

Town of Lyme  
Board of Selectmen  
Minutes for June 30, 2011

1. At 8:00 AM Charles opened the meeting. The following attended part or all of the meeting: Charles Ragan (chair), Simon Carr (member), Richard Vidal (Member), Dina Cutting (Administrative Assistant), Shaun O'Keefe (Police Chief), Patty Jenks (Town Clerk), Doug King (DOT), Denis Ford (DOT), Catherine and Tony Greenleaf.
2. The following administrative matters were discussed and actions taken:
  - a. The minutes of the meeting of June 23<sup>rd</sup> were approved as submitted.
  - b. An Intent to Cut was signed for Harriet Phillips           Map 404 Lot 1
  - c. Simon reported on the Planning Board meeting of Thursday June 23:
    - i. The Lyme Inn site plan review had been revisited, as the original notices did not include the change in hours. The Inn has hours of operation until 12 midnight for the next year. If any complaints are received from neighbors the Board will revisit this. Any events of more than 35 people must be notified to the Selectboard, Police Dept. and abutters.
    - ii. The Dowds Inn site plan review had been summarily rejected because the zoning ordinance did not permit restaurants in the Lyme Common district. It will be revisited.
    - iii. Loch Lyme Lodge had presented a major subdivision to obtain conceptual approval for their new plans. This is still continuing.
  - d. Simon reported on the Heritage Commission meeting of Tuesday June 28. They were reviewing the master plan heritage chapter and looking at how the historic resources inventory could be developed.
  - e. Simon and Patty reported on the Anniversary Committee meeting of Tuesday June 28. All the various subcommittees were working well and the plans were all coming together. Dina confirmed that the Independence Day Committee had voted to permit the Anniversary Committee to sell tee-shirts, aprons and caps at the fireworks.
  - f. Charles reported on the CIP Committee meeting of Wednesday June 29:
    - i. The Committee had noted the comments in the charge and Simon's clarification regarding vehicles and equipment, but felt that they should at least include the current numbers in their program so that there were no major surprises.
    - ii. The investigation into major road work was proceeding. Jim Jenks had offered to provide costs for these works and the Board approved this procedure.
    - iii. The Committee was considering whether a separate CRF should be set up to fund the expenses for major legal cases.
  - g. The Recreation Commission did not meet.
  - h. The Board noted the HUD Regional Planning Grant but felt they did not need to take any

action.

- i. Charles and Richard signed a document to take ownership of a Those Guys tent for the duration of the fireworks event. Simon abstained as an active member of Those Guys. This enables the tent and associated liability to be carried under the town's insurance and is a method developed by the town's insurers to provide cover in such circumstances.
  - j. Terry Smith and Richard Drew had offered to donate materials and labor estimated at \$3,500 to repair the Porter cemetery fence. Simon moved and Richard seconded that the Board accept this donation on behalf of the town. The motion passed unanimously.
3. Doug and Denis came in to talk with the Board about the culvert replacement on Route 10, 0.8 mile north of Whipple Hill Rd:
- a. This is to replace a failed 18" steel culvert with a 24" heavy duty concrete one and is planned to commence on Monday, July 18 and the road will be closed from then through until July 22.
  - b. DOT plans to divert traffic via East Thetford Rd and Route 5 in Vermont, returning to Route 10 via the Fairlee-Orford bridge. They will be setting illuminated traffic signs warning of the closure north and south of the detour within the next week and will also be placing detour signs and notices in the paper.
  - c. Denis said that DOT is offering new Stop, Yield and "Local Traffic Only" signs to protect the Edgell bridge and could have these in place before the detour came in to operation. The Board accepted this offer and asked if the Local Traffic sign could incorporate the height limit on the bridge.
  - d. There was a brief discussion on the High St/Route 10 and N Thetford Rd/Route 10 intersections which still needed lining.
4. Catherine and Tony Greenleaf came in to discuss the sign foundation that had been dug on the Little Common. In doing this, the contractor had cut some the root system of their white pine. The Board confirmed that the actual sign location on the Little Common was within DOT's ROW and recommended that any issues should be taken up with the area engineer. Dina gave Catherine his contact information.
5. Dina reported that the contractor for the repair of the Hewes Brook bridge on Goose Pond had finalized his costs for winter working. His original estimate had been for \$9,000. In the event his actual costs had been \$24, 554.44. He was sufficiently concerned that his estimate had been so far out that he had offered to abate the costs by 50% to \$12,277.22. The Board agreed that this was acceptable.
6. At 9:37 AM Charles moved and Simon seconded that the Board go in to non-public session under the authority of RSA 91-A:3 II(a) to consider personnel matters. The motion passed unanimously. Charles, Richard, Simon and Dina attended the non-public session.
- a. Dina brief the Board on two personnel health issues.

- b. The Board authorized Dina to seek temporary office help, anticipated as being 10-12 hours/week for the next four weeks.
  - c. The Board returned to public session at 9:49 AM.
7. At 9:50 AM Charles moved and Simon seconded that the Board go in to non-public session under the authority of RSA 91-A:3 II(e) to consider legal matters. The motion passed unanimously. Charles, Richard, Simon, Dina and Shaun all attended the non-public session.
- a. Dina briefed the Board on the satisfactory outcome of one legal issue and the current status of a second issue.
  - b. The Board returned to public session at 9:53 AM.
8. River Road:
- a. Dina reported on the progress with National Resources Conservation Service. Shirley Tullar had passed a copy of a letter from NRCS to Simon last Monday, together with information on their programs. Dina had contacted them on Tuesday and given a verbal notification of our application for funds from the Emergency Watershed Protection Program. This had been followed up with an emailed notification on Wednesday, which was necessary to get the town's application in within the 60-day deadline. NRCS have confirmed that we met their deadline and are now considering the program applicability. The 2011 funds have been expended and the 2012 application window opens in October. They now require an engineered solution and DES permit in place.
  - b. Charles requested that paragraph two of the NRCS conservationist's letter be recorded in the minutes: "I can't predict when the streambank along River Rd will fail so the Town's closing the road seems prudent as continued traffic would accelerate the process". A copy of the full letter is held on file in the town offices.
  - c. There was discussion on how the road issues should be resolved. Simon passed out a spreadsheet that lists some of the possible options with their implications and asked that any other possible options also be included.
  - d. The Board agreed that they would maintain a timeline of events relating to River Rd and that this should be appended to the Board's minutes each week.
9. The meeting adjourned at 10:13 AM.

Simon Carr  
Recorder

River Road Timeline.

<b>Date</b>	<b>Event: brief summary. Further information in BOS minutes at Town Offices</b>
April 30/May 1, 2011	Heavy river flow washes out a portion of River Rd.
May 2, 2011	BOS meet in emergency session. Vote to authorize tree-cutting if necessary (scenic road) and vote to close road with jersey barriers.
May 5, 2011	BOS appoint Holden to undertake initial investigation.
May 19, 2011	Holden reported on two possible approaches for re-instating the road. Both options exceed the town's emergency highway CRF. The failure did not fall within FEMA funds.
May 27, 2011	Simon and Shaun meet with Grafton County Commissioner Ray Burton, Rene Pelletier (DES Wetlands Commissioner), Steve Couture (DES), Richard Roach (Army Corps of Engineers) and Bill Rossignol (Holden). It was made clear there were no state or federal funds available, also that no work could extend the bank in to the river. The advice was to move the road and stabilize the bank.
June 10, 2011	Mailing to all residents confirming that the road will currently remain closed. A public meeting will be held September 14 to lay out all the options, but any votes will have to wait until Town Meeting.
June 16 and June 23, 2011	Citizens request that the road be re-opened to single-track traffic. BOS review the costs and ask Holden to consider this option.
June 22, 2011	NRCS visits the Tullar Farm and views the road.
June 23, 2011	Holden reports that the road is not safe, even as a single-line road. NRCS writes to Shirley Tullar giving her possible grant program information. Also concurs in not re-opening the road.
June 27, 2011	Shirley Tullar passes NRCS information to Selectman Simon Carr.
June 28 and June 29, 2011	BOS staff (Dina) contact NRCS, submit initial verbal notification of application for funds, subsequently followed up with emailed notification to ensure application is within 60 day limit.