

# TOWN OF ORFORD

Board of Selectmen

Meeting Minutes

December 13, 2023

MEMBERS PRESENT: John Adams, Kevin Follensbee, Chase Kling

OTHERS PRESENT: Esther Dobbins-Marsh, Megan Ooms and David Conger of DuBois & King, Jason Bachus

## **Call Meeting to Order**

The meeting was called to order at 5:35 p.m.

**Archertown Road-Jacobs Brook bridge plan update** – Ooms, Project Manager, presented updated information on the Archertown Road-Jacobs Brook bridge project. The Selectboard reviewed the proposed general plan, the proposed detour, Right of Way (ROW) easements that may be required, and the project schedule. The property owner abutting the project on the west side of the bridge have given permission to build a wing wall that will be outside the Town's ROW. The Selectboard questioned the slope of the bridge, as the Dublin Road side is slightly lower than the other side. The bridge has been raised as much as possible, and to raise the Dublin Road side more would add a significant cost to the project. Dublin Road may be closed for short periods of time, but primarily will be open as a detour road.

The Selectboard discussed adding higher guardrails as many pedestrians walk the bridge to view the brook below. Will the lower guardrails create a liability to the Town? Ooms said the guardrails are designed for vehicles, not pedestrians. She feels higher guardrails may encourage pedestrians to walk on the road, which could be a liability as well. Changing the design will add to the cost of the project, will need to be reviewed by various entities, which will delay the project.

This project is being paid for with State and Federal funds – when Federal funding is involved, there are more steps to follow and approvals to obtain, but the construction costs are 100% covered – the Town is only responsible for 20% of the engineering costs. D&K are working on the various permits required for the project, and well as working on the final plan design. Kling expressed his concern at the amount of time that's passed since starting this project. The current timeline is looking at construction starting in the Spring of 2025, and completed by the Fall of 2025.

**Planning Board Resignations/Restructuring** – The Selectboard received resignations from four (4) Planning Board members – Terry Straight, Harry Osmer, Faith Knapp and Kenneth King. Because they are elected officials, the Selectboard needs to petition Superior Court to appoint three (3) members to serve until the annual meeting in 2024. (With Adams as the Selectboard ex-officio, there will be a quorum of four (4) members). Kling expressed his disappointment that all members chose to resign at this time, and not serve out their term. Adams said he's received interest from Paul Goundrey, Martha Rose, Nancy Hanger and Kirsten Culhane. After a brief discussion about those interested in the Planning Board positions, it was agreed that Adams would reach out to the first three names, as they are long term residents of Orford. Once appointed, those members can vote to add others to the Planning

Board. Timing may prevent the Planning Board from holding its meeting in December, but Town Council felt this would not be an issue and would explain to the court the events leading to the missed meeting. Town Council listed the steps the Selectboard need to take to start the process for submitting names to Superior Court. *Motion made by Follensbee, seconded by Adams to authorize John Adams to petition the court to fill three (3) vacant seats on the Planning Board. Motion Passed 3/0*

Adams will reach out to the three residents to obtain their written statement of reasons they'd like to serve and qualifications they may have for this position. *Motion made by Follensbee, seconded by Adams to petition Superior Court to appoint Paul Goundrey, Martha Rose and Nancy Hanger to the Planning Board due to recent resignations of four members. Motion Passed 2/0 (No vote by Kling due to lack of information on one candidate).*

Once received, they will be submitted to Town Council, along with copies of the resignations, and Attorney Johnston will create the petition and affidavit for Adams to sign and submit to Superior Court.

### **Approval of Minutes**

- *Motion made by Follensbee, seconded by Kling to accept the minutes of 11/08/2023 (as amended) Motion Passed 2/0*
- *Motion made by Follensbee, seconded by Kling to accept the minutes of 11/20/2023 (as amended) Motion Passed 3/0*
- *Motion made by Follensbee, seconded by Kling to accept the minutes of 11/22/2023 (as amended) Motion Passed 2/0 (Adams did not attend the meeting)*
- *Motion made by Follensbee, seconded by Kling to accept the minutes of 11/29/2023 Motion Passed 3/0*
- *Motion made by Follensbee, seconded by Adams to accept the minutes of 12/06/2023 (as amended) Motion Passed 3/0*

### **Reports**

A. **Highway Department** – The Highway crew has had a good start to the winter season. There have been a few issues with frozen water and freeze ups on the roads. The crew asked for more gravel, but Follensbee reminded them to use the gravel purchased for the Archertown Road Phase I project as it didn't meet DOT specs. The cost had been allocated to the Highway gravel expense line item. The Town was offered \$500 for surplus equipment stored at the Town garage. Quinttown Containers will pick up and haul it away. The other offer would deduct the cost of hauling the material from the sale price, and the Town would receive less money. *Motion made by Kling, seconded by Follensbee to accept the offer from Quinttown Containers to purchase the surplus Highway equipment for \$500.*

The well at the garage was raised, but the water needs to be tested. Dobbins-Marsh will reach out to Owl's Head Plumbing to test the water and provide an estimate for a water purification system. Currently the department is purchasing bottled water for drinking – Dobbins-Marsh will look into pricing for a water bubbler and delivery company.

B. **Fire Department** – Chief Straight was unavailable for the meeting; however, he did submit the department report for November. The department responded to 18 calls-6

medical, 5 fire and 7 mutual aid. YTD total calls are at 204 compared to YTD in 2022 of 149). Trainings were held on 11/06, 11/11 and 11/20 and the School Fire & Safety annual inspection was completed. The Selectboard discussed the mailer that was sent to Orford residents by concerned members of the Fire Department. Kling said several residents have expressed concern about the mailer as it appears they might be asked to sign a petition, and what happens if they choose not to. Kling wrote up a list of items he'd like the Fire Chief to respond to, as they pertain to comments in the mailer. All political action groups must be registered with the NH Secretary of State. The Selectboard agreed to require Chief Straight to attend the regular Selectboard meeting on 12/27/2023. Dobbins-Marsh will send a certified letter to Chief Straight requesting his attendance. Follensbee stated his concerned about the amount of funds spent in hourly wages – in 2023 the Town paid out over \$38,000 in wages to the Fire Department volunteers.

- C. **Police Department** – Chief Bachus presented his November report. The department received 86 calls for service, and NH Sate Police responded to 8. Orford PD calls included of 52 traffic stops with 12 summonses issued, 1 fraud case, 1 family offense, 1 disorderly complaint and 1 motor vehicle crash. Calls for service were received as follows: 7 between midnight and 8:00 am, 54 between 8:00 am and 4:00 pm, and 25 between 4:00 pm and midnight. Investigative calls continue with 4 involving DCYF or juvenile offenses, criminal threatening and frauds. Bachus completed 7 hours focused speed endorsement as part of the Governors' Highway Safety Grant, which reimburses the Town for these overtime hours. December he will start on the Drive Sober or Get Pulled Over initiative.

Bachus has received complaints of person(s) entering the recycle center leaving rubbish and other items outside of business hours. The gate is not operational and Bachus asked the Selectboard for permission to have the Highway Department purchase and place a temporary cable or chain across the entrance, with flags, that can be locked. Follensbee will work on this project – previously the Highway Department made a gate for the sand pit, and possibly one could be made for the recycle center for both the entrance and exit. Bachus suggested adding a sign stating "Residents Only" and "Dumping is an Illegal Offence". The cost for this project will be part of the 2024 budget.

D. **Selectboard attended meeting recap**

- Cemetery Commission – Kling attended the meeting on December 9<sup>th</sup>. The commission discussed the most recent invoice for the Dame Hill cemetery tree removal and discussed the requirement for the Trustees of the Trust Funds to confirm available Perpetual Care funds before committing to an expense. The Commissioners also discussed a potential Warrant Article to pay for fence repairs at the West Cemetery. The Commissioners will also look for grants and donations to cover this expense as well.
- Emergency Management – as the Town's Emergency Management Director, Follensbee attended an Eversource Hub class discussing Eversource's role in emergencies within the Town.

## Old Business

### A. Updates to Proposed Warrant Articles

- Kling discussed a warrant article to extend the apron on Quinttown Road about 450' longer (up to Connecticut Trucking's business). An estimate for paving will be needed. He said the Highway crew suggested this, as pot holes are constantly forming in this area of the road due to the underlying material, and creates the need for lots of grading.
- Cemetery Commission – funding to repair the fence around the West Cemetery – approx. \$5,000

### B. Other

- The radio on the 10-Wheeler is being installed and should be completed by next week

## New Business

**A. Budget vs Actual Review** – Several line items are over budget (Legal and Highway Contracted Services specifically) – Dobbins-Marsh will print off the detail for the Selectboard to review

**B. Complaints** – none received

**C. Review of received “Notice of Intent to Cut Wood”** none received

### D. Correspondence

- Mailer – discussed under the Fire Department reports
- Overhead Door of Rutland submitted a Planned Maintenance Program offer. The Selectboard agreed this is not necessary at this time.
- S. Garran email suggesting contacting chief Straight about radio overage in Town, as well as adding a section for witness statements on the complaint policy.
- NH DOT – The Town will receive a Special One-Time Bridge payment of \$20,328.26 for maintenance, construction and reconstruction of bridges. The Selectboard will hold a Public Hearing on 12/27 to accept these funds.
- NH DES – the NH DES accepted the Groundwater Management Permit completed and filed by DuBois & King.

### E. Other

- **Action Items** – for the 2024 budget, the board agreed to upgrade our SonicWall Security appliance in the amount of \$1,740. By ordering now, the Town will avoid paying the 20% price increase effective January 1, 2024. *Motion made by Adams, seconded by Follensbee to accept the request from Twin Bridge Services to upgrade the SonicWall at a cost of \$1,740. Motion Passed 3/0*
- **Right to Know request** – The Selectboard needs to sign their request to Twin Bridges to pull email correspondence requested thru a Right to Know request filed by the Members of the Orford Fire Department. Kling asked if an individual must make the request and if non-residents can be included in the membership of the requesting party. Per Town Council, anyone can submit a Right to Know request. *Motion made by Adams, seconded by Follensbee to approve the request of Twin Bridges to pull email correspondence pertaining to the Right to Know request. Motion Passed 2/1 (Kling voted no)*

- **Boat Agent letter** – each year, the Selectboard appoint Deborah Hadlock, Town Clerk, to act as the boat agent. The letter and the Surety Bond certification are given to Hadlock for her records. *Motion made by Adams, seconded by Follensbee to authorize Deborah Hadlock to be the boat agent for Orford, NH. Motion Passed 3/0*

### **Manifests, Payroll and Accounts Payable folders**

The manifest, payroll and accounts payable folders were reviewed and signed where necessary

### **Non-Public Session**

*A motion was made by Follensbee, seconded by Adams to enter into non-public session under RSA 91-A:3, II(a) for personnel matters at 8:43 pm. A roll call vote of member's present was taken with a decision in the affirmative*

*The Board resumed the regular meeting at 8:54 pm. A motion was made by Kling, seconded by Adams to seal the minutes of the nonpublic session. Motion Approved 3/0*

### **Adjourn**

*Motion made by Kling, seconded by Follensbee adjourn the meeting. Motion Passed 3/0*

The meeting adjourned at 8:56 pm

Respectfully Submitted,

Esther Dobbins-Marsh