

Town of Lyme  
Board of Selectmen  
Minutes for November 17, 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) and Dina Cutting (Administrative Assistant).
2. The following administrative matters were discussed and actions taken:
  - a. The minutes of the meeting of November 10<sup>th</sup> was approved as submitted.
  - b. A manifest to the value of \$331,143.73 was reviewed and signed. This included \$316,750 for the Capital Reserve and Expendable Trust Fund appropriations.
  - c. A Timber Tax warrant for \$8.50 was signed for Alfred Balch Map 415 Lot 30.
  - d. The use of the Perpetual Care CRF had been raised and it was confirmed that this could only be used for specific graves maintenance and not for general cemetery care.
  - e. Charles, Simon, Richard and Dina had all attended the Budget Committee meeting of Wednesday November 9<sup>th</sup>, when the Selectboard's proposals for CRF and expendable trust funds had been presented. There had been a suggestion from a member of the committee that the CRFs, which had been dropped in this proposal should be re-instated. The budget had been further discussed and an advisory vote on accepting this had been passed by a vote of 9-1.
  - f. Simon reported on the Planning Board meeting of November 10<sup>th</sup>. It had agreed that the initial stage of the Loch Lyme subdivision did show the possibility of a 5-lot conventional subdivision. The engineers now had to develop a conceptual design for a clustered subdivision.
  - g. Charles reported on the CIP committee meeting of November 15<sup>th</sup>. They had finalized the bulk of their work and were planning on preparing their report shortly. One aspect that they intended to try and address was the consolidation of CRFs in to a smaller amount and specifically were interested in combing the Bridge and Emergency Highway Repair funds. The Board discussed this and did raise the issue that, although both under the control of the Selectboard, one was an emergency fund and the other for regular planned repair.
  - h. The Fast Roads agreement for the fiber optic line was signed, together with the agreement for the use of a closet in the Town Offices.
  - i. The Board signed the LGC Health Trust renewal for 2012 and agreed that they would plan on reviewing the programs in depth next year.
  - j. The town holds a conservation easement on Map 401 Lot 42, which the owner is trying to re-mortgage. The mortgaging bank required the town to sign off on a right of first refusal for this property and, following confirmation from town counsel, the Board signed the necessary document.
  - k. The final audit had been received from Vachon Clukay. Copies had been given to the Board

members.

1. The Board signed the promulgation for the adoption of the revised Emergency Operations Plan.
  - m. Shaun reported on recent parking issues at the Lyme Inn. Given they planned other large event in the near future, they needed to be aware of the requirements to organize their parking satisfactorily. One of the future events planned for December 11<sup>th</sup>, which is the final day of the LCC Pageant. Simon is involved with the organization of this event and will talk with the promoters to ensure that there should be no conflict.
  - n. Charles reported on the process for providing a substitute tree for the holiday season this year. A replacement 'holiday' tree will be planted in the spring.
3. Road Issues:
- a. River Road:
    - i. HTE soil engineers had submitted an additional invoice for \$586.79 because they had been directly appointed by the town, rather than through Holden. The Board reluctantly agreed to pay 50% of this and agreed that, because of HTE's attitude in this matter, the town should not use them in the future.
    - ii. Simon reported that he and Bill Rossignol had met with Fairpoint and PSNH regarding relocation of the utility poles. A satisfactory line had been agreed.
    - iii. The budget in the Emergency Highway Repair fund had been exhausted and Dina was asked to look at other possible funds to cover this.
  - b. Old Dorchester Road: There are some access issues with lots in this area and Dina was authorized to talk with town counsel to explore possible resolution.
4. The meeting adjourned at 9:44 AM. There will be no Selectboard meeting next week: the next meeting will be December 1<sup>st</sup>.

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.
November 10, 2011	The Board signs the Written Disclosure notices to the landowner and easement holders, putting the Eminent Domain process in motion.
November 13, 2011	Holden meets with Fairpoint and PSNH regarding relocation of utility poles.