

**Selectmen's Meeting  
Monday, April 11, 2022**

Chairman Les Babb called the meeting to order at 6:30 PM. Present were Selectmen Les Babb, Ernie Day, and Melissa Florio, and Ellen White, Town Administrator, who recorded these minutes. This meeting was held at the Town Office.

Also in attendance were Justin Brooks, Jeff Nicoll, Jamie Mullen, Paul Kiah, and Kyle Clifton.

**Review of Mail, Sign Manifests, Approval of Minutes**

The accounts payable and payroll manifests were reviewed as well as the red folder containing correspondence.

*Ernie made a motion to approve the minutes of the Selectmen's Meeting and Non-Public Sessions held on April 4, 2022. Melissa seconded. All in favor, the motion passed.*

**Department Head Updates**

Police Department – Chief Jamie Mullen reported he has been busy administratively developing a new hiring policy, photo lineup policy, and updating forms, all resulting from the recent department audit. The new cruiser is scheduled to be picked up on Wednesday and the F-150 will be dropped off at the same time to be stripped of equipment and turned over to the Highway Department in approximately one week. Several investigations are in progress requiring out of town travel. Ernie questioned the color of the new cruiser? Jamie responded that it is black and what was available. Silver and navy were the other options per the bid specifications. Jamie noted that the Dodge cruisers on order for the Sheriff's Office were canceled and now they are going with Ford. The new cruiser is a police package Tahoe and was \$52,000 but Jamie was able to get the price reduced by \$8,000 by joining a membership.

Transfer Station – Justin Brooks reported a full dumpster of steel is scheduled to be picked up this week. The Transfer Station will be closed on Sunday in observance of the Easter holiday. A notice has been posted on the website and Melissa was asked to announce it on Facebook. Sticker sales are booming.

Conservation Commission – Chair Jeff Nicoll provided an update on Effingham's Planning Board meeting last Thursday. He and Anne Cunningham were in attendance and read the first page of the letter into the record. Other DRI towns and abutters also presented letters as well as Lakes Region Planning Commission. As a result, the Planning Board voted to get third-party review of the application. North Point Engineering was an available firm to assist in a couple weeks. The FCC agenda for this month consists of a joint meeting with the FAC to discuss ongoing Town Forest operations and future plans. Input is welcome from the Select Board. Melissa commented the need for GPS coordinates has been requested by Chief Cunio. Further discussion on pinpointing GPS locations and coordinating addressing and trailhead names within the forest for better emergency response when needed. This will be discussed further. Jeff stated that he spoke with John Roman regarding the joint meeting and is hopeful members or representatives on behalf of the FAC will be in attendance. Ellen will assist with notifications.

Town Office – Administrator Ellen White discussed the memo received from Treasurer Jayne Britton regarding available funds and noted that the school requested and been paid \$461,097 more than their approved allocation and will be returning the excess funds to the town. In addition, monies due from the State of NH Bridge Aid for the Danforth Bay Bridge of approximately \$800,000 should be coming in soon. Ellen spoke with Jayne today to discuss these two items and she is feeling much better knowing this money is coming in. Melissa discussed the boat registration revenue that is lost from online registrations. No money is coming into the town from boat registrations as a result which was another concern of Jayne's. Ellen also stated she received a call from the Freedom Elementary School and they will be paving the parking lot this summer. ***There is a small section that is the town's and they want to verify there is no issue with them including it in their paving project. None noted.*** Ellen received a price from East Ridge Property Maintenance to add in the 50 Eaton Road property but questions whether the Board would like to put it out to bid as they had discussed at the bid opening. The price is approximately \$1,775 additional which puts the total price for annual service less than the next bid amount received. ***The Board agreed to proceed with this as an additional billed service over and above the contracted amount.***

#### **Old / New Business / Discussion:**

Short-Term Rentals (ongoing discussion) – Melissa noted an email was received from Bruce Howlett. Anne Cunningham attended the discussion last Thursday at the State House. There is no update available at this time. Melissa questioned if the self-inspection life safety form she and Chief Cunio developed is acceptable? Les stated the agenda topic on STR's should be changed to review and finalize as an agenda item in two weeks. Ellen questioned who is developing the application for conditional use permit application? Melissa agreed to work with Anne Cunningham on this.

Review of Town-Owned Property Inventory – Les stated he spoke with Gerard Constantino on both properties and he has provided an opinion of value. Ellen was asked to verify with legal the method for sale and discuss further next week. Ernie suggested offering the Intervale Ave property to abutting property owners first. Les added with the caveat that they merge the lot into their property. Les thinks the Pequawket Road property will do best by sale through a realtor. Ellen will reach out to the abutters of the Intervale property.

Forest Advisory Committee Update – Melissa stated the committee met for the first time since last August. The FAC is looking to have highway evaluate Jackman Ridge for a needs assessment. Ambrose did improvements approximately 3-4 years ago for approximately \$10,000 but it is in need of attention again. The second request is to repair a culvert from beaver damage. Lastly, across from Mount View, Scrub Oaks is looking to install a gate. Jamie has already responded to a call for a vehicle entering at that location. Les stated Scrub Oaks has applied grant money toward repairs in the past. Melissa stated they will be utilizing grant money they have available to install the gate with the town's permission and will also handle the culvert if the town is able to supply one. Ellen was asked to speak with Scott Brooks regarding the evaluation of Jackman Ridge trail to Trout Pond. ***The Board is in favor of Scrub Oaks installing the gate across from Mount View.*** Fish and Game will be contacted for assistance with beaver removal/relocation.

Appointments to Boards/Committees – Melissa reached out to Linda Mailhot and she will be attending the FCC meeting next Tuesday. Her preference is with the ZBA but she will attend and let Melissa know. Ellen reviewed the FAC meeting minutes noting Ron Newbury is looking to be reappointed as alternate, and David Charette's position is available as is Kevin Connerton's as an

alternate. Melissa stated John will stay on but no longer as chair. Justin questioned if he has been added to the committee as requested? A request for appointment has been received from Paul Elie.

### **Public Input:**

Paul Kiah recently signed up for email notifications and is present to hear more on short-term rentals as he owns a property on Berry Bay that he rents for a period of time to help with his taxes and he wants to be sure he understands the process. Les responded that within 2 weeks the forms should be live on the website, and deadlines will be established. The immediate needs are for life safety and septic compliance. Discussion on septic inspections being required for older systems such as Mr. Kiah's that was installed in the 40's and updated prior to him acquiring the property in 2006. Ernie stated the issue is with properties being advertised for more occupancy than their septic is designed for. Les referred to the life safety inspection form for requirements. Ellen will add the inspection form in draft form to the website under the FAQ section until it is formally approved in two weeks.

Kyle Clifton requested clarification on older septic systems being brought to current standards per the ordinance. Les responded that most septic systems to be inspected will pass as functioning systems but each application will be dealt with individually for review. Kyle further questioned the legal basis for the number of days and requirement for providing proof for consideration of grandfathering. He questioned if legal has reviewed the letter being sent out. Confirmed Les responded that a legal discussion is not to take place, and referred to the ordinance for what is required. Melissa stated that STRs were illegal before this passed and the decision was made to regulate them. Kyle reviewed what had been said in past meetings regarding grandfathering status. Les ended the discussion. Kyle further questions the legality of what has been passed. Jamie reaffirmed the Chairman's decision to end the discussion and added that there is no answer to Kyle's questions in this forum.

### **Discussion continued:**

Ernie suggested remarketing the Ford F-550 for sale. Ellen reached out to Hiram but they are not interested at the previously requested bid amount. Ellen suggested contacting a Ford dealership to see if they would be interested in purchasing with low inventory levels. Jamie was asked to reach out to the dealer he is purchasing the new cruiser from to see if there is interest.

A copy of the recently adopted Cemetery Bylaws have been provided for review. This will be added to the agenda for next week. Ellen stated the trustees met last Friday to adopt the bylaws and begin discussion on taking over adopted cemeteries. Melissa questioned the status of lot availability at the Lakeview Cemetery. Ernie stated that Brian Lord figured 7-8 years before it will be filled to capacity. Ellen deferred to Fred Watson for this information.

Melissa announced she and Ellen met with Consolidated Communications to discuss broadband expansion. They will be applying for funds joining Ossipee, Effingham, and Freedom as these towns are already sharing the communication hubs. Improvement to a 10g network will be the end result with fiber cable run to each improved property with telephone poles in place. The town has to request the results of the feasibility study that was completed to determine eligibility for grant funding which is hoped to be 75/25 with Consolidated picking up the applicable match.

Ernie stated there is a webinar for new ZBA members scheduled for April 13<sup>th</sup>. Ellen sent the information to Peter Keenan and Jeff Fongemie and both have signed up.

**Non-Public Session:**

*Les made a motion to enter into a Non-Public Session at 7:15 PM pursuant to RSA 91-A:3, II (l) for legal. Melissa seconded. Roll call vote was taken: Ernie-yes, Melissa-yes, Les-yes. All in favor, the motion passed. Les made a motion reconvene public session at 7:34 PM. Ernie seconded. All in favor, the motion passed.*

*Les made a motion to enter into a Non-Public Session at 7:34 PM pursuant to RSA 91-A:3, II (c) for reputation. Melissa seconded. Roll call vote was taken: Ernie-yes, Melissa-yes, Les-yes. All in favor, the motion passed. Les made a motion reconvene public session at 8:10 PM. Ernie seconded. All in favor, the motion passed.*

**Discussion continued:**

*Les made a motion to reconsider the appointments made to the Zoning Board of Adjustment based on information given to Ellen by the Chairman. Melissa seconded. All in favor, the motion passed.*

Based on the new information given, *Les made a motion to appoint Karl Ogren and Peter Keenan as full members of the ZBA, and Denny Anderson as alternate. Melissa seconded. All in favor, the motion passed.* The membership was reviewed and noted as full with 5 regular members and 3 alternates.

Ernie discussed two Bills before the House regarding NH Retirement contributions and non-public meetings regarding public employee discussions.

Ernie requested the board/committee memberships and terms get updated on the website as they are being finalized.

**Adjournment**

Being no further input, Ernie made a motion to adjourn. Melissa seconded. All in favor, the motion passed.

The meeting adjourned at 8:20 PM.

**Consent Agenda**

Minutes – Selectmen’s Meeting– 4/4/2022	Approved
Minutes – Non-Public Session x2 – 4/4/2022	Approved
Accounts Payable – Week ending 4/1/2022	Approved
Payroll Manifest – Week ending 3/30/2022	Approved
Letter – Trustee of Trust Funds re: Revised Capital Reserve Fund Withdrawal	Approved
Request for Abatement – Kyle & Nicole Beaudet (Map 60, Lot 1-YLA03)	Approved

**Correspondence**

Letter – Costantino Real Estate re: Opinion of value, town-owned properties	Reviewed
Letter – to Robert Oram re: reappointment to FCC	Reviewed
Letter – to Sean Coriaty re: appointment to FAC	Reviewed
Letter – Vegetation Control Services re: herbicide treatment within power line ROW	Reviewed
Request for Appointment – Paul Elie to FAC	Reviewed
E-Mail – Bruce Howlett re: Receipt requirement for STR grandfathering	Reviewed
Bylaws for the Trustees of Cemeteries	Reviewed
Notice – Date of final tax bill mailing	Reviewed
Bulletin – NHMA Legislative Bulletin 16 – April 8, 2022	Reviewed
Report – Action Ambulance thru March 31, 2022	Reviewed

Respectfully submitted,  
Ellen N. White, Town Administrator

Approved by the Board of Selectmen on \_\_\_\_\_:

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Leslie R. Babb

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Ernest F. Day, Jr.

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Melissa M. Florio