



**Town of Effingham**  
**Selectmen's Office**  
68 School Street  
Effingham, New Hampshire 03882

**Board of Selectmen's Meeting Minutes**  
**October 4, 2022**

Present: Chairman Espie, Selectmen Kirkwood, Town Administrator Fraizer, Police Chief Duchesne 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 work session minutes for September 6, 2022. The motion was seconded by Selectman Kirkwood, the motion passed (2-0).

Other items in the signature folder included a revised MS-1, a tax exemption, and a transportation fee addendum for Waste Management.

Chairman Espie made a motion to approve and sign the manifest dated October 6, 2022, in the amount of \$768,077.66. The motion was seconded by Selectman Kirkwood, the motion passed (2-0).

**Mail Folder:**

- NRRA Report
- HEB Bailey Road Field Reports #1 and #2
- NH Forest and Lands Division regarding timber cut.
- Reclamation Bond for Angelini Sand and Gravel Pit. Chairman Espie asked Town Administrator Fraizer to follow up on the bond versus the Town's request for cash to be placed in an escrow account.

**Administrator Comments and Selectmen's Reports:**

**Town Administrator Fraizer**

- Town Administrator Fraizer asked if the Board has any changes or questions to the audit. Mr. Cahalane said he thought something should be clarified.
- There are two work sessions scheduled, the first is with HEB on the 6<sup>th</sup> at 12:45, the second is the 11<sup>th</sup> at 11:00 to review budgets.
- Town Administrator Fraizer provided an overview of the meeting Selectman Fuller had with Waste Management regarding the transportation fees.

**Selectman Kirkwood**

- Selectman Kirkwood reviewed the report PRIMEX provided on the Transfer Station. Specific recommendations were for gates in front of glass containment and painting step up areas.
- Selectman Kirkwood read a letter for gratitude from Paul Bartowitz to the staff at the Transfer Station. The staff helped him and his wife while he was recovering. "The staff represent the goodness in Town."

- Selectman Kirkwood is attending an invasive species workshop on October 6<sup>th</sup>.

### **Selectman Espie**

- Chairman Espie reviewed an email from Town Attorney Serge regarding an offer of Attorney Bolt to represent the Town, as he is already representing the Planning Board on the same issue. Based on Attorney Serge's recommendation the Town agrees that Attorney Boltz can represent the Town.
- There was also an email from Town Attorney Serge related to a tax appeal mediation Monday November 21, 2022 at 1:00 p.m. Selectman Kirkwood may sit in on the mediation.
- There was a Class VI Road waiver for Libby Road (Book 779, Page 475) signed by the property owner. Selectman Kirkwood reiterated the Town will not be responsible for the upkeep of the road. Selectman Kirkwood made a motion to approve and sign the waiver. The motion was seconded by Chairman Espie, the motion passed (2-0).
- Chairman Espie reviewed the traffic study LRPC performed in July. Of key note was the average 1,200 cars daily on Elm Street. Also, the excessive speed incurred on several roads.

### **Police Report**

Chief Duchesne reviewed the police statistics for July, August and September. The Chief took several questions from the public about police coverage and traffic rules. Of note was a question from John Davis about a school bus stop as a three-way intersection. Town Administrator Fraizer will reach out to the school about changing the location. Speed limit signs are missing on Drake and Winter Road. Selectman Kirkwood asked about the new cruiser, it should be in by the end of October.

### **Zoning Enforcement Officer Report**

Rebecca Boyden reviewed her monthly report with the Board. There was a decrease in building permits in September, only two building permits. The Accessory Dwelling Unit (ADU) was directed to the Planning Board. Chairman Espie asked about Bailey Road property that needs a permit. The landowner has been notified. Ms. Boyden provided a chronology of the Meena violations Mr. Tim Otterbach requested at the September 6<sup>th</sup> Board meeting.

### **Budget Review**

Conservation Commission Chairman Emelyn Albert presented the **4611 Conservation Commission** budget. Chairman Espie asked about the increase in the property improvements. Ms. Albert said they are planning to do trail improvements. There was discussion on the water testing Green Mountain Conservation Group performs, it increases \$50 annually. Chairman Espie made a motion to approve the 4611 Conservation Commission 2023 Budget in the amount of \$4,355. The motion was seconded by Selectman Kirkwood, the motion passed (2-0).

On another note, Ms. Albert asked about the Town cleaning up the Larry Leavitt preserve. Chairman Espie said it is on the list for the road crew. Ms. Albert requested the work be performed in the winter when the ground is frozen.

Chairman Espie presented the **4619 Other Conservation** budget in the amount of \$3,000. This is for the Province Lake Association. Chairman Espie made a motion to approve the 4619 Other Conservation 2023 Budget in the amount of \$3,000. The motion was seconded by Selectman Kirkwood, the motion passed (2-0).

Historic District Chairman Susan Slack updated the Board on the activities of the Historic District Commission. There were two applications in 2022. In terms of the 2021 budget, they have dues to pay and are working on ordinances and may have public hearings. Ms. Slack said 2023 budget request for **4191 Historic District Commission** remained the same as 2021. Selectman Kirkwood made a motion to approve the 4191 Historic District Commission 2023 Budget in the amount of \$485. The motion was seconded by Chairman Espie, the motion passed (2-0).

Zoning Board of Adjustments (ZBA) Chairman Pitman presented the **4191 Zoning Board of Adjustments** 2023 Budget. The advertising was increased for 2023. Mr. Pitman said the ZBA is difficult, it depends if there are cases. Professional Services for both the Planning Board and the ZBA is for third party review, i.e. engineering companies. After discussion, the Office Equipment was reduced from \$100 to \$0 and the Professional Services line was reduced from \$1,500 to \$1,000. Chairman Espie made a motion to approve the 4191 Zoning Board of Adjustments 2023 Budget in the amount of \$3,311. The motion was seconded by Selectman Kirkwood, the motion passed (2-0).

Planning Board Chairman Theresa Swanick presented **4191 Planning Board** 2023 Budget. Selectman Kirkwood asked about the reduction in the Recording Fees. After discussion, the Office Equipment was eliminated and the Professional Services line was increased from \$1,000 to \$2,000. Chairman Espie made a motion to approve the 4191 Planning Board 2023 Budget in the amount of \$3,311. The motion was seconded by Selectman Kirkwood, the motion passed (2-0).

Town Forester Libby was not present. A flat budget for **4619 Town Forester** was submitted. Chairman Espie made a motion to approve the 4619 Town Forester budget in the amount of \$1,000. The motion was seconded by Selectman Kirkwood, the motion passed (2-0).

Zoning Enforcement Officer Rebecca Boyden presented the **4191 Zoning Officer** 2023 budget. The Salary-ZEO line was increased due to the ZEO hours increasing from 10 to 12 hours per week and a 3% increase to the hourly rate. The assistant was only approved at Town Meeting in 2022 for the remainder of the year, 39 weeks. The 2023 budget request is for 52 weeks at an increased rate. The mileage and telephone lines were reduced to reflect the actual costs. The workshops were reduced to the 2021 level. Selectman Kirkwood made a motion to approve the 4191 Zoning Officer 2023 Budget in the amount of \$28,172. The motion was seconded by Chairman Espie, the motion passed (2-0).

Announcements:       The Town Offices will be closed on Monday October 10<sup>th</sup>.  
                                  There is a Street Fair on Saturday October 15<sup>th</sup> from 3:00 – 6:00 on Town House Road near the Library.

## **Public Comment**

Dave Garceau of Winter Road inquired when residents will know their individual values. Chairman Espie said when the December tax bill is prepared. Mr. Garceau also asked for clarification of the bond for the Angelini Pit. Chairman Espie said the Town wanted cash in escrow but a bond was processed. Town Administrator Fraizer will follow up.

There was public discussion regarding RV permits. Mr. Garceau and Mr. Cahalane think a septic system should be installed prior to an RV permit being issued. They also think the Health Officer should sign off on RV permits prior to their being issued. The Health Officer looks forward to setting up time with the Zoning Officer and the Board of Selectmen to resolve the process.

Dave Garceau also complained about the boats on a lot on Green Mountain Road. He also complained about RVs on Green Mountain Road. He asked the Board send a cease and desist order to the RVs.

Dave Garceau asked if there was any movement on the bi-laws for animal control.

Dave Garceau complained about road damage on Green Mountain Road.

Dave Garceau noted that the Board meeting wasn't listed on the website calendar. Audrey will review the website.

Dave Strauss reminded the Board that the comments were about an employee and should not be in public comment.

Steve Crocket asked when the shouldering would be completed on Green Mountain Road. Chairman Espie said they are working on it.

Mike Cahalane asked what the MS-1 valuation was. Chairman Espie reported it was \$210,438,567, with utilities included it is \$214,655,067.

Mike Cahalane also asked if the land appeal is with the Superior Court level and if any of the Board were attending.

Mike Cahalane also asked who is going to draft the Animal Ordinance. Town Administrator Fraizer said she would draft one and asked Mike if he would be willing to work with her.

Mike Cahalane learned the Bailey Road project is having problems. He wants to know that the contractor isn't asking for more money. Chairman Espie said the Board has a meeting with the contractor scheduled.

Mike Cahalane noted fines are not really effective. Action has to be taken; people have to be taken to court. It's misleading telling people of the Town is fining for zoning violations because most fees are not collected.

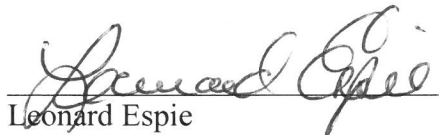
Mike Cahalane as Health Officer doesn't want to pull permits from people who have been misled to think they are doing the right thing. It is his job to make sure human waste isn't absorbed into the ground.

Elaine Chick asked if the Board would consider going back to weekly meetings.

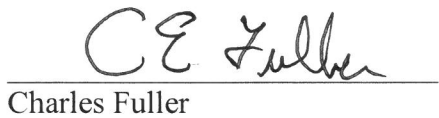
Maria Crockett asked if the Board could update projects and their progress on the Town website.

Chairman Espie made a motion to adjourn at 6:41. The motion was seconded by Selectman Kirkwood. The motion passed (2-0).

Respectfully Submitted,  
Audrey Fraizer

  
Leonard Espie

Dated: October 18, 2022

  
Charles Fuller

  
Victoria Kirkwood

