

TOWN OF LYME
Select Board Meeting
July 10th, 2014
Town Office Conference Room
Approved: July 17, 2014

The following were present for part or all of the meeting: Charles J. Smith (Chair), Susan J. MacKenzie (member), Patricia G. Jenks (member), Shaun O'Keefe (Police Chief) & Dina Cutting (Administrative Assistant),

1. Chair Smith called the meeting to order at 8:00AM.
2. The minutes of the July 3rd, 2014 meeting were approved by a motion from MacKenzie, seconded by Smith and voted unanimously in favor.
3. The minutes of the sealed non-public session were approved by a motion from MacKenzie, seconded by Jenks. Voted unanimously in favor.
4. Matters arising:
 - MacKenzie spoke to Peter Kulbacki and Mike Chase of the Town of Hanover concerning the route loaded trucks take through Lyme on the way to Hanover roads. They both stated they would do what they could to lighten the loads going over the Lyme Roads.
 - MacKenzie noted the building needed safety inspection prior to the next safety committee meeting. Cutting will send the forms.
 - MacKenzie noted she would like the Select Board to have better communication with the community. She suggested a coffee hour to invite community members to come and discuss issues. The board discussed the concern that more than one select board member present would make it a quorum. This would need to be warned as a meeting. It was the sense of the board to have one member attending this and MacKenzie will contact the local coffee establishments to investigate options.
 - Goose Pond Road Engineering Bids: Smith started the discussion by stating that the bidding process had been compromised and all the bids were null and void and the process had to be started all over again. Smith noted it was his understanding that Pathways was given different information than some of the other bidders. This is one of the reasons why their bid is so low. The Roads Committee had deemed Pathways bid as incomplete. Smith felt it was incomplete because of what Pathways was told. Smith had spoken to Rod Finley president of Pathways and Mr. Finley reported he was told by Sue MacKenzie, Fred Stearns, & James Jenks that he could leave out costs connected to borings and permitting. MacKenzie stated she had told every engineering company the same thing. It was noted the proposal should have been based on the RFP. Jenks questioned why this had gone so far and was now being questioned? Smith noted he called Mr. Finley because of the message in his cover letter referring to a sight visit. Smith read Pathways cover letter. MacKenzie noted that each and every engineer was given the same information. She had made every attempt to tell everyone the same thing. She asked all companies if it would be possible to do test pits instead of borings and the Town would supply the backhoe and manual labor. No other company adjusted the proposal for this possibility. Smith was concern that companies were taking thing differently.

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- ✓ At this time the Board suspended discussion in order to contact town counsel.

It was the opinion of the attorney that the town would not need to re-bid this project. His suggestion for the future was to make sure the Board has written documentation for this procedure and to keep accurate notes about meetings & site visits. It is an unfortunate misunderstanding but the board has the right to refuse any and all bids just as it has the right to take any bid. MacKenzie reiterated that the Roads Committee had recommended CLD for this project. In the interview with the Roads Committee CLD had been asked if they could lower the costs for this project. CLD made suggestions which might allow for reducing the costs by approximately \$8,000.00.

MacKenzie moved to offer CLD the contract for the engineering of the Goose Pond Road project. Seconded by Jenks.

Smith noted he felt the board should meet with CLD and discuss the option of cutting more money from this engineering project. CLD was the highest proposal. Jenks noted it was sensible to go with the proposal that included everything, and then the engineers will not be adding items as the project goes along. CLD's bid is inclusive of everything.

MacKenzie will contact CLD and have them submit a revised proposal to the Administrative Assistant. Then a meeting will be set up for CLD to come and meet with the board.

MacKenzie asked Jenks to have James Jenks write a note telling if he went on a walk for the Goose Pond Road project with Pathways and who was present.

The motion was voted unanimously in favor with Smith noting that this engineering was a bit much for Goose Pond Road in Lyme NH.

5. There were no public comments:
6. The board approved and signed a manifest for \$44,986.78.
7. Chief O'Keefe requested new signs be ordered for the beach area. The signage down there now does not reflect the Town Ordinance. O'Keefe and Cutting will do this.
8. Jenks noted Robbins had sent her an e-mail pertaining to a driveway Re: a complaint. Jenks was concerned that things were not being followed through with and how do you know if they are or not? Cutting noted everything gets recorded on the form in the Select Boards conference room. The board members can read at any time what is going on with a concern/complaint. Cutting did note that information needed to come back to the Administrative Assistant so it can be followed through with it.
9. MacKenzie moved to change the Fast Squad e-mail address to the Supervisors of the Checklist. Seconded by Jenks. Voted unanimously in favor.
10. Jenks has had a special request to not mow ferns on Gregory Lane during the road-side mowing. The board discussed that the mowing is a standardized process for safety and welfare reasons. Jenks will write a letter for board members to sign.
11. The Board requested Stearns communicate with the road side mowing company that the river banks should be cut at a 90 degree angle in order to not cut the vegetation that helps

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hold the River Road banks stable.

12. Committees & Commissions: No committee or Commission reports at this time.
13. Robinson's Conservation Easement: The board will need to wait for the Society for the Protection of New Hampshire Forests (SPNHF) to respond to the boundary line agreement from 1996. Once this is done the Board and Conservation Commission can meet to discuss options.
14. Jenks reviewed a draft for a new evaluation form. After a brief discussion, Smith will make changes and present a final format at the next meeting.
15. Mike Turner notified the highway roller should be in the following week. He will need the lease signed and the first check when delivery occurs.
16. Highway Department asked what the Cemetery shed will be used for in the future, once the mower and equipment is gone. The Highway Department could use this space to store equipment items. Cutting will check with the Cemetery Trustees at their next regular meeting.
17. The bidders from the Goose Pond Road paving project will be notified that the board voted no paving be done using the Block Grant funds at the July 3rd, 2014 Select Board meeting.
18. Ongoing Business:
 - Chief O'Keefe reviewed the police call list for 2014; this list is current through June 2014. There are a total of 1144 calls.
 - O'Keefe noted some road side signs; speed, caution etc. need to be replaced, most are old and not reflective any longer. It was noted at this time that the upcoming budget planning should include funding for these replacements.
 - The Board would like Stearns to call various towns and gather information as to what they are doing differently concerning paving to make roads last longer.
 - The Board has not heard from Pathways or L&M concerning the Fisher Bridge repair permits.
 - MacKenzie noted that something active is going on at the Hewes Brook Bridge. The patches done are shifting.
19. Margaret Caudill-Slosberg has requested a board member be re-appointed to the Emergency Management team. MacKenzie volunteered. Jenks moved to appoint Mackenzie as the contact person to this group. Seconded by Smith. Voted unanimously in favor.
20. At 10:05AM Smith moved to enter non-public session under authority of RSA 91-A: 3 II (e) "Legal Matters". Seconded by MacKenzie and voted unanimously by a roll call vote. Present for the non-public session were, Smith, MacKenzie, Jenks, & Cutting. The Board will request additional information from the attorney pertaining to this legal matter.
At 10:30AM the board returned to public session.
21. The Select Board reviewed some road issues. It was the sense of the board that they need to be more proactive in making things happen and supporting the Road Agent.
22. Cutting noted the daily slips the Road Crew has been doing at MacKenzie's request are in

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the office. She is actively putting them in a format to make the information more user-friendly. The forms will be available in the Select Board conference room for review.

23. At 10:32AM Smith moved to enter non-public session under authority of RSA 91-A: 3 II (a) "Personnel Matters" Seconded by MacKenzie and voted unanimously by a roll call vote. Present for the first part of this non-public session were, Smith, MacKenzie, Jenks. Cutting joined this non-public session at 11:04.

24. At 11:17AM the board returned to public session having voted to seal these minutes.

25. There being no further business at 11:17AM Smith moved to adjourn. Seconded by Jenks. Voted unanimously in favor.

Respectfully Submitted,

Dina Cutting