

**TOWN OF TUFTONBORO  
BOARD OF SELECTMEN  
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**Selectmen's Meeting  
4:00 pm – Town Office**

**Monday, September 26, 2016**

**MINUTES**

Present: Chairman Carolyn Sundquist, Selectman Lloyd Wood, Selectman Bill Marcussen and Administrative Secretary Karen Koch.

Chairman Sundquist called the meeting to order at 4:00 pm and proceeded with the Pledge of Allegiance.

Selectman Wood made a motion to approve the 9/13/16 public meeting minutes as corrected, seconded by Selectman Marcussen with all in favor.

Chairman Sundquist made a motion to approve the 9/16/16 public meeting minutes as written, seconded by Selectman Wood with all in favor.

Chairman Sundquist made a motion to approve the 9/13/16 non-public meeting minutes as corrected, seconded by Selectman Marcussen with all in favor.

The Selectmen met with Jack Parsons and reviewed the Building Department budget request for 2017. The Code Officer salary line was modified to match the pay structure chart, changing the salary line to \$55,328. Selectman Wood made a motion to approve budget 4240 for \$60,113, seconded by Chairman Sundquist with all in favor.

The Selectmen met with Gina Lessard and reviewed the Parks and Recreation Commission budget request for 2017. A \$5000 one-time charge has been added to replace dock decking. Parks and Recreation will be returning to two lifeguards on duty at all times, increasing the salary line by \$1550. Selectman Wood made a motion to approve budget 4520 for \$39,911, seconded by Selectman Marcussen with all in favor.

The Selectmen met with Sarah Silk of the Lakes Region Hazardous Household Product Facility (LRHHPF) regarding Tuftonboro's 2017 budget for hazardous waste. Tuftonboro is currently paying \$4000 per year. The 2017 budget proposal increases that to \$4500. Ms. Silk shared that in 2013 Tuftonboro became a member and as there was concern for exceeding the budget, individuals that had over the allotted amount (10 gallons) paid for their overages. She stated that after meeting in 2014 with the Selectmen it was determined that LRHHPF would implement the program for Tuftonboro as it does for all other members, as such when someone is over their allotted amount per ticket they receive additional tickets to cover the overage rather than having to pay.

Ms. Silk shared Tuftonboro's participation numbers for the past few years. As participation is increasing, she feels that the budget amount needs to be increased for 2017.

Ms. Silk shared that Tuftonboro residents have been incorrectly informed that they are only permitted one ticket. She would like to have consistency between towns as to how they are orchestrating the process. Selectman Wood recalled his impression of past conversations stating that if someone is over 10 gallons, he understood that they negotiate on their own to pay for the extra gallons. Ms. Silk stated that his recollection was incorrect and individuals are allowed extra tickets to cover the overages.

Sarah Silk confirmed for Chairman Sundquist that one person can dispose of items for multiple families. There was some discussion regarding the procedure used for medicine collection disposal, as well as discussion regarding Island Pickup Day which Ms. Silk suggested that the Selectmen consider participating in. Chairman Sundquist shared that the budget amount of \$4500 needs to be determined and put through the normal budget process before she can give a final response to Ms. Silk.

Chairman Sundquist asked if there was an opportunity for individuals to pay themselves for anything over 10 gallons. Ms. Silk was not receptive to this idea and shared that this would be difficult as people become irate and there may be budgetary money left that could pay for the extra gallons. She reiterated that this also would not follow suit with how LRHHPF handles overages with other participating towns.

The Selectmen met with Sue Weeks and Peter Sluski of the Cemetery Trustees. The cemetery regulations have been completely rewritten as the Trustees found that the previous regulations were not adequate. This information was shared with the Selectmen and discussed. It was noted that the attorney for the Trustees has not yet reviewed these regulations and the Trustees need to confirm if they need a public hearing in order to adopt them.

Rights of Burials have gone back to being considered real property and the Trustees will move forward with new burials as such. The State does not allow Right to Burial money to be used for perpetual care. The Trustees are proposing a warrant article so the Right to Burial money will go into an expendable trust fund, not the operating budget. This would allow for more flexibility with how the funds are used and would allow for personal donations. The schedule of fees was reviewed and noted as a modest increase compared to other towns. The Trustees propose a \$25 administrative fee that would be deposited into the budget in the event of additional administrative expenses. The Trustees will confirm the appropriate protocol required in order to increase fees.

The Sexton's job description has been revised as well. The Sexton is now available to dig graves for cremations and set corner markers. For bookkeeping purposes it was agreed that it is best that checks be written out to the Town for these services and then, in turn, a check be made out to Mr. Honeycutt. It was discussed that these payments should be put in a "money in and money out" account, not as a budgetary line item. There was discussion about the Town Office Coordinator's role referenced within the Sexton's job description. It was confirmed that Karen Koch works with Ms. Weeks and Mr. Honeycutt to relay messages and questions that arise for the Trustees. Diane Falcey handles the financial aspect. It was agreed that it is most helpful for individuals to pay upfront before a burial is done. Although it is acknowledged that there may be times that follow up may be needed. If someone comes in to buy a lot, it was agreed that Ms. Koch will put the purchaser in touch with the Sexton, who will assign the next available lot. The Trustees will advise the Selectmen of any changes in fees, etc. It was acknowledged that the Right of Burial form needs to be reviewed to confirm that it is up to date.

There was discussion about cemetery abandonment. There needs to be a public hearing at a Selectmen's meeting to allow the Town to legally do maintenance for these cemeteries. The Selectmen agreed that starting with 11 cemeteries was reasonable. There was discussion that the money set aside for the French Cemetery may be able to be used for the expenses involved in publicizing the public hearing. The public hearing notice will be put in next Thursday's Granite State News with a public hearing date tentatively scheduled for January 9, 2017.

The Selectmen met with Sue Weeks regarding the Town Owned Property Auction. Ms. Weeks feels that two of the properties on the list should not be included (Lang Pond Road and Sandy Knoll Road). They are both on private Town roads that are not maintained year round by the Town. If sold and built upon, she feels that this would cause the Town to endure much more in road maintenance costs. Chairman Sundquist disagreed that this would obligate the Town to maintain the roads as **there is a waiver that has to be signed to release the Town from any responsibility to maintain them before getting a building permit.** Ms. Weeks responded that even if there is a waiver signed, if the person doesn't do the appropriate maintenance the Town will need to maintain the roads for emergency services. Ms. Weeks feels that this can also open up the opportunity for other developments if the roads are improved upon. She shared that the Town has retained these properties for 40 years because of these issues that could arise.

Chairman Sundquist questioned the lapse of time that Ms. Weeks' took to bring up this concern as the Selectmen decided the properties to be auctioned months ago and the auction is now coming up on October 15<sup>th</sup>. She also shared that if the two properties are removed now then there will probably be a penalty. Ms. Weeks responded that she is also concerned that the tracking of the minutes doesn't clearly discuss the list and the decisions made. She does not feel that things have been voted upon and documented fairly. She asked how the public would know what properties were on the list. Chairman Sundquist responded that the list of properties was originated in May of 2014 and the list was sent to the Planning Board and the Conservation Commission. Ms. Weeks feels that the documentation is not available to back this up. She also stated that the Conservation Commission voted against the sale of Sandy Knoll Road. She feels that this feedback should have been shared. She accused the Selectmen of having conversations outside of meetings. Chairman Sundquist responded, **"Absolutely not!"**.

Chief Shagoury shared July and August statistical information (attached). As there has been a lot of activity this summer, there has not been a lot of time for training but the department will pick up on that this fall. He spoke of Granite Hammer, an opioid enforcement grant. The Police Department will work with other departments regarding the opioid epidemic in the county, as well as attend training for such. His department will be participating in "Beards for Bucks". It is a State wide event where police departments grow beards and raise money for the Child Advocacy Center.

Chief Shagoury is working on getting his budget in for Wednesday. He will be putting a small amount in his budget for overtime for his officers to work with other departments in regards to the opioid enforcement grant. He is also working with Jill Cromwell regarding CIP projects. He will request the same items for next year as in previous years, a building and a cruiser. He spoke of a grant that was approved last year for a communications upgrade. Selectman Wood asked that Chief Shagoury and Chief Thompson come in together to provide a briefing of the communication systems and the plans for the upcoming year.

Chairman Sundquist asked about a status on the Drug Policy as well as organization in his office. Chief Shagoury will make a note to work on the Drug Policy and as far as organization he was making progress but got waylaid. Selectman Wood asked about a status on job performance reviews. Chief Shagoury responded that he will complete those.

Selectman Wood made a motion to approve budget 4199 - Other General Gov't for \$850, seconded by Selectman Marcussen with all in favor.

Selectman Wood made a motion to approve budget 4442- Direct Assistance for \$35,000, seconded by Selectman Marcussen with all in favor.

Chairman Sundquist made a motion to approve budget 4589 – Gifts & Donations for \$500, seconded by Selectman Wood with all in favor.

Selectman Wood made a motion to approve budget 4583 - Patriotic Purposes for \$1500, seconded by Chairman Sundquist with all in favor.

Chairman Sundquist made a motion to approve a Veteran's Tax Credit for 2017 PID 14-4-9, seconded by Selectman Wood with all in favor. The resident currently received the credit in Merrimack for 2016.

Chairman Sundquist moved to approve Intent to Cut for PID 57-2-7 and 57-2-10, seconded by Selectman Marcussen with all in favor.

Chairman Sundquist moved to approve Intent to Cut for PID 2-1-85, seconded by Selectman Wood with all in favor.

Chairman Sundquist made a motion to approve a Notice of Appointment for Amy Stockman as an Alternate to the Board of Adjustment, seconded by Selectman Wood with all in favor.

Chairman Sundquist shared that she had a conversation with Ben Ladd regarding the Ad Hoc Secretary budget. He asked that just under \$300 be added to the line as part of the work done was done on behalf of the Selectmen. Chairman Sundquist made a motion to approve \$300 be added to the Ad Hoc Secretary budget line, seconded by Selectman Wood with all in favor.

She also shared that she and Mr. Ladd discussed the Mirror Lake Boat Ramp and he should have a figure for this project soon and it should be under \$10,000. It would be addressed as a warrant article. She also shared that she spoke with Mr. Ladd regarding Brown Road and this is something that she is looking into.

It was agreed that the Selectmen will revisit Clay Gallagher's white paper proposal another time.

Chairman Sundquist shared that there was excavation training last Friday at the Town House. She complimented Mary Pinkham-Langer of the Department of Revenue Administration for doing a great job and commented that she found the training very informative.

Selectman Marcussen shared that the CIP Committee met with the Fire and Rescue Department regarding projects they have submitted. The session was productive. They are still awaiting submissions from other departments and it is recommended that others get theirs in soon. The Selectmen agreed to change their CIP submission request for the crosswalk to \$8200 in donations rather than \$8500.

Selectman Wood acknowledged the new drug free school signs and noted that they increase public awareness. Selectman Wood also shared that he met with Jim Allan, a former Tuftonboro resident, and thanked him for all his help in the community of Tuftonboro. The Selectmen all send him their best wishes.

The Selectmen reviewed a memorandum from Karen Koch regarding an IT vendor recommendation and agreed that they would like to meet with the vendor representative next Monday. Selectman Marcussen shared that the most recent proposal was reasonable and would not be any great cost upfront. It was agreed that the budget money for this service will continue to come out the budget line that it currently comes from.

The Town of Moultonborough sent a letter to the Selectmen in regards to neighboring communities working together and sharing services in a round table discussion. Selectman Wood volunteered to become involved with this and bring back information to the other Selectmen.

Per Rick Sager's request, Chairman Sundquist mentioned the Town Owned Properties Auction on October 15, 2016 at 10:00 at the Town House. Registration begins at 9:30 and the website ([nhtaxdeedauctions.com](http://nhtaxdeedauctions.com)) can be visited for more information.

The Selectmen agreed to the format of the new Town website and to move ahead with production.

The Selectmen reviewed a memo in regards to the Mirror Lake Protective Association's recommendations that the Selectmen establish a long term committee or appoint a blue ribbon commission to oversee and monitor the effects of the Town of Wolfeboro's Rapid Infiltration Basin Effluent Disposal System on the Town of Tuftonboro. The Selectmen agreed that this has already been established and that the Conservation Commission already monitors this.

The Selectmen reviewed the new NHRS rates effective July 1, 2017-June 30, 2019. Selectman Wood suggested that the new NHRS rates be sent to the Budget Committee so they can see reasons for the increase in compensation for next year.

The Selectmen reviewed a letter from G. Stevens Davis, Jr. in favor of not paving Eaglemere Road. The Selectmen agreed that they have not yet made a decision regarding this and until they do so the road will remain a dirt road.

The Selectmen reviewed an email from Clay Gallagher in regards to the percentage number of what has collected for revenue vs. actual cost for construction debris is actually 79.2%, rather than the 70% he estimated in the last Selectmen's meeting.

During public input, Chairman Sundquist responded to Betsy Frago's question regarding the subject of the ZBA public hearing tonight stating that it was a variance for Brian MacPhee. Ms. Frago also asked about the Intent to Cut, for a cut that was already done, that was tabled for signature at the last meeting and then signed at this meeting. Chairman Sundquist shared that the Selectmen checked with the Department of Revenue and they advised that there is nothing further that can be done at this point but sign the form and collect the taxes.

Max Ledoux complimented Chief Shagoury for representing Tuftonboro well on Maine public radio in regards to recreational use of marijuana in Maine. Mr. Ledoux asked that the Selectmen consider that budget money that is set aside for charities instead be set aside for Direct Assistance to help Tuftonboro residents. He shared information that he recently read regarding NH Retirement and asked the Selectmen why the Town uses this system and if the Town is required to participate in this system. He then requested that if the Selectmen are going to consider Mr. Gallagher's white paper proposal that they communicate with the contact referenced in the document.

Chairman Sundquist responded to Mr. Ledoux's request stating that they will not consider public input during department updates and before relevant votes. Mr. Ledoux also requested again that the Selectmen have one meeting at 6:30 pm each month. Chairman Sundquist shared that this is a board decision and denied his allegation that she stated otherwise at the previous Selectmen's meeting. Chairman Sundquist and Selectmen Wood responded to Mr. Ledoux's question stating that they do not know the specific date as to when they voted on the final property list for the town owned property auction.

In response to Mr. Ledoux's question regarding when the vote was made to allow Chairman Sundquist to make decisions regarding public input, Selectman Wood stated that this decision was made when he voted for her as Chairman. Chairman Sundquist made a motion to not allow public input during the meeting and only at the end, seconded by Selectman Wood with all in favor. For discussion Selectman Wood added that he is very pleased with this motion and very much supports Chairman Sundquist and her use of good judgement as to whether or not public input should be included during a meeting. Selectman Wood moved the question with all in favor. Per Mr. Ledoux's request, Chairman Sundquist shared the advice that she received from counsel in regards to public input. Chairman Sundquist responded to Mr. Ledoux that she was undecided as to whether or not she would be running for re-election next year.

The following correspondence was also reviewed: PA-34s for PID 2-1-71-33, 28-1-18-13, 38-1-276 and 63-1-21; Lake Winnepesaukee Ripples Summer/Fall 2016 edition; LRHHPF correspondence; Lakes Region Planning Commission Meeting information; L.I.F.E Ministries, Inc. request for 2017 funding; revised FBI applicant fee information; Newslink 9/14/16; Fair Labor Standards Act and New Overtime Rules presentation information; permit to reconstruct Lower Beech Pond Dam; revised pay structure with 1.5% COLA; Transfer Station Tuftonboro Times submission; information on bike trails; August 1016 Total Officer Hours Tally; NH Association of Assessing Officials Election Ballot; Request for Permit Amendment –Wetlands and Non-Site Specific Permit 2016-01522 for Lower Beech Pond Dam Project; ZBA 9-20-16 and 9-26-16 public meeting notice; letter from NHDES regarding North Country Village and their activity in the NH Public Drinking Water Supply Inventory database; Wetlands permit application for PID 46-3-8; Wetlands Permit by Notification for PID 38-1-259; upcoming Energy Star Training Opportunity information; Councilor Kenney report; Building Permit Applications for PID 41-2-4, 2-1-31, 14-3-9, 58-1-1, 35-1-12 and 38-1-281; Temporary Mobile Home Certificate of Occupancy for 40-3-34; committee meeting minutes, various emails and other correspondence.

At approximately 6:41pm Chairman Sundquist moved to enter non-public session per RSA 91-A: 3 II (c) to continue the conversation regarding a tax deeded property; seconded by Selectman Wood. Roll call vote: Sundquist – Yes; Wood – Yes; Marcussen - Yes.

Selectman Wood made a motion to seal these 9/26/16 non-public meeting minutes and the previous non-public 9/13/2016 meeting minutes regarding this topic, seconded by Selectman Marcussen with all in favor.

At approximately 6:52 pm, Chairman Sundquist made a motion to end the first non-public session and move into a second non-public session also per RSA 91-A: 3 II (c) for welfare, seconded by Selectman Wood with all in favor. Roll call vote: Sundquist – Yes; Wood – Yes; Marcussen - Yes.

Selectman Wood made a motion to end the second non-public session at approximately 6:55pm and move back into public session, seconded by Selectman Marcussen with all in favor.

At approximately 6:55pm, Chairman Sundquist made a motion to adjourn, seconded by Selectman Wood with all in favor.

*Please note: Although not referenced in this 9/26/16 meeting, the Budget Committee Meeting times were incorrectly referenced in the 9-13-16 Selectmen's meeting. The Budget Committee will meet the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the month at 6:30 (unless otherwise noted), not the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday.*

Respectfully submitted, Karen Koch, Administrative Secretary

# Memo

To: Selectmen  
From: Chief Shagoury  
Date: 09/26/16  
Re: 2015 Statistics (to July 31)

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Training: Drug Overdose Death Investigations

Call-outs: 07/06 Animal complaint  
07/13 Dog complaint  
07/16 Suspicious activity  
07/20 Fireworks  
07/24 Suspicious activity  
07/27 Open door  
07/27 Assist fire department

Activity from January 1 to end of July:

Category	2015	2016
Motor Vehicle Stops	153	128
Summons	9	4
Accidents	25	28
Arrests	12	13
Felonies	12	12
Offenses	80	70
Incidents	96	121

# Memo

To: Selectmen  
From: Chief Shagoury  
Date: 09/26/16  
Re: 2015 Statistics (to August 31)

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Court: August 24, 31

Call-outs: 08/12 911 Hang up  
08/18 Alarm  
08/22 Domestic Animal  
08/27 Suspicious Activity

Activity from January 1 to end of August:

Category	2015	2016
Motor Vehicle Stops	169	147
Summons	11	4
Accidents	30	32
Arrests	12	13
Felonies	19	14
Offenses	95	76
Incidents	128	139