

Town of Tamworth
Board of Selectmen's Meeting
December 17, 2009
Town Office

Members Present Tom Abugelis, John Roberts, and Willie Farnum

Others Present Dan Poirier, Bruce Robinson, Mr. & Mrs. Farley, Nancy Russell, David Haskell, Bob Abraham, Susan Ticehurst, and other members of the public arrived throughout the meeting.

Chairman Abugelis opened the meeting at 4:00 p.m. and reviewed the agenda for those present. Mr. Abugelis announced that there would not be a meeting on 12/31/09 and that there was a meeting scheduled for 12/30/09 beginning at 9:00 a.m.

Department Reports

Highway Department Mr. Robinson announced the retirement of Philip Ames at the end of the December 2009. Mr. Ames has worked for the highway department for approximately 26 years. *William Farnum moved to accept Mr. Ames' retirement resignation with regrets effective 12/31/09. John Roberts seconded this motion. Vote was unanimous.*

Mr. Robinson will meet with the office personnel to discuss the advertisement to fill this position.

Mr. Farnum discussed salt usage and brought to the attention of Mr. Robinson the excess usage of salt on Cleveland Hill Road. Mr. Robinson advised he salted Great Hill, Page Hill, Washington Hill and Gardner Hill. He advised he did not salt Cleveland Hill Road. Mr. Robinson will be purchasing one more load of salt this year and indicated approximately 40 tons have been used thus far.

Police Department Chief Poirier discussed the vacation schedule of the police department.

12/30/09 Meeting Mrs. Pearce requested the Board consider rescheduling the employee performance reviews scheduled for 12/30/09 as many of the department heads will be on vacation. The Board decided to start the meeting on 12/30/09 at 12:00 p.m. and will reschedule the employee performance reviews after the New Year.

Perambulation by
Paul King Mr. King presented and described the boundary perambulation between the Tamworth and Ossipee town line. He advised new boundary markers were set as needed. The Board was advised that the Albany/Tamworth town line is planned for the 2010 year.

Public Comment

Chocorua Village
Sidewalks

Ms. Reardon expressed a concern about sidewalks in the Chocorua village not being maintained during the winter months. She continued by advising and presenting documentation from the Federal Highway Safety Administration, which indicates from her understanding that the sidewalks have to be maintained by the Town. Ms. Reardon offered to assist with the winter maintenance as needed and expressed the benefit of having the sidewalks cleared. The Board advised they would review the information submitted by Ms. Reardon and would discuss this further at a future meeting. The Board further advised of their belief that the federal funding at the time it was accepted for the sidewalks did not require them to be maintained.

Minutes of 11/19/09

Ms. Ticehurst requested the Board consider making a change to the minutes of 11/19/09. Her request was for the non-public portion of the minutes to read "the Board met with Ms. Ticehurst at her request to discuss a personnel matter." She advised the approved reading could leave a mark on her reputation. The Board advised that they had already approved those minutes, but would place this statement in tonight's meeting minutes. The Board apologized to Ms. Ticehurst for any troubles this could have caused.

Minutes of 12/3/09

William Farnum moved to approve the minutes of 12/3/09 as written. John Roberts seconded this motion. Vote was unanimous. Motion passed.

Energy Committee
Street light presentation

Mr. Farnum discussed the proposal of the energy committee to shut off some of the Town's streetlights. He advised he spoke to a representative of PSNH who advised that as long as the lights have been in service for more than 1 year, there would be no cost to the Town to shut off the lights. Lights must be permanently disconnected and not shut off temporarily. After some discussion regarding the lights on the list to be shut off between the public and the Board, Mr. Farnum discussed a letter received from one resident of Maple Road who expressed a concern about a particular streetlight. He advised the light of concern was not on the list of lights to be shut off and he has spoken to that resident.

Mr. Roberts discussed his concern of some of the lights on the listing to be turned off in particular within the South Tamworth and Chocorua villages. The Board decided they would conduct an inventory of the lights together on January 12, 2009 beginning at 5:00 p.m.

Raffle Permits

Mrs. Farley presented the Chocorua Library raffle underway. The raffle tickets cost \$50 each with an opportunity to win three time-share weeks valued at approximately \$15,000. The drawing will be held on 2/20/10. *Mr. Farnum moved to approve the Chocorua Library raffle application. Mr. Roberts seconded the motion. Vote was unanimous. Unanimous.*

Mrs. Maduskie presented a raffle application for the Greater Ossipee Chamber of Commerce. The raffle tickets cost \$20. The drawing will be held on

2/20/10. Mr. Farnum moved and Mr. Roberts supported to accept the raffle application as presented. Vote was unanimous. Motion passed.

TCNA 2010 Budget

Mr. Roberts advised he had received 2 telephone calls from older residents in Town who inquired with him why he had opposition to the TCNA. He advised he did not have any opposition to the TCNA and felt requesting additional information did not show an opposition. Ms. Rainville advised she did speak to one older resident who called him and did not feel that the practice of calling the selectmen for their support was uncommon. Mr. Roberts advised he supported the organization. The Board discussed the cash funds available to the TCNA in addition to the future needs of the organization. TCNA representatives discussed the money in the bank and how it is allocated to the TCNA from their trusts. Ms. Rainville informed the Board the TCNA would like to do more training, education, etc. and without the funding of the Town, cuts would have to be made within the organization. Many attendees of the meeting expressed their sincere appreciation of the organization.

Board of Selectmen

Mr. Roberts advised he did not make the Conservation Commission meeting Monday. Mr. Farnum presented a flyer that the Energy Commission gave to the Conservation Commission showing their accomplishment.

Mr. Farnum discussed the planning board meeting earlier this week in which they appointed 4 interested members of the public to the new land use forum committee. The first meeting of this committee will be held in January. In addition, the planning board appointed members to the CIP (Capital Improvement Program) committee.

Mr. Abugelis attended Cook Memorial Library's meeting earlier this week advising the Library Trustees are appreciative of the Town plowing in front of the library. He advised he met with the individual who had been recommended for an appointment to Library Board and recommended the Board move forward with that appointment. The Board requested documentation/minutes for the Trustees prior to making this appointment. Mr. Abugelis will bring the documentation back at the 12/30 meeting. Mr. Abugelis discussed the 2010 proposed pay increases and hours for the library employees.

Safety Policy

Mr. Farnum moved to add to the Town's safety policy "for the safety of all town employees and the public at large, the Tamworth Board of Selectmen respectfully request employees do not carry firearms." There was no second to this motion. Motion failed.

Administrative Matters

1. Chocorua Community Project – *Mr. Farnum moved and Mr. Roberts supported entering into an agreement with FST Engineering to finish and close out the bioretention grant for the remaining balance of the grant totaling \$8,500. Mr. Roberts seconded this motion. Vote was: Roberts,*

Yes, Farnum, Yes. Mr. Abugelis recused himself from the Board during this discussion. Motion passed.

2. Driveway permits for Map 215 lots 017 & 018 - *Mr. Farnum moved to approve the permits as commercial use permits with a required width of 36 feet with the appropriate construction completion to take place no later than June 15, 2010. John Roberts seconded this motion. Vote was unanimous. Motion passed.*
3. Land Use Change Tax - The Board reviewed a LUCT for map 414 lot 091 in the amount of \$4,295. After a review the documents, the Board requested a map of the area being taken out of current use due to the fact that the landowner has refused access to his property to the town assessor.

Capital Improvement Program

The Board met with David Little, Steve Grey and Herb Copper to discuss the Town's capital improvement plan. Mr. Little discussed the need for all departments to respond to the request of the committee. Mrs. Pearce was able to acquire most of the information from departments but the committee is still missing a few. Mr. Farnum advised the Selectmen could send out a letter if necessary.

The Committee members viewed the compiled listings and made amendments to the plan as directed by the Selectmen. During the review it was decided that the Board would meet with the committee and Mr. Robinson to discuss the highway proposal on Tuesday, December 22, 2009 at 8:00 a.m.

Administration

Tamworth Conservation Commission Appointment –*Mr. Farnum moved and Mr. Roberts supported to appoint Nelson O'Bryan to the Conservation Commission. Vote was unanimous. Motion passed.*

Kim Noyes – E Reg

Ms. Noyes met with the Board to discuss the process of E-Reg (Electronic Registration). Ms. Noyes advised the cost of the system is \$300 and she believes she can find it within her budget this year. She discussed the fees to the user associated with using this system. The system will be done through an ACH but will not accept debit and credit cards. Checks will be required to use the system. Ms. Noyes announced the 7/14/09 updated RSA which allows Towns to collect fund through electronic payment without a vote of the Town.

Non-Public Session

Mr. Abugelis moved and Mr. Roberts supported to enter into a non-public session per RSA 91-A: 3 II c at 6:40 p.m. Abugelis, Yes, Roberts, Yes, Farnum, Yes. Motion passed.

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Mr. Abugelis moved and Mr. Roberts supported to adjourn the non-public session at 7:47 p.m. Vote was unanimous. Motion passed.

The Board met with resigning Police Sargent Shawn Varney for the purpose of conducting an exit interview.

Administration

1. LUCT letter – The Board signed a letter to the owner of map 414 lot 091 regarding their earlier request for documentation pertaining to his land use change tax penalty.
2. An application for current use for map 407 lot 065-001 was signed.
3. A 2009 tax abatement for map 405 lot 011 was approved.
4. A 2009 tax abatement for 407-029 was denied.
5. A 2009 tax abatement for 215-049-B4 was denied.
6. An abatement for a road that was taxed for White Lake Estates was approved. This road should not have been taxed.
7. A 2009 abatement listing various properties for 2009 that were overcharges was approved.
8. A 2009 abatement for 415-090-013 was approved.
9. Postage Meter Lease – Mrs. Pearce discussed the lease on the postage meter. The meter would cost the town an estimated \$500/quarter and with the tax bills being outsourced for mailing and printing, it is a good time to look at a different machine. The Board agreed to expend \$250 for a machine that will be owned by the Town. This purchase will eliminate the \$500/quarter expense.
10. Economic Development Committee – *Mr. Farnum moved and Mr. Roberts supporting accepting with regret the resignation of Rebecca Boydon from the Economic Development Committee. Vote was unanimous. Motion passed.*
11. Energy Committee 2010 Budget – The Board approved a request of the Energy Committee in the amount of \$300 for their 2010 budget.
12. Disabilities Rights Center Town House Concern - Mrs. Pearce advised a letter had been received from this organization expressing an ADA concern with the Town House. The Board will review this letter further and will discuss the concerns at the next meeting.
13. Drug and Alcohol Policy – Mrs. Pearce reviewed the revised drug and alcohol policy and advised it had been forwarded to the attorney who made additional changes. *Mr. Roberts moved and Mr. Abugelis supported to accept the revised personnel policy on drug and alcohol testing. Vote was unanimous. Motion passed.*

RSA 91-A Request

Mr. Finman requested to view documents that were presented for approval at this meeting by Mrs. Pearce. The Board advised Mr. Finman the documents were not immediately available for his inspection and he could stop by the Town Office during normal business hours to view the documents.

Non-Public Session

Mr. Abugelis moved at 8:12 p.m. and Mr. Roberts supported to enter into a non-public session per RSA 91-A: 3 II a, c & e. Vote was Abugelis, Yes, Roberts, Yes, Farnum, Yes. Motion passed.

Mr. Abugelis moved at 8:40 p.m. and Mr. Roberts supported to adjourn the non-public session. Vote was unanimous. Motion passed.

The following items were discussed during this non-public session:

1. Health insurance policy and pay for individual employees.

2. An exit interview will be scheduled for Philip Ames on 12/30/09.
3. Mrs. Pearce gave individual legal case updates.

Adjournment

Mr. Roberts moved at 8:50 p.m. to adjourn the meeting. Mr. Farnum seconded this motion. Vote was unanimous. Motion passed. The meeting was adjourned.

RSA 91-A Request

Mr. Finman again asked to view the documents discussed at this meeting. Mr. Farnum advised Mr. Finman that the time was now 8:45 p.m. and informed him he was more than welcome to bring his request to the town office the following day. Mr. Finman persisted to acquire the information he requested and quoted several portions of the RSA 91-A in which he believed the information could be viewed upon his request do to their availability.

Respectfully submitted,
Anne M. Abear

Approved by Tamworth Board of Selectmen: 1/14/10

Tom Abugelis

William Farnum

John Roberts