

TOWN OF TUFTONBORO  
BOARD OF SELECTMEN  
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Selectmen's Meeting Minutes  
9:00 am – Town House and Town Offices

Monday August 10, 2020

The official video of this meeting can be found on the Town of Tuftonboro's YouTube channel at:  
<https://www.youtube.com/channel/UCCUmJqZvFTS23RMEFSDQzmw>.

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

**CALL TO ORDER**

Chairman Wood called the Selectmen's meeting to order at 9:00 am, read aloud instructions on how to join the meeting remotely and asked Clay Gallagher to lead the pledge of allegiance.

**PUBLIC HEARING PER RSA 31:95-b, III (a)**

Chairman Wood opened the public hearing to accept private donations totaling \$14,000 to be used towards road improvements deemed necessary to bring Willand Road up to Class V specifications (per March 11, 2020 Town Meeting vote). Selectman Albee moved to revise the notice to state acceptance of \$20,000 (as an additional donation was received), seconded by Selectman Marcussen with all in favor. Selectman Marcussen expressed gratitude to the donators as this reduces the amount that will be required to be paid for the betterment assessment. Laurel Podsen also expressed her gratitude for the personal contributions as well as the Selectmen's work on the project. She reiterated her concern regarding the potential environmental impacts of the project. Chairman Wood responded that Ms. Laurel's concern has been relayed to Road Agent Jim Bean. Selectman Marcussen summarized the need to redirect the water flow as it is washing out the road as well as the physical dimension and topography needing a little work in order to properly plow the road. He added that it is not the Board's intent to transform this road into a much wider residential street and feels that Mr. Bean will keep environmental concerns in mind when performing the work. Selectman Albee feels that Mr. Bean should at least maintain this road over the winter. He also added that Steve Allen is planning on selling his property and the Board's need to keep an eye on the number of houses using the road. Brian McPhee, resident of Federal Corner Road, asked if there will be an effort to crown the road off while improvements are made. Chairman Wood explained the "tenting" strategy that should be used (rather than crowning). The Board discussed Mr. McPhee's concerns regarding the condition of the corner of Brown Road and Federal Corner Road to Burleigh Road. The Selectmen responded that this is on the list of projects but not in the immediate future. They will ask Mr. Bean if there is an interim solution that can be done to improve this area. Nat Crane added that this section of Federal Corner Road was in far better condition, as a gravel road, before it was paved. Selectman Marcussen moved to close the hearing, seconded by Selectman Albee with all in favor. Selectman Marcussen moved to accept \$20,000 in private donations towards the Willand Road improvements, seconded by Selectman Albee for discussion. Selectman Albee shared with Diane Falcey that these donations should go into a separate non-lapsing capital account, not just in the general ledger, in order to keep track of how the funding is spent. Vote passed with all in favor. Karen Koch will write letters of appreciation to both donators.

**CABLE TV FRANCHISE INFORMATION SESSION**

Chairman Wood read aloud a prepared statement that read as follows: *"This public hearing is part of the work the Board of Selectmen is conducting on renewal of the cable TV franchise agreement between the Town and Charter Communications, locally known as Spectrum. The Board is soliciting information from residents on what they would like to see going forward in the way of cable TV services from Charter. It is important to note that this hearing only pertains to the cable TV portion of Charter's services, although many residents also purchase telephone and internet services from Charter. The Board of Selectmen only has authority to negotiate with Charter regarding the cable TV portion of those services. The Board also does not have control over either the prices Charter charges in Tuftonboro, some of which are regulated by the Federal Communications Commission (the basic tier charges and the equipment charges) or the channel selection or the form in which channels are offered, in tiers or bundles. The Board is interested to know if residents who are not currently receiving Charter services have requested service and been denied. In those situations, we would need to know how many homes are located on the road not served, measuring from the point at which the cable TV service ends, to see if Charter must provide such service*

according to the terms of the current Franchise Agreement. Are there members of the public who want to speak on this issue?" Brian McPhee voiced his opinion with lack of Spectrum's coverage for the town and questioned what has been done over time to expand coverage to outlying locations. Spectrum quoted \$6200 to bring cable tv 1700 feet to his house. He moved into the house 25 years ago and he would have thought that there would have been progress by now. Selectman Albee responded that there is nothing in the contract that requires them to expand coverage. It requires installation when there are a certain number of houses per mile. However, he anticipates that the latest broadband ruling will help to push Spectrum in to providing further services. Selectman Marcussen responded that the agreement pertains just to the television portion of service. He added that the Town has authority under the FCC that specifies the ability for a Town to franchise. The Town's ability to negotiate changes to the franchise agreement is very limited. Mr. McPhee asked if there is room to revise the contract to apply some pressure for Spectrum to do a better job to serve more of the Town, particularly in this day and age where internet is so important. Selectman Marcussen added that the franchise fee could be expanded upon to help assist with remote installations but this affects all residents and added that the way that the internet was rolled out makes it difficult for expansion. Chairman Wood asked that Mr. McPhee put his submissions into writing as this record will be open until September 11, 2020. Joe Kowalski feels that the Selectmen can make these changes to the agreement if they grant the franchise fee to Spectrum. He expressed his discontent with Spectrum not allowing residents to run their own cable and expressed his disagreement with raising the franchise fee. He feels that revisions should be discussed as a group prior to going to Town counsel. He asked the Board for their agreement that the Town has the full right to be involved in the contract and the language that would benefit the Town. He also feels that internet should be free to all Town buildings and the requirement of 15 houses within a 1 mile radius should be changed. Selectman Albee responded to Mr. Kowalski that, unlike health insurance, we don't have numerous providers for cable service in this area. Selectman Marcussen added that our refusing to renew the franchise agreement doesn't refuse their service in the area. Karen Koch responded to Mr. Kowalski that the Transfer Station wasn't negotiated for free internet installation services as our current franchise agreement is only pertinent to cable television, not internet. Selectman Marcussen reiterated the importance of comments that will be collected over the next 30 days needing to be relevant to cable television service, not internet. Clay Gallagher added that the density requirement level should be reduced. Chairman Wood thanked all those that attended the hearing. The record will be open until September 11 to allow input from residents who could not attend in person. Chairman Wood closed the hearing.

#### **PUBLIC INPUT**

None.

#### **MINUTES**

Selectman Albee moved to approve the 8/3/2020 minutes as amended, seconded by Selectman Marcussen with all in favor. Selectman Marcussen moved to approve the 8/6/2020 minutes as written, seconded by Selectman Albee with all in favor. Selectman Marcussen moved to approve the 8/6/2020 non-public minutes as written, seconded by Selectman Albee with all in favor.

#### **APPOINTMENTS**

Jack Parson gave the Building Department update. To date there have been 11 new homes, 263 inspections and 74 building permits. Electrical work at the Town Offices should be completed this week. Painting and window replacement at the Town Offices has been delayed due to the contractor work load. In our zoning, there is an ordinance for temporary use. The owners of the Pier 19 Store have requested a temporary tent during bike week (not in the parking lot area). Selectman Marcussen moved to approve temporary use of a tent (for the Pier 19 Store), seconded by Selectman Albee for discussion. Selectman Albee suggested that the Board be notified of these types of permits as they are granted. Vote passed with all in favor. Mr. Parsons provided a status update on the junkyard property clean ups.

Clay Gallagher gave the Transfer Station update. Please see attached. The remaining budget will be reduced to cover an overage in the Per Diem Salary line. A per diem employee will be hired to replace another. Both will be employed while training is performed. Mr. Gallagher will re-submit a CIP request for an electronic trailer sign in 2020 (approximately \$15,000). He noted that in the next few years the following items should be considered: compactor #2 replacement (\$23,000-\$25,000), a backhoe replacement and compactor space limitations. In light of Covid-19, Mr. Gallagher responded to Chairman Wood that he will look into handling the increased amount of residents congregating at the Transfer Station.

## **SIGNATURE FILE**

Selectman Marcussen moved to approve a CDBG Authorization Form, seconded by Selectman Albee with all in favor.

## **CORRESPONDENCE**

The Board will attend a Conservation Commission RIB meeting 8/10/2020 at 6:30 pm. Karen Koch was able to respond to Attorney Walker's questions regarding Willand Road. Tyler Phillips informed the Board that DES responded to his request to discuss extending the sheetpile repair approach further out onto Union Wharf. Rene Pelletier of DES requested a copy of the report and Mr. Phillips hopes to hear from him soon. He will wait to send over his proposal for services until Mr. Pelletier responds. As 2006 survey of Libby Park was received that can be used to show the Town's property line. The Board will ask Steve Wingate to use this to work with the abutters in removing their property from the Town's property line. The Board discussed the Don McWhirter vs. Tuftonboro and Camp Belknap court ruling. The Board reviewed Highway Block Grant Aid anticipated to be available to the Town during Fiscal year 2021. All CIP Requests are due to CIP by 9/9/2020. The Board will pass along correspondence from Don and Kristin Taylor regarding the Melvin Wharf and Beach to Chief Shagoury. The Board agreed to have Rick Sager review CDBG's Administration Agreement. Selectman Marcussen moved to approve an agreement with Eastern for propane fuel for the 2020-2021 season at \$1.310 per gallon, seconded by Selectman Albee with all in favor. The Selectmen reviewed Dennis Zilembo's request to hold an employee recognition event. It was agreed to ask that he include volunteers and employees, not just employees. It was agreed that Central Park would have enough room to host this large of a group. Lastly it was agreed to see if holding the event in the evening would allow more people to attend. The Board reviewed the Department of Environmental Services response to Marilyn Stacy in regards to the CDBG project. Selectman Marcussen summarized that personal donations will support installation of a crosswalk on Route 109 at 19 Mile Bay. The Town will need to sign an agreement with the State for maintenance of the crosswalk.

Other correspondence reviewed included: Charter Communications programming changes; PA-34s for PIDs 2-1-63, 41-3-12, 41-34-34, 50-2-22 and 50-2-21; Municipal EcoLink July 2020 newsletter; NE ADA 8/19/2020 virtual meeting information; NRRRA webinar information; Councilor Cryans 8/5/2020 Report; various minutes; emails and other various correspondence.

## **SELECTMEN'S UPDATE**

Selectman Albee will be attending the Budget Committee meeting on 8/12/2020. He recapped health insurance options that he reviewed. Discussion followed. The Carroll County Broadband Initiative has applied for State broadband funding.

Selectman Marcussen shared that the Planning Board will revisit the Camp Belknap site plan review for their firing range next week.

The other Selectmen disagreed with Chairman Wood's suggestion that the Board waive the bidding requirement for outfitting the new police cruiser. Chairman Wood shared concern regarding outstanding paving projects and shortage in warrant article funding. Karen Koch will follow up with the Road Agent for a status on the purchase of the new sanders.

## **PUBLIC INPUT**

Karen Koch responded to Joe Kowalksi regarding in-house videography training.

At approximately 11:16 am, Selectman Marcussen moved to suspend the meeting and move it to the Town Offices, seconded by Selectman Albee with all in favor. The meeting resumed at the Town Offices at approximately 11:24 am. At approximately 11:24 am, Selectman Marcussen moved to enter non-public session per RSA 91-A: 3 II (a) for personnel, seconded by Selectman Albee. Roll call vote: Wood – Yes; Marcussen – Yes; Albee – Yes. At approximately 12:12 pm, Selectman Marcussen moved to end the non-public session and move back into public session, seconded by Selectman Albee with all in favor. Chairman Wood moved to seal these non-public minutes, seconded by Selectman Marcussen with all in favor.

## **ADJOURNMENT**

At approximately 12:12 pm, Selectman Albee moved to adjourn, seconded by Selectman Marcussen with all in favor.  
Respectfully submitted, Karen Koch, Administrative Secretary

**B.O.S. Meeting 8/10/2020:**

**Transfer Station**

1. Monthly Totals for July 2020 (14 SW compactors, 17 C/D containers, 4 Plastic Containers)
  - a. 1 x 30yd Steel/tin Cans Container – XXX tons, Cost \$XXX haul / Revenue \$ XXX thru NRRA
  - b. 2 x Trailer Loads of Scrap Metal – 11.06 tons / Revenue \$247
  - c. 2 x Loads of Brush P/U – Cost \$1000
  - d. 6 x Boxes Fluorescent Bulbs – NC Services – Cost \$122
  - e. Electronics container swapped out – 6 tons, Cost \$1275
  - f. Shipped out 2 boxes (100 lbs) of rechargeable batteries to Call to Recycle - free
  - g. Revenues thru July 2020 are approx. \$35,221. Same time last year was \$65,757.
  
2. General Info Items
  - a. New Compactor #1 and new Hopper system -Done- installed and working great (\$500 below CIP listing)
  - b. New Doors for Recycling building -Done -installed (double and two single doors). Great job, on budget.
  - c. New Baler -Done - installed on 23 July (Our 2 and last CIP item) Running great (\$500 below CIP budget)
  - d. Landfill / Field mowed - Done - Kyle did a great job
  - e. Island Day – Done - Friday 17 July Pier 19 from 0800am - 1200 noon.
  - f. HHW days - Done. Remember, you can always go to Wolf HHW days and pay as you go.
  - g. Drugs turn in day (to be determined) .... **Working** – Federal Program, sometime in early fall.
  - h. Landfill Monitoring - **Working** - new three year RFB
  - i. Ordering new stickers for 2021-22 - **Working**

Date	Expense Action	Revenue Action	Notes	Cost SW	Cost C/D	Cost	Revenue
2-Jul-20	WM Comp #2 & Plastic		\$286 P/U vs \$390	XXXX		XXXX	
2-Jul-20	WM Comp C/D (single)		\$195 Haul		XXXX		
2-Jul-20		Steel/tin can- \$50/ton	NRRA /XXX tons			XXX	\$150.00
7-Jul-20	WM Comp #2 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
7-Jul-20	WM Comp #1 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
9-Jul-20	WM Comp #2 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
9-Jul-20	WM Comp #1 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
10-Jul-20	Scrap metal P/U	LLL/Berwick	1 Load x 11.06 Tons				\$247.00
14-Jul-20	WM Comp #2 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
14-Jul-20	WM Comp #1 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
17-Jul-20	WM Comp #2 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
17-Jul-20	WM C/D(ID) & Plastic		\$286 P/U vs \$390		XXXX (ID)	XXXX	
17-Jul-20	Electronics W/CRT		ECER 6000 lbs			1275	
21-Jul-20	WM Comp #1 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
21-Jul-20	WM Comp #2 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
21-Jul-20	Brush Removal		2 Loads @ 500/load			1000	
24-Jul-20	WM Comp #1 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
24-Jul-20	WM Plastic & C/D		\$286 P/U vs \$390		XXXX	XXXX	
28-Jul-20	WM Comp #2 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
28-Jul-20	WM Comp #1 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
28-Jul-20	NCS - Bulbs		NCS - Bulbs (756LF)			122	
28-Jul-20		Call2 Recycle	2 boxes batteries			N/C	
31-Jul-20	WM Comp #2 & C/D		\$286 P/U vs \$390	XXXX	XXXX		
31-Jul-20	WM Plastic & C/D		\$286 P/U vs \$390		XXXX	XXXX	

14 Solid Waste		WM (XXXX tons)	XXX			
17 C/D Containers		WM (xxxx tons)		XXX		
4 Plastic		WM (XXXX tons)			XXXX	
0 Glass		WM (XXXX tons)			XXXX	
	Steel/tin can- \$50/ton	NRRA /XXX tons			XXX	XXX
Scrap metal P/U	LLL/Berwick	1 Load x 11.06 Tons				\$247.00
Electronics W/CRT		ECER 6000 lbs			1275	
Brush Removal		2 Loads @ 500/load			1000	
NCS - Bulbs		NCS - Bulbs (756LF)			122	
	Call2 Recycle	2 boxes batteries			N/C	
W/M		4 x plastic/XXX tons			XXXX	
Resident Usage fees						\$9,130.00
Stickers fees collected						\$565.00
		Total				\$10,092.00

35,221

	Monthly Total	Prev Balance	Year to Date	Last Year to date
Solid Waste	14 (XXXX tons)	64 (564.67 tons)	78 (XXXX tons)	75 (635.14 tons)
C&D	17 (XXXX tons)	46 (204.61 tons)	63 (XXXX tons)	83 (482.54 tons)
Plastic co-mingle	4 (XXXX tons)	12 (11.31 tons)	16 (XXXX tons)	20 (16.9 tons)
Glass	0 (XXXX tons)	2 (27.97 tons)	2 (27.97 tons)	2 (31.29 tons)
Paper				
Cardboard Bales		1 (9.25 tons)	1 (9.25 tons)	1 (22.65 tons)
Alum Bales				
Steel / Tin Cans	1 ( XX tons)	1 (4.26 tons)	2 (XXX tons)	2 (7.46 tons)
Electronics W/screen	1 (6000 lbs)	1 (6000 lbs)	2 (12,000 lbs)	2 (12,000 lbs)
car batteries				1 (1865 lbs)
Freon		2 (64 units)	2 (64 units)	4 (96 units)
Metal Scrap	1 ( 11.06 tons)	6 (50 tons)	7 (61.06 units)	9 (66.66 tons)
Non-Ferrous Metal - Cop				
Non-Ferrous Metal - other				
Propane		2 (21 units)	2 (21 units)	3 (15 units)
Tires		1 (6 tons)	1 (6 tons)	1 (6 tons)
Used Oil				1 (250 Gallons)
Call 2 Recycle	2 boxes (100 lbs)		2 boxes (100 lbs)	2 (98 lbs)
Bulbs	1 (756 LF)		1 (756 LF)	1 (2,564 Lin Feet)
BRUSH	2 x Loads	6 x Loads	8 x Loads	