



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

Board of Selectmen's Work Session Minutes
February 14th, 2023

Present: Chairman Espie, Selectman Fuller, Selectman Kirkwood, Town Administrator Fraizer, Police Chief Joe Duchesne (for non-public only), Gerry DuBreuil and Matthew DuBreuil of R&D Paving Inc., and members of the public.

Chairman Espie called the meeting to order at 9:01 a.m.

The Board had a discussion with Gerry DuBreuil and Matthew DuBreuil of R&D Paving Inc. (R&D) about the process for awarding the Elm Street Paving contract. Matthew DuBreuil asked why the award of the Elm Street Paving contract was made to R&D Paving Inc. but subsequently was rescinded. Chairman Espie explained that R&D submitted a total contract amount which was higher than their bid amount to the lowest bidder, GMI Asphalt.

Matthew DuBreuil explained that the higher number was based on more accurate field measurements, but R&D Paving Inc. would not charge the Town for the extra area of paving. He asked if the Town issued an addendum after the Elm Street Paving bids were opened? Chairman Espie replied, "No." There was discussion about the bid being unit price or lump sum. Town Administrator Fraizer stated that the January 3rd 2023 Minutes are not correct about the Town's requesting a "Lump Sum Bid." The bid is being awarded on the total amount of the bid, but the contract will be invoiced on a line item basis.

Matthew DuBreuil said that R&D's bid of \$290,000.00 is the official bid but the \$307,000.00 reflects the company's use of more accurate field measurements, which they ran through QuickBooks. He commented that last year, R&D's previous contract with the Town went very well in terms of payments, tonnage, and the project schedule.

Selectman Fuller stated the Town is waiting for information from the Town legal counsel in order to discuss this matter further and decide how to proceed.

Chairman Espie thanked R&D Paving Inc. for today's discussion.

At 9:35 a.m. Motion by Chairman Espie to go into non-public under RSA 91-A:3, II(c). The motion was seconded by Selectman Fuller. The motion passed (3-0). Town Administrator Fraizer said that this matter falls under RSA 91-A:3, II(a). Chairman Espie moved to rescind RSA 91-A:3, II(c) and apply RSA 91-A:3, II(a), seconded by Selectman Fuller, the motion passed (3-0).

At 10:00 a.m. Chairman Espie made a motion to come out of non-public. The motion was seconded by Selectman Kirkwood. The motion passed (3-0). These non-public minutes will be sealed for one year.

Public Comment

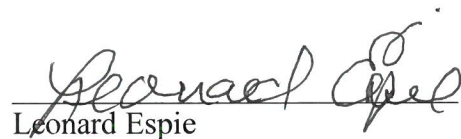
Mike Cahalane commented that unit costs allow a comparison between bidders and that R&D Paving Inc. submitted the lowest unit costs. Rosemarie Wissenbach commented that, for those who aren't familiar with the details of road construction, the taxpayers look for "the bottom line" and therefore the bid total is a number that matters to many people in town.

Comments on Manifest Process: Selectman Fuller is still reviewing this process, he will have comments ready for a future meeting. Town Administrator Fraizer suggested to move this discussion to the Board meeting of February 28th, 2023.

Revised Transfer Station Rates: Town Administrator Fraizer presented a Fee Schedule which she updated so that the Town Fee Schedule and the Town Website are consistent with the Transfer Station Ordinance.

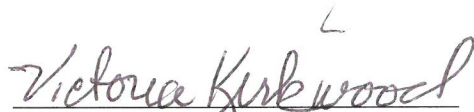
Selectman Kirkwood made a motion to adjourn at 11:02 a.m. The motion was seconded by Chairman Espie. The motion passed (3-0).

Respectfully Submitted,
Livia M. Nicolescu


Leonard Espie

Dated: February 21, 2023

Charles Fuller


Victoria Kirkwood