

Town of Lyme  
Board of Selectmen  
Minutes for November 3, 2011

1. At 8:00 AM Charles opened the meeting. The following attended part or all of the meeting: Charles Ragan (chair), Richard Vidal (member), Simon Carr (member), Shaun O'Keefe (Police Chief), Dina Cutting (Administrative Assistant), Patty Jenks (Town Clerk) and Fred Stearns (Road Agent).
2. Road Issues:
  - a. Mud Turtle Pond Road. A landowner had been observed dumping dirt to block the road and putting up 'Road Closed' signs at both ends of the road. The Board agreed to write to him, instructing him to remove the signs and blockages by Wednesday 9<sup>th</sup>. It is possible there is a second blockage in Orford and the Orford Selectboard is also likely to take action.
  - b. River Road:
    - i. The bids for the river bank stabilization work were opened. They were:

1. Knotts Excavating	\$496,786.22
2. Morrill Construction	\$543,450.76
3. L& M Service Contractors	\$766,935.00
4. Derby Mountain Construction	\$417,084.73

It was noted that this work is not planned to take place until after Town Meeting 2012. Dina will review the bids for completeness.
    - ii. Now that we have contractors' bids Dina was asked to contact NRCS and Lance Harbour, HN Department of Safety, so that we could proceed with applying for grants to cover at least a significant portion of the cost.
    - iii. The new letter to residents, regarding the delay in starting work, was reviewed and signed.
    - iv. The Dredge and Fill permit applications have been submitted to DES.
    - v. Dina reported that advise from town counsel was that she should not respond to individual requests on the status of River Road.
    - vi. Simon moved and Charles seconded that, because of the safety and liability issues, River Road must remain closed until the necessary work has been carried out. The motion passed unanimously
  - c. Shoestrapp Road: Dina still had to report back on the access gates. However, it appeared that the 2007 Town Meeting vote appeared to be to changes its category to Class VI with no special conditions.
  - d. Road Signs. Dina reported that she was researching some issues with roads and signage. As a result of this, Elise is working on preparing a reference file for each road in town. There was some discussion on general road signage with reference to 9-1-1 addressing.
3. The following administrative matters were discussed and actions taken:

- a. The minutes of the meetings of October 27<sup>th</sup> and November 1<sup>st</sup> were approved as submitted.
  - b. A manifest to the value of \$35,940.39 was reviewed and signed.
  - c. Simon reported on the Planning Board meeting of Thursday 27<sup>th</sup>: the Board had been reviewing the Loch Lyme subdivision application and had been concerned with an interpretation of the Zoning Ordinance. Simon expressed some concern with the progress of this application.
  - d. Dina was still awaiting a job description for the Emergency Management director's position from the state. There was a discussion on this and the Board agreed to meet with the three candidates who had expressed interest.
  - e. Emails:
    - i. The Board discussed email messages put out by committee members and town officials using their personal emails. It was agreed that all relevant committees and officials should be provided with @lymenh.gov addresses and must only use those in sending out official notices.
    - ii. The Board also discussed their concerns with the recent Energy Committee report and asked Charles to emphasize to the committee that they must work with other committees especially where there is a potential overlap.
  - f. The Board discussed the situation of residents wishing to purchase cemetery lots and make the payments over a period of time. The Board agreed that they would facilitate this and asked Dina to work with Town Counsel to prepare a suitable agreement.
  - g. Simon reported that he had talked with Bill Giles about locations for the signs Bill wished to donate and he would get suitable plans available for the state shortly.
  - h. Budget:
    - i. The Board reviewed the budget to be presented to the Budget Committee next Wednesday, 9<sup>th</sup>. Simon moved and Richard seconded that the Board present an operating budget of \$1,947,350.38. The motion passed unanimously.
    - ii. There was a discussion on Capital Reserve Funds, with respect to the VIP and to the extended life of the Heavy Equipment, following the re-bushing of the three major items of the fund. Charles undertook to obtain a professional estimate of their extended life, in time for the next CIP meeting.
4. The meeting adjourned at 9:44 AM.

Simon Carr  
Recorder

River Road Timeline.

<b>Date</b>	<b>Event: brief summary. Further information in BOS minutes at Town Offices. Note that this does not summarize the discussions at the regular Selectboard meetings</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.
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.

August 27, 2011	Tropical Storm Irene has major impact on Vermont, but no impact on River Rd and limited impact in the rest of Lyme
September 1, 2011	Holden presents further alternatives to the Board. Tree cutting commences.
September 14, 2011	Holden presents options and costs to a town informational meeting. Comments and reaction from the public were noted and will be addressed by the Board.
September 22, 2011	Members of the public attend the regular Selectboard meeting to re-iterate their points from the informational meeting.
September 27, 2011	Mike Poirier and Lance Harbour from NH Department of Safety meet with Selectmen Charles Ragan and Simon Carr and Road Agent Fred Stearns to discuss possible emergency funding and suggest the possibility of FEMA mitigation funds. Initial information is given to the Board.
September 29, 2011	Holden produces an initial study using a shallower slope, which should reduce total costs to less than \$500,000. Work starts on modifying the existing easements to accommodate the additional land required.
September 30 and October 4, 2011	Simon Carr meets with the abutting landowners to discuss the revised layout, which they are both agreeable to.
October 6, 2011	The Board reviews the necessary steps to implement the revised layout. They authorize Holden to apply for the necessary DES permits and decide to invite bids for the work.
October 12, 2011	The Board sends out a town-wide mailing updating the present status of the road and their plans for proceeding on the replacement road.
October 13, 2011	Members of the public attend the regular Selectboard meeting to raise their concerns and also acknowledge the usefulness of the letter. The Board reviews Holden's proposals for the final construction documents, bid and permit application processes and agree to proceed with this.
October 21, 2011	Letter received from UVLT regarding the need to take the conservation land through the Eminent Domain law. Final construction documents received from Holden and distributed to interested bidders.
October 27, 2011	Board authorizes Town Counsel to proceed with the necessary steps to comply with the Eminent Domain law.
November 1, 2011	Board meets with Town Counsel, UVLT and Holden to confirm procedures for Eminent Domain and to agree the necessary land areas. Dredge and Fill permit applications are sent to DES.
November 3, 2011	The Board signs a further letter to be mailed town-wide, concerning progress.