



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

Board of Selectmen's Meeting Minutes
October 31, 2023

Present: Chairman Espie, Selectman Seamans, Selectman Racine, Fire Chief Harmon, Police Chief Duchesne, Sergeant Eldridge, and Administrative Assistant Pitts

Call to Order:

Chairman Espie called the meeting to order at 4:01 pm

Pledge of Allegiance:

Chairman Espie led the Pledge of Allegiance

Signature Folder:

Chairman Espie reviewed the Signature Folder

Approval of:

Chairman Espie made a motion to approve the Selectmen's Minutes dated October 3, 2023, seconded by Selectman Seamans. Motion passed (3-0).

Chairman Espie made a motion to approve the Selectmen's Minutes dated October 17, 2023, seconded by Selectman Seamans. Motion passed (3-0).

Chairman Espie made a motion to approve the Manifest dated November 2, 2023, in the amount of \$44,883.16, seconded by Selectman Seamans. Motion passed (3-0).

Selectmen Reports:

Selectman Seamans:

Selectman Seamans talks about roads that have potholes and the Summer Road budget being spent and asked the Board members how they felt about fixing potholes before winter and mentioned it would be in the amount of \$1,500-\$2,000. The Board didn't see any issues with grading.

Selectman Seamans talks about the completion of the header work on Green Mountain Road and shoulder work on Elm Street.

Selectman Seamans talked about the Bailey Road Closure filing is in process.

Selectman Seamans asked Selectman Racine if he would be willing to bring his tractor to the Transfer Station as the white goods are ready to be picked up.

Selectman Seamans asks the Board about having a conversation about the charges at the Transfer Station and researching the number of items being taken and disposed by the third party.

Chairman Espie the Town gets a percentage back.

Selectman Seamans talks about the possibility of bringing back weekly payroll and weekly meetings and preventing possible mistakes in the Manifest. Chairman Espie explains the verification system between Michelle and Administrative Assistant Pitts. Chief Duchesne expresses support from the Police Department by going back to weekly. Selectman Racine asked if there would be an extra cost, Pitts answered there will be no additional cost, but more checks will be used. David Strauss recommends the Board gets the opinions from Elaine and Michelle.

Budget Presentations:

Police:

Chief Duchesne presents the Police Department budget to the Board. Chief Duchesne explains a 3% increase for the Chief, Sergeant, and Sr. Patrolman positions. Duchesne explained the Secretary has been leveled but there is a major increase in the part-time line-item due to Effingham being the last Town paying \$25/hour for part-time but would also leave a cushion if an additional part-time officer were needed. Selectman Seamans asked for confirmation of the Sergeant's pay being increased by \$20.00, Duchesne explained when the line-item was budgeted last year the Sergeant was being paid less and the line-item is based off the 3% increase from what the Sergeant is currently making. Duchesne explained the increase in training and tires and that the Department will need to replace 2-3 sets of tires. Duchesne levelled fuel at \$9,000.00, Sgt. Eldridge mentioned the hybrids are getting 23-26 miles per gallon where the Chief's vehicle is getting 11-15 miles per gallon. Selectman Seamans asked Chief Harmon the current fuel prices at the State, Chief Harmon answered the price varies but it has been cheaper to the Fire Department compared to WEX. Chairman Espie made a motion to approve the Police Department budget at \$246,259.00, seconded by Selectman Seamans. Motion passed (3-0).

Dog Officer:

Chief Duchesne presented the Dog Officer budget. Duchesne explained the increase in the stipend for the Dog Officer to \$25/hour and complimented the Dog Officer's work. Duchesne level funded the rest of the line-items and explains the Humane Society dues were overspent this budget year but doesn't see that happening this budget year. Chairman Espie made a motion to approve the Dog Officer budget in the amount of \$11,350.00, seconded by Selectman Seamans. Motion passed (3-0).

Chairman Espie mentioned stop signs being pulled out of the ground.

Chief Duchesne addressed the public regarding the bus stop parking on Champion Hill and the complaints that have been received. Duchesne reminds the public that State Law prohibits parking within 50 feet from a stop sign and asks the public to not park within 50 feet and recommended to the Board contacting the school to change the location.

Fire & Rescue:

Chief Harmon presented the Fire & Rescue budget to the Board. Harmon informed the Board that the following items have been level funded; Background Checks, Expenses/Supplies, and Fire Prevention. Harmon asks to level fund Fuel even though the current budget year the

Department is under but could see an increase with the vehicle addition. Off-Duty Member Pay was cut by \$3,000.00; Mutual Aid Dues were increased by \$2,000.00 due to the increase of costs, a \$100.00 decrease in Daytime Coverage, radio increased significantly as Chief Harmon would like to gradually switch out radios to prevent being in the position the Department was in a few years ago and that the current radios are not fire radios and there is difficulty contacting with Maine. Chairman Espie asked the cost of the radios, Harmon answered \$3,000.00 per radio and that there are 10 radios in the Department. Harmon explains the increase in phones due to taxes not being included in the previous year and to add an additional iPad that is used for Medical Reporting. Training is level funded, recommended separating the line-items for Equipment and Vehicle Maintenance items to show where the money is going, \$8,000.00 for equipment which goes to annual testing, and \$16,000.00 for vehicle maintenance as the Department already has appointments for the vehicles next year. Harmon explains software has decreased by \$12,000.00 and Uniforms had previously been covered under equipment but created a new line-item. Chairman Espie made a motion to approve the budget for Fire & Rescue in the amount of \$180,575.00, seconded by Selectman Seamans. Motion passed (3-0).

Chief Harmon discusses the lack of Daytime Coverage and that it is happening Statewide and recommends the Board the possible need to create an incentive to help with coverage.

Chairman asks Chief Harmon if he would like to be present during the vehicle meeting.

Fire Warden:

Chief Harmon discusses the budget for Fire Warden and that the whole budget has been level-funded. Selectman Racine asked Chief Harmon about the vehicle maintenance, Harmon explains it comes out of the Fire & Rescue budget and that the vehicle maintenance is used to purchase equipment for the Fire Warden vehicle. Chairman Espie made a motion to approve the budget for Fire Warden in the amount of \$2,000.00, seconded by Selectman Seamans. Motion passed (3-0).

Emergency Management:

The Board reviewed the budget for Emergency Management and stated the \$930.00 spent is only for one service. Administrative Assistant Pitts mentioned that they will be planning a second service in December. Selectman Seamans asked if plumbing still needs to be done, Harmon mentions the plumbing will be done in-house to minimize costs. Harmon added a new line-item for a Town Repeater and informed the Board of the discussion had with Chuck Fuller about putting in the bell tower of the Library which does not affect the Historic District. Harmon mentions the cost of the Town Repeater is \$19,000.00 which is the cost for the FCC licensing and hardware costs \$10,000.00. Selectman Seamans asked about Repeater Maintenance fees, Harmon answered the Town would own the Repeater. Selectman Seamans recommended a warrant with the language 'in continuation'. Chairman Espie asked if resident Chuck Fuller about looking into grants, Harmon answered grants would be for the wiring but not hardware. David Strauss agreed to have a warrant for the Town Repeater. Chairman Espie made a motion to approve the Emergency Management budget in the amount of \$2,500.00, seconded by Selectman Seamans. Motion passed (3-0).

Chairman Espie announced the Board will be meeting November 14, 2023, at 11:00 am for a Mandatory Contractor Meeting regarding the Request for Proposal (RFP) for Ryefield Road and asked the remaining Board members if they would be willing to hold a meeting for the vehicles at 1:00 pm for potential bidders to review the vehicles. Administrative Assistant Pitts mentioned she had researched the Blue Book Value for the Ford E350, and the Board discussed having a minimum bid of \$5,000.00. Pitts confirmed the meetings for November 14, 2023, being Mandatory Contractor Meeting at 11:00 am, Vehicles at 1:00 pm, and the regularly scheduled Selectmen Meeting at 4:00 pm.

Public Comment:

Jason Earle of Province Lake Road informs the Board that the Lord's Hill Tavern is officially on the '7 to Save' list and explains they are willing to meet with the Board to provide information. Chairman Espie recommends holding a meeting with Jason and Susan Slack to discuss the Lord's Hill Tavern to see what the Society can provide. Jason explained they have the ability to reach out to people for advice and more informational resources. Selectman Seamans brings up previous conversation with Susan Slack about creating a Public Safety Committee regarding the current Municipal and Police Department buildings and asks residents if they would like to sit on the Advisory Committee. Jason recommends Susan work with Administrative Assistant Pitts to set up a committee and that it would need to be approved by the Board. Selectman Racine agreed with setting up a committee to see if it is feasible and asked about setting up a meeting to discuss.

On Zoom, David Smith asks the Board for updates on the allegations of burning construction debris, soil, and Zoning Violations at Ossipee Lake Campground from Martin Casey. Chairman Espie stated the Zoning Enforcement Officer is looking into the potential Zoning Violations but that the Board is unaware if the soil is contaminated but will be informed by Zoning Enforcement Officer of any Wetland or Sewer violations. David asked if the Health Officer would be responsible for the possible contaminated soil in the public areas, Chairman Espie mentioned the Health Officer would be unable to test the soil and it would need to be DES who tests it. David mentioned a report received about the beach being closed off. Chairman Espie answered if the beach was closed due to contaminated soil that he believes the Health Officer would be involved. David asked if the Board had seen the video sent to the Fire Chief of construction debris burning on the beach and asked if the Board could follow up with the Chief to see if the Chief has visited the site as he has not received a response. Chairman Espie mentioned the Board could discuss with the Fire Chief. Chairman Espie stated the Board has not been contacted by the Campground residents or owners. Selectman Seamans informed David that the town has a new policy in place where the Zoning Officer needs to set up appointments and that last known the Zoning Officer was setting up the appointment. Selectman Seamans mentioned that the Board was notified that DES is aware of the situation.

David discusses the proposal of the Meena Gas Station and refers to a previous Planning Board meeting held on August 7th discussing the approval of underground tank system by all three previous Planning Board members without the approved permits or site plan from the Zoning Enforcement Officer and Zoning Board of Adjustment. David asked the Board when the

previous Planning Board authorized Meena to install the underground tank system, Selectman Seamans answered they are unaware as there are no minutes. David stated it was said during a Public Hearing, Selectman Seamans confirmed, but stated there are no minutes to prove he said it. David asked the Board for confirmation that they became aware of the situation on the meeting held August 7, Selectman Seamans confirmed and that there was previous conversation with a prior Board member that stated they would make a statement if they were subpoenaed to do so. David asked if the Board was concerned, planned to take action or advised Town Counsel. Chairman Espie answered it was already in Court at the time. David expressed concern when both the Zoning Enforcement Officer and Zoning Board had denied, and the same Board went forward with a cease-and-desist letter. Selectman Seamans added that the Planning Board Attorney, Attorney Boldt, advised removing that section when the Notice of Decision was issued as there are no minutes to confirm. Selectman Seamans gave his opinion and stated he was not there that night and personally would not be concerned unless an official vote was taken, and the minutes were not properly documented. David thanked the current Select Board for having Zoom for these meetings as they are very helpful.

Steve Regal had concerns about the Police and Fire Department going out-of-town to get fuel and stated that the Town is paying for the vehicle and employee to drive up to Tamworth. Selectman Seamans stated the Fire Department utilizes the State's Maintenance Garage across from Skehan's and that it has gasoline and diesel

Selectman Racine asked Zoning Enforcement Officer, Rebecca Boyden, for an update on Ossipee Lake Campground. Boyden stated everything seemed to be under control and that she had received updated maps, but not the final map. Boyden explains the only item that needs to be resolved is how many campsites the State authorizes, and the Planning Board authorizes where the sites can be. Boyden explains when the campground was approved a site plan for 18 sites, they believed they could put the remaining two sites at another location and that the campground will go to the Planning Board to become up to date. Selectman Racine asked for an update on the soil and if it was from Meena, Boyden stated she received documents stating there was no excavated material that was taken from Meena, and it wasn't clear to her but could provide the documents. Boyden states it wasn't clear if the material was provided from Meena.

On Zoom, David Smith mentions he had talked with Bob Kline, one of the campground owners, and was told there was no documentation from DES or Meena for the transaction. David mentioned he was told there was a sign for 'Clean fill wanted' and that a truck with clean fill from Meena dumped the fill in the beach front and was told by all principles that there is no documentation that the soil had been tested prior. The State required the soil to be remediated or to stay in the same place, Meena stated it did not come from the gas station. David asked if there is a way to confirm the fill is not contaminated? Boyden stated that around that time they received a permit to replace the septic system and there was additional excavation and that there was more excavation work being done at the time. Boyden gave permission to go ahead with the Septic System even with the cease and desist. Boyden mentioned the fill was not placed in the wetlands and that it was placed in an approved location.

Chairman Espie made a motion to go into Nonpublic pursuant to RSA 91-A:3, II (a) Personnel, seconded by Selectman Seamans. Motion passed (3-0).

Nonpublic Session convened at 6:19 pm

Chairman Espie made a motion to come out of Non-Public, seconded by Selectman Seamans. Motion passed (3-0).

Chairman Espie made a motion to seal 6 months, seconded by Selectman Seamans. Motion passed (3-0).

Public Session reconvened at 6:30 pm.

Selectman Racine discusses the DES Grant for Wilkinson Swamp Road bridge and a phone call meeting with Polly from DES where she had confirmed the Town will get \$70,000 for Task 1 and that he contacted Chris Fournier of HEB to see if Task 1 could be reduced to \$70,000, which was denied. It was recommended to complete the predesign then stop the project. Selectman Seamans mentioned money has not been approved through taxation and that the Town is allowed to accept the grant but for the Town to spend money it will need to be approved. Selectman Seamans brings up the initial conversation with DES and remembers being told the Town had \$400,000 to spend on the bridge no matter what, Selectman Racine confirmed that it was in sections. Pitts explained that Polly mentioned grant money from tasks could be moved with permission from her higher ups but would be difficult where the Town promised matching funds. Chairman Espie recommended completing Phase 1a and to put the project on hold until further notice, the Board agreed.

Selectman Seamans made a motion to adjourn the meeting, seconded by Chairman Espie. Motion passed (3-0).

Regular meeting adjourned at 6:35 pm

Lenny Espie, Chairman

Chris Seamans, Selectman

Leo Racine, Selectman