

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

October 4, 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 September 20, 2016 regular meeting, September 26 and September 30, 2016 work sessions and weekly manifest in the amount of \$217,539.33 (includes school payment).

PUBLIC COMMENT:

Welfare Officer, Maureen Spencer reminded the public this is the time to apply to Tri-County Cap for all services that are needed. She encourages anyone having a hard time to apply. There are applications in the entryway of the Municipal Office and available online. It is best to be proactive.

Resident Bill Sugg asked what can be done about the animal situation on Town House Road; Selectman Spencer informed Bill he is aware of what is been going on and if he has spoken to the Police Chief. Bill reported t a neighbor received a courtesy call from the Police department stating there isn't anything that can be done. He expressed concern with the irresponsibility the resident who has herding guard dogs that bark nonstop. Bill was speaking on behalf of the neighborhood; Selectman Spencer stated more evidence (paper trail) is always important; a letter from the neighbors would be beneficial to have on file. Bill referenced an RSA that states that guarding dogs can bark without complaint because they are doing their job, but these herding guard dogs do not have a herd to guard. Bill referenced court situations that put a stop to this type of situations. Discussion continued on possibly taping the barking with specific day and time of day. When Bill left he did meet up with the Police Chief.

Michael Cahalane stated the Steven's Road Bridge injunction does not stop the project; the injunction referenced lack of an RFP for the culvert bidding process. The intention of the group has not been to stop the process, just to do the right thing. He reminded the Board, September 30th is the end of low flow for such a project. He also referenced the town's DES permit time period to do such work is between July 1st and September 30th. He did mention that some of the

contractors who bid on the project stated this information. Mike stated maybe the Board would like to revisit their decision they made at the September 30 meeting. Selectman Spencer stated he doesn't feel the need to revisit. Selectman Edwards stated the board shouldn't be discussing this matter any further since it is litigation and Selectman Espie agreed with him.

PLANNED DISCUSSION WITH DEPARTMENT HEADS:

Police Chief Butts met with the Board for his monthly report. He reported an Amber Alert was received from the Maine State Police for a missing 3yr. old girl. At 5:50pm the Amber Alert was called off, child found. Selectman Spencer asked the chief if the department would benefit from a carport for one of the cruisers; this unit would be donated by a resident. Chief Butts asked what type of material is the unit, Selectman Spencer responded canvas. The Chief's response this type of unit would not serve the purpose in the winter months. Chief Butts thanked the board for considering the Police Department.

SELECTMEN'S COMMENTS AND REPORTS:

RFP for Elm Street Bridge Maintenance-Selectman Spencer reported he saw the request posted in the Conway Daily Sun and the Town Administrator stated it will be in twice and this Thursday it will be in the Carroll County Independent.

Cold patching will continue until it is used up.

Selectman Spencer asked Selectman Edwards what his observation was for space at the transfer station for road waste; Selectman Edwards reported back there is more room back there for waste in the future.

Selectman Spencer shared with the board and public his feelings and concerns with the process for the Steven's Road Bridge project; this documentation will be attached to these minutes.

Selectman Spencer stated there is the money in the bridge fund to complete the Elm Street Bridge maintenance project once they complete the bidding process. The board does need to assess the temperature for application of the material to the bridge.

Library paving: The board has received an estimate from Sunday Paving for \$ 39,000.00 this includes reclaiming existing hot top and paving. Selectman Spencer expressed concerns of possible damage from the vibration of the reclaiming machine on structures, concern of damage to murals in the building. John Meisner shared Sunday Paving would be removing away from the building before reclaiming. The estimate from Lakes Region Paving is \$33,000.00, this paving only; Dig N Doze offered at no charge to the town to dig up pavement and do ground work. We still need to consider the cost of disposing the material.

Structure on Steven's Road-damage from fire, Selectman Spencer will be speaking to the Fire Chief about his concerns of the remaining structure.

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

Road closings contact with NHMA from Selectman Spencer.

Safety barrels were set up at transfer station to direct traffic.

Railing: follow up to VanDyke Welding by Selectman Spencer.

Drafted Letter: to Contractors on the Board's decision to refuse all bids for the Steven's Road Bridge. Selectman Espie read it and reports some spelling corrections, Selectman Edwards hasn't had a chance to read it. Selectman Spencer reminded the board it would go to the Town's Attorney before the letter is sent out. Selectman Spencer also mentioned he spoke to Michie Corporation to inquire on putting the fabricating of the precast culvert hold. He clarified his conversation with Michie to the Board.

Court date for Camp Marist is scheduled for October 18 and 19. Selectman Spencer will confirm the date and time for the Board. No date has been set for the injunction. Selectman Spencer requested electronic copies of the town's roadside mowing, winter road and highway contractor contracts. The Board will then be able to review these contracts and make any changes if need be for next year.

Selectman Spencer stated he has been keeping notes from his work on Wednesdays and apologizes if the other two board members didn't receive them by email. The Selectmen's office will be start forwarding them once they are received.

Selectman Espie has picked up the paint for the steps out front, he will paint them this week on a day when there is less traffic. He reported the sale of eight lots at the cemetery and the same party is considering purchasing another four lots. Conversation took place about the Poor Cemetery, the cost to clean the cemetery up and doing soft maintenance in the future. Selectman Espie will look into the cost of maintenance. Selectman Edwards had offered in the past to dig out the stumps, then just some weed whacking would need to be done. Suggestion was made to put up a sign, so residents know it is a town cemetery.

Selectman Edwards cut the metal rail and removed the railing at the Transfer Station. Selectman Edwards would like to have a work session to review the Procurement Policy and the Michie design plans for the culvert after the regular meeting today. He suggested we start working on the Granite Road Bridge; soil testing and removing the decking of the bridge. Selectman Spencer asked where this money is coming from; Selectman Edwards the money can come from the bridge fund. Both Selectman Spencer and Selectman Espie agreed to hold off on any work on the bridge, until the time comes to replace it all at once. Conversation continued on the Snow Road and Granite Road bridges, there is an estimate from (HEB) to present to the Budget Committee requesting money to be placed in the bridge fund. Selectman Espie stated the Board did well on the RFP for the Elm Street Bridge maintenance and also on the Steven's Road RFP for Contractors. Selectman Spencer is more than willing to get another Engineering firm involved for an engineering study for Snow and Granite Road; we don't have to only use HEB's bid. Selectman Espie suggested putting off the West Range and Highwatch Road paving project and take that money and put into the bridge fund for Snow Road.

OLD BUSINESS:

Propane tanks at Library have been relocated and cold patch place in trench.

Budget for the West Range and Highwatch Road paving for next year is in the file for the Budget Committee.

NEW BUSINESS:

Selectman Spencer spoke about a grant writer who works with municipalities. A resident supplied him with this information and he will follow through with getting for information on the process.

Selectman Edwards would like to see a request form to include signatures for all 91-A requests. He feels the town should be keeping track of these requests by advice from the Town's Attorney. The Town Administrator will provide the board with this form.

After public comment the Board will be going into non-public and then return to a work session.

PUBLIC COMMENT:

John Meisner stated the board needs to come up with concrete, numbers out of the air for town projects. He asked if we ever put a culvert in Molly Philbrick; he stated there are also line items that are over budget. The Board needs to look at this more closely. He reminded the board there is no Engineer on this Board, where other towns have an Engineer on staff. John requested the possibility of obtaining a report on where the budget stands by line item for next week; Claudia, the Town Administrator will have budget vs actual for the Budget Committee for next week and will make extra copies for the public.

Michele Cahalane wanted to clarify that we have gotten numbers before from HEB of (1) one million; this figure is for the bridge aid. When HEB came in and explained this estimate is slightly in flattened. One-million dollars is not likely what the town is going to spend. Selectman Edwards reiterated that HEB stated this is a number whether it is through a bridge aid or the tax dollars. Mike is looking for the specific document stating this from HEB; Selectman Edwards stated it was a telephone conversation the Selectmen's office had with HEB. Mike left a document with Selectman Spencer to have for the Board's file. In accepting the document Selectman Spencer stated he will place it in the action folder for next week.

Ralph Thompson expressed the great job the board did at the September 30 meeting, he said that is the best specification the board did and how the board protected the town from liability. He touched on the discussion the board was having on roads, bridges and bonding. Ralph doesn't believe the town has the authority without going through a capital improvement plan at town meeting. Capitol Improvements are being worked on presently. He is a little concerned on what was approved last year on the road reconstruction for Molly Philbrick; included in the figure was a culvert to be placed, the culvert is sitting at the transfer station. He stated there should be monies left over for Molly Philbrick Road, Selectman Spencer will look it this further with Dig N Doze. Selectman Spencer reiterated the plan is to keep Molly Philbrick Road open. Selectman Edwards stated the culvert at the transfer station is not the correct size for Molly Philbrick Road.

NON-PUBLIC IF NEEDED PER (RSA 91-A:3, II(e)): Legal

Selectman Spencer made motion to go into non-public, Selectman Espie seconded. Roll call: Henry Spencer-I, Lawrence Edwards-I and Leonard Espie-I. Selectman Spencer called non-public at 6:45pm. After discussion on a legal matter, a motion was made by Henry Spencer to come out of non-public, seconded by Leonard Espie, without further discussion the motion passed. The non-public session adjourned at 7:00 pm

Board reconvened into work session @ 7:05pm. Roll Call Vote to not seal the minutes, motion passed

WEEKLY DISCUSSION BY THE BOARD OF SELECTMEN: Review and discussion of the purchasing policy and review the Michie design plans for the Steven's Road Bridge.

Adjourned @ 7:35pm

Henry Spencer

Date

Lawrence Edwards

Leonard Espie