

TOWN OF ORFORD

Board of Selectmen

Meeting Minutes

December 11, 2024

MEMBERS PRESENT: Kevin Follensbee, Chase Kling, Larry Taylor

OTHERS PRESENT: Esther Dobbins-Marsh, Jason Bachus, Stephen Sanborn, Ted Nutter, David Smith

Call Meeting to Order

The meeting was called to order at 6:00 p.m.

Public Comments

Approval of Minutes

Motion made by Follensbee, seconded by Taylor to accept the minutes of 11/27/2024 (as amended) Motion Passed 2/1

Kling had no issues with the minutes up to the section where the letter submitted as correspondence from Herb Austic was typed into the minutes. As the letter was not read into the minutes, and correspondence usually isn't, he felt it was inappropriate to include this and therefore voted to not approve the minutes of 11/27/2024

Reports

- A. **Fire Department** – Chief Sanborn reported on the department's activity for November. They responded to 17 calls, which included 7 medical, 2 alarms, 1 mutual aid and 3 for trees or wires down. Sanborn wanted the Selectboard to know that while Orford has been reporting the monthly stats, the vendor that's used by Hanover (who Orford goes thru) had a software upgrade which didn't pass the reports from their system to the State. This impacted all towns that use the Hanover dispatch vendor for reporting. The vendor is working to have the error corrected. Vehicle maintenance is scheduled for December, and batteries were replaced in Engine #3. Membership has not changed since the last meeting - Sanborn will get an updated roster to the office. Kling addressed the possible need to replace the culvert on the Indian Pond beach access road, which will need NH Fish & Game approval for the Town to replace.
- B. **Police Department** – Chief Bachus reported in the department's activity for November. There were 71 calls for service (NHSP responded to 9). Activity included 2 ongoing and 1 new criminal investigation, 2 thefts, 2 fraud complaints, 2 motor vehicle collisions, 5 animal complaints and various other activities. Of the 31 traffic enforcement stops, 21 summonses were issued. In addition to his full-time duties in Orford, Bachus conducted 7-hours of contracted patrol hours in Piermont.
- C. **Highway Department** – Road Agent Nutter reported in the Highway Department Activity. The Loader has the fuel tank replaced and appears to be running great. The 6-Wheeler will have the rear-end differential repaired (under warranty). When the truck was built there was an issue with the part. In addition, the plow shoes can't be adjusted as that ability wasn't

added. Again, this repair will be under warranty. The front tires on the 10-Wheeler are not for winter use, and tires and rims for winter will cost approx. \$1,600. This cost will be included in the 2024 operating budget. The tires that are currently on the 10-Wheeler will be swapped out and used for the summer season.

Ted Stafford is working to remove the beavers, and Heidi Wilson has given permission to have Stafford remove the beavers on her property as well. Nutter will get an update on the work for the Board.

Indian Pond Culvert project – Kling and Nutter met with Erin Darrow on 12/09 to review the plan. Copies were left for Taylor & Follensbee to review prior to this meeting. Questions were asked about the size of the culverts – why are they 5'? The hydrology study indicates that 4' culverts won't hold up based on the 100-year flood information. Taylor said using 5' culverts will require more permits and will cost more money. Has the NH DES reviewed the wetland permit? When Taylor spoke with the DES rep, they couldn't find any information filed since the emergency wetland permit filed in the spring of 2024. By adding 5' culverts will require the road to be built up, which will result in steep drop-offs on the side of the road, and the road will need to be a one lane road, as it's designed to be 17' wide. Dobbins-Marsh will reach out to NHDES to see what conversation have taken place around this wetland permit, and the Selectboard and Darrow may be needed for her to address all concerns and questions.

High Bridge Road bridge – Nutter said he wants to have Rodney Taylor move the blocks back from the sides of the bridge. He will request an estimate for the work

- D. **Selectboard attended meeting recap** – Kling attended the Planning Board meeting on 12/10. Nick Cassel brought another proposal for them to review. He's now looking to leave the current public defender's office as a commercial building, and subdivide Lot #2 into 3-1-acre residential lots. Burgess of Pioneer Surveying said septic systems can be added and will comply with NH regulations – he wasn't sure about the driveway permits. Until a final application is submitted, Planning Board can't act. Final Notice of Action on the MT View Hideaway, LLC property was signed by the Chair and sent to Mark Miller for signature.

Old Business

A. Update of Outstanding Projects

- Indian Pond Dual Culvert project - see comments under the Highway
- High Bridge Road bridge concerns – see comments under the Highway Department report

- B. **2019 Ford F-550 Bid received** – the winning bid on Municibid.com was for \$35,100. *Motion made by Kling, seconded by Taylor to accept the bid of \$35,100 for the 2019 Ford F-550. Motion Passed 3/0*

Dobbins-Marsh will generate the invoice to the buyer and prepare the paperwork for the pick-up of the truck.

C. 2025 Proposed Budget & Warrant Articles

- **Operating Budget**

1. Estimates for Waste Disposal were requested from several contractors – as none were received, the Floyd's Rubbish Removal estimate for the work will remain as the budgeted amount.
 2. Estimates for the Landfill Closure were requested from several contractors – Stonecipher & Clark presented the lowest fee of \$7,420 and will be awarded the contract.
- **Warrant Articles:**
 1. WA #3 Capital Reserve funding – Based on increased costs to replace equipment, Bob Palifka suggested increases to Heavy Equipment Maintenance to \$8,691, Highway Department Trucks to \$52,900, Grader to \$16,000 and Backhoe/Loader to \$27,700, which totals to \$439,436
 2. WA #6 – the amount to be transferred from the Unassigned Fund Balance to the Highway Truck CRF will be changed to 50,200 reflecting the sale price of the 2019 F-550
 3. WA #9 – the cost to reclaim and pave Archertown Road from Newcomb Hollow bridge to the Norris Road was increased to \$150,000 based on estimates received from various contractors.

New Business

A. Review Cemetery Maintenance Letters of Interest and opening of bids received Two letters of interest were received and one bid. The bid was from Chris Gendron for a total cost of \$49,900 to maintain the Cemeteries. The Cemetery Commission will need to interview the two applicants for the seasonal employee position and make their recommendation to the Selectboard.

Smith asked about selling the trailer – it could be placed on Municibid.com and the proceeds would be put back into the Cemetery Building/Equipment capital reserve fund the following year.

B. Review of received “Notice of Intent to Cut Wood”

- Property Owners: Harry & Nancy Bryd, Map & Lot #008-110-4, Logger: George Tullar Jr.
- Property Owners: Harry & Nancy Bryd, Map & Lot #008-110-9, Logger: George Tullar Jr.

C. Budget vs Actual Review – no questions at this time

D. Action Folder

- Kling reviewed the Floodplain Development Permit Application for Kathy Lynn Washburn's septic system at 5 Brook Road, and Hunter Nutter's new construction and septic system at 50 Brook Road with the other Selectboard members. Both septic systems were approved by the NH DES.

E. Signature Folder

- Permit to construct on property not fronting a Class V or VI road for Mountain View Hideaway, LLC – the Selectboard reviewed and signed.
- Timber Yield Tax bill to Michael & Willow Murphy was signed by the Board
- 2025 Contract between the Town and UVLSRPC for the 2025 Household Hazardous Waste was signed by the Selectboard Chair

- Letter to FEMA regarding the Mousley Brook Culvert project was signed by the Selectboard Chair

F. Correspondence

- Email from John Adams was sent out on ListServ regarding the status of Broadband in Orford, Eversource has completed their licensing agreement with NH Broadband and Lyme Fiber which allows those companies to continue with the installation of broadband coverage.
- Orford received the abutter notice for the Indian Pond Culvert project
- Email received from Charlie Smith responding to Kling's right to know request. (Smith requested contact information for the NH Municipality Assoc and it was provided to him). Kling requested that Smith provide information on who actually owns the fabric. He also asked about credentials on who will be volunteering their time for the Town. Follensbee asked why this information is needed at this time, as the Selectboard decided not to accept the fabric. Kling said he's been told that Smith will be putting together a Warrant Article for the Town to vote to accept the fabric. Follensbee said if this warrant article passes, then the Selectboard can request that information, but otherwise, it doesn't seem necessary.

Kling read parts of his 12/4 letter sent to Smith, *"It is hardly my responsibility to educate you on NH Municipality Law. Every time it seems, whether Selectman John Adams, Kevin Follensbee challenge you, or our hired licensed engineers and contractors (Erin Darrow, Jon Armstrong, Bill Wanner and the paving guys) have tried to make you understand that they are you have to live with the bounds of NH law, you take personal offense and your flares of anger have frightened some, or certainly backed them off and not wanted to deal with you. I have been the frequent target and lightning rod for your frustration with the rejection of your beloved "wicking fabric", and your inability to separate your personal attachment to it with your duty in office as the Road Committee chairman. This has become a crusade like quest to the point that Conflict of Interest in government seems to be a serious issue, and I suggest you choose one or the other – personal business or government office. Accompanying documents show a paper trail of you and your research buddies attempting to use the personal and equipment resources of the Orford Highway department and the Orford funds as a personal/industrial testing/donation project to promote private industry. Orford Selectmen and Orford Highway Supervisor and Road Agents have challenged the ethics of this and especially the source of the fabric. Who is donating it, who owns it, what is its purpose and are these "demonstration people" Civil Engineers or industry salesmen?"*

Follensbee feels it's wrong for Smith to request Kling withdraw his RTK request, however, still doesn't see the need to know where the fabric came from. Taylor would like the correspondence on this matter be dropped.

Kling agreed to rescind his RTK request of Charlie Smith regarding the wicking fabric, and now this matter is over. However, if Smith continues with this matter, Kling will reactivate his RTK request.

Manifests, Payroll and Accounts Payable folders

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

Adjourn

Motion made by Taylor, seconded by Follensbee to adjourn the meeting. Motion Passed 3/0

The meeting adjourned at 8:25pm

Respectfully Submitted,

Esther Dobbins-Marsh