

TOWN OF LYME  
Select Board Meeting  
January 7, 2016  
Town Office conference Room  
Approved: January 21, 2016

The following people were present for part or all of the meeting: Susan MacKenzie (Chair), C. Jay Smith (Member), Patty Jenks, (Member), Steve Williams, Highway Dept., Scott Bailey, Highway Dept., Greg Jenks, Highway Dept., Matt Thebodo, Highway Dept., David Robbins, Planning & Zoning, Shaun O'Keefe, Police Chief, Dina Cutting, Administrative Assistant.

1) 8:03 MacKenzie opened the meeting.

2) Williams requested a non-public session to discuss a personnel issue.

At 8:04AM MacKenzie moved to enter non-public session in accordance with RSA 91A: 3 II (a) for the purpose of discussing a personnel matter. Seconded by Jenks. Voted unanimously by a roll call vote. Present for this non-public was Sue MacKenzie, Patricia Jenks, Jay Smith, Dina Cutting, Steve Williams, Greg Jenks, Matt Thebodo & Scott Bailey.

The board discussed personnel matters.

At 8:07AM MacKenzie moved to enter public session. Seconded by Jenks. Voted unanimously in favor.

Highway department: The following topics were discussed:

- 2016 Capital Reserve budget-New Highway truck is in the warrant article. The board and highway department discussed the pros and cons of having this truck as in the future the Town may or may not contract out the plowing. The Highway Department is interested in a brine machine. After a lengthy discussion concerning the magnesium lease contract and the brine machine costs it was the sense of the meeting to gather information on the cost of the brine machine and have this in the warrant in place of the magnesium contract. In order to get this in the warrant the board asked Williams to gather this information within the next 3 days.
- Williams noted Wayne Bates had retired from his janitorial position at the Highway Garage and wondered if the Board would be replacing him. The board will discuss this later.
- Williams stated he had discussed the possibility of the Town of Hanover helping with the temporary plowing on River Road with Mike Chase and the route is not feasible for Hanover to do.
- MacKenzie noted she wanted to sit down and go over the plow route to make sure the routes are as efficient a job as possible.
- Chipper: What was supposed to be an assessment for work needed and the costs involved, turned into actual work performed; initiated in 2015. Therefore this should be a 2015 invoice. Williams will communicate this to the company doing the work.
- Greg's Truck: ERG valves needed replacement. This will be costly. This is a 2015 invoice also.
- Highways Garage: Williams reported that trees have been cut in the rear near the salt shed, and this area could in the future be used for storage with a pole barn located by salt shed. Jenks reported that neighbors are concerned the rear of the sand pile is encroaching on the boundary line over the bank. Williams stated that he hadn't been to look, but that he didn't think it was. The Highway employees will create a public sand pile out by the gate for community members to use according to the policies.
- Roller: The pros and cons of changing to a smaller roller models 145 vs. 177 were discussed and considered. It was the sense of the highway department and the Select Board at this time to stay with the present roller being leased.
- Roads Posted: It was the sense of the Board to keep the roads posted for the time

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- being.
- CDL: Congratulations to Matt Thebodo for passing the air brake test. He is all set with his requirements for the Town per CDL licensing.
- 3) Smith moved to approve the 12/17/15 minutes; Jenks seconded, and the minutes were unanimously accepted by all.
- 4) Jenks moved to have the 12/30/15 minutes approved, Smith seconded, and the minutes were unanimously accepted by all.
- 5) Matters Arising:
- Cleaning Highway Dept.: Cutting noted most departments have people come in and clean for them. It has been budgeted for 2016. The Board was in favor of this as long as it is within budget.
  - Brine Machine: The Board is supportive of considering the brine machine. MacKenzie moved to consider the brine machine instead of the magnesium chloride equipment lease. Seconded by Jenks, and unanimously accepted by all.
  - Memo to Dept. Heads: Cutting presented a memo to be sent to Dept. Heads regarding bills and payroll as a yearly reminder.
  - Memo for Transfer Station: MacKenzie will deliver a memo on the new Transfer Station inventory delivery schedule. Deliveries will be made on Monday only. They need to watch their inventory, and call in advance rather than at the last minute.
  - Wilder Dam: MacKenzie reviewed O. Ross McIntyre letter. Concerns that the Wilder Dam will be permitted without proper data on hydrology. The Town needs to consider hiring an expert to interpret and give an opinion on the test results. MacKenzie will reach out for an estimate of these costs in order to ask Lyme Foundation to fund a grant. This will be fact finding, the Town needs to have information from a qualified expert concerning erosion and FERC issues. Erosion studies we will be released march 1st, and will have two weeks to respond.  
MacKenzie moved that we proceed with a Grant request to the Lyme Foundation for a qualified hydrologist and an attorney regarding TransCanada, seconded by Jenks, and unanimously approved.
  - Select Board Policies: Proper procedures regarding public communications and right to know were reviewed.
  - Manifest: A manifest in the amount of \$41,337.92 for 2016 was reviewed and signed.
  - Patridge Barn Easement: An appointment was set for Wednesday, January 27 at 4 PM to view the changes made to this barn. MacKenzie will take a picture to be sent to the State Historical group. They have offered to help the board determine if these changes can be considered maintenance and within the constraints of the historical preservation easement on this barn.
  - Overseer of Public Welfare: There is no provision in the RSA's for a backup or deputy coverage for this elected position. Cutting suggested the Board appoint an assistant. It was noted the Select Board will be the backup until a permanent person is found. This position should include pay. The board will ask the current Overseer for a recommendation for this position.
  - Household Hazardous Waste: Contract signed.
  - Expanded Parking Area: Upon research, it was noted that the Ordinance changes were done appropriately. However, there appears to be a distinct miscommunication between the officials who worked together during the expansion. Cutting stated that according to the Town Attorney noted the state owns the property. The state should install signage then

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the local police are to enforce. Because the directive from the State to have the town place the signs wasn't documented, the town needs to have a Memorandum of Understanding with the State that spells out who is responsible for what as far as signage & maintenance. The Attorney confirmed the Park & Ride parking area is for commuter parking and not for tenants. Cutting recommends contacting the State, they can install regulation signage. Cutting will contact Doug King to get a Memorandum of Understanding finalized to clarify the issue.

6) Administrative Matters:

- Appointments for the following were signed:  
Library Trustee: David Allen  
Police Sergeant: Anthony Swett

7) 10:00 AM Dave Robbins Planning & Zoning Administrator

- Transfer Station new hours: An advisory was forwarded to Robbins for posting on the website, however it's not showing. David Robbins hasn't received anything by email regarding hours change. Both Jenks & Robbins will follow up.
- Website: The new web site should be up and running by Feb. MacKenzie suggested that there be an announcement at the next meeting about the coming change so people are aware. MacKenzie would like to have all general postings to the website also go out on the Listserv. Robbins agreed, but wants to ask ListServe management if this is agreeable to them.
- Zoning Board:
  - Robbins reviewed his work load. He's still working on the Pinnacle Project, there's a large amount of information to get out. 20% of time David's time has been taken up by this project.
  - Old Dorchester Road: Robbins stated that the town needs something in writing from the property owner in question or his Attorney, saying he has a right to pass over the property. With that, the Board can consider this issue. Tyler Rich has noted he plans on attending the February 18, 2016 Zoning Board meeting. In the meantime, Mr. Rich is acting on the letter sent by the Select board.
  - Petition Warrant Article: Robbins noted the petitioner notified him they would be withdrawing this proposed Warrant Article. Robbins will notify Cutting as soon as they present the signatures to remove from warrant.
  - Easement/Current Use/things in files: Robbins stated that residents cannot be denied a permit because of an Easement and/or Current Use. He now has a trigger in his software that will notify him if the property has a restrictive easement so he can consider that in the approval of permit.
  - MacKenzie noted she felt Robbins should be checking the relevant map and lot folders prior to approving any permits. The map and lot files have historical information for each property. Robbins stated that he refuses to notify property owners of historical houses. The Heritage Commissions request is too far after the fact, and they have harassed residents. Robbins feels this is intrusive by the Commission to contact the property owner. He strongly objects to being the point person for this.
  - DHMC New Sign: Robbins has reviewed the lighting with the clinic administration, and they will be shutting it off 1 hour after closing.

8) At this time MacKenzie notified the board of Road Agent Fred Stearns retirement notification, effective January 26, 2016; making it 40 years of employment with the Town of Lyme.

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Jenks moved to accept the resignation of Fred Stearns with regret, understanding and sincere appreciation to him for his many years of dedicated service. Seconded by MacKenzie, and accepted regretfully and unanimously by all.

Commissions & Committee:

- Coffee Hour Topics: Smith reported: Transfer Station Hours, Post Pond Water height, New Website; DHMH clinic sign question.
  - Conservation Committee: Smith reported that Mr. Furstenburg does not want to move forward with the proposed change in an easement as the CC requested. Concern was noted about why the Town was asked to investigate this issue prior to the property owner being asked. The Town has invested funds in legal advice and now it is a mute point.
  - Roads Committee:
    - MacKenzie recommends CLD develops proposals for both moving the road and the alternate route at the same time to save money, current quote is \$9,600 plus \$150 in expenses.
    - MacKenzie moved to recommend CLD Engineer develop proposals for both River Road alternatives. 1) Moving River Road slightly to the East, 2) the alternate route, and combining services. These proposals will cost \$9,600 plus \$250.00 in misc. expenses each. Jenks seconded, and was unanimously approved by all.
    - Pathways: MacKenzie spoke about the south end of River Road. She feels the Town should be looking to just save the bank (stabilize it for now), then fix when the road project is done. There was some question as to how far along the plans are for River Road South. MacKenzie will clarify this question.
    - Warrant Article: Because the Road agent position has 1 year left, there will need to be an additional elected official added to the Warrant. This will be for 1 year only. After a brief discussion it was the sense of the board to place a warrant article to request the town allow the Road Agent position be an appointed position beginning in 2017.
- 9) Milfoil permit application: Smith moved to have MacKenzie sign permit application. Seconded by Jenks, and approved unanimously by all.
- 10) Smith moved to accept the aquatic contract for treatment of the milfoil in Post Pond. . Seconded by Jenks, and approved unanimously by all. At this time Cutting notified the board that the Milfoil fund as of 12/31/2015 has \$21,850.00 in it. This non-lapsing fund was to be used for this purpose. The sense of the board was to use these funds for the 2016 Milfoil treatment. 2016 treatment will be \$22,385.00 at the most, with a grant from DES. Thus no warrant article will be needed for the milfoil treatment in 2016.
- 11) Goose Pond Rd.: The board agreed to change the site visit date at the owner's request. New date: Saturday February 6<sup>th</sup>, 2016 @ 10:00AM starting at the Goose Pond Road property then moving on to Dorchester Road property.
- 12) At 11:50AM MacKenzie moved to enter non-public session in accordance with RSA 91A: 3 II (a) for the purpose of discussing a personnel matter. Seconded by Jenks. Voted unanimously by a roll call vote. Present for this non-public was Sue MacKenzie, Patricia Jenks, Jay Smith, and Dina Cutting.  
The board discussed personnel matters.  
12:17 PM Meeting was returned to public.
- 13) The board will meet with the Highway Department on Monday @ 8:30AM at the Highway Garage to inform the department of Fred Stearns retirement. There will be further discussion concerning what to do next.

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- 14) The Highway foreman job will be advertised in the coming weeks.
- 15) The board requested William LaBombard and David Robbins set up an appointment to come to the next Select Board meeting. Cutting to set up these appointments.
- 16) At 12:20, with there being no further business, MacKenzie moved to adjourn the meeting. Seconded by Jenks and voted unanimously accepted by all.

Respectfully Submitted,

Terri Hay