

# TOWN OF ORFORD

Board of Selectmen

Meeting Minutes

March 24, 2021

MEMBERS PRESENT: John Adams, Fred Kidder II, Chase Kling

OTHERS PRESENT: Esther Dobbins-Marsh, Jason Bachus

## Call Meeting to Order

The meeting was called to order at 5:30 p.m.

**Roll Call** – Adams present, Kidder present, Kling present

## Election of the Selectboard Chair

*Motion made by Kidder to nominate John Adams as the chair.*

Discussion: Kling stated his concerns around the swearing in of elected officials on March 10, 2021, and felt Adams' creditability was in question as he provided guidance to the Town Clerk that was in error as to the timing of when elected officials would be sworn in. Kling asked Adams if he acted maliciously or was it a misunderstanding on his part. Adams said the moderator and Selectboard had several discussions around the timing of swearing in of elected officials following the March 9, 2021 election, and it was simply a matter of misinterpreting the Governors' order #83 as to the timing. On March 10<sup>th</sup> the NH Secretary of State's office did clarify the matter for Orford (and many other towns) and all those officials elected on March 9, 2021 were sworn in on March 10, 2021. There was no malicious intent, just a misunderstanding, and in no way was it meant to be a challenge of Kling winning the election for the Selectboard position.

*The motion was approved 2/1 (Kidder-yes, Adams-yes, Kling-no)*

## Approval of Minutes

*Motion made by Adams, seconded by Kidder to accept the minutes of 03/10/2021.*

*Motion Passed 3/0*

## Appointment Approvals

- **Auditor** – *Motion made by Adams, seconded by Kidder to nominate Roberts & Greene as the Town Auditor.*

Discussion: Kling said he didn't have information to make an informed decision on the quality of work from this auditing firm. Adams said there haven't been any issues as far as he knew, and they have been helpful in keeping the cost of the audit down by processing the work in June.

*Motion passed 2/0 (Adams-yes, Kidder-yes, Kling-abstained)*

- **Fire Chief** – *Motion made by Adams, seconded by Kidder to nominate Terry Straight as the Fire Chief.*

Discussion: Kling has mixed emotions about the Fire Chief. Straight has done a lot of work to bring the department up to date, but he's concerned about the same person being the Fire Chief and Road Agent. It can lead to a division of duties when the same person has to choose between road work and responding to a fire call. This past winter there was a situation when the Road Agent/Fire Chief left the town during a snow storm to respond to a mutual aid call. Kling felt that road maintenance was more important for

safe travel and felt other members of the fire department could have responded to the mutual aid call. Kling was also concerned about the Fire Chief's report in the 2020 Town Report as it pertained to the certification of fire fighters. Adams said he'd spoken with Straight regarding his report and a clarifying report will be sent out regarding the levels of certification of fire fighters in Orford. Kidder said he'd not heard of concerns about Straight as the fire chief. Adams felt that most of the fire fighters are in support of Straight as the Fire Chief.

*Motion passed 2/0 (Adams-yes, Kidder-yes, Kling-no vote)*

- **Police Chief** – *Motion made by Kidder, seconded by Kling to appoint Jason Bachus as the Police Chief. Motion Passed 3/0*
- **Road Agent** – *Motion made by Adams, seconded by Kidder to appoint Terry Straight as the Road Agent.*

Discussion: Kling said his comments for the Fire Chief can also be applied to the Road Agent. There's concern from residents with the stability of the road crew – it seems like it's a revolving door of employees. He also feels that complaints about road conditions should be addressed with the Road Agent vs the Selectboard members. Adams agreed about the turn over, but finding help has been a challenge, however, the department currently has 3 full-time employees.

*Motion Passed 3/0*

- **Emergency Management Director** – Currently there is a vacancy for this position as Michael Gilbert resigned due to work commitments. Carl Johnson was appointed, but recently also resigned due to work commitments. The Selectboard will continue to look for someone to fill this position.
- **Niles Committee Members** – *Motion made by Kling, seconded by Adams to appoint David Coker, Melinda Ricker, Jennifer Tilden, Ann Green and Ruth Hook as members of the Niles Committee. Motion Passed 3/0*
- **Conservation Commission Members** – *Motion made by Adams, seconded by Kidder to appoint Harrison Pease and Craig Putnam as members of the Conservation Commission, and Emily Bryant and Fran Plaisted as alternates to the Conservation Commission. Motion passed 3/0*
- **Tree Warden** – *Motion made by Adams, seconded by Kidder to appoint Bill Wilson as the Tree Warden. Motion passed 3/0*
- **Energy Committee Member** – *Motion made by Adams, seconded by Kidder to appoint Ted Cooley as a member of the Energy Committee. Motion passed 3/0*

## Reports

- Assessor** - Todd Haywood submitted his report for March to the Selectboard. Inventory forms are processed as received and data updated as necessary. Haywood processed a Current Use application and a Change of Land Use application for the Selectboard to review and sign. Haywood will also review received filings for exempt properties for religious and charitable organizations as received. He will work on the three (3) abatement applications received and send written recommendations for the Selectboard to review at a future meeting.
- Police Department** - Chief Bachus presented his February report to the Selectboard. There were 54 calls for service that included various assists, animal complaints, welfare checks, parking violations, suspicious activities and criminal investigations (1 arrest for

assault, 1 warrant and 1 ongoing investigation). Bachus continues to modify his patrol hours to include evenings which resulted in 13 motor vehicle stops in which 5 summonses were issued.

Bachus continues to explore options for the future cruiser replacement. Recently the battery was replaced due to its inability to hold and maintain a charge. He anticipates upcoming maintenance due to increased ball joint noise and possibly other issues during the April inspection.

Upcoming trainings include Juvenile Delinquency and Child in Need of Service Investigations (8 hours), Multi-Disciplinary Response to Child Abuse and Neglect (4 hours), and Taser Recertification (8 hours)

## **Old Business**

### **A. Update of Outstanding Projects**

- a) FEMA Projects – Kling requested the board defer the discussion on FEMA projects be moved to the end of the agenda after he's left the meeting. Adams said he's welcome to listen to the discussion, but Kling preferred not to. The board agreed to address this topic following New Business.

**B. Broadband Committee** – Grafton County is working on a questionnaire/survey to be used, as grant funding relies on a need, which requires a survey to gather information on the need of the residents of Orford vs what the providers provide for services. Adams said he will contact residents that expressed interest on serving for this committee, via email, at the beginning of next week.

**C. Sand Pit Reclamation Committee** – Three residents have expressed interest in serving on this committee to help develop a reclamation plan. Kling stated that until the Town is ready to close the sand pit, and as long as the Town doesn't sell sand from the pit, the Town doesn't need to take any action on a reclamation plan. He has been told by experts that at the current rate of excavation it will be well into the future before the sand runs out. Also, municipalities aren't required to follow the same rules as private owners. A meeting will be set for committee members to discuss further.

## **New Business**

### **A. Liaisons to Committees and Commissions**

1. **Planning Board** – *Motion made by Adams, seconded by Kling to nominate Fred Kidder as the Planning Board Ex-Officio.*

Discussion: Kling expressed his concern when Planning Board members aren't well versed with rules, regulations and laws. Wrong decisions and/or missed filings can cost the Town a lot of money in legal fees.

*Motion Passed 2/0 (Adams-yes, Kling-yes, Kidder-abstained)*

2. **Upper Valley Ambulance** – *Motion made by Kidder, seconded by Kling to appoint John Adams as the Selectboard representative to the Upper Valley Ambulance. Motion Passed 2/0 (Kidder-yes, Kling-yes, Adams-abstained)*

**B. Liaisons to Department** – Kling expressed his desire to not micro manage departments. After some discussion, it was agreed to not appoint liaisons to the Town departments.

**C. Planning Board Structure** – The Election of Officers held on March 9, 2021 resulted in no one being elected to the Planning Board. The Town Clerk contacted the majority of those receiving write in votes, but all declined the position. At the next Planning

Board meeting, the current members can vote to appoint members as well as alternates. Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) will continue to provide services to the Planning Board. Should the Planning Board wish to have full professional services provided, the members will need to research the best options and present their findings to the Selectboard. Kidder will work with the Planning Board and report back to the Selectboard at their 4/28/21 meeting.

**D. Approval of Junkyard Licenses** – The Junkyard Licenses were reviewed from McGoff Salvage. *Motion made by Adams, seconded by Kling to approve the junkyard renewal applications. Motion passed 3/0.* Adams said next year a new form will be used that addresses more environmental concerns from the NH DES. A copy will be sent to McGoff Salvage as a courtesy and to avoid confusion with the form next year.

**E. Review of received “Notice of Intent to Cut Wood”** – none submitted

**F. Correspondence** – none to review

**G. Other**

- 1. July 4th** – Adams is not sure if the July 4<sup>th</sup> parade will happen, but feels the committee should start meeting, and the parade permit filed so the Town is ready if the event is allowed. Bachus will be directed to complete the permit and to contact the parade committee members.
- 2. Selectboard Meeting Schedule** – Kling requested keeping the meetings to under 2 hours in length. He would rather meet every week for 2 hours vs having longer meetings twice a month. Adams said 2-hour meetings are about the average during most of the year. During budget season they tend to last longer, and often there are several meetings per week. Adams said the Selectboard will continue to work together to try to meet everyone’s requests.

Kling left the meeting at 7:38 pm

#### **Update on FEMA Projects**

**A. Town Road #100** – Adams reported a verbal complaint by an abutter to the project, Chase Kling, regarding the culvert being in the wrong position. Kling feels the headwall is beyond the road right of way, and the site line should be clarified. Adams will review with the engineers at DuBois & King. A survey may be required to decide about the position of the culvert/headwalls. If placed incorrectly, a permanent easement may be required from the abutting property owner.

**B. Sawyer Brook Headwall** – The Town needs to place the work out to bid. Dobbins-Marsh will check with the engineering firm, Horizons, regarding a scope of work description. She will also check with FEMA to determine the amount of funding they have estimated for this portion of the Sawyer Brook Road restoration.

#### **Adjourn**

*Motion made by Adams, seconded by Kidder adjourn the meeting. Motion Passed 2/0*

The meeting adjourned at 7:53 pm

Respectfully Submitted,

Esther Dobbins-Marsh

**Manifests, Payroll and Accounts Payable folders**

The manifest, payroll and accounts payable folders were reviewed and signed where necessary on the following day.