

TOWN OF LYME
Select Board Meeting
October 22, 2015
Town Office Conference Room
Approved: October 29, 2015

The following were present for part or all of the meeting: Susan J. MacKenzie (Chair), Patricia Jenks (member), Charles J. Smith (member), Steven Williams & Scott Bailey (Highway Department), Chief O'Keefe (Police) and Dina Cutting (Administrative Assistant), David Robbins-P & Z Admin, Arend Tensen (Community member)

1. Chair MacKenzie opened the meeting at 8:00AM
2. Highway: The board reviewed the following items-
 - Whose decision is it as to what goes into the minutes?- The Select Board.
 - Williams noted at the previous meeting the highway department had discussed finding ways to use less salt.
 - Bailey and Williams reviewed the Salt Symposium they had attended.
 - One of the employees will attend the Green Sno Pro course to become "green certified."
 - Building contractor Chip O'Dell needs to dig under Claflin Lane, a town road, for a residential project. An agreement needs to be signed by the Select Board.
 - The Board is working on getting the new employees hired. A starting date will be communicated as soon as they know it.
 - The site of a damaged culvert on Baker Hill causing a hole in the pavement was repaired with cold-patch.
 - Problems Williams noted with the Goose Pond Road construction project have been addressed.
 - The Board thanked the Highway employees for coming. They will now be attending each Select Board meeting rather than having separate Monday morning meetings.
3. Arend Tensen was recognized by the Chair. His interest was the River Road closure and he gave the Board his legal interpretation of RSA 231:91 which is different from Town Counsels interpretation given at the Public meeting October 20th. It also differs from additional advice received from Attorneys in Mr. Whitley's office since then. While Mr. Tensen's opinion is appreciated, in view of the evidence presented to the Board by the engineers and advice of Town Counsel and the Boards own observations, the Board feels the best option to protect the traveling public is to keep the road closed. Mr. Tensen informed the board that he will be purchasing the property involved in the possible fix for the River Road in the spring. He would appreciate being kept in the loop. After a brief discussion Mr. Tensen thanked the board for their time.
4. Jenks moved to accept the minutes of October 15th, 2015 meeting. Seconded by MacKenzie. Corrections were offered and made. The board voted unanimously in favor.
5. Matters arising:
 - The board discussed the bids from the previous board meeting for the Mowing contract. Various topics were discussed. Smith reported on the reference checks. After a brief discussion and in view of the excellent job Lyme Lawncare LLC has done and the extra work performed over the last 3 years the sense of the board was to accept the bid from Lyme Lawncare LLC for the 2016 mowing season. Smith moved to offer the contract for the 2016 mowing season to Lyme Lawncare LLC, seconded by Jenks. Voted unanimously in favor.

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6. New Business:

- The school has asked MacKenzie if they can put stone on the little common where the parking area is. This has been discussed a number of times. Creating a defined parking area changes the use of this common and in order to do this legally it will take a vote at Town Meeting. A defined parking area may not be created at this time.
- Jenks reported Roy Duddy from Eversource stopped by the office to follow up on tree maintenance progress. There are a few trees that have been trimmed as requested but haven't been cleaned up yet. He is aware of this and will make sure the projects are completed. Following up on an email from Jenks concerning leaning power poles on River Road, he confirmed they belong to Fairpoint, agreed they need attention and advised that Fairpoint be contacted. Jenks will get contact information from Cutting if she has it, and notify them.
- River Road Slump: It was noted the Town needs the engineers to work on this fast. Mr. Roby will need to be informed and included in these discussion. MacKenzie will ask Mr. Roby if the Town can do the testing as described in the last report and for the proposed alternate route. This would be the most cost effective and efficient way to handle this as the engineers would already be at the location.
- Shoestrap Road is a Class VI road. Under no circumstances will the Select Board encourage or condone community members to use this road. The Board feels communication should be better concerning this project. Jenks will work on a notice to go out on Listserve about the dangers of Shoestrap road. Smith will work on a letter to be sent to community member to bring all up to speed concerning the River Road Slump.

7. The board approved a Land Use Change Tax for Torti.

8. A request to use the common for parking for the Christmas Pageant was reviewed and discussed. It was noted there is no parking on the Common so this request is not needed. O'Keefe will communicate this to the applicant and have a discussion with the members of Lyme Congregational Church who fill out the request forms. The groups using the church should secure alternate parking for their functions.

9. Tree lighting on the Common- This event has been previously approved; there will not be parking on the common for this function.

10. Public Comment: none at this time

11. Payroll manifest was reviewed

12. Committee & Commissions:

- Coffee hour: 2016 Independence Day preparation was discussed. A culvert at the base of the Lehmann/Couture driveway on Grafton Turnpike is a concern. The highway department will be asked to investigate.

13. Ongoing:

- Hewes Brook Bridge: MacKenzie reported the Town will not have enough funds to fix this bridge to meet the 100 year flood. This will deplete the fund and the

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Town still has 2 more bridges to fix. This is being discussed amongst DES, CLD and MacKenzie.

- Tuesday evening's public meeting concerning River Road Slump was reviewed and discussed. In an attempt to keep all informed the board will be reaching out to residents along that section of River Road to see who will need phone and or USPS mailing for any new information concerning this project.
 - Orcutt mowing: Mackenzie received a message from the contractor explaining the delay in starting the mowing and that he expected to start within the next couple of weeks. It was the sense of the board that there would be no advantage to doing the mowing this late in the season. Frosts have already started the die-back of the foliage, creating better visibility. Smith moved to not do roadside mowing this year because of the late date. Seconded by Jenks. Voted unanimously in favor. MacKenzie will notify Mr. Orcutt.
14. At 10:00AM Robbins came in to the meeting to discuss a letter of complaint he received from an abutter regarding a driveway that is supposed to service the Rich residence. Robbins reviewed the original building requirements concerning the need for this driveway. The complaint is that the new driveway is not used and Old Dorchester Road, which is a discontinued road, is being used as a driveway. Further, it appears the required driveway access was cut in and not finished. After a lengthy discussion Robbins will inform Rich he will need to fix this driveway. The letter also listed concerns of Rich operating his business from this location, which appears to be in violation of the building permit. The board recognized several contradictory issues with the entire situation, which will be investigated. In the meantime Robbins will send a letter to Mr. Rich advising him of the complaints and what his obligation is to address them.
- Robbins reported he is waiting for the web design group to notify him with an update on the new design.
 - River Road property-A new house will be constructed on the River Road property owned by Tug Boat LLC and they are asking permission to leave the old home in place while the new one is being built. Robbins requested the Board sign an agreement which holds funds in escrow (equal to the cost of removing the old house) until the old house is removed. The board signed this agreement.
 - Robbins will be coming to the Select Board meeting the first Thursday of each month.
15. A cemetery application was signed
16. Smith discussed the Town of Lyme Select Board Policies and Procedures and that they must be followed. All items are supposed to be handled via the Administrative Assistant. Circumventing this arrangement is causing significant and potentially problematic issues for town affairs. There are things being done without proper coordination. While intentions may be good, necessary procedures have been by-passed or ignored and some of these have been contrary to NH law and Town procedures. The Administrative Assistant is tasked with guiding Department Heads through these procedures, ensuring they are within the budget and keeping the Board Chair or the Select Board informed on what is going on. The board recognizes there are currently circumstances out of the norm, and perhaps now would be a good time for a memo to be sent to all departments to remind about protocol and appropriate procedure.
17. At 11:00 the board moved to enter non-public session in accordance with RSA 91-A: 3 II (c). "Personnel". Present for the non-public session was MacKenzie, Jenks, Smith and Cutting. The board discussed hiring of personnel.
At 11:23AM the board entered public session having voted make an offer to one of the applicants for the Support Staff position in the Select Board office. .

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

Respectfully Submitted
Dina Cutting