

TOWN OF TAMWORTH  
BOARD OF SELECTMEN  
84 MAIN STREET  
TAMWORTH, NH 03886  
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Selectmen's Meeting  
Town Office

Thursday, May 17, 2018

MINUTES

*Approved as amended May 31, 2018*

Present: Chairman Gray, Selectmen Poirier, Ricker, Farnum and Mason, Transfer Station Manager Johnson, Police Chief Littlefield, Town Clerk/Tax Collector Trammell, EDC Chairman Farley, Friend of TH member Streeter, Attorney Kate Miller, Jim Hoenscheid from CMI, Town Administrator McWhirter, videographer governmentoversite.com and several members of the public.

- CALL TO ORDER: Chairman Gray called the meeting to order at 6:00pm.
- DEPARTMENTS & COMMITTEES:
  - Transfer Station
    - Transfer Station Supervisor presented an estimate for work to be done on the compactor. The quote to repair the ram and the floor is \$3,000.00 which has been included in the budget for this year.
  - Police Department
    - Police Chief Littlefield reports business as usual. The radar trailer is not working; it will be looked at next week. Chief Littlefield participated in the safety forum sponsored by the Congregational Church.
  - Town Clerk/Tax Collector
    - Town Clerk/Tax Collector Kim Trammell is happy to report she did not have any deeds to present this year. The first issue tax bill for 2018 will be going out at the end of May and taxes will be due July 5, 2018.
  - Economic Development Commission
    - Chairman Farley reported that the new brochures are completed and have been distributed throughout town. "Wet Paint" program put on by Tamworth Visitors Council was a success. 66 painting were sold, with a portion of the proceeds being donated to Tamworth Community Pantry and Tamworth Arts Council. Tamworth Visitors Council is sponsoring "The Great Tamworth Boat Race" on Father's Day weekend. LRPC's annual meeting is June 25, 2018 in Meredith. Mrs. Farley is encouraging the board to attend. Two Tamworth entities have been nominated to receive an award. LRPC's commissioners meeting is being held on May 21st in Ossipee. The discussion is "Safety on Route 16". The 3<sup>rd</sup> Annual Street Fair will be held August 4<sup>th</sup>.
  - Friends of the Town House
    - Member Melanie Streeter presented 2 estimates to restore the kitchen in the Town House.  
*Selectman Farnum made a motion to award the project to Feddern Builders. The price for the project is \$7,960.00. The motion was seconded by Selectman Poirier and passed unanimously.*

Tamworth village handcrafters are sponsoring a rummage sale on May 19<sup>th</sup> from 9am to 1 pm at the Town House.

They met with Granite State Glass to get estimate to replace the glass in the doors to be in compliance with the Chief Colcord's recommendations.

- Administration
  - Town Administrator McWhirter will begin reviewing applications for the Secretary/Assessing Clerk position. A representative from Avitar will meet with Mrs. McWhirter and the assessor on June 12th to discuss a timeline/procedure to begin the conversion and revaluation for 2019. Mike Ames of Ames Fine Carpentry will be contacted to continue the repair work on the backside of the town office. Mrs. McWhirter will contact town counsel regarding the request from the Tamworth Village Association that the septic system be owned by the town. The board scheduled a work session for June 5, 2018 from 5:30pm to 6:30pm. Butler's Bridge is schedule to be closed for about a month beginning sometime in July 2018 to replace the structure.
- APPOINTMENTS:
  - Attorney Kate Miller, from Donahue, Tucker & Ciandella met with the board to discuss retaining her services to help renegotiate the franchise agreement with Charter Communication. Ms Miller reviewed the history of cable and how it has changed over the years and what other options are available. She mentioned the difficulty to negotiate, but did say there are certain things that needed to be added to the draft franchise agreement that was presented to the town. Some areas of the contract she would negotiate are the length of the contract, franchise fees and the density formula. Ms Miller estimates the cost for her services to be at least \$5,000 to \$9,000. She is working with other towns and there could be some cost savings with shared resources. The board will discuss how to proceed at a later date.
- NON PUBLIC per RSA 91-A:3 II (I)
  - Motion made by Chairman Gray at 7:05pm to enter into non-public session under RSA 91-A: 3 II (I). Motion seconded by Selectman Farnum and passed by roll call vote. Gray Y, Poirier Y, Ricker Y, Farnum Y, Mason Y.
  - Motion made by Selectman Poirier to reopen the regular session at 7:30pm. The motion seconded by Chairman Gray and passed unanimously.
- PUBLIC COMMENT:
  - At the last few meetings the public comment section has been used to speak about CMI and the noise ordinance, Chairman Gray and the board made the following statement "On the advice of counsel the board is not in a position yet to enforce the noise ordinance at this time. There is still more research and analysis to complete before the board can make a decision." Mr. Hoenscheid from CMI stated that he wishes to open a dialogue with the board and he explained how the track operates. The course has events Wednesday – Sunday. He stated he did contact the church and that races begin later on Sundays. He stated that if he has notice he will schedule around weddings and funerals. He did extend an invitation to the board to visit the course, which will be planned at a later date. The track is operating under the 2005 operating plan that was created for an Army Corps of Engineers wetland permit. He discussed the decibel levels used in that plan. He stated that the sound is monitored by corner workers. If a car is too loud there is a 3 strike you're out policy. They are not taking readings or monitoring at the property line; they are following their federal permit. He said they are still testing which decibel monitor they like best and will share that with the town. CMI does not have any sound data to provide. Mr. Hoenscheid agreed to provide the town with an event schedule once it is finalized. To try and soften some of the noise, he explained that they are thinking of loaming and seeding the slopes and building acoustic walls.

- NEW BUSINESS:
  - Chairman Gray made a motion to adopt RSA 31:105 Liability for damages limited, indemnification, insurance. Motion was seconded by Selectman Poirier and passed unanimously. The board will discuss and vote on adoption of RSA 31:106 at the next meeting.
  - The board will discuss the CIP request for 2019 at a subsequent work session.
- SIGNATURE FILE:
  - Chairman Gray made a motion to approve and sign the Selectmen's minutes for May 3, 2018. Motion was seconded by Selectman Poirier. Corrections made by Selectman Farnum to the May 3, 2018 are as follows: Under Friends of the town house, Selectman Farnum not Mrs. Streeter commented that the application for the town house to be placed on the listing of the state register of Historic Places is 99% completed. Under appointments, clarification added that the Tamworth Village Association feels that it would be in the best interest of the users and the town that the septic system be owned by the town. In the Administration section clarification was made stating improvements to Route 113 Chocorua Road and Page Hill intersection in Chocorua Village near the bridge. In the signature file the vote taken to approve the letter to the NH liquor commission was changed from unanimous to 4(-0-1). Selectman Mason corrected the statement in her update to read she will request an RFP for plowing the police and fire stations not write one. After a brief discussion the draft minutes will be corrected and approved as amended (5-0).
  - Chairman Gray made a motion to approve and sign the Selectmen's non-public minutes of May 3, 2018. The motion was seconded by Selectman Poirier and passed unanimously. Chairman Gray made a motion to seal the Selectmen's non-public minutes of May 3, 2018. The motion was seconded by Selectman Poirier and passed unanimously.
  - Chairman Gray made a motion to approve and sign the payroll manifest dated May 10, 2018 in the amount of \$31,541.82. The motion was seconded by Selectman Poirier and passed unanimously.
  - Chairman Gray made a motion to approve and sign the payroll manifest dated May 24, 2018 in the amount of \$29,367.95. The motion was seconded by Selectman Poirier and passed unanimously.
  - Chairman Gray made motion to approve and sign the accounts payable manifest and check register dated May 8, 2018 in the amount of \$60.00. The motion was seconded by Selectman Poirier and passed unanimously.
  - Chairman Gray made motion to approve and sign the accounts payable manifest and check register dated May 24, 2018 in the amount of \$320,262.14. The motion was seconded by Selectman Poirier and passed unanimously.
  - Chairman Gray made a motion to approve and sign the 2018 Tax Warrant. Motion was seconded by Selectman Poirier and passed unanimously.
  - Chairman Gray made a motion to approve and sign Raffle Permit for Friends of Cook Memorial Library. The motion was seconded by Selectman Poirier and passed unanimously.
  - Chairman Gray made a motion approve and sign the appointment for Melissa Ricker as an alternate member to Economic Development Commission. The motion was seconded by Selectman Poirier and passed unanimously.
  - Selectman Mason made a motion to approve the chairman to sign the reappointment of Pat Farley to Mt. Washington Valley Economic Council. The motion was seconded by Selectman Poirier and passed unanimously.
  - Selectman Mason made a motion to approve the chairman to sign the Letter to NH DOT requesting work on bridge reconstruction, Tamworth Road and Route 113. The motion was seconded by Selectman Poirier and passed unanimously.
  - Chairman Gray made a motion to approve and sign the current use application for 404-008-000. The motion was seconded by Selectman Poirier and passed unanimously.

- Chairman Gray made a motion to approve and sign the Administrative abatement for 413-017-002. The motion was seconded by Selectman Poirier and passed unanimously.
- Chairman Gray made a motion to accept the assessor's recommendation to grant the abatement application for 218-090. The motion was seconded by Selectman Poirier and passed unanimously.
- Chairman Gray made a motion to accept the assessor's recommendation to deny the abatement applications on the following properties: 212-021-011, 202-017-000 & 208-007-000. The motion was seconded by Selectman Poirier and passed unanimously.
- SELECTMEN'S UPDATE:
  - Selectman Poirier attended the Economic Development Commission meeting.
  - Selectman Farnum attended the Library Trustees meeting. They discussed CIP and the master plan. They would also like a life safety inspection for the building by the Fire Chief.
  - Selectman Mason presented Chapter 3 of the master plan for the board to review and discuss at a later time. She attended the CIP meeting. CIP distributed the letters to the department head asking for requests for next year.
  - Chairman Gray attended the Conservation Commission's public hearing and the 2018 Local Officials Workshop.
- OLD BUSINESS:
  - Irene's Way will be discussed at the June 5<sup>th</sup> work session.
  - Outside drainage at the town house.
- ADJOURNMENT: At 9:25pm, Selectman Poirier made a motion to adjourn the meeting. The motion was seconded by Chairman Gray and passed unanimously.

Respectfully Submitted,

Darlene McWhirter  
Town Administrator

Approved by the Board of Selectmen

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Steve G. Gray

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Daniel J. Poirier

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Aaron Ricker

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William W. Farnum

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Rebecca Mason