

MINUTES OF THE EFFINGHAM TOWN MEETING 2009

Session I: Tuesday, March 10, 2009

Timothy Eldridge, Moderator Pro-Tem called the meeting to order at 11:00 AM; a motion was made by Marilyn Maughan, seconded by Sheila Jones to forego the reading of the first 12 articles. Motion passed by unanimous voice vote. Mr. Eldridge declared the polls open.

Susan Slack, Moderator closed the polls at 7:00 PM; Ballot Clerks William Piekut, Marilyn Maughan, Deanna Amaral, Tracy Cragin, Cheryl Madden, Christopher Wesinger and David Manley and Timothy Eldridge counted the town ballots for election of officers and the 5 questions. The Governor Wentworth Regional School District ballots were delivered to Wolfeboro for counting by Chief of Police Joseph Collins. Meeting was adjourned at 8:15 PM to re-convene at the Effingham Elementary School on Saturday, March 14, 2009 at 9:00 AM.

The Checklist listed 975 registered voters, 296 ballots were cast, including 5 absentee ballots. Ms. Slack announced the following results for the election of officers. Please note that write-in votes of less than five, unless critical to the outcome, are not included in these minutes.

Selectmen, three year term:	John P. Meisner	139
	Lyle Thurston	108*
	John Nitz	34*
Town Clerk/Tax Collector, three year term:	Marilynn L. Maughan	270
Treasurer, three year term:	Laurie Caldwell	269
Trustee of Trust Funds, two year term:	Douglas Woods	6*
Trustee of Trust Funds, three year term:	John M. Cauble	233
Trustee of Library, three year term:	Edith F. Sharp	262
Budget Committee Member, three year term (2 positions):	David A. Nicholson, Jr.	208
	James P. Skehan	211
Planning Board Member, three year term (2 positions):	Paul D. Potter	208
	George Bull	194
Zoning Board of Adjustment Member, two year term:	Lyle Thurston	5*
Zoning Board of Adjustment Member, three year term:	Henry Spencer	232
Cemetery Trustee, one year term:	N. Eric Potter	260

*Write-in votes

Article 2: Are you in favor of Zoning Amendment 2009-2, as proposed by the Planning Board, to amend Article 3, Section 302, to add the following definition to conversion, “**Conversion:** A change of use from one permitted use to another permitted use. A conversion requires a permit from the Zoning Officer.” The Planning Board is in favor of this article.
Yes 172 No 108

Article 3: Are you in favor of Zoning Amendment 2009-3, as proposed by the Planning Board, to make various formatting changes and to add clarification language throughout Article 10. The Planning Board is in favor of this article. Yes 204 No 74

Article 4: Are you in favor of Zoning Amendment 2009-4, as proposed by the Planning Board, to remove Manufactured Housing Park from Article 10, Table 1, as Table 1 includes only permitted uses. The Planning Board is in favor of this article. Yes 181 No 93

Article 5: Are you in favor of Zoning Amendment 2009-5, as proposed by the Planning Board, to reorder columns, alphabetize and add sequential numbering to Article 10, Table 1. This is a housekeeping issue. The Planning Board is in favor of this article. Yes 216 No 60

Article 6: Are you in favor of Zoning Amendment 2009-6, as proposed by the Planning Board, to amend Article 18, Section 1805: Density, to add, “3. Manufactured Housing is not permitted in Open Space/Conservation Subdivisions.” The Planning Board is in favor of this article. Yes 167 No 113

Session II: Susan Slack, Moderator gaveled the meeting to order 9:15 AM on Saturday, March 14, 2008 with approximately 65 Effingham voters in attendance. Moderator Slack held a moment of silence in honor of Urbain “Sonny” English who passed away recently and for all Effingham residents who passed away in 2008. Town Clerk Marilynn Maughan read the election results from March 10, 2009. Moderator Slack then proceeded to explain how the meeting would be conducted and read Article 7 to the voters present.

Article 7: To see if the Town will vote to raise and appropriate the sum of Thirty One Thousand Five Hundred and Eleven Dollars (\$31,511.00) to contract the services of Avitar Associates of New England, Inc., for the year 2009. This sum represents payment for the fourth year of a five-year level funded contract that provides for a full update of property values to market rate in 2010 as required by RSA 75:8-a, as well as general assessing services throughout each of the five years and field data verification of information appearing on property tax cards. This requires a majority vote.
The article was moved by John Meisner, seconded by William Piekut. Following a discussion the article passed by unanimous voice vote.

Article 8: To see if the Town will vote to raise and appropriate the sum of Seventy Thousand Dollars (\$70,000.00) for road reconstruction. This requires a majority vote.

The article was moved by William Piekut, seconded by Timothy Eldridge. James Skehan made a motion to reduce this article to \$62,000.00. The article was seconded by Irene Riordan. The motion was defeated on a majority voice vote. Following discussion of the article, it passed on a majority voice vote.

Article 9: To see if the Town will vote to raise and appropriate the sum of Eighty Five Thousand Dollars (\$85,000.00) for road resurfacing and sealing. This requires a majority vote. The article was moved by Timothy Eldridge, seconded by William Piekut. James Skehan made a motion to reduce this article to \$70,000.00. The article was seconded by Joseph Sherin. The motion was defeated on a majority voice vote. Following discussion of the article, it passed on a majority voice vote.

Article 10: To see if the Town will vote to discontinue the Rescue Vehicle and Equipment Capital Reserve Fund established in 1991. The current balance of \$29,020.33 as of December 31, 2008, plus any accumulated interest to date of withdrawal, are to be transferred to the Town's general fund. This is a special warrant article. This requires a majority vote. The Selectmen and the Budget Committee recommend this appropriation. This article was moved by John Meisner, seconded by Timothy Eldridge. Irene Riordan made a motion to postpone this article together with Article 11 indefinitely. The motion was seconded by Jory Augenti. Mrs. Riordan explained that she felt although the intent of the Selectmen was to move the funds into the Fire Truck and Equipment Capital Reserve Fund, the capital reserve fund did not indicate that the funds were to be used for the Rescue Vehicle. Therefore, the Fire Truck CRF should be renamed first. The motion passed on a majority voice vote. The two articles were postponed indefinitely.

Article 11: To see if the Town will vote to raise and appropriate the sum of \$29,020.33 to be added to the Fire Truck and Equipment Capital Reserve Fund previously established, with said funds to come from the Town's unreserved fund balance. This sum represents the funds from the discontinued Rescue Vehicle and Equipment Capital Reserve Fund. This is a special warrant article. This requires a majority vote. The Selectmen and the Budget Committee recommend this appropriation. See Article 10.

Article 12: To see if the Town will vote to name the Board of Selectmen as agents to expend from the Town Owned Bridges Capital Reserve Fund previously established in 2003. This requires a majority vote. The article was moved by Timothy Eldridge, seconded by John Meisner. Following a brief discussion, the article passed on an unanimous voice vote.

Article 13: To see if the Town will vote to raise and appropriate the sum of Forty Six Thousand Dollars (\$40,001.00) for payments to the following Capital Reserve Accounts:

Invasive Aquatic Plants	\$ 1,000.00
Fire Truck/Equipment	\$20,000.00
Municipal Maintenance Garage	\$ 1,000.00
Police Cruiser/Equipment	\$ 5,000.00
Public Safety Buildings	\$ 5,000.00
Salt Shed	\$ 1,000.00

Town Owned Bridges	\$ 5,000.00
Transfer Station/Recycling Center	\$ 2,000.00
Rescue Vehicle/Equipment	\$ 1.00

This is a special warrant article. This requires a majority vote. The Selectmen and the Budget Committee recommend this appropriation. The article was moved by John Meisner, seconded by Timothy Eldridge. A motion was made by Jory Augenti, seconded by Michael Cauble, to increase the Rescue Vehicle/Equipment CRF by \$4,999.00. The motion passed by unanimous voice vote. Following discussion, the article as amended passed on majority voice vote.

Article 14: To see if the Town will vote to raise and appropriate One Thousand Dollars (\$1,000.00) from the undesignated fund balance to be added to the Fire Truck and Equipment Capital Reserve Fund previously established. The \$1,000.00 was received from the Town of Parsonsfield in 2008 for Fire Department Mutual Aid. This is a special warrant article. This requires a majority vote. The Selectmen and the Budget Committee recommend this appropriation. The article was moved by John Meisner, seconded by Timothy Eldridge. There was no discussion. Article 14 passed on unanimous voice vote.

Article 15: To see if the Town will vote to raise and appropriate the sum of Five Hundred Dollars (\$500.00) to be added to the Emergency Management/Disaster Expendable Trust Fund previously established. This is a special warrant article. This requires a majority vote. The Selectmen and the Budget Committee recommend this appropriation. The article was moved by John Meisner, seconded by Timothy Eldridge. Jory Augenti made a motion to increase this article to \$10,000.00. The article was seconded by Cheryle Feirick. The motion was defeated on a majority voice vote. Following discussion, the article passed on a majority voice vote.

Article 16: To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000.00) to be added to the Municipal Buildings Expendable Trust Fund previously established. This is a special warrant article. This requires a majority vote. The Selectmen and the Budget Committee recommend this appropriation. The article was moved by John Meisner, seconded by Timothy Eldridge. Following discussion, the article passed on unanimous voice vote.

A motion was made by David Manley, seconded by Henry Spencer to restrict reconsideration of Articles 7 through 16. The motion carried on unanimous voice vote.

Article 17: To see if the Town will vote to raise and appropriate the sum of One Dollar (\$1.00) to be added to the Planning and Land Use Expendable Trust Fund previously established. This is a special warrant article. This requires a majority vote. The Selectmen and the Budget Committee recommend this appropriation. The article was moved by William Piekut, seconded by John Meisner. Following discussion, the article passed by unanimous voice vote.

Article 18: To see if the Town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to be added to the Parks and Recreation Trust Fund previously established. This is a special warrant article. This requires a majority vote. The Selectmen and Budget Committee recommend this appropriation. This article was moved by Timothy Eldridge,

seconded by John Meisner. Following discussion, this appropriation passed by unanimous voice vote.

Article 19: To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000.00) to be added to the Library Equipment Expendable Trust Fund previously established. This is a special warrant article. This requires a majority vote. The Selectmen and Budget Committee recommend this appropriation. This article was moved by John Meisner, seconded by Timothy Eldridge. A motion was made by Cheryle Feirick, seconded by David Manley to increase this article to \$2,500.00. The motion passed on a majority voice vote. Following discussion, the article as amended passed on an unanimous voice vote.

Article 20: To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Five Hundred Dollars (\$20,000.00) for personal allotments/stipends for Effingham Fire and Rescue Department members. This requires a majority vote. A motion was made by Lori Lenart, seconded by Irene Riordan to discuss this article with Article 24. The motion was defeated on a hand count of 20 yes 22 no. Following the discussion, the article passed on unanimous voice vote.

Article 21: To see if the Town will vote to raise and appropriate the sum of \$24,000.00, said sum represents \$13,500 for the salary of the combined Town Clerk/Tax Collector position and \$10,500.00 for the salary of the combined Deputy Town Clerk/Tax Collector position. If this warrant article passes, the general operating budget lines for salary and fees will be reduced. This requires a majority vote. **Note:** These salaries will be for the nine month period beginning April 1, 2009 and ending December 31, 2009. For the 12 months of 2010, the yearly salary for the Town Clerk/Tax Collector will be \$18,000.00 and the yearly salary for the Deputy Town Clerk/Tax Collector will be \$14,000.00. Both of these positions will no longer retain fees, all fees will be kept by the Town as revenue. The article was moved by John Meisner, seconded by Timothy Eldridge. A motion was made by Irene Riordan, seconded by Michael Gruel to amend the following sentence: For the 12 months of 2010, the yearly salary for the Town Clerk/Tax Collector will be recommended as \$18,000.00 and the yearly salary for the Deputy Town Clerk/Tax Collector will be recommended as \$14,000.00. The motion failed on a voice vote. Following discussion, the article passed on an unanimous voice vote.

Article 22: To see if the Town will vote to discontinue the Tax Map Updating Trust Fund established in 2001. The current balance as of December 31, 2008 of \$3.01, plus any accumulated interest to date of withdrawal, are to be transferred to the Town's general fund. This requires a majority vote. The Selectmen and the Budget Committee recommend this appropriation. The article was moved by John Meisner, seconded by William Piekut. Following a brief discussion, the article passed on an unanimous voice vote.

A motion was made by Sheila Jones, seconded by Irene Riordan to restrict reconsideration of articles 17 through 22. The motion passed on an unanimous voice vote.

Article 23. To see if the Town will vote to raise and appropriate the Budget Committee and the Selectmen's recommended sum of \$1,243,885.00 for the ensuing year for general operations. The article was moved by John Meisner, seconded by Timothy Eldridge. The general operating budget was passed at \$1, 220, 915.00. This figure passed by majority voice vote. The following

is a breakdown by account as to how this figure was derived, with the various discussions, if any ensued.

4130 · Executive

Benevolence Expenses	200.00
Computer & Network Expense	1,800.00
Mileage	200.00
Office Equipment & Supplies	3,000.00
Postage	1,200.00

Salaries

<i>Administrative Assistant</i>	<i>31,500.00</i>
<i>Clerical Support</i>	<i>7,460.00</i>
<i>Moderator</i>	<i>500.00</i>
<i>Selectmen</i>	<i>21,000.00</i>
<i>Trustee of Trust Funds</i>	<i>300.00</i>

Total Salaries	60,760.00
Telephone	1,500.00
Town Meeting Expense	200.00
Town Report Printing	1,900.00
Workshops & Seminars	500.00

Total 4130 · Executive **71,260.00**

4140 · Election & Registration

Advertising	500.00
Association dues	20.00
Books & publications	350.00
Mileage	150.00
Office Equipment & Supplies	750.00
Postage	1,000.00

Salaries

Ballot Clerk 260.00

Deputy Town Clerk 3250.00

Town Clerk 3000.00

Total Salaries **6,510.00**

Telephone **550.00**

Town Clerk Fees **12,000.00**

Workshops & Seminars **300.00**

Total 4140 · Election & Registration **21,830.00**

4141 · Checklist Supervisors

Advertising **150.00**

Postage **100.00**

Salaries **1,050.00**

Supplies/mileage **300.00**

Workshops & Seminars **300.00**

Total 4141 · Checklist Supervisors **1,900.00**

4150 · Financial Administration

Association dues **20.00**

Auditors **5,000.00**

Bank Service Charges **400.00**

Financial/banking supplies **400.00**

Mileage **150.00**

Office Equipment & Supplies **500.00**

Postage **3,000.00**

Registry of Deeds **750.00**

Salaries

Deputy Tax Collector 3,250.00

Deputy Treasurer 725.00

	<i>Tax Collector</i>	3,000.00
	<i>Treasurer</i>	1,717.00
Total Salaries		8,692.00
Software Support		1,800.00
Tax Collectors Fees		7,500.00
Telephone		550.00
Workshops & Seminars		300.00
Total 4150 · Financial Administration		29,062.00
4151 · Budget Committee		
Advertising		85.00
Mileage		150.00
Workshops & Seminars		200.00
Total 4151 · Budget Committee		435.00
4152 · Assessing		
Equipment & Supplies		300.00
Mileage		150.00
Postage		400.00
Salaries		14,320.00
Software Support		2,100.00
Tax Map Maintenance		2,500.00
Workshops & Seminars		500.00
Total 4152 · Assessing		20,270.00
4153 · Legal		25,000.00
4155 · Payroll Expenses		
New Hampshire Retirement-Town		15,000.00
4155 · Payroll Expenses - Other		20,000.00
Total 4155 · Payroll Expenses		35,000.00

4191 · Planning & Zoning	
4191.1 · Planning Board	4,414.00
4191.2 · Enforcement Officer	10,482.00
4191.3 · Zoning Board of Adjustment	1,955.00
4191.4 · Historical District Commission	366.00
Total 4191 · Planning & Zoning	17,217.00

4194 · Government Buildings	
Building maintenance/supplies/equipment	13,000.00
Electricity	12,000.00
Heating Fuel	15,000.00
Salaries	5,000.00
Sanitation	1,500.00
Total 4194 · Government Buildings	46,500.00

4195 · Cemeteries 4,000.00

4196 · Insurance Fees	
Employee Insurance	60,500.00
Primex/ UE & WC	8,000.00
Property Liability	16,000.00
Total 4196 · Insurance Fees	84,500.00

4197 · Advertising & Regional Dues 3,000.00

4210 · Police	
Association Dues	20.00
Equipment	1,000.00
Fuel	6,000.00
Postage	100.00
Radar recertification	130.00
Radio maintenance	500.00

Salaries

<i>Police Chief Salary</i>	53,170.00
<i>Police Officer Salaries</i>	6,000.00
<i>Police Sergeant Salary</i>	48,058.00
<i>Secretary</i>	5,356.00

Total Salaries	112,584.00
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Supplies	1,000.00
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Telephone	1,200.00
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Training	250.00
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Uniforms & protective gear	1,500.00
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Vehicle Maintenance	2,000.00
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Total 4210 · Police	126,284.00
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4220 · Fire/Rescue Department

Disease Protection	1,000.00
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Fire Prevention	1,000.00
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Fuel	4,000.00
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General Expenses & Supplies	1,000.00
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Medical Supplies	1,750.00
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Medstar Contract	23,750.00
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Mileage	1,000.00
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Mutual Aid & Dues	5,500.00
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New Equipment Purchase	7,700.00
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Radio	2,500.00
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Secretary	4,500.00
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Telephone	1,875.00
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Training	3,500.00
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Truck & Equipment Maintenance	15,250.00
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Total 4220 · Fire/Rescue Department	74,325.00
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4290 · Emergency/Forest

Emergency Management	1,150.00
Forest Fires	3,500.00
Total 4290 · Emergency/Forest	4,650.00

4312 · Highways & Streets

 4312.3 · Road Maintenance

<i>Calcium Chloride</i>	22,260.00
<i>Materials</i>	37,000.00
<i>Road Maintenance Contractor</i>	60,000.00
<i>Roadside Mowing</i>	12,000.00
<i>Signs & equipment</i>	1,500.00
Total 4312.3 · Road Maintenance	132,760.00

 4312.5 · Winter Roads

<i>Contract Payment</i>	167,500.00
<i>Materials</i>	80,000.00
Total 4312.5 · Winter Roads	247,500.00

Total 4312 · Highways & Streets	380,260.00
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4316 · Street Lighting	5,500.00
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4323 · Solid Waste Collection

Certification/Training	500.00
Repairs & Maintenance	1,500.00
Salaries	42,000.00
Supplies	500.00
Telephone	550.00
Household Hazardous Waste Day	1,097.00
Total 4323 · Solid Waste Collection	46,147.00

4324 · Solid Waste Disposal	
Waste Management Containers	100,000.00
4324.05 · Tire/metal/paper disposal	12,000.00
Total 4324 · Solid Waste Disposal	112,000.00
4325 · Solid Waste Clean Up	
Landfill Monitoring	5,900.00
Total 4325 · Solid Waste Clean Up	5,900.00
4414 · Dog Officer	
Humane Society Fees	500.00
Salary	6,000.00
Supplies & Equipment	500.00
Total 4414 · Dog Officer	7,000.00
4415 · Health Agencies & Hospitals	
Agape Food Pantry	1,000.00
American Red Cross	400.00
Northern Human Services	716.00
Ossipee Children's Fund	1,000.00
Starting Point	1,000.00
Tri- County CAP	3,200.00
VNA	3,499.00
White Mountain Community Health Center	1,100.00
Total 4415 · Health Agencies & Hospitals	11,915.00
4442 · General Assistance	20,000.00
4445.2 · Meals on Wheels	3,600.00
4520 · Parks & Recreation	
Town of Ossipee	3,500.00
Total 4520 · Parks & Recreation	3,500.00
4550 · Library	

Other Expenses	14,000.00
Salaries	30,600.00
Total 4550 · Library	44,600.00
4583 · Patriotic Purposes	1,000.00
4611.2 · Conservation Commission	2,925.00
4619 · Town Forester	1,500.00
4711 · Debt Service	
4711.1 · Principal/Long Term Notes	29,000.00
4721 · Interest/Long Term Notes	1,305.00
4723 · TAN Interest	2,500.00
Total 4711 · Debt Service	32,805.00
Total Operating Budget	\$1,220,915.00

Discussion: A motion was made by Marilyn Maughan, seconded by Frank Keville to reduce the Town Clerk salary to \$750.00, Deputy Town Clerk salary to \$812.50, and the Town Clerk fees to \$2,240.00 motion carried unanimously. A motion was made by Marilyn Maughan, seconded by John Meisner to increase the Ballot Clerk salary line to \$1,000.00. The motion carried unanimously. A motion was made by Sheila Jones, seconded by Henry Spencer to increase the Supervisors of the Checklist salary to \$1,350.00. The motion carried unanimously. A motion was made by Marilyn Maughan, seconded by Timothy Eldridge to reduce the Tax Collector salary to \$750.00, Deputy Tax Collector salary to \$812.50 and the Tax Collector fees to \$2,625.00. The motion carried unanimously.

Article 24: To see if the Town will vote, pursuant to RSA 154:1, I(b), to organize the Town of Effingham Fire Department as follows: a fire chief appointed by the Board of Selectmen upon the recommendation of a Selectmen appointed review board. Officers and firefighters will be appointed to the Town's fire department upon the recommendation of the fire chief, by the Board of Selectmen. This requires a majority vote. The article was moved by John Meisner, seconded by Timothy Eldridge. Moderator Slack announced to the voters present that the article will be voted on by ballot. She was given a petition by five voters requesting the ballot vote. That

petition is incorporated herein by reference. Discussion began with Selectman Eldridge reading a statement prepared by the Board clarifying the issues surrounding this article. That statement is incorporated herein by reference. In addition, Selectman Eldridge read a letter received from Butch Burbank, the Town's Risk Management Representative concerning this article. That letter is incorporated herein by reference. Brent Rogers, the current fire chief spoke against the article. The discussion continued for one hour. Following the discussion, a ballot vote was taken. The article was defeated with 34 yes votes, 38 no votes.

Article 25. To see if the Town will vote to accept the reports of its agents and auditors. Moved by John Meisner, seconded by Timothy Eldridge. Article passed on unanimous voice vote.

Article 26. To transact any other business that may legally come before said meeting.

James Morris requested better access in purchasing transfer station stickers. Paul Bartoswicz thanked everyone for the can tab collections, he stated that flags will be now collected for proper disposal, and the Veterans Memorial at Lords Hill will be worked on for restoration.

The 2009

Effingham Town Meeting was adjourned by unanimous voice vote at 2:00 PM.

The following town officials were sworn-in by Moderator Susan Slack following the adjournment of the 2009 Effingham Town Meeting:

John Meisner, Selectman, three year term
Marilynn Maughan, Town Clerk/Tax Collector, three year term
J. Michael Cauble, Trustee of Trust Funds, three year term
Edith F. Sharp, Trustee of the Library, three year term
James P. Skehan, Budget Committee Member, three year term
Paul D. Potter, Planning Board Member, three year term
George Bull, Planning Board Member, three year term
Henry Spencer, ZBA Member, three year term
Neil Eric Potter, Cemetery Trustee, one year term

The minutes of the 2009 Town Meeting are correct to the best of my knowledge and belief.

Respectfully submitted,

Marilynn L. Maughan
Town Clerk