

Town of Lyme
Board of Selectmen
Minutes for January 19, 2012

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), Dina Cutting (Administrative Assistant), Patty Jenks (Town Clerk) and Bill Ackerley.
2. The following administrative matters were discussed and actions taken:
 - a. The minutes of the public and no-public sessions of January 12th were approved as submitted.
 - b. A manifest to the value of \$2,440.22 was reviewed and signed
 - c. The Board agreed that they would sign an Intent-to-Cut for Adam Bristol, Map 403 Lot 43 as soon as a certified bank check was received.
 - d. The Board reviewed and approved the grant application from the Fast Squad to the Lyme Foundation for \$3,560 of safety clothing and equipment.
 - e. The Board noted the Tax Collector return of the MS-61 to the State.
 - f. The Board signed an authority to Bank of America for Marlene Green as Trustee of the Trust Funds to be set up with on-line access.
 - g. The Board agreed to allow the lymecelebrates.org Internet domain name to lapse.
 - h. The Board signed a letter to James Moses thanking him for his recent service on the Highway Department.
 - i. Charles reported on the Energy Committee of Monday 16th, which a member of the Building Maintenance Committee had attended. There had been discussion about the extent of the Peregrine report and the Energy Committee had been unhappy with the comments made regarding this. The Board agreed that they would consider how to ensure a better working relationship between the committees once Town Meeting was over.
 - j. Simon reported on the Planning Board meeting of Thursday 12th. The draft master plan had been reviewed and, on completion of some edits, would be available for public review and hearings. The CIP committee report would be addressed soon. Some members of the Planning Board wished to hold meetings regarding the status of Route 10, especially south of the Common. Simon had advised them to wait until after the case currently before the ZBA had been resolved.
 - k. Simon, Charles and Dina reported on the Budget Committee meeting of Wednesday 18th. The School and Town budgets had both been approved but not until after there had been significant discussion about the distribution of library costs between town and school, including presentations by library trustees, staff and school staff. There had also been discussion on the possible funding of a new school extension.
 - l. The Board reviewed a set of draft procedures for the Selectboard and agreed that would

consider them for adoption next week after some minor editing. The draft agenda footnote explaining the basic conditions under which public meetings were held was approved and should be used on all future board and committee agendas.

- m. There was a discussion on the use of comp time and the fact that one employee had not used his, despite being given a greatly extended period in which to do so. The Board agreed that he should now be paid for this comp time. They authorized Charles to sign a letter on behalf of the Board, explaining this and reminding the employee that there was no overtime in the budget for him, nor did he have the authority to determine whether or not he could claim overtime. The Board also agreed that they would not consider any revision to the employment policy at this time.
 - n. The Board reviewed the proposed new CDW and recycling contract and agreed that they would consider alternative options. They agreed to consider these at their next meeting.
 - o. Dina reported that Pathways had requested a donation towards their operating costs. She was authorized to write saying that it was too late as the budget had now been voted on and also to remind them of their undertaking to give a donation to the town in lieu of taxes.
3. River Road:
- a. Dina reported on Jae's progress with the agreements with the landowners. It was expected that the regular agreement would be available by the beginning of February and could be signed as soon as Town Meeting votes. The eminent domain agreement was still waiting on the appraiser; as soon as his appraisal was available, it would go to UVLT. The timescale then depended on agreement with UVLT.
 - b. It was probable that contractors would be able to move equipment on to the site before the roads were posted, but that there would be no possibility of hauling through mud season.
 - c. The engineers, road agent and contractors were still reviewing the anticipated time scale for the work. It would not be possible to run a temporary road while the construction was under way.
 - d. Fairpoint would be ready to relocate poles as soon as authorized.
 - e. There was a discussion on the presentations to be given to both the warrant articles informational meeting and the road layout public hearing and these would be reviewed at the Board's next meeting.
4. The meeting adjourned at 10:06 AM.

Simon Carr
Recorder

River Road Timeline.

Date	Event: brief summary. Further information in BOS minutes at Town Offices. Note that this does not summarize the discussions at the regular Selectboard meetings
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.
December 2, 2011	Holden meet with the Selectboard, Road Agent and Derby Mountain Construction to consider possible options for the bank repair.
December 8, 2011	23 members of the public come in again to request the road be opened to single lane traffic. The Board asked a second engineer whether they would be prepared to advise.

December 29, 2011	6 members of the public came in with requests, questions and comments. The Board decided against undertaking a peer review of the geotech analysis
January 5, 2012	Road Agent and Derby Mountain Construction are still working on prices for alternative options. The Board accepts a petition to lay out a new portion of River Road inland of the damaged bank.
January 12, 2012	Road Agent and Derby Mountain Construction submit an alternative price for 1 to 1.5 slope. The Board agree that they should continue with the 1 to 3 slope originally priced.