

Town of Lyme
Board of Selectmen
Minutes for June 14, 2012

At 8:00 AM Simon opened the meeting. The following were present for part or all of the meeting: Simon Carr (chair), C. Jay Smith (member), Dina Cutting (Administrative Assistant), Shaun O'Keefe (Police Chief), Fred Stearns (Road Agent), Peter Holden, Bill Rossignol (Holden Engineering), Ryan Morse (L&M Construction).

1. Began with the pre-construction meeting:
 - a. Holden - person on sight to document (take pictures and keep a log) to ensure everything is done IAW the contract and the requirements of the Permits (Wetlands Permit/Shoreland Permit/Alteration of Terrain Permit). Discussed the requirements outlined in the Wetlands Permits. Holden will contact DES to arrange an onsite meeting for Monday or as soon as possible next week. Reminded Ryan of requirements for checking equipment for fuel/fluid leakage, etc.
 - b. Discussed the utility poles and electrical wires. Will contact Fairpoint about the new (higher) poles and an estimated install date so electrical wires can be raised to facilitate digging equipment.
 - c. Inspector will need updated schedule to plan his work. Needs to know /days hours planned. (currently planning to work 7:00 am – 5:00-6:00 pm and to work Saturdays) Ryan will provide an updated schedule/time line.
 - d. Holden requested using 12” versus 8” enviro grid. Ryan said he didn't have a problem with the larger grid as long as price remained about the same. Discussed the plantings and irrigation for the plants. Will use 2 pumps to keep plants irrigated. DES permit requires that 70% of the plants survive for at least 2 years. Discussed small bond for second year to cover plants. Must send a report to DES after 2 years stating number of plants that survived.
 - e. Discussed top soil in the new roadway. Ryan asked if the board would be open to a trade, gravel for top soil or if they could purchase top soil from the Town. BOS stated they would be open to working something out.
 - f. Discussed the stone. L&M would prefer to purchase the stone in Bradford. Need Holden to contact Ed Hanselik to come up and check the stone to see that it meets NRCS specifications. If Bradford is unacceptable will go with Twin State.
 - g. BOS will send a letter to the neighbors notifying them of the work hours and truck traffic on North Thetford Rd. Need to get with DOT about signs (Trucks Entering) for Route 10/N. Thetford Rd. intersection. Need clear signage/barriers at the Construction Site. “No Trespassing” “Hard Hat Area” “Pedestrians/Bicycles Keep Out”
 - h. Discussed requisitions for payment. Ryan stated when they were 50% or more complete he

would submit a detailed requisition for payment to Holden and again when the job was finished. Holden will review the requisitions and then pass to the Town.

- i. L&M will probably start moving some equipment in tomorrow and park on the old road.
 - j. Ryan Morse signed the contract for L&M Service Contractors LLC. BOS and L&M signed the DES Wetlands Permit.
 - k. Simon made it clear that Holden is in charge and that all questions should go directly to Holden. Fred and any highway personnel will be working for Ryan when on the River Road project. BOS has no authority in the matter. Any problems which need to be addressed by the Town will be brought to the BOS by Holden.
 - l. Discussed Engineering costs with Holden Engineering. Peter presented a letter and a detailed summary of the costs to date and an estimate of costs through the end of construction. Estimate was based on project lasting ten weeks and may be much less. Discussed having Geo-tech present. He will be contracted with Holden and cost will be not more than \$5K.
2. At 9:42 the following administrative matters were discussed and actions taken:
- a. Approved the minutes of June 7, 2012.
 - b. Voted to approve and sign the manifest in the amount of \$46,998.45.
 - c. Voted to award the bid for Goose Pond Road paving to Blacktop Inc. of West Lebanon in the amount of \$82,530.
 - d. Voted to award the bid for repair of the LCAB Steeple to Carter & Sons Construction of Wells River, VT. in the amount of \$3864.40.
 - e. Committee and Commission Reports:
 - i. There was an issue of the Conservation Commission submitting a request for payment on a contract which they had entered into. Town had no information available. When anyone other than a town employee is performing work for the Town it is required the Town Office have a copy of the contract, a copy of the certificate of insurance and a W-9.
 - f. Discussed Dead River contract for Fuel Oil and Propane. Dina had checked prices and they were still the cheapest. Voted to approve and signed the contract for a fixed price of \$3.159 for Oil and \$1.599 for Propane.
 - g. Department of Labor inspector came by and dropped off the report. We now have 30 days to fix all discrepancies. Shaun will call a meeting of the Safety Committee to get started.
 - h. There is a Budget Committee meeting on Monday at LCAB to discuss sub-committees. Simon will e-mail Judy with BOS concerns about the sub-committees.
 - i. Read a memo from Richard Jones regarding latest NHDOT plans and information on ongoing road counts information.

- j. There is new information regarding State and Federal money which may be available for broadband initiatives.
- k. Signed a letter to David Roby regarding the damage being caused to the Grafton Turnpike due to the beaver dam on his property causing flooding across the roadway.
- l. Shaun noted that the Edgell Bridge is covered with graffiti. He is also concerned with events which are being advertised to take place at Black Bear Farm at 1 Pinnacle Road. He has told them there is no parking in the boat landing, ball field, on Rte. 10 etc. The information is being passed to Dave Robbins.
- m. Motion by Simon, seconded by Jay and Board voted 2 - 0 to go into non-public session at 10:35 am under RSA 91-A:3 II(c) "Matters affecting reputation.
- n. At 10:57 am Board returned to Public Session having voted 2 – 0 to seal the minutes except that the minutes are available to all the selectmen.
- o. Dina noted that the beach will open for Father's day however the grass is still spotty. Will probably have to reseed in the fall.
- p. Simon noted he may not be available next week.
- q. The Meeting adjourned at 11:02 am.

/s/C. Jay Smith
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 3, 2011	On the advice of Ray Burton, the town asks Alan Hanscom, NH Road Engineer for advice on closing the road.
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 24, 2011	Alan Hanscom responds with suggestion for opening a single-track road. Does not give opinion on substrata conditions. Holden reviews suggestion and re-confirms their view that the road and substrata are not safe.
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. Board endeavors unsuccessfully 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. (TransCanada draw the Wilder dam to very low levels).
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	Bids from four contractors for the river bank stabilization are opened. They range from \$417,084 to \$766,935. The Board will use these bids in preparing for town meeting warrant articles. 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 higher price for 1 to 1.5 slope. The Board agree that they should continue with the 1 to 3 slope originally priced.
January 26, 2012	Greg Hanlon came in to question why an alternative engineer had refused to advise. The Board said that he should take that up with engineer; the town had had no hand in the engineer's decision. The proposed warrant articles were passed to the public. The Board laid out a possible timeframe should the main warrant article pass. 10 members of the public were also present.
February 9, 2012	Board holds a public hearing on site to lay out a new portion of road. They take comments and respond to questions regarding the new road layout. Subsequently the Board votes to lay out the new road, contingent on all necessary easements being obtained.
March 13, 2012	After receiving a commitment from NRCS for a 75% matching grant for the bank fix to River Road, Town Meeting passes a warrant article to relocate the road and repair the bank
March 14, 2012	DES issues the permit for the bank work.
March 28, 2012	Special Board meeting with Ed Hansilik (NRCS/USDA Representative) to discuss Grant for the costs of repairing the river bank.
April 5, 2012	UVLT has acquiesced in the taking of the land, subject to some revision of the costs.
April 5, 2012	Ed Hansalik – NRCS presents the Grant Proposal to the Board of Selectmen. Board accepted the Proposal pending Town Counsel review.
April 12, 2012	Following discussion with Town Counsel regarding NRCS proposal it is decided to reject all previous bids and advertise for new bids with additional language and specifications as set forth in the NRCS Grant proposal.
April 19, 2012	Sent signed contracts to NRCS for their signature. The advertisement was in the paper and have received several requests for bid packages.
May 3, 2012	Marselis signed the purchase agreement. Monadnock Archeological Consulting LLC has recommended a Phase 1b Archeological Investigation.
May 10, 2012	Bids are opened and announced. Monadnock Archeological Consulting LLC completed Phase 1b and found no artifacts in the construction zone.
May 15, 2012	Received the Alteration of Terrain Permit.

May 24, 2012	Notified by Northwoods Excavating Inc that they were withdrawing their bid. Signed a letter of intent with L&M Service Contractors LLC for the work on the riverbank.
June 14, 2012	L&M Svc. Contractors LLC signed the contract for the river bank stabilization work. Held the pre-construction meeting with L&M, Holden, BOS and Road Agent.