



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

**Board of Selectmen's Meeting Minutes**  
**February 7, 2023**

Present: Chairman Espie, Selectmen Kirkwood and Fuller, Town Administrator Fraizer and several members of the public.

Chairman Espie called the meeting to order at 3:30 p.m.

The Zoning Enforcement Officer met with the Board. The Board discussed the "Determination of Vested Right for the Seasonal Use of Two RVs on certain properties". The ZEO confirmed that the Town Attorney had reviewed the vesting approach, she had and will print and keep the correspondence. There are only 3 properties that are applicable in Town.

The Board reviewed the status of several properties on the Activity Log.

**Approvals:**

Chairman Espie made a motion to approve the January 10, 2023, Meeting Minutes. The motion was seconded by Selectman Kirkwood. The motion passed (3-0).

Chairman Espie made a motion to approve 2 sets of January 10, 2023, Non-Public Meeting Minutes. The motion was seconded by Selectman Kirkwood. The motion passed (3-0).

Chairman Espie made a motion to approve the January 24, 2023, Meeting Minutes. The motion was seconded by Selectman Kirkwood. The motion passed (3-0).

Chairman Espie made a motion to approve the January 31, 2023, Work Session Minutes. The motion was seconded by Selectman Kirkwood. The motion passed (3-0).

Chairman Espie made a motion to approve the January 31, 2023, Non-Public Minutes. The motion was seconded by Selectman Kirkwood. The motion passed (3-0).

Chairman Espie made a motion to approve the February 9, 2023, Manifest in the amount of \$477,598.10. The motion was seconded by Selectman Fuller. The motion passed (3-0).

Chairman Espie made a motion to approve the January 12, 2023, Manifest in the amount of \$15.34. The motion was seconded by Selectman Fuller. The motion passed (3-0).

**Mail Folder:**

In the mail folder was the Watershed News and a request funding CASA. The Town Administrator will respond letting them know the Town's process.

**Town Administrator Comments:**

The student list was picked up at the SAU and will be printed for review.

The packets were printed for the Budget Hearing.

There was one 91-A request last week.

The server upgrade went well, the IT person will be returning to complete the move of some desktop computers and finish the installation on Thursday the 9th.

The Town received the first Highway Block payment.

The Town Administrator made a review of the Transfer Station fees and recommended it be reviewed in a work session.

The 2023 budget will be entered into QuickBooks later in the week.

There are a few reports still needed for the Town Report.

The Town Administrator is working with PRIMEX on Human Resources issues.

The heating system in one of the rest rooms is malfunctioning, it's possible a plumber is needed instead of the heating company.

The volunteer letter for Cobalt Construction is still outstanding. The Town Administrator will create something.

Two other work session topics are the legal documentation from NHMA and review of old non-public.

### **Selectman Kirkwood**

Selectman Kirkwood asked if the oil tank had been advertised yet. The Town Administrator has not gotten to this.

Selectman Kirkwood ordered a sign for handicap assistance at the Transfer Station.

Selectman Kirkwood had a letter from NRRA regarding the extreme cold weather. Several Towns that had buildings remained open. Effingham remained open.

Selectman Kirkwood confirmed Transfer Station Stickers were being ordered for 18 months.

### **Selectman Fuller**

Selectman Fuller is working on the paperwork to close the LCHIP grant. He is updating the stewardship plan. He will be bringing it to the next meeting for the Board to review.

Selectman Fuller said Firefighter Dan Felix asked if he could use the Historic Town Hall to create a fire plan for a course he is taking.

The Library has hired a new director.

Selectman Fuller attended the six (6) Town Ambulance Meeting. The contract extension will be sent via email.

Selectman Fuller had phone conversations with Chris Garcia and Evans Brothers about Champion Hill Road drainage issues. They are trying to set up a meeting.

The contract with Ossipee recreation is ready for signature. The contract has been reviewed by PRIMEX and the Town Attorney. It is a four-year contract that increases \$5,000 per year.

Selectman Fuller made a motion to sign the Ossipee Town Recreation Contract. The motion was seconded by Chairman Espie. The motion passed (3-0).

### **Chairman Espie**

Chairman Espie made a motion to approve the contract extension with Waste Management. The motion was seconded by Selectman Fuller. The motion passed (3-0).

Chairman Espie said the road contractor was out cold patching.

### **Business:**

Chairman Espie asked Town Administrator Fraizer if she had reviewed the proposed website. She has not.

Chairman Espie reported the Elm Street paving project was approved last week however the quote was higher than the bid sheet. In discussions back and forth, the next lowest bidder said they would stand by their bid. Selectman Fuller made a motion to rescind the vote of January 31, 2023, to award the Elm Street contract to R&D. The motion was seconded by Selectman Kirkwood. The motion passed (3-0).

Chairman Espie made a motion to award the Elm Street contract to GMI. The motion was seconded by Selectman Kirkwood. The motion passed (3-0).

Town Administrator Fraizer reached out to the Town Auditors to understand how to correctly present the unanticipated road and bridge funds from the State. For the road funds it was recommended that the Town use what they appropriated for funds. The Green Mountain Paving was appropriated funds as was the Town budget. She presented the Board and the Budget Committee Chairman. The bridge funds will be in a deferred revenue liability account until used. The bridge money and the balance of the Bailey Road warrant article will be used to complete the paving of Bailey Road. The Budget Committee Chairman recommended the offset come from the unassigned fund balance not the tax base. The Board agreed to keep the taxation amount at \$250K. There was discussion about the amount of the Warrant Article increasing to \$420K. It was agreed that having a little extra is better in the event asphalt prices increase or additional gravel is needed.

Chairman Espie asked about scheduling a public hearing for the Bridge money. The Town Administrator will post it.

### **Announcements:**

The Municipal Offices will be closed on Monday February 20th for Presidents Day.

The "Meet The Candidates" is scheduled for Wednesday February 22nd at 7:00 p.m.

### **Public Comment:**

Mr. Cahalane said there may be a timeline to accept the unanticipated funds.

Mr. Cahalane also said he watched the January 10th meeting; he feels there were defamatory comment by Selectman Kirkwood related to his private plowing contract and a complaint on Effingham Farm Road. He also mentioned that Chairman Espie said Mr. Cahalane was an employee of Ron Evans. Mr. Cahalane said Mr. Evans is not an employer but Evans Brothers LLC is. However, Mr. Cahalane is an independent contractor. Mr. Cahalane said "I recommend the Board not continue to bash me, the board is liable for their actions and comments, and the personal crap has to be kept out of it."

Regarding the letter from Mr. Wallace to the Board of Selectman; Mr. Cahalane said there had been previous issues with Mr. Wallace about road issues. He is contracted to Evans Brothers LLC and his agreement is that he will not be paid until the end of the May season. He has received nothing to date for keeping certain Effingham roads open during storms.

Regarding the petition related to the Health Officer; Mr. Cahalane had sent it to the State and there were no findings. He also checked with other people about petitions but they didn't want to get involved with the small Town politics. Mr. Cahalane also said Mr. Wallace couldn't have talked to NHMA because they only talk to private citizens. Chairman Espie apologized if he offended Mr. Cahalane.

Dave Garceau asked why "if Chairman Espie has spoken with Mr. Evans why he didn't explain it to the Board on January 10th." Chairman Espie said he didn't talk to Mr. Evans until after the January 10<sup>th</sup> meeting.

Mr. Garceau wants to know if anything can be done about the animals on Town House Road. Selectman Fuller said the Board of Selectmen have done everything they can at this time. There is a Warrant Article to help address it. If approved at Town Meeting then further actions may be taken. Town Administrator Fraizer said the Effingham Town Police have also been addressing the problem.

Mr. Garceau asked to have Winter Road patched.

Mr. Garceau also asked about the repair to the Green Mountain Road against his property. Selectman Espie said it will be addressed when they are out this spring.

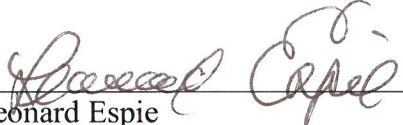
Mrs. Linda Edwards asked about the amount of the Waste Management Contract. Chairman Espie explained there was not a "total amount". The prices escalate each year.

Mr. Cahalane questioned on why the animal ordinance was going to a Warrant Article. Town Administrator Fraizer had checked with NHMA and it is required by the RSA.

Vicki Garceau pointed out that the Neighborhood Watch meeting went well, the topic was self-defense. The next meeting will be about gun safety.

Selectman Fuller made a motion to adjourn. The motion was seconded by Selectman Kirkwood. The motion passed (3-0).

Respectfully Submitted,  
Audrey Fraizer

  
Leonard Espie

Dated: February 28, 2023

  
Charles Fuller

  
Victoria Kirkwood