

**LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
April 21, 2010**

I. CALL TO ORDER

Chairman Brown called this meeting to order at 6:30 p.m. on Wednesday April 21, 2010, in the large meeting room in Citizens' Hall.

Those persons present were as follows:

Members

Present: Steve Brown, Arnie Byam & Donnie Sawin

Public

Present: Jessie Salisbury

Staff

Present: TA Jim Bingham, RA Perry

Media

Present: **Nick Martin**

Recorder: Kate Thorndike

I. Agenda Items

6:35 Meeting updates:

Planning Board

6:45 Appointment – Guy Scaife, Town Administrator, Milford

Lorraine Carson, town land researcher

7:30 Citizens' Open Forum

Report from War Monuments comm.

7:45 Appointment – Todd Haywood, Assessor

8:00 Town Administrator Report:

Bid for culvert installation

Bid for repair of roof trim and soffits, roof replacement at entrance

Road Agent Report

8:15 Old Business:

Review Action Item list –progress update

8:30 Non –public RSA 91-A:3 II (c) request of NE Forest Products, Inc.

8:45 Non –public RSA 91-A:3 II (c) resident request

8:55 New Business:

Policies needed for OIC position

Records Retention Committee

9:15 Review & signing of warrants and documents

II. Adjournment 9:30

JS: Thanks to Clayton Brown the town pound has a new gate

Meeting Update:

Planning Board: AB: We had a brief meeting. I asked them to go back and check rules and regulations. I believe that will start happening at the next work session. There was some conversation on WF Housing. I told them the BOS was going to be looking at it on our side.

TA Report: JB:

-Table the bid for culvert. Kent is getting some more quotes

-Room trim and soffit repair quote. Given the price of the work I will be putting the roof repair job out to quote. Please go through the bid specs for review and get back to me with any changes. **ACTION...**the board will review and discuss at next week's meeting.

Meetinghouse is recommending Rory Brennan of Preservation Plastering, Ltd. to do the plaster repair due to his experience with historical preservation work. The estimate is higher than the insurance reimbursement because the adjuster looked at it as if it was a sheet rock job.

DS: What about sending the claim back to the insurance company for another look. You are supposed to replace with like materials and if that is more expensive it should be covered.

SB: It is approximately \$3,000 more than anticipated. Let's see if we can get the insurance adjuster to look at it again and get closer to what it is going to cost.

JB: ACTION...I will go back to the insurance company and also see whether we can get in any other quotes.

JB: Also, we did get a credit of \$1,250 on the ambulance bill for the MACC base.

KP: There are lines/signs on Winn and Johnson corner. There is a culvert purchase form to sign. There are 8 culverts to replace from Center to Salisbury. Dig safe is coming. **JB:**

Kent needs Board approval on that bid. There has been a bout of sickness on the crew. **AB:** what are you going to do on Mtn. road where we have lost a bunch of pavement? I'm not going to do anything this summer. **AB:** I'm worried that it is a bus route. **KP:** We'll get it.

Selectman Byam moved that the Board approve the purchase of culverts from Waterworks Supply Corporation for \$3197.00. **Selectman Sawin** seconded the motion, so moved.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and
Selectman Brown declared the motion to have carried
unanimously (3-0).

Appointment: Guy Scaife and Lorraine Carson:

GS: There appears to be a discrepancy on the boundary markings that needs to be corrected. Lorraine brought this to my attention early last year. We have a current problem but also future problems. I hate to spend the money but we have an obligation. **SB:** Do we know where the monument is? **LC:** we know where it is in the land but not where it belongs. I think it is about 123 feet off where it should be. We believe the land on paper is correct but not on the land. There are two plans in full size for your Board.

There was a lengthy conversation on the specifics of the boundary discrepancy.

GS: Statutorily we have an obligation to address these discrepancies. Whatever the outcome is what it is whether there is little consequence or large consequence. We have an obligation to get it right and the property owners have the right to know where their land is. You would have to change all the property owner's deeds.

AB: Moving the monument in the ball field is probably more of a hassle where there is irrigation and the monument is buried underground.

LC: Yes, the problem is if any property were to be surveyed or sold then there is an issue.

LC: \$5700 to survey but depends on what they find. It could be less than that. We got two quotes: from Sanford and Meridian.

SB: I understand both sides; not spending the money but these Boards are responsible for the boundaries. **LC:** Milford's bounds were put in around 1840. I would be happy to take you out to where the monument is on the ground.

GS: Status update in a couple of weeks would be very much appreciated. Thank you.

SB: Let's think about it and take a field trip. Put it on the May 5th agenda. **ACTION...TA Bingham** will send Guy Scaife an email.

JB: Mike Decubellis is here to discuss the handout ideas he has for Forestry Intents. -

- Mention some of the BMPs but refer to the full copy.
- A signed agreement to follow BMPs
- Road work agreement
- Post information/expectations on the website.
- research what other towns do.
- Keep it simple

SB: Action? Mike will put together a document for final review and we will bring it to the Board, our new Town Forester Bob Todd and **RA Perry** to finalize it.

Citizens' Open Forum

Stephanie Roper and Jessie Salisbury were in attendance

Stephanie Roper: Report from Monument Committee: **SR:** It was the committee's unanimous decision to put the monuments down here on the common, partly because placing them up at the old center would impinge on the integrity of the center's historical district. They have been down here and the report states them clearly. We are starting on Saturday to cleanup. We talked with the Smiths and figured out the Rights of Ways. We have more room than we thought. Plenty of room for the two, then we will put in a Vietnam Memorial. As soon as this Memorial Day is out of the way we will plan a dedicated memorial site and have a better use for the common. We are working on plans for that after Memorial Day. Paul Martin is looking into the protocol for placing them back. We will bring back the cannon and put on pressure treated lumber for the year until we figure out the whole area set up. We will contact the RR but not until we have a plan in place. The tax map is wrong. Eventually, there will be plans for a few memorial benches, dedicated bricks, etc.

DS: Pressure treated might be something to look at before deciding to make sure it doesn't cause any damage.

MD: Thank you for the work. Personally I can't think of a place more beautiful and respectful than the old town center. **SR:** It goes against the integrity of the historic district and the monuments would be invasive at that point. You try to keep it as honest to the history as it has been and placing them there would make it seem as if they were always there. It goes against the spirit of the district. **MD:** We arbitrarily came up with the district; couldn't we change the shape?

SR: We just voted on the district and it has been there for a while. They have been historically down here. The canon was place here to memorialize a certain person who lived down here so it shouldn't have been moved in the first place.

MD: I would think it would be a good town vote. **SR:** Right where the memorials are going to go is the first place that the artillery practiced when they first moved to Lyndeborough. We will have a plaque to explain the context of that common. I am willing to donate a solar light for the flag if someone else will put it up. We would like the Board's approval to place the monuments and canon temporarily back on the common for up to a year. At that point, there will be a final placement and proper memorial dedication.

Selectman Sawin moved that the Board authorize the movement of the monument's and canon to the South Lyndeborough common where they will be placed temporarily prior to Memorial Day, 2010. **Selectman Byam** seconded the motion, so moved.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and Selectman Brown declared the motion to have carried unanimously (3-0).

Appointment: Todd Haywood, Town Assessor

TH: Go over the Ratio Study: Oct. 1 through Sept. 30th 2009. Want to have 8 qualified sales. The Dept. chose to go back an additional two years and found six sales which is not a great sample. The town did a revaluation in 2005. The numbers are getting up there but the good news is that these numbers will change once the update is complete. *Todd Haywood explained the current Ratio Study numbers.*

2010 Statistical Update: I will look at disqualified sales, I'm going to go back two years and look at current listings. We will look at sale properties to see where the listing started and where it sold. I'm hoping for about 20. Do the pickups first and get that data current. The software you have is pretty powerful and it will isolate where you need to make adjustment.

We will mail by the end of July, preliminary values. Give them time to schedule appointments. Hearings will run for about a week. Listen to property specific issue. One thing the Board should be mindful of is that the values are not final at that appoint. I want to hear what the property owners have to say. Generally don't use the old value because it is gone. Not a percentage increase. The tax burden can shift.

It should take approximately three weeks to do all the properties. Post a notice on the website, in the newspaper and around town, on the website to make sure that the residents are informed. There will be some evening hours as well.

Old Business:

Action Item List:

ACTION...TA Bingham is going to contact the potato field property owner.

ACTION...TA Bingham will contact the talking phone book people to get some information. The Board will begin work on a littering ordinance.

WF Housing: Dwight said the law is still pretty poor but there are also consequences for doing nothing. We could craft an ordinance taking action to address WF Housing. Let's get together a joint meeting with the PB/BOS and Dwight to consider all the options.

ACTION...TA Bingham will contact Bob Rogers to schedule a meeting between the Boards.

Keys for the generator: Kent will be showing **OIC Maxwell** and me how to do it and then **Selectman Brown** will get up to speed.

New Business:

Municipal Records Retention:

There is money for vital records and the organization all the present files. *TA Bingham gave a brief description of the organization, opportunities and responsibilities of the Committee.*

Selectman Sawin moved that the Board authorize **TA Bingham** to sit on the Record's Retention Committee as a Board of Selectmen representative.

Selectman Byam seconded the motion, so moved.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and **Selectman Brown** declared the motion to have carried unanimously (3-0).

Non-public Session RSA 91-A: 3 II (c) Reputation

Selectman Byam moved to go into a non-public session regarding reputation under the provisions of Non-public Session RSA 91-A: 3 II (c). **Selectman Sawin** seconded the motion, so moved.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and **Selectman Brown** declared the motion to have carried unanimously (3-0).

The Board then went into nonpublic session, as recorded separately, at 8:45 p.m. The Board returned to public session at 9:00 p.m.

Mike Decubellis: DES found that the laws were violated.

Non-public Session RSA 91-A: 3 II (c) Reputation

Selectman Byam moved to go into a non-public session regarding reputation under the provisions of Non-public Session RSA 91-A: 3 II (c). **Selectman Sawin** seconded the motion, so moved.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and Selectman Brown declared the motion to have carried unanimously (3-0).

The Board then went into nonpublic session, as recorded separately, at 9:05 p.m. The Board returned to public session at 9:12 p.m.

Selectman Byam moved that the Board waive a resident's accrued interest on their 2007 tax bill, freeze any further accruing of interest for the 2007 tax year and create a payment plan that will fully pay the principal amount for the 2007 tax year before Dec 1, 2010. **Selectman Sawin** seconded the motion, so moved.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and Selectman Brown declared the motion to have carried unanimously (3-0).

Selectman Byam moved to seal the minutes for the just-completed nonpublic session. **Selectman Sawin** seconded the motion.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and Selectman Brown declared the motion to have carried unanimously (3-0).

Policies needed for OIC Job Description:

JB: I went through all policies to see exactly what was needed.

ACTION...TA Bingham is going to contact Mike French to get that.

SB: Did we get the directives on CD? **JB:** No, I still haven't nailed that down. **SB:** Shame on us if we haven't maintained those documents. We need to clarify these responsibilities quickly. We are meeting with OIC Maxwell next week and we have an obligation to get this settled quickly.

Selectman Brown moved to allow the Town Administrator to alter the "Open" window hours in the Selectmen's office, not to exceed three hours. **Selectman Sawin** seconded the motion, so moved.

VOTE: Selectmen Brown, Byam and Sawin voted in favor, and Selectman Brown declared the motion to have carried unanimously (3-0).

KT: I received two Veterans Exemption applications in the office this week that were past the deadline date. I would like to ask for the Board's decision to accept since they were not in on time. *The Board decided to accept the applications.*

JB: We will be starting a Dept. heads meeting on the 4th Wednesday of the month to go over dpt. Issues.

SB: Let's put the Holden contract on the agenda for next week.

ADJOURNMENT

All scheduled items having been addressed, Selectman Byam moved to adjourn; Selectman Sawin seconded the motion.

VOTE: Chairman Brown called for a verbal vote on the motion. All members voted in favor.

Chairman Brown then declared the meeting to be adjourned at 10:00 p.m.

Date: April 21, 2010
Kate Thorndike, Recorder

Steven M. Brown, Chairman

Arnold A. Byam, III

Donald R. Sawin