be going out next week.
6. A bonded retail vehicle dealer application was approved for Glenn & Kathryn Davis of 688 Ossipee Mt. Highway (property known as LR Fire Apparatus).
7. *Mr. Roberts moved and Mr. Farnum supported to approve the minutes of May 14, 2009 as presented. Vote was unanimous. Motion passed.*
8. Mrs. Pearce advised that LR Occupational Health has reviewed the Alcohol and Drug Policy and substantial recommendations for changes to the policy have been made. She requested the Board consider delaying the effectiveness of this policy to 7/1/09 to allow the Board to consider the recommended changes. *Mr. Farnum moved and Mr. Abugelis supported to delay the effective date of the drug and alcohol policy to 7/1/09. Vote was unanimous. Motion passed.*

Non-Public Session

Mr. Roberts moved and Mr. Farnum supported to move into non-public session per RSA 91-A: 3 II e & c. This motion was made at 7:02 p.m. Vote was Farnum, Yes, Abugelis, Yes, Roberts, Yes.

Mr. Roberts moved and Mr. Farnum supported to adjourn the non-public session at 7:20 p.m. Vote was Farnum, Yes, Abugelis, Yes, Roberts, Yes.

The Board discussed the following during this non-public session:

- Mrs. Pearce's meeting with attorney Richard Sager scheduled for 5/27/09 to discuss pending litigation.
- The 2008 abatement application applied for by PineTree Power.

- NH DRA offers training scheduled for Mrs. Pearce during the weeks of June 15 and August 17, 2009 on NH RSAs. Chairman Abugelis requested Mrs. Pearce acquire prior authorization from the Board in the future prior to signing up for any courses.

Other Business

Mr. Farnum discussed a call he received from David Hayford regarding the possible wetlands issue and the noise that is being generated from a wood processing company located on Turkey Street. Mr. Farnum indicated he recommended Mr. Hayford come to a Board meeting in the future to discuss his concerns.

Adjournment

Chairman Abugelis adjourned the meeting at 7:25 p.m.

Respectfully Submitted, Anne M. Abear

Approved by Tamworth Board of Selectmen: 6/4/09

Tom Abugelis

William Farnum

John Roberts