

Town of Lyme
Board of Selectmen
Minutes for September 1, 2011

1. At 8:0 AM Charles opened the meeting. The following attended part or all of the meeting: Charles Ragan (chair), Richard Vidal (member), Simon Carr (member), Patty Jenks (Town Clerk), Dina Cutting (Administrative Assistant), Shaun O'Keefe (Police Chief) and Peter Holden (Holden Engineering).
2. River Road:
 - a. Peter Holden came in to present further approaches for River Road and to elaborate on the work necessary to enable these. He also briefly touched on likely costs and he and the Board considered the issues most likely to be raised at the public meeting of September 14. The Board asked for cost estimates to be available for review before the public meeting.
 - b. He was passed a copy of a letter from a River Road resident expressing their concern on the approach being taken.
 - c. The Board signed letters to the abutting landowners regarding the tree cutting.
 - d. A letter had been received from the Army Corps of Engineers that they had no funds available but would put the issue on their list for possible future consideration.
3. The following administrative matters were discussed and actions taken:
 - a. The minutes of the meeting of August 25th were approved.
 - b. A manifest to the value of \$33,119.70 was signed.
 - a. A warrant for Land Use Change Tax was signed for Stephen Doig and Marion Cass, Map 414, Lot 11.11 in the sum of \$2,000.
 - b. The MS-1 was reviewed and signed. The net valuation for municipal, county & local taxes was \$322,280,100 and excluding utilities was \$318,229,200
 - c. Simon and Patty reported on the Anniversary Committee meeting of Tuesday 30th. Although the final numbers were not yet in, the likely result was that there would be a surplus of around \$6,000. They had received payment of \$1,060 for the breakfast that had been provided by the churches and had agreed to donate this back. They proposed to plant a tree or other long-lived planting on the Common and in Lyme Center, together with commemorative plaques. The committee was still working on a free commemorative booklet, which it was hoped would be out by Thanksgiving.
 - d. Simon reported on the Planning Board meeting of Thursday 25th which had worked on the master plan.
 - e. Shaun reported on his discussions with the chair of the Energy Committee regarding parking for the Energy Fair scheduled for the same day as the final flea market. The Energy Committee intended to use parking at LCC and 1, On The Common that should alleviate any parking issues.

- f. Shaun raised his concerns about both the lack of communications during emergencies and the lack of correct signage around road damage:
 - i. The Board discussed with Shaun the procedures necessary when preparing for an emergency and noted that, in the event of an emergency, threatened or actual, the responsibility for management devolved to the EMD and it was his, and no-one else's responsibility to call meetings and ensure that all emergency personnel were notified. It appeared that the laid-down procedures were not being followed.
 - ii. The correct procedures for notifying and staying in touch with Hanover Dispatch had not been followed.
 - iii. There was a major concern about the lack of roadwork signs being displayed, both for regular and emergency issues. It was essential that sufficient warning signs and protective barriers be deployed that there should be no chance of the public being at risk.
 - iv. The Board noted that emergency email messages had been sent out from private emails and confirmed that only official (lymenh.gov) emails addresses should be used.
 - v. The Board noted that the Emergency Master Plan was currently being reviewed and that checklists should be included to ensure all relevant emergency personnel are listed and contacted.
- g. The State had now deferred the start date for the Edgell Bridge repairs but did not have an actual day.
- h. The Board noted the DES administrative order to the Lyme Water Association.
- i. The Board noted a letter from a taxpayer regarding his property assessment.
- j. A Cemetery lot sale for Paul and Judy Barker was signed.
- k. Aquatic control of Asian Milfoil is scheduled for September 9 from 12-2PM. Notices will be posted at the treatment sites and Dina will also arrange for notification on the town noticeboards, website and listserv. There should be no swimming in the treated areas, or drinking the water, for twenty-four hours from the treatment time. It was unclear why the Conservation Commission had now dropped their responsibility for carrying out these notifications.
- l. The Board agreed to ask Department heads to come and discuss their budgets September 29 and October 6. It was suggested that Patty and Sharon come in on Sept. 29 to discuss the possible changes to Town Clerk's office hours.
- m. Lance had raised the possibility of purchasing a small plow unit for the Transfer Station. Charles agreed to contact Lance and review the unit and then report back to the Board.
- 4. An initial application to FEMA for funds following tropical storm Irene was approved for submission. Initial emergency work was estimated at \$10,000 with full remedial work at up to \$200,000.
- 5. At 10:06 AM Charles moved and Simon seconded that the Board go in to non-public session under 91-A:3 II(c) "Matters concerning the reputation of a person" for two separate issues.

Charles, Simon, Richard, Dina and Shaun attended the first portion of the non-public session.

- a. Shaun expressed his concern about the work of a town employee and the Board discussed his concerns.
 - b. Shaun then left the NPS.
 - c. Dina updated the Board regarding some issues with an elderly exemption. The Board decided not to take action until clarification had been received from DRA.
 - d. The Board returned to public session at 10:33 AM.
6. At 10:34 AM Charles moved and Simon seconded that the Board go in to non-public session under 91-A:3 II(e) “matters regarding an existing or threatened lawsuit”. Charles, Simon, Richard and Dina attended the non-public session.
- a. There was a discussion of matters regarding an ongoing lawsuit, concerning work at the beach. The Board confirmed that the work should proceed.
 - b. The Board returned to public session at 10:38 AM.
7. The meeting adjourned at 10:39 AM.

Simon Carr
Recorder

River Road Timeline.

| Date | Event: brief summary. Further information in BOS minutes at Town Offices |
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| 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. |
| July 5, 2011 | NRCS staff visits the site and discuss the procedures with staff in respect of the town application for funds. Peter Holden and Simon Carr meet with the adjoining landowners and Upper Valley Land Trust to discuss the possible relocation of the road and the effect of this on their land. Following their provisional agreement, Holden will now prepare a proposed scope of work for submission to the Board. |
| July 14, 2011 | The Board meets with Bill Rossignol (Holden) to review which trees should be removed to ensure the stability of the riverbank. |
| July 15, 2011 | Coos and Grafton counties are declared disaster areas for the May 26-30 rain event, but this does not cover the earlier event. The Board will endeavor to see if they can obtain a waiver, which would cover the earlier event. |
| August 4, 2011 | Collis Adams (DES) meets with the Board and Bill Rossignol (Holden) and accepts the schedule of trees to be removed with minor amendments. |
| August 11, 2011 | Planning Board holds a public hearing for removing trees affecting the bank stability and agrees to do so with conditions. |
| August 25, 2011 | Holden presents an initial solution to the Board. |

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| September 1, 2011 | Holden presents further alternatives to the Board. Tree-cutting commences. |
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