

**TOWN OF EFFINGHAM
BOARD OF SELECTMEN
MEETING MINUTES**

August 2, 2016

Selectmen present: Henry Spencer
Lawrence Edwards
Leonard Espie

Minutes transcribed by: Cheryle A. Feirick

The regular meeting was called to order at 5:00 pm.

The Mail, Manifest and Signature and Action Folder were reviewed.

Pledge of Allegiance

REVIEW AND APPROVE MINUTES and WEEKLY MANIFEST

The Board approved the minutes of the July 19th regular and non-public meetings and the weekly manifest in the amount of \$453.534.08 (includes school payment).

PUBLIC COMMENT:

Linda Edwards asked if the town still had possession of the Boston Post Cane and if so, can the process of replicating it be started. Town Administrator responded the town is in possession of the cane and it is stored in the Town office. Linda also asked if the town could start incorporating a picture on the front cover of the town report with an historic building and dedicating the report to a valued individual(s). The Board agreed to put all three back in motion. Linda will work on the wording for to be put on the town's website and Selectman Spencer will place a blurb in his newspaper article requesting town residents submit names of individuals who may be the oldest living resident in town. Chief Butts was asked by Linda about finger printing the children in Effingham. The Chief stated it hadn't been done since he came to town in 2007. He stated he will look into what programs there are that other departments may be using.

Lorraine Jewell commented about speeding on Plantation Road; she said she was almost hit the other day and had to jump out of the way to avoid being hit. She called the police to report it and found out it was the sheriff's department she reached. Lorraine would like to know what the town is going to do about this on Plantation Road; she expressed there are elderly people that live on Plantation Road that couldn't jump out of the way to avoid being hit. Chief Butts responded by saying the department has had radar set up on Plantation, Bonnyman, Town House, Green Mountain and Elm Street on and off. Unfortunately with the department being the size it is, they can't be out there all the time. Chief Butts mentioned the Sheriff's Department has also been out there for speed control. Selectman Spencer asked the public to report the days and times this is happening then the Chief can schedule time to do speed control. Selectman Espie asked Chief Butts about a speed monitor. Chief Butts expressed they are costly to rent, buy, transport

and maintain, and they only record the speed, day and time of day not license plate numbers. Chief Butts will contact the town of Conway Police Department about their speed monitor.

David Strauss asked the Board if they had received information back from town counsel with regard to the Selectmen's responsibility when it comes to right of ways. Selectman Spencer stated they had not heard back on this question. Town Administrator acknowledged they did get an answer regarding trees in right of way. David mentioned that he does have information on RSA 231 stating it is the responsibility of the Selectmen when it comes to right of ways. David also referenced RSA 236 to the Board and provided them with these articles to add to the items he presented on May 10, 2016.

Ed Comeau-Representative for Carroll County spoke about the recent Bill HB-1584 that was signed for body cameras. Ed stated if the town chooses to go in the direction of using body cameras he is willing to work with the Police Chief. Ed also spoke on the 91-A situation at the previous meeting and the importance of the Board following all the steps. He stated it was obvious that it was a just a mistake, not taking a vote to go into non-public. Ed reminded the Board it could be a costly mistake for the town if 91-A isn't followed.

PLANNED DISCUSSION WITH DEPARTMENT HEADS:

Police Chief Butts met with the Board for his monthly report. Chief Butts thanked the Board for installing the new back door and the electrical shutoff. Chief Butts reported the property owner on Route 153 near the Effingham Falls Bridge has been very busy securing and cleaning up the property.

PLANNED MEETING: none

SELECTMEN'S COMMENTS AND REPORTS:

Selectman Spencer reported attempting to contact the property owner at 126 Simon Hill Road that had concerns with recent push backs. The property owner was emailed and Henry is waiting for a return call. After much discussion on easements for properties on Champion Hill Road and Granite Road, the Board agreed to sign them. Town Administrator relayed that after speaking to the Town's Attorney he expressed concern with the property that is up for sale on Champion Hill Road, the easement may not be transferable to new property owners.

The Town's Attorney was contacted re: property owner at Lord's Hill for Effingham Historic District Commission, a letter will be forwarded to the property owner from the Attorney.

The Steven's Road RFP was sent out for advertising to the Carroll County Independent, Conway Sun, and Union Leader.

Library Portico: estimate received from TARGET for \$3,000.00 for structure repair and roof. TARGET reported it looks like the roof has been leaking for quite some time causing structural damage. Verbal estimate from Four Seasons Roofing is \$1,800.00 for roof replacement; did not include structural repairs. Selectman Edwards will contact Four Season on structural damage, (costs). The Board hasn't heard back from Limerick Steeple Jack.

Elm Street Bridge maintenance is continued until further meetings. Lakes Region hasn't notified the town where we are on their schedule for crack sealing. Calcium Chloride was completed on most roads; Simon Hill Road still needs to be graded and then calcium chloride applied.

Selectman Edwards stated he received a complaint about the structure on Steven's Road that was involved in a fire. Concern is the remaining structure is not safe and the garage's back wall is shifting. Selectman Spencer will work with Town Administrator on this matter. Discussion took place on community service in the town; could there be insurance issues, suggestion was made to contact the Guidance Counselors at the School District for more detailed information on needs for students. Town Administrator will contact liability carrier for specifics on coverage.

Selectman Spencer talked about his conversation with the Record Department of the DOT re: the fire truck accident report; he was informed not just anyone can acquire a copy of the report; Selectman Spencer stated the liability carrier received a copy of the report and if there was any question with fault they most likely would not have replaced the truck at no cost to the town. Selectman Spencer read the content of his conversation with DOT; Selectman Edwards presented a document of an RSA that states the town (residents) own the truck and can have a copy of the report. Selectman Spencer will follow up with DOT regarding this document and his previous conversation. He will report at next week's meeting.

Catch basin on School Street near the elder Thurston property is on schedule to be taken care of by Dig N Doze.

Selectman Edwards asked about when the winter contract was up; the Town Administrator reported the contract is not up until 2017.

Selectman Espie reported the installation of the back door at the Police Department is completed; He is waiting to hear from Lakes Region Paving to contact him on where we are on their schedule for walkway at Municipal Offices. Once we know where we are on the schedule, Selectman Espie will then contact Dig N Doze to dig up the old cement material on the walkway. Selectman Espie suggested the Board meet with the Fire Chief to answer questions the Board has on stipend payments.

OLD BUSINESS:

No date has been scheduled for the closing of the Wilkinson Swamp property.

NEW BUSINESS:

Discussion on removal of trees and sub-committee for Library needs: to be continued.

PUBLIC COMMENT:

Linda Edwards mentioned the 4-sale sign on the School Street property is barely visible, the Board may want to contact the realtor to upright it.

Paul Bartowicz reported a culvert at Davis's Farm is washing out. There is a stick in the hole identifying the location. Selectman Spencer will speak to Bob from Dig N Doze tomorrow about taking care of this.

Ed Comeau spoke on the accident report; he questioned the liability carrier releasing the accident report. Town Administrator explained the liability carrier would have to have permission to release to a third party. He also mentioned if the driver of the fire truck is required to have a commercial license and the accident was investigated and he wasn't found at fault then the Fire Chief didn't lose his license.

Mellisa Seamans addressed the Board about the non-public meeting called on July 19 was incorrectly followed. Mellisa asked if there was going to be a rescheduling of a public or non-public meeting in the future. Selectman Spencer informed Mellisa the non-public minutes were signed and he will be consulting with the Town's Attorney on how to proceed with the minutes and scheduling another meeting. Selectman Spencer stated he will continue this matter next week after speaking with the Town's Attorney. Mellisa explained one of the reasons one goes into non-public is to protect the reputation of someone other than a public official. She reminded the Board she is an elected official.

Resident Cheryle Feirick reported on a conversation she had with Ed Comeau about his video/audio recording. Concerns specifically with audio quality, jumping, staggers, which made it appear there may be omissions. Ed Comeau explained with other sounds (air conditioner) in the room effects the quality of the audio. He explained DSL (lower quality vs Time Warner cable (higher quality)). If the gear icon doesn't read HD, then try refreshing the page. Lower quality causes a **drop out** sound. He explained he doesn't have the time to change or edit meetings; he has recorded over 2670 meetings. Currently he stores 10 terabytes of video/audio of meetings. He did make himself available to interested party (ies) to come to his office and review any meetings in question.

Selectman Edwards asked to address the letter from Mellissa Seamans, Selectman Spencer advised against discussing it at this time. Selectman Edwards made a motion to discuss the six page letter now, vote was taken and the motion failed.

NON-PUBLIC IF NEEDED PER (RSA 91-A:3, II (a-e)): None

WEEKLY DISCUSSION BY THE BOARD OF SELECTMEN: None

Adjourned @ 7:15pm

Date: _____

Henry Spencer

Lawrence Edwards

Leonard Espie