

TOWN OF LYME
Select Board Meeting
February 26th, 2015
Town Office Conference Room
Approved: March 5th, 2015

The following were present for part or all or parts of this Select Board meeting:

Charles J. Smith (Chair), Susan J. MacKenzie (member), and Patricia G. Jenks (member), Dina Cutting (Administrative Assistant), Kevin Peterson (Town Moderator) Community member, Dave Celone.

1. Chair Smith opened the meeting at 8:03AM.
2. Kevin Peterson and the Select Board reviewed the warrant for Town Meeting. It was noted that anyone wishing to have a display at town meeting should contact Kevin prior to Town Meeting. The announcement for the beginning of Town Meeting was reviewed. The opt-in for town reports was discussed. The ultimate goal was to save funds for the Town and, with recycling in mind, not end up with 100's of Town Reports in the paper recycling bin after Town Meeting. The result of last year's forms was that 87 people signed up for the on-line version and 31 will pick up their report at Town Offices. Cutting will clarify what this year's message will be. Little Town Meeting will be Tuesday March 3, 2015 at 7:00PM. No early set up time required as the school takes care of this. MacKenzie will check to make sure the school is all set. Town Meeting set up will be Monday March 9th, 2015 at 5:00PM. The plan is to have the Town Report delivered to the post office and available in the Town Office for Friday February 27th, 2015. Mr. Peterson left the meeting.
3. MacKenzie moved to approve the minutes of February 19, 2015. Seconded by Jenks. Voted unanimously in favor.
4. Matters arising:
 - Compactor repairs were done on Monday. The Highway crew did a significant amount of this repair work. This enabled the town to save money on the repair costs. The Board would like to thank the Highway Department for all their hard work on the project. A letter will be shared with them and placed in each employee's personnel file. The Compactor is up and running.
 - Jenks noted the snow banks at the Route 10 end of Goose Pond Road are dangerously high. This will be reported to Stearns. The Board was not sure if this is Town or State responsibility.
 - Highway Department budget: The board reviewed financials for the months of January and February over the past 5 years. For January and February of 2015 the snow storm activities have been higher than average. At this rate the budgeted amount will not sustain the amount requested for 2015. The Board is concerned the winter highway budget will be depleted prior to December 31, 2015. This means funding will need to be found elsewhere in the operating budget. Given the Board has been making the past years budgets as fiscally responsible as possible, there is no wiggle room. With this in mind Smith moved to increase the Highway Winter Operating Budget by \$20,000. Seconded by Mackenzie. The Board discussed how this money would be earmarked for the winter portion of the highway budget only. This is an unforeseen problem. There is no way of knowing that the town would have this kind of winter weather when the 2015 budget was proposed. This motion was voted unanimously in favor.
 - The board reviewed the status of the survey. MacKenzie moved to send this survey out as soon as possible. Seconded by Jenks. Voted unanimously in favor. Copies will be available at Town Meeting, put on the Town web site and inserted into the Town Report prior to mailing.
5. No Public comments at this time.
6. Manifests in the amount of \$45,475.65 and \$370.00 (Overseer of Welfare) were reviewed and approved.
7. Abutter's notices and legal notices for Aquatic Control Technology for the Milfoil treatment at Post Pond were noted.

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8. Current Use application for Kris & Joanne Balch was reviewed and signed.
9. Veteran's Credit application for John Griesemer was reviewed and signed.
10. A Veteran's permanent disability exemption was approved
11. The board briefly discussed the need to fill out various questionnaires for the census. No decision was made.
12. Dave Celone: Mr. Celone joined the meeting at 10:00 am as scheduled. He came in to review the "art on the common" project. He asked if we had seen the revised copy he e-mailed. Smith stated he had printed copies and the Board had approved the new language, He noted that as the person in charge of this project the Mr. Celone would also need to sign a release. Mr. Celone noted he had met with Mr. Valence, Principal of the school and they have nine students participating in this project. Mr. Celone explained what the frames will be and how best to promote advertising – if at all. The board and Mr. Celone agreed there would be no commercial business advertising as part of the framed artwork that is displayed. The only name on the art will be that of the artist's. Per advise by Town Counsel, Mr. Celone will have all artist's sign the agreed upon release. Mr. Valence may sign for the school artists. The amount of time this is on the Common is up to Mr. Celone. The Select Board does not have any schedule in mind for this.

Mr. Celone then turned the discussion to address a letter he had received from the board concerning, in part, plowing on the common. He was confused as to why the letter had been directed to him and wanted to know what this has to do with the skating rink. He felt the tone of the letter was threatening, bullying and an inappropriate use of the Board's responsibilities. Mr. Celone reiterated many times how he felt about the letter and that he considered it a problem. He indicated it has been one year since he received another directive from the Police Department concerning hazardous parking around the Common when people used the skating rink. Smith tried to explain the reason Mr. Celone had been sent this letter was because he appeared to be the only contact person for the rink and winter activities on the Common. He'd attended several meetings by himself to discuss the events, had personally advertised on local listserv about events having to do with the Common and from all appearances, aside from someone else's signature on the Common Permit, he was the primary contact. The Board had no knowledge of anyone else taking the initiative on this. In addition, the established Common Use permit, required to be filed 30 days in advance of any event had not been received in a timely fashion. The importance of timely filing is so that the Police Department has appropriate time to create work schedules to accommodate the event and so the Select Board Office has adequate knowledge of the Common use to prevent potential conflicts with scheduled events.

Mr. Celone continued to verbalize his feelings of not being satisfied with how this Select Board was responding to his question and the handling of Common Use permits and policies. He was concerned because his name is now associated with this strongly worded letter over a situation he had no knowledge of. He stated he did not know who was responsible for plowing a portion of the Common and should not be held accountable. He also indicated repeatedly that each member of this Select Board should reflect on their actions regarding the manner in which this issue has been handled and consider if they are the appropriate person to hold such important position in the community. MacKenzie noted the board has heard what he has said, understands he is entitled to his opinions and would like to know where he feels this issue should go from here. Mr. Celone stated he was still as confused about this letter as he was when he first asked the question. Jenks asked if a retraction letter would be helpful. He replied that while he appreciated the offer, he didn't feel that addressed the root of the problem. He stated he feels this Board should change the direction they appear to be headed and move forward with more community oriented things, being less heavy handed and adversarial. He stated this is not the way democracy works. At 11:30AM

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Smith indicated the Board had other matters to tend to and needed to end this appointment. Mr. Celone thanked the board for the work they do and stated he would like to see the board try to work this out. He requested to be added to next weeks agenda. MacKenzie asked to what purpose? Perhaps after Town Meeting would be a better time to continue the discussion about the Common Use Permitting process and protocol.

13. Committee & Commissions:

- Recreation Commission: The Commission approved the use of the beach area including snow blowing areas for a tent and food for a fund-raiser to be held on March 7th. As this function is now to be held partially on town property the organizers will need to secure liability insurance in order to continue with this event. The Commission will review the policies in order to help clarify areas of concern.
- Heritage Commission: Anxiously waiting for information concerning the asset fund. They have a mailing ready to go to let people know they are ready to help in anyway with information concerning historic homes. The Inventory Booklet is in its final stages of being completed. It will not be ready for Town Meeting as was hoped.

14. Ongoing matters:

- Independence Day charge will be done as soon as possible.
- Several items regarding Town meeting preparations were quickly discussed to make sure everything is being dealt with.
- Information on updating the town web site was discussed.
- River Road slump and other problem areas on River Road were discussed. The possibility of having to close River Road is a reality but unacceptable.

15. At 11:50AM Smith moved to enter non-public session under authority of RSA 91-A: 3 II (c). "Reputation" Seconded by MacKenzie and voted unanimously by a roll call vote.

Present for the non-public session were, Smith, MacKenzie, Jenks & Cutting.

Cutting reported on a possible controversial issue involving a tax payer.

16. At 11:54AM the Board returned to public session having made no decisions.

17. David Celone rejoined the meeting. He is interested in learning how the Town feels about the use of the Common and suggested that he would bring the matter forward at Town Meeting to gain a "sense of the meeting" vote. He was encouraged to have a discussion with Moderator Kevin Peterson regarding this type of procedure

18. There being no further business Jenks moved to adjourn at 11:55AM. Seconded by Smith. Voted unanimously in favor.

Respectfully Submitted,

Dina Cutting