



Town of Effingham

Selectmen's Office

68 School Street
Effingham, New Hampshire 03882

Board of Selectmen's Meeting Minutes August 23, 2022

Present: Chairman Espie, Selectmen Kirkwood and Fuller, Fire Chief Harmon, Town Administrator Fraizer, Health Officer Cahalane and several members of the public.

Chairman Espie called the meeting to order at 4:30 p.m. followed by the Pledge of Allegiance.

Signature Folder:

Chairman Espie made a motion to approve and sign the Selectmen's meeting minutes for August 9, 2022. The motion was seconded by Selectman Fuller, the motion passed (3-0).

Chairman Espie made a motion to approve and sign the Selectmen's modified minutes of April 12, 2022. The motion was seconded by Selectman Kirkwood, the motion passed (3-0)

In the signature folder was a Warrant for Land Use Change and an Intent to Cut.

Chairman Espie made a motion to approve and sign the manifest date August 25, 2022, in the amount of \$337,271.43. The motion was seconded by Selectman Fuller, the motion passed (3-0).

Mail Folder:

- Copy of Motion for Rehearing with BTLA to Dismiss Docket 30388-22OS
- NH DoT One Time Highway Payment \$69,682.78
- NH DRA Community Action Report

Administrator Comments and Selectmen's Reports:

Town Administrator Fraizer

- Town Administrator Fraizer announced the hiring of a part-time bookkeeper in the office.
- Several calls have come into the office about the animals on Town House Road.
- There are a couple of maintenance issues needed for the building.
- Administrator Fraizer is pursuing a quote to repair the floor in the municipal building.

Selectman Kirkwood

- Selectman Kirkwood has not had a response from the herbalist on treating the knotweed at the Transfer Station. Selectman Fuller recommended she reach out to the State, they might have approved vendors.
- Selectman Kirkwood spoke with PRIMEX, they will set up a time to visit the Transfer Station with Vicki. She will be discussing the platform for recycled material and the glass disposal area.
- Selectman Kirkwood attended the election law training.

- Selectman Kirkwood spoke with the State about inspections and what various Transfer Stations are experiencing. She learned many communities face the same challenges

Selectman Fuller

- Selectman Fuller said the Street Fair was a success. Officer Faro did a demo which impressed everyone.
- The Carroll County Broadband District is moving forward with a consultant to create the district framework.
- Selectman Fuller responded to a 91-A request about the Transfer Station Strategy Committee. After speaking to NHMA there is not a requirement for the unrecognized group. However, they will post meetings and publish summaries of their meeting for the public.
- Selectman Fuller and Budget Chairman Strauss met with Ossipee Town Administrator Matt Sawyer and Ossipee Parks and Rec Director Justin Chaffee. They are hoping to have details soon on how the numbers were arrived at. One of the things that came from the meeting is that there is not a clear communication out of Ossipee to Effingham residents about what is available. For example, Effingham can use Duncan Lake Beach, Constitution Park, etc. Selectman Fuller will work with Administrator Fraizer to get a link on the Effingham Website.
- The Historic Town Hall committee meets the third Wednesday of the month at 6:00 at the library. The committee welcomes attendance from the public. The library will be closing on August 25th for approximately two months for repairs and restoration. LCHIP is visiting the site to look at the progress of the first phase of the project and review the second phase. Around September 14th volunteers will be removing the suspended ceiling. Administrator Fraizer asked how the employees were being paid during the closing. Selectman Fuller advised her to reach out to the library director.

Selectman Espie

- Chairman Espie said there is an updated schedule for Green Mountain Road. The paving that was supposed to start on August 22nd has been delayed. It will now be on either side of Labor Day.
- Bailey Road will start Labor Day weekend as well.
- Chairman Espie addressed several items to Fire Chief Harmon:
 - Confirmed with Fire Chief Harmon that the Transfer Station had their burn permit. He replied in the affirmative.
 - Chairman Espie also asked about FEMA coverage for the storm expenses. Chief Harmon explained the State may not meet the threshold for help with FEMA but the County is also looking to the State for relief.
 - Chairman Espie asked about the cardiac monitor and its availability on calls. Typically, the monitor is brought on all calls.
 - Chairman Espie asked about a background check for the Sean Riley. Selectman Kirkwood asked about his driving experience on fire engines. Chief Harmon

explained he is experienced but will need to learn the Town's engines as all vehicles handle differently. Chairman Espie asked about EMT training. Chief Harmon replied that he is in training. Selectman Espie made a motion to hire Sean Riley as a firefighter. The motion was seconded by Selectman Kirkwood, the motion passed (3-0)

New Business

Selectman Fuller presented an electrical bid of \$13,000 from Alpha Electric for the historic town hall. Selectman Fuller made a motion to approve the bid. The motion was seconded by Chairman Espie, the motion passed (3-0)

The ZBA had provided a memo to the Board of Selectmen asking about fining a resident if they did not comply with the ZBA findings. The Board directed Town Administrator to start fining.

Health Officer

Mike Cahalane said he received an email from the office asking him to comply with the Board of Selectman's rules of procedures and let the Town Administrator know if he needs to be put on the agenda. He feels that he is not a member of the public and that it is not practical. Department heads should be exempt.

Mike Cahalane said he presented the plethora of information he listed in the August 9th meeting just to make the Board aware of the volume of information that has to be dealt with.

Mike Cahalane also talked about the letter from the Town Administrator which asked department heads to reign in legal fees. As Health Officer, he needs a process for violations but he wants to talk to the attorney to set up the process. He can't inspect properties without the process in place. His request is to contact the attorney to lead him through the creation and implementation of the process. Selectman Fuller asked if the process is in place would it become a relatively routine process to follow not requiring the attorney in the future. Selectman Kirkwood asked how often Mike would have to contact the lawyer. Mr. Cahalane is hoping it is only once, and he would receive a written road map. Administrator Fraizer asked if there is a professional organization that could provide the process Mr. Cahalane is talking about. He replied there is but he doesn't think there would be anyone skilled enough. He knows a number of city health officers but doesn't think it applies. Selectman Kirkwood asked what other Health Officers do. Mr. Cahalane doesn't have much contact with them. Often it is the building officer and doesn't think it would apply to Effingham. The Board decided to have a 30-minute call with the Town Attorney and Mike to have a group discussion. Mr. Cahalane thought that would be good. The Board asked the Town Administrator to set it up.

Continuing on the Health Officer topics, Mr. Cahalane referenced an August 1, 2022 letter from the office to a resident. He is vague on how the response from the resident is going to play out. He is not going to be responsible. He reminded the Board that indemnification could be an issue. Mr. Cahalane is on the record that he doesn't approve the letter.

Mr. Cahalane announced that ARPA has chosen Effingham for an award of a grant for the Wilkinson Swamp Road culvert application submitted by HEB. He will watch a video of the

next steps to take. He will need signing ability. Selectman Fuller will be at the presentation. Signing authority was not granted.

Mr. Cahalane is still working on the \$50K grant with USDA for the Transfer Station. Strategic Committee

Fire Department

Fire Chief Harmon reported 27 calls so far for August. Brandie and Dan Felix attended “Trench Rescue” training. Brandie Felix and Joel Chick have both started their Fire Fighter II certification. Chief Harmon has also started some training classes.

Engine 3 had a critical failure when on a call. It has a Diesel Exhaust Fluid failure. The vehicle is in the shop now.

A member of the public asked about the capacity of the conference room.

Public Comment

Vicki Garceau reminded everyone that Effingham Neighborhood Watch is having a presentation on Saturday at 2:00 p.m. with Homeland Security.

Steve Regal said most of the residents in Town don’t contact anyone about the animals on Town House Road. He also asked about who oversees the logging operations in the Town and who follows through to make sure they pay. Chairman Espie explained the process.

Blair Foltz commented on the logging operation at the Transfer Station. Ten years ago the Town did a study of the property of the exemplary wetlands. She wanted to know why the Town is allowing the property to cut again so soon and why the Conservation Commission wasn’t advised. Selectman Fuller explained the loggers were back in the lot because of downed trees from the microburst. The original cut six weeks ago was donated to the Historic Town Hall project and the income for the remaining revenue is coming back to the Town. Ms. Blair asked for a copy of the intent to cut. Mr. Fuller said the revenue would go into the General Fund.

Ms. Foltz asked why the Conservation Commission wasn’t notified. Chairman Espie replied that that there isn’t a requirement to let others know. Ms. Foltz was surprised the courtesy wasn’t given to the Conservation Commission. Ms. Foltz asked how the Town will involve the Conservation Commission in the future.

Ms. Foltz also asked about why the Town is not tracking and fining the MEENA site. She also asked about the capacity of the room.

Mr. Cahalane asked if access to Constitution Park and Duncan Beach was available now to residents. Selectman Fuller answered in the affirmative.

Mr. Cahalane asked if anyone had applied for the Transfer Station Mock Inspection. Town Administrator Fraizer had contacted DES and is anticipating a form to formally apply in early September.

Mr. Cahalane asked if the Board of Selectmen has talked to Waste Management about the potential for a fuel surcharge. Selectman Fuller has talked to the Town's representative Peter Lachapelle, he anticipates a presentation to the Town in a few weeks.

David Garceau provided the Board of Selectmen copies of the tree damage done by animals on Town House Road to John Davis's plants.

John Davis sent Selectman Fuller a video of the damage to his property from the animals on Town House Road. He doesn't know what the next steps are. Selectman Fuller said there are not good laws associated with livestock. Mr. Davis has to work with the Police Department for any resolution.


Elaine Chick asked if the Zoning Ordinance could be modified to require animals be fenced. Mike Cahalane questioned if the State would allow the Town to be stricter than the State laws.

Dave Garceau disagreed with the Board of Selectman's request to the Boards to reign in legal fees. Dave Strauss, Budget Committee Chairman, supported the BoS request. The BoS has only asked that the folks go to the BoS prior to their contacted the attorney.


Elaine Chick, Treasurer, asked if the Board of Selectmen really wanted to pay the Trustees of the Trust Funds. The Board replied in the affirmative.

At 6:10 the Board entered back into a work session with Mr. Cahalane to discuss the items in question on the Transfer Station Operating Plan.

Respectfully Submitted,
Audrey Fraizer


Leonard Espie

Dated: September 6, 2022


Charles Fuller


Victoria Kirkwood

