

TOWN OF TUFTONBORO
BOARD OF SELECTMEN
240 MIDDLE ROAD, P.O. BOX 98
CENTER TUFTONBORO, NH 03816
Telephone: (603) 569-4539 Fax: (603) 569-4328
www.tuftonboro.org

Selectmen's Meeting
3:45 pm – Town Offices

Monday, May 1, 2017

MINUTES

Present: Chairman Lloyd Wood, Selectman Bill Marcussen, Selectman Chip Albee and Administrative Secretary Karen Koch.

At 3:45 pm, Selectman Marcussen moved to enter non-public session per RSA 91-A:3, II (c) , to discuss junk properties with Code Officer, Jack Parsons and Attorney Sager, seconded by Selectman Albee. Roll call vote: Wood – Yes; Marcussen – Yes; Albee – Yes.

At 4:00 pm, Selectman Marcussen moved to end the non-public session and move back into public session, seconded by Selectman Albee with all in favor. After a brief break, Chairman Wood called the public meeting to order at 4:07 pm and proceeded with the Pledge of Allegiance.

During public input, the Selectmen confirmed for Elissa Paquette that it was Richard Byrd (not Robert Byrd) that inquired about joining the Energy Commission and information was clarified regarding Skip Hurt's upcoming Library presentation. In response to Chris Sawyer, it was confirmed that Mark Evitts' correspondence to the Selectmen in regards to Brown Road is available to the public. Guy Pike asked that the budget amount allotted for paving and maintenance of roads be a topic of future consideration. Max Ledoux inquired about Chief Shagoury's role as the President of the NH Association of Chiefs of Police and cited online statements made from Attorney Sager in regards to the auction of tax deeded properties.

The Selectmen met with Rick Sager regarding the auctioneering of Town owned properties. Attorney Sager shared that NHMA's opinion of the revised warrant article for the sale of tax deeded property still allows for public auction. He went on to explain the greater success of auctions versus sealed bids, his role as auctioneer, services that his company performs leading up to the auction through the sale of the property, his past auctioneering experience and how he is compensated (a 10% buyer's premium added to the sale price of the property). Minimal involvement would be required from Town Office staff and there would be no cost to the Town to perform the auction. He also shared that for those individuals concerned that they won't be able to attend the auction, people can give a bid limit beforehand. He explained the difference between Town owned properties being sold within three years versus three or more years. There was discussion regarding the possibility of online bidding as well as sealed bid versus auctioning of properties. In response to the Selectmen, Attorney Sager shared that the expenses to have sealed bids would be approximately \$1000 per property to have his staff perform the tasks needed to complete each sale. In order to avoid a possible conflict of interest, the Selectmen agreed that it would be wise to compare more auctioneering options along with Attorney Sager's proposal. Chairman Wood opened the discussion up to public input. Guy Pike and Max Ledoux asked that the Selectmen review the amended warrant article regarding the sale of Town owned property as well as the Town Meeting video, stating that the draft Town Meeting Minutes that the Selectmen and Attorney Sager are currently referring to were later revised and corrected, confirming that Town owned property must be sold by sealed bid. The Selectmen confirmed for Elissa Paquette that money taken in for the sale of Town owned property reduces the bottom line to be paid by taxpayers. The Selectmen agreed to Chris Sawyer's request that the Planning Board and Conservation Commission are advised of the potential property sales in advance in order to offer their opinions. Attorney Sager encouraged the Selectmen to obtain additional legal opinions regarding the warrant article language that was approved at Town meeting. He spoke of the difference of two statutes in regards to the Selectmen's authority to sell Town owned properties in accordance with RSAs 80:80 and 41:14-a.

Selectman Albee moved to approve the April 24, 2017 public meeting minutes as corrected, seconded by Selectman Marcussen with all in favor. Selectman Albee moved to approve the first April 24, 2017 non-public meeting minutes as written, seconded by Selectman Marcussen with all in favor. Selectman Marcussen moved to approve the second April 24, 2017 non-public meeting minutes as written, seconded by Selectman Albee with all in favor. Selectman Albee moved to approve the April 28, 2017 public minutes as written, seconded by Selectman Marcussen. Selectman Albee removed his motion from the table as there was a misunderstanding as to which minutes were being reviewed. Selectman Marcussen moved to approve the April 28, 2017 public meeting minutes as written, seconded by Selectman Albee with all in favor. Selectman Marcussen moved to approve the April 28, 2017 non-public meeting minutes as corrected, seconded by Selectman Albee with all in favor.

The Selectmen agreed that the terms in the employment contract for the aquatics director should be incorporated into the Parks and Recreation Commission Beach Manual for the Selectmen's review, rather than in an actual contract.

Selectman Marcussen moved to approve an intent to excavate for PID 66-2-69, seconded by Selectman Albee with all in favor. The Selectmen requested that Karen Koch ask Jack Parsons to create a reminder file for items that require follow up such as this.

Selectman Marcussen moved to approve a professional services proposal for a boundary retracement survey for Cow Island, seconded by Selectman Albee with all in favor. It was noted that transportation to the island is not included.

Selectman Marcussen moved to approve a notice of appointment for Ed Meier to the Planning Board, seconded by Selectman Albee with all in favor.

Selectman Marcussen moved to approve notices of appointment for Jill Cromwell and Laureen Hadley to the CIP committee, seconded by Selectman Albee with all in favor.

Selectman Marcussen moved to approve a Yield Tax Levy for PID 45-1-17, seconded by Selectman Albee with all in favor.

Chief Thompson was not in attendance but provided background information regarding the old rescue truck. Selectman Albee shared that his research has shown that the retail rate is close to \$18,000 for a similar vehicle. There was discussion regarding the sale of the vehicle by auction versus sealed bid. The Selectmen agreed to delay any final decisions regarding the sale of the rescue truck to allow Chief Thompson more time to continue his research.

Selectman Marcussen shared that it was noted in the last Cemetery Trustees meeting minutes that the Trustees voted to recommend that the Selectmen reverse the abandonment of the Thompson Cemetery. The Selectmen need to hold a public hearing not less than 60 days and not more than 90 days after the public notice. Selectman Marcussen will work with the Cemetery Trustees Chair to prepare to unabandon the cemetery. It was agreed that Selectman Marcussen will work with Camp Belknap to agree upon a date in the fall to have the employee recognition event.

Selectman Marcussen shared that he attended the State's Annual Planning and Zoning Conference on Saturday. One of the topics covered was dealing with the State's aging population and he spoke of how this affects Tuftonboro. Selectman Albee raised the point that this information would be important while working on the Master Plan.

Selectman Albee solidified for the public that the Road Agent will be in next week and the Selectmen will discuss Brown Road with him.

Chairman Wood shared that he and Mark Howard will be attending a TAC meeting regarding unpaved road maintenance on May 3, 2017. When meeting with Jim Bean next week he would like to review the paving warrant article/upcoming paving projects, highway budget, and the Lang Pond Road checklist (road bed, culverts, final payment to LA Drew), etc. Chairman Wood listed upcoming meetings/events: Skip Hurt's Library Presentation: Friday May 5th at 10:00 am at the

Central Fire Station; Narcan Training: Also Friday May 5th from 5-6:30 pm at Library; Budget Committee Meeting: Tuesday May 9th at 6:30 pm; Department Head Meeting: Friday May 12th at 10:00 am at the Town Offices; Town Wide Yard Sale: Saturday June 3rd from 9:00 am-1:00 pm. Sign-ups due at the Town Offices by May 26th; and Summer Kick-Off: Saturday June 24th from 11:00 am-1:00 pm at 19 Mile Beach.

The Selectmen will consider 19 Mile Bay trailer parking permits and dump sticker limitations at their next board meeting. There was discussion regarding Don McWhirter's 91-A request as well as 501C organizations in general, payment in lieu of taxes, etc. Selectman Albee suggested that it may be important to invite these Charitable Organizations to meet with the Selectmen to speak about community involvement. Chairman Wood asked that Karen Koch relay correction information to individuals in regards to a wetland permits application for PID 37-1-10.

The following correspondence was also reviewed: final escrow account documentation for the rescue truck lease; letter from Attorney Jeremy Eggleton regarding Brown Road; Primetimes April 2017; HHW Coordinator's Meeting information; DHHS Carfentanil Health Alert; PA-34 for PID 52-3-36; DRA Community Action Report for 4/18/17; Councilor Kenney's 4/19/17 Report; NHMA Legislative Bulletin 04/21/17; NHMA NewsLink 4/26/17; DRA Total Equalized Valuations; NHMA Legislative Bulletin 4/28/17; NHMA Mountains of Demonstrations Workshop information; NH Emergency Preparedness Conference information; email from Jim Rubens regarding Northern Pass; Wetlands Approval for PID 2-1-77; Hands-on Web Soil Survey Workshop information; revised Police Department Statistics; Primex workshop information; Building Permit Application for 70-2-28; various meeting minutes; various emails and other correspondence.

Chairman Wood asked that Karen Koch approach Chief Shagoury and Jack Parsons about multiple pieces of furniture left on the side of Durgin Road. He also asked that Karen Koch follow up with Computer Port to complete the Town's computer inventory.

During a second public input, Selectman Albee confirmed for Chris Sawyer that the Selectmen are in the process of looking at other means as to what to do with used Town vehicles. Guy Pike commented about a former authorization given by the Selectmen to allow a rock wall to be put in the Town's right of way at Number Nine Road. Max Ledoux shared that he will email the Selectmen the Town Meeting video to confirm the amended warrant article that passed at Town Meeting in regards to the sale of town owned property. The Selectmen responded to Elissa Paquette regarding Don McWhirter's 91-A request and 501c non-profit organization information.

In order to correct the previous motion made to unseal minutes at the April 28, 2017 meeting, Selectman Marcussen moved to unseal non-public minutes dated 6/20/16, 9/13/16, 9/26/16 (2 sets, one with redaction) and 10/14/16, seconded by Selectman Albee for purposes of discussion. The Selectmen reviewed the reasons for making these corrective motions. The motion passed with all in favor. Chairman Wood confirmed that if previous non-public minutes have not been shared with the public, the governing body can seal them. If a member of the public has received a copy of previous non-public minutes before they are sealed then they are public information. After that clarification, Selectman Albee moved to seal the following non-public minutes dated 3/22/16, 7/8/16, and 7/29/16, seconded by Selectman Marcussen with all in favor. Selectman Marcussen moved to unseal the following non-public minutes with redaction: 3/22/16, 7/8/16, and 7/29/16, seconded by Selectman Albee for discussion. It was confirmed that the same exact minutes that were just sealed were unsealed with redactions. The motion passed with all in favor.

At 5:55, Selectman Marcussen moved to adjourn, seconded by Selectman Albee with all in favor.

Respectfully submitted, Karen Koch, Administrative Secretary