

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

October 11, 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 October 4, 2016 regular meeting and non-public, weekly manifest in the amount of \$11,622.17.

PUBLIC COMMENT:

Resident Kate Davis spoke on the wildlife that has been coming on her property and attacking her farm animals. She spoke about State Police and Effingham Officers coming on her property because of reports that her animals are out in the road and dogs are barking non-stop. She stated she just found out prior to speaking, this should be put in writing to the board. She referenced several RSAs and constitutional rights about having a farm with animals. She stated if the town wants to fine her and then go ahead. She would like the Board to review the ordinances she has put forward and come up with a plan to stop the harassment from the Effingham Police Department. Selectman Spencer explained with the nonstop barking of her dogs, this is affecting the quality of life of her neighbors.

Genevieve Thompson asked the Board where the Boston Cane was at; Selectman Spencer explained a few months back a resident brought this forward to the board. At that time the board suggested the resident look into procedures in giving the cane to a resident, the Board has not received an update as of today. Genevieve Thompson stated on several occasions this is the board's responsibility. A resident spoke on the information that Erik Jones received by contacting four area towns. Erik is working with Cheryle Feirick on writing up procedures to present to the Board. It was explained to the board what has been done to date including purchasing a replica from the Town of Peterborough. I asked Selectman Edwards and Espie to research an individual or company in the area that would be able to engrave the cap on the cane with the Town's information. Genevieve also presented a document for consideration to be placed on the Town Report for this year. The picture includes schools and churches in Effingham. Selectman Spencer stated the board will add this to the file that includes other suggestions.

PLANNED DISCUSSION WITH DEPARTMENT HEADS:

Highway Contractor met with the Board for his monthly report. Included in the report were numerous call on the road line for the terrible conditions of the dirt road, questions asked when is the grading is going to be done. The Selectmen's office also commented on the calls they are receiving on road conditions. No decision was made by the Board to begin grading the roads again. Roads that could benefit from grading now are Clough, Huntress Bridge, Granite and Molly Philbrick. Bob reported the reconstruction on Granite Road is finished; he referenced a culvert (running parallel) that was installed that may have to be removed. There was no existing culvert to start within this area, just a ditch. This property is Map 417 Lot 122 (c/o John Loder). Mr. Loder already has accesses to his property, this gives him another that he doesn't need or want. Resident Jory Augenti stated this property is across the street from his and the property owner never accessed his property from this area. It was apparent by the size of trees that were removed from this area, it was never accessed. Selectman Edwards spoke to Rebecca Boyden, zoning Enforcement Officer on the legalities of the number of driveways a property owner has and if there is record of driveway permit(s). More information is needed to reach a conclusion before removing the culvert and leaving an 18" ditch in this area. Cold Patching has been done on broken shoulders and cold patch was added to the trench at the Library. Bob reported a culvert on Bailey Road on the pavement section prior to where the dirt starts has been repaired as temporary situation. It was reported this culvert needed a permanent repair before the headwall is affected. Bob from Dig N Doze stated this repair good possibly wait until spring. Selectman Espie will take a walk out there to see the culvert. **Waste Material** – the location that waste matter was disposed on needs to be leveled off prior to disposing more matter. The area was leveled off once already, the cost to level it off again would cost upwards of \$1000.00. The property owner Jory Augenti stated it doesn't have to be done now it can wait until next year. Selectman Spencer would like to speak to DRA to make sure this is on the even keel.

SELECTMEN'S COMMENTS AND REPORTS:

RFP for Elm Street Bridge Maintenance-

One bid came in for the Elm Street Bridge Maintenance from Limerick SteepleJacks. Selectmen Edwards recused himself from the discussion (this is his nephew). The bid came in @ 39,000.00. Selectman Spencer stated the Board will put this dollar amount forward to the Budget Committee. He will check further with the Town's Attorney for more clarification, only one bid considered with the understanding the work will not start before Town meeting. Selectman Spencer motioned to accept bid as perceived not to be awarded, Selectman Espie seconded.

Structure on Steven's Road-Fire Chief Burbank will follow up on.

Modular replacement estimate not received from Mr. Plante-Selectman Spencer will follow-up.

Road closings contact with NHMA from Selectman Spencer.

Railing: Selectman Spencer met with Doug VanDyke to discuss the design and cost of the railing. The cost to construct and install will be between \$600.00 and \$800.00. The toes (steps) of Municipal Office have been painted by Selectman Espie.

Letter to Contractors: on the Board's decision to refuse all bids for the Steven's Road Bridge is complete. The letter has been sent to the Town's Attorney for his review prior to sending out; once it is received back from the Attorney, it will be forward to the Contractors.

Court date: Camp Marist is scheduled for October 18 and 19. All three Selectmen and Town Administrator will be attending the hearing per the Town's Attorney.

Small Library-Linda Seabury of The Ossipee Rotary will be contacted for plans to relocate the box.

OLD BUSINESS:

Culvert on Molly Philbrick-the current culvert is undersized; a large one needs to be placed. A licensed Engineer will need to be involved for permitting reasons with DES. Further discussion will take place on this matter in the near future.

91-A request forms: The Town Administrator provided a copy of the form for their review. The Board reviewed the form, made some changes and will forward to the Town's Attorney for his review.

NEW BUSINESS:

Discussion amongst board members regarding Michie Corp., Selectman Spencer spoke about a visit today from Steve Gard of Michie Corp. and a conversation he had with the Town Administrator about conflicting calls they received on the culvert. Selectman Spencer reminded everyone he had a conversation with Michie Corp on September 30 about placing the manufacturing of the culvert on hold until the court makes a decision on the injunction. Steve Gard told Claudia, Mr. Edwards called him and said to continue making the culvert. After a discussion with the board member, Selectman Spencer motioned for him to contact Michie Corp. to confirm the town is placing a hold on the culvert, Selectman Espie seconded the motion, Selectman Edwards stated he feels this is a mistake and doesn't agree on the motion. Motion stands to place the culvert on hold.

Discussion took place on applying proper treatment to concrete area of salt shed. Selectman Spencer will look into the cost of the treatment, present this cost to the board.

Selectman Edwards wanted to have a nonpublic session regarding a letter from Mike Cahalane that was in the Board's action folder. Selectman Spencer stated since the letter didn't pertain to a complaint of a vendor or employee it can be handled in public. Mike Cahalane explained his intent when handing the document to Selectman Spencer it was for the Board's file only. Selectman Edwards felt since it was handed to the board during a meeting that it should be spoken about. After getting the ok from Mike Cahalane the letter was read out loud by Mr. Edwards to the public. After he was done Selectman Spencer asked Selectman Edwards if there was a rebuttal; Selectman Edwards chose not to respond.

PUBLIC COMMENT:

Kate Davis spoke on the dog issue again and asked Selectman Spencer who placed the complaint last week at the meeting and Selectman Spencer replied Mr. Suggs.

Mike Cahalane referenced the conversation the Board had earlier on applying the treatment on the cement part of the salt shed. There is a time frame of which this treatment should be done. He stated it would be better doing it rather than later.

NON-PUBLIC IF NEEDED PER (RSA 91-A)-NONE

WEEKLY DISCUSSION BY THE BOARD OF SELECTMEN: Reviewed Procurement Policy and budget vs actual numbers.

Adjourned @ 8:00 pm

Henry Spencer

Date

Lawrence Edwards

Leonard Espie