

Annual Town Meeting

March 18, 2023

The Town Election scheduled for Tuesday, March 14, 2023 was postponed due to a snow storm.

The rescheduled election was held on Tuesday, March 28, 2023. The checklist reads **1,089** registered voters. **356** ballots were cast including **52** absentee ballots. **9** new voters registered on voting day.

The Town meeting was called to order at 9:00 am on Saturday, March 18, 2023. The Town Meeting had Eighty-Eight (88) registered voters in attendance. Moderator Pitman thanked everyone for coming and went over the rules of conduct and safety measures of the meeting. Moderator Pitman started with the pledge of allegiance. Moderator Pitman acknowledged former Moderator Susan Slack.

Moderator Pitman recognized Town Officials, the school, the check in table, Fire and Police, Library and nonprofits, POT member Janet Bull and former Town Clerk Deanna Amaral. Moderator Pitman announced the food drive at meeting and voting day.

Moderator Pitman asked David Strauss, Chair of Budget Committee to speak about how the budget was put together this year. The budget committee met ten times, for a total of thirty hours this year.

Budget Chairman Strauss explained the budget before the voters will result in an increase of \$.58 cents per thousand for the Town, in December 2023. The school tax portion is projected to be \$1.97 per thousand. Warrant articles using the unassigned fund balance total \$120,500 with \$2,000 returned from Parsonsfield ME for a total of \$118,500. These articles will have no effect on the tax rate. The Elm Street project is the big-ticket item. With that, the unassigned fund balance is just over \$700,000, the Budget Committee and the Selectboard has decided this is a good number moving forward.

Steven Regal gave thanks for the donations to the Freedom Food Pantry. Special recognition was given to Susan Regal, that raised \$3,200 in her memory for work on Historic Town Hall.

Effingham Police Chief Joe Duchesne introduced new Sergeant Tyler Eldridge and Senior Patrol Officer Bryan Baker.

Article 01 Elect Officers

Article 1. To choose all necessary town officers for the ensuing year:

- 1 – Selectman, 3 year
- 1 – Town Clerk/ Tax Collector, 1 year
- 1 – Trustee of Trust Funds, 3 year
- 2 – Library Trustee, 3 year
- 1 – Library Trustee, 2 year
- 2 – Budget Committee Members, 3 year
- 2 – Planning Board Members, 3 year
- 2 – Zoning Board of Adjustment, 3 year
- 1 – Zoning board of Adjustment, 1 year

Due to lack of election on March 14, 2023, Article 1. The election will take place on March 28, 2023.

Article moved by Dan Felix

2nd: Mike Pilkovski

Article passed by unanimous consent.

Article 02 Abandon Road

Shall the Town vote, pursuant to RSA 231:43, to completely discontinue a portion of public highway known as Stillings Lane, said portion extending approximately 1,190 feet in a southwest direction from Route 25 to Green Mountain Road. If approved, ownership of the discontinued road will revert to the abutting landowners. Majority vote required.

Article moved by Melissa Seamans

2nd by Erik Jones

Motion carries, Majority yes / 2 no

Article 03 Fire Truck and Equipment CFR

Shall the Town vote to raise and appropriate the sum of \$20,000 to be added to the Fire Truck and Equipment Capital Reserve Fund. This sum is to be raised from taxation. This is a special warrant article. Majority vote required. The Budget Committee and the Board of Selectmen recommend this article.

Article moved by Chris Seamans

2nd by Jim Giguere

Article passed by unanimous consent.

Description

Fund established in 1963. Used for purchase, refurbish or equip fire trucks. Fire Chief Felix explained tanker is nineteen years old, \$600,000 to replace/ \$400,000 refurbish. Grant to cover +/- 50% of cost. \$162,000 in fund.

Article 04 Fire Department Equipment ETF

Shall the Town vote to raise and appropriate the sum of \$2,000 to be added to the Fire Department Equipment Expendable Trust Fund. This sum is to come from the unassigned fund

balance. No amount to be raised from taxation. This is a special warrant article. Majority vote required. The Budget Committee and the Board of Selectmen recommend this article.

Article moved by Chris Seamans

2nd Steven Regal

Article passed by unanimous consent.

Description

Fund established in 2017. Used to purchase and refurbish fire department equipment. Fire Chief Felix explained how expensive equipment is and keeping up to date is essential.

Article 05 Fire Truck and Fire Truck Equipment CRF

Shall the Town vote to raise and appropriate the sum of \$2,000 to be added to the Fire Truck and Fire Truck Equipment Capital Reserve Fund. This sum is to come from the unassigned fund balance (which represents money received from the Town of Parsonsfield for Fire Department Mutual aid). No amount to be raised from taxation. This is a special warrant article. Majority vote required. The Budget Committee and the Board of Selectmen recommend this article.

Article moved by Jennifer Maki

2nd Allen Curtis

Article passed by unanimous consent.

Description

Fund established in 1963. Used for purchasing, refurbishing, or equipping fire trucks. Funds to be added to previously established Fire Truck and Fire Truck Equipment Capital Reserve Fund. Melissa Seamans asked if we could make this permanent every year and not have to vote on it. Chuck Fuller said it is a warrant and must be voted on every year.

Article 06 Police Cruiser and Equipment CRF

Shall the Town vote to raise and appropriate the sum of \$15,000 to be added to the Police Cruiser and Equipment Capital Reserve Fund. This sum is to come from taxation. No amount is to be raised from taxation. This is a special warrant article. Majority vote required. The Budget Committee and the Board of Selectmen recommend this article.

Moderator Pittman explained there was an error in the warrant article and asked for a motion to strike the third sentence "No amount is to be raised from taxation".

Allen Curtis voted to amend the article as stated. The motion was seconded by George Bull. The motion to amend carries.

Article moved by Leo Racine as modified 2nd Elaine Chick

Article passed by unanimous consent.

Description

Fund established in 1990 for the purpose of purchasing, refurbishing or equip police cruisers for use by officers of Effingham Police Department.

Article 07 Police Safety Gear ETF

Shall the Town vote to raise and appropriate the sum of \$2,000 to be added to the Police Safety/Protective Gear Expendable Trust Fund. This sum is to come from the unassigned fund balance. No amount is to be raised from taxation. This is a special warrant article. Majority vote

required. The Budget Committee and the Board of Selectmen recommend this article.

Moved by Erik Jones

2nd Jim Giguere

Article passed by unanimous consent.

Description

Fund established in 2014 for the purpose of purchasing protective gear, equipment, and garments for use by officers of Effingham Police Department. Annual event funding for Kevlar vests and other equipment that must be replaced every five years.

Joanna Bull motion to restrict Articles 2-7

2nd Karen Payne

Motion passed by unanimous consent.

Article 08 Municipal Buildings ETF

Shall the Town vote to raise and appropriate the sum of \$10,000 to be added to the Municipal Building Expendable Trust Fund. This sum is to be raised from taxation. This is a special warrant article. Majority vote required. The Budget Committee and the Board of Selectmen recommend this article.

Moved by Steven Regal

2nd Paul Bartoswicz

Article passed by unanimous consent.

Description

Fund established in 1998. Will be used to repair municipal building and parking lot. Repair roof of municipal building.

Article 09 Operating Budget

Shall the Town vote to raise and appropriate the Budget Committee's recommended amount of \$2,124,713 for general Municipal Operations. This sum is to come from taxation. Majority vote required. The Budget Committee and Board of Selectmen recommend this appropriation.

Moved by Emelyn Albert

2nd Paul Bartoswicz

Article passed by unanimous consent.

Paul Bartoswicz motion to restrict Articles 8 and 9

2nd Erik Jones

Motion passed by unanimous consent.

Article 10 Transfer Station/Recycling Center CRF

Shall the Town vote to raise and appropriate the sum of \$2,000 to be added to the Transfer Station/Recycling Center Capital Reserve Fund previously established. This sum is to come from the unassigned fund balance. No amount to be raised from taxation. This is a special warrant article. Majority vote required. The Budget Committee and the Board of Selectmen recommend this article.

Article moved by Jen Maki

2nd Heidi Foy

Article passed by unanimous consent.

Description

Fund established in 2003 for constructing, reconstructing, repairing buildings and site improvement. Karen Payne thanks town for Steve Regal aluminum recycle program that helps library funds.

Article 11 **Bridge Maintenance ETF**

Shall the Town vote to raise and appropriate the sum of \$2,000 to be added to the Bridge Maintenance Expendable Trust Fund. This sum is to come from the unassigned fund balance. No amount is to be raised from taxation. This is a special warrant article. Majority vote required The Budget Committee and Board of Selectmen recommend this article.

Article moved by Gary Dean

2nd Rosemarie Wissenbach

Article passed by unanimous consent

Description

Fund established in 2017 for maintaining town owned bridges. Yearly contribution used for guardrail, paint, and salt removal. Upkeep, not bridge replacement.

Article 12 **Elm Street Paving**

Shall the Town vote to raise and appropriate the sum of \$419,683 to pave Elm Street from the Ossipee Town Line to the Bridge. The sum of \$250,000 is to come from taxation and \$169,683 is to come from the unassigned fund balance (unanticipated funds of \$69,683 from the State of NH Department of Transportation). This is a non-lapsing warrant article with a lapse date of December 31, 2025. This is a special warrant article. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required)

Article moved by Mike Mazzaschi

2nd Allen Curtis

Majority consent YES; 1 NO

Description

The Selectmen responded to Town citizens questions about drainage, road shouldering, who will oversee the project and if grant is enough to cover cost.

Cheryl Feirick Motion to restrict Articles 10-12

2nd Jen Maki

Motion passed by unanimous consent.

Article 13 **Planning and Land Use ETF**

Shall the Town vote to raise and appropriate the sum of \$1,000 to be added to the Planning and Land Use Expendable Trust Fund. This sum is to come from the unassigned fund balance. No amount is to be raised from taxation. This is a special warrant article. Majority vote required. The Budget Committee and the Board of Selectmen recommend this article.

Article moved by Heidi Foy

2nd Brian Hefner

Article passed by unanimous consent.

Description

Fund established in 2005 for updating master plan, creating Capital Improvement and other land use planning projects.

Article 14 **Computer Network ETF**

Shall the Town vote to raise and appropriate the sum of \$2,000 to be added to the Computer Network Equipment Expendable Trust Fund. This sum is to come from the unassigned fund balance. No amount to be raised from taxation. This is a special warrant article. Majority vote required. The Budget Committee and Board of Selectmen recommend this article.

Article moved by Steven Regal

2nd Gary Dean

Article passed by unanimous consent.

Description

Fund established in 2018 for purchasing, maintaining, and repairing computer and network related hardware and software. Annual expense for the protection of hacking and ransom.

Article 15 Invasive Aquatic Plant ETF

Shall the Town vote to raise and appropriate the sum of \$2,500 to be added to the Invasive Aquatic Plant Non-Capital Reserve Fund. This sum is to come from the unassigned fund balance. No amount is to be raised from taxation. This is a special warrant article. Majority vote required. Budget Committee and Board of Selectmen recommend this article.

Article moved by Emelyn Albert

2nd Carol Pfister

Article passed by unanimous consent.

Description

Fund established in 2004 for preventing and eradicating invasive aquatic plants found in the public water of the Town. Milfoil reduction.

Article 16 Voting Machine ETF

Shall the Town vote to raise and appropriate the sum of \$2,500 to be added to the Voting Machine Expendable Trust Fund. This sum is to come from the unassigned fund balance. No amount is to be raised from taxation. This is a special warrant article. Majority vote required
The Budget Committee and the Selectmen recommend this article.

Article moved by Chris Seamans

2nd George Bull

Article passed by unanimous consent.

Description

Fund established in 2013 for purchasing a State approved election voting machine.

Article 17 Town Hall Repair and Rehabilitation ETF

Shall the Town vote to raise and appropriate the sum of \$10,000 to be added to the Town Hall Repair and Rehabilitation Expendable Trust Fund. This sum is to be raised from taxation. This is a special warrant article. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required)

Article moved by Erik Jones

2nd Allen Curtis

Majority consent YES; 1 NO

Description

Fund established in 2005 to preserve Town Hall building including structural repairs and restorations, interior/ exterior repairs, and restoration. The fund has raised \$532,800 in donations and \$116,000 from Town.

Article 18 **Emergency Management Generator Replacement**

Shall the Town vote to raise and appropriate the sum of \$2,500 to be added to the Emergency Management Generator Replacement Expendable Trust Fund. This sum is to come from the unassigned fund balance. No amount is to be raised from taxation. This is a special warrant article. Majority vote required. The Budget Committee and the Board of Selectmen recommend this article.

Article moved by Chris Seamans

2nd Mike Cahalane

Article passed by unanimous consent.

Description

Fund established in 2021 to be used to purchase or replace emergency generators for the Elementary School, Fire Station, Town Office, or other Town owned facility. Funds built up will offset the cost of new replacement during any one year.

Erik Jones motion to restrict Articles 13-18

2nd Paul Bartoswicz

Motion passed by unanimous consent.

Article 19 **Establish Police Detail Revolving Funds**

Shall the Town establish a revolving fund pursuant to RSA 31:95-h, for the purpose of police special details wages, benefits and administrative costs related to details. And to raise and appropriate the sum of one dollar (\$1) to be deposited into the fund. All revenues received for the police special details will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year and shall not be considered part of the Town's general fund unreserved fund balance. At the end of the fiscal year, funds in excess of \$2,500 shall be transferred to the Town's General Fund. The Town Treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required)

Article moved by Christine Curtis

2nd Gary Dean

Article passed by unanimous consent.

Description

Chuck Fuller states the account is overextended every year, fund developed to not go over police budget. Excess funds at the end of year to be transferred back to Town general fund.

Article 20 **Modify Land Use Change Tax**

Shall the town vote to modify the current land use change tax placed in the Conservation Fund. The fund would continue to receive fifty (50) percent while removing the present cap of \$2,500, as authorized under RSA 79-A:25, said monies to be deposited into the existing

Conservation Fund in accordance with RSA 36-A:5,III as authorized by RSA 79-A:25 II, to be used for conservation purposes including the acquisition of land, easements, development rights, and costs associated therewith. (Majority vote required)

Article moved by Emelyn Albert

2nd Jack Williams

Majority consent YES; 1 NO

Description

Effingham is the only town in Carroll County with a cap for the land use change tax which was put in place in 2007. Tax is for subdividing current use land at ten percent of market value. Conservation Commission received \$13,000 with cap and would have received \$26,000 without cap.

Article 21 Modify Elderly Exemption

Shall the town modify the provisions of RSA 72:39-a for elderly exemption from property tax in the Town of Effingham, based on assessed value, for qualified taxpayers, to be as follows: for a person 65 years of age up to 75 years, \$45,000; for a person 75 years of age up to 80 years, \$55,000; for a person 80 years of age or older \$65,000. To qualify, the person must have been a New Hampshire resident for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income of not more than \$28,000 not less than \$13,400 or, if married, a combined net income of less than \$39,000 not less than \$20,400; and own net assets not in excess of \$60,000 not less than \$35,000 excluding the value of the person's residence. (Majority vote required)

Article moved by Allen Curtis

2nd Jim Morris

Article passed by unanimous consent.

Description

The article will allow elderly to qualify for exemption of property tax while still owning assets such as a car, boat or having a part time income. The bottom cap is realized so individuals would not be able to collect from both Federal and Town Assistance (double dipping).

Article 22 Adopt Animal Control Ordinance

Shall the Town vote to adopt Animal Control Ordinance, regulation of horses, farm animals and poultry as follows: Pursuant to the authority conferred by the New Hampshire Revised Statutes Annotated Chapter 31:39, I (b) in order to promote the general welfare of the citizens of the Town of Effingham, the following Ordinance is hereby enacted:

SECTION 001. REGULATION

- 1.1 It shall be unlawful for the owner or keeper of any horse, farm animal or poultry to either willfully or negligently allow such animal to run at large in public places. "Run at large" shall be construed to mean off the property of the owner or keeper and not under the control of the owner or keeper by leash, cord, chain, or otherwise.
- 1.2 Any horse, farm animal or poultry found in a public place, and not under the control of its owner or keeper, may be taken into custody by the Effingham Animal Control Officer or a Effingham Police Officer or other designee. The Officer or designee shall make reasonable efforts to notify the owner or keeper of the animal, before seizing it.

1.3 Any horse, farm animal or poultry that is seized by the Effingham Animal Control Officer or a Effingham Police Officer or other designee in a public place, where the owner or keeper cannot be identified or located, shall be held by the Town at a Town approved facility. The owner or keeper of the animals shall be responsible for all damages and expenses incurred in the capturing, transporting and holding of the escaped animal, boarding costs, and any medical care required by the holding facility.

SECTION 002. PENALTIES

2.1 Any owner or keeper of a horse, farm animal or poultry who willfully or negligently permits such animals to run at large in public places, may be subject to a penalty not exceeding \$1,000 for each offense. Any fine or penalty collected under this Ordinance shall be paid to the Town of Effingham.

2.2 In addition to any penalty, in conjunction with any penalty, or as an alternative to any penalty imposed under this Ordinance, the Town of Effingham may request that the Court require the owner or keeper of the horse, farm animal or poultry which has been impounded for running at large, to pay for the boarding and impoundment fees established by the animal shelter or holding facility and any reasonably necessary medical expenses incurred during the impoundment of the animal regardless of whether the owner or keeper retrieves the animal. Majority vote required.

Article moved by Jen Mackey

2nd Gary Dean

Majority consent YES; 3 NO

Description

Town has had issues with “animals running at large” and is asking for owners to pay for boarding, medical expenses, and impoundment fees. Asked to amend the bill for property damage, will amend the bill for next year. Horses and animals go to SPCA. Questions asked regarding how long we pay for animals. Dogs are not included because dogs have their own ordinance.

Article 23 Communications District

Shall the Town of Effingham accept the provisions of RSA 53-G:1-RSA 53-G:11 providing for the establishment of a communications district, together with the municipalities of Albany, Bartlett, Brookfield, Chatham, Conway, Eaton, Effingham, Freedom, Hales Location, Harts Location, Jackson, Madison, Moultonborough, Ossipee, Tamworth and Tuftonboro in accordance with the provisions of the proposed agreement filed with Town Office.

Article moved by George Bull

2nd Karen Payne

Article passed by unanimous consent.

Description

The language of this bill was provided by the State, it includes 0% tax liability and covers high speed broadband to every town in Carroll County. Seven towns have agreed to this. Towns can discontinue agreement with a fifteen-day notice.

To see if the Town will vote to accept the reports of its agents and auditors.

2nd Janet Bartoswicz

2nd Paul Bartoswicz

Article 25 All Other Business

Move to conclude this meeting and reconvene after election on March 28, 2023 for Article 1.

Meeting reconvened at 10:10 PM March 28,2023 to announce winners;

Article 1. To choose all necessary town officers for the ensuing year:

1 – Selectman, 3 year	Christopher Seamans	206
1 – Town Clerk/ Tax Collector, 1 year	Allen Curtis	163
1 – Trustee of Trust Funds, 3 year	Karen Payne	294
2 – Library Trustee, 3 year	Jennifer Van Cor	239
	Edmond Joe Kingston	190
1 – Library Trustee, 2 year	Steven Regal	52
2 – Budget Committee Members,3 year	Victoria Kirkwood	187
	Leo Racine	164
2 – Planning Board Members, 3 year	Victoria Garceau	168
	Elaine Chick	208
2 – Zoning Board of Adjustment, 3 year	David Garceau	194
	Aaron Lavoie Jr	52
1 – Zoning board of Adjustment, 1 year	Victoria Kirkwood	234

Respectfully Submitted,

Effingham NH