

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
October 16, 2013

Members Present: Chairman Kevin Boette and Selectman Arnie Byam

Staff Present: Interim TA Burton Reynolds and Administrative Assistant Cindi Hasty

Public Present: Mark Schultz, Lee Mayhew, Bob Rogers, Richard Herfurth. Carol McEntee, Wally Holt and Suzy McLaren arrived later in the meeting.

Media Present: Jessie Salisbury

Recorder: Kathleen Humphreys
The meeting was called to order at 6:30pm.

Approval of Minutes, Manifests, and Items for Signature:

The Board addressed all items that needed their signature.

Appointments:

Board of Selectmen's Meeting Minutes

10-16-13

Public Hearing RSA 31:95-b to accept FEMA Funds

The town received money from the February 2013 snowstorm in the sum of \$8008.32 and the law states money in excess of \$5,000 or less can mention in Board meeting but if over that amount it requires a public hearing. Mr. Reynolds added it was mostly all payroll related money and the funds will go in the revenue side of budget to offset taxes.

VOTE: Selectman Byam made motion to accept \$8008.32 from FEMA. Chairman Boette seconded the motion. Motion passed unanimously.

Public hearing closed at 6:38pm

Highway Department:

Road Agent Kent Perry was present.

Mr. Perry asked permission to look for a part-time on-call driver for the winter and his request was approved. A driver would require a CDL and a medical card.

Brandy Brook Road: Discussed the traffic. Historically Brandy Brook Road was part of Rt. 31 up to the early 1950s. Jessie Salisbury remembers she used to ride the school bus by there and she graduated in 1953. Ironically, the road records also end in 1953. Mr. Rogers remembered that the town might have had four houses on the road then. The Board discussed the warrant article from 1950 regarding Brandy

Brook. Also discussed were pavement options, maintaining infrastructures and potential time table of events.

It was pointed out that the town would want to keep the entrance paved by the railroad tracks due to snow plowing practices. The consensus was that the town would want to keep current paved roads paved and not let them revert back to gravel. There is a general policy about the paving schedules and it's not based upon emotional level and complaints from residents.

Mr. Perry mentioned that it's not that the town does not want to pave that road, it's the order the department has to pave in and they have to pave the major roads first before the smaller, less traveled roads but the department may have enough money to pave those roads in the end. He also mentioned that it would cost \$30,000 to pave Brandy Brook Road which has five households. The Highway Department keeps the town trucks off that road when possible. Mr. Perry suggests waiting for the 2018 Paving Plan opening and leaving the road the way it is, not make it gravel, and when the time comes they will grind it up and pave it right. It will cost \$30,000 but the project will be part of the budget. The Glass Factory Road paving project will cost \$70,000 and the Pinnacle Road project is coming up soon.

It was discussed if the matter should be put on the agenda for next meeting so residents can come in.

Mr. Reynolds mentioned their 12-year paving plan and they are coming-in ahead of that 12-year timeframe so the town may be able to do something in the future. If there is a dirt road we want to pave we may be able to do that in sections. The town has spent a lot of money but they have one more year to add \$25,000 to the paving plan. At that amount, the plan will be sufficient to fund the 12-year paving cycle at today's paving costs.

Mr. Perry notified the Board there is a sizeable logging operation to begin on the Francestown side of French Road. The project manager they said would not use Lyndeborough's sections of road at all and will use chip trucks that will be going in Greenfield Road to French Road. Lyndeborough will get the intent to cut.

Police:

OIC Rance Deware was present

No progress in the hiring process for officers.

Old Business:

Safe Routes to School:

Kent Perry volunteered to take the RESPONSIBLE CHARGE class required by DOT for grant funding for the project which Cindi. Hasty will register him for. Mr. Perry is scheduled to meet to the LCS principal on Friday, October 18 regarding the 4-Square project.

Trick or Treat is posted for October 31 in Lyndeborough and Wilton. Police coverage is scheduled for the hay wagon ride

Next Tuesday, October 22, they will do an off-site drill at the school then a Safe Route To School meeting then after will review the Hazard Mitigation plan for town. Mr. Reynolds mentioned that The Regional Planning Commission has to update the plan.

Significant Trees Group

Jessie Salisbury addressed the Significant Trees Group and announced the Lyndeborough Conservation Commission has decided to join them. Wilton joined after the big tree near the funeral home was cut down. The committee is to address why trees are important and valuable. Their first order of business is to find all the trees in town that are dedicated to somebody. Those trees will be documented and listed somewhere. People will be invited to recommend a tree in their neighborhood. Kent Perry will be invited to talk about tree issues that affect the road dept. The Conversation Commission met October 15, 2013 with The NH Coop Extension Urban Service Department and they are assisting them in their mission statement and it's basically education to make people aware of the value of trees; beauty, carbon monoxide and so forth. Mrs. Salisbury reported that two trees this week were cut down because of wire interference. Mr. Rogers thought it was ironic that the timing of those cuts was poor because they were cutting down the 200-year old maple across from the library while they were meeting to discuss the Significant Trees Group. The land owners said cut it down so they don't have a choice. Mr. Boette asked if this was more of a mission to enlighten than regulate and the response was "yes".

A little history: Gail Hiltz has a tree dedicate at the school in her honor, the flowering tree at the church is dedicated to Ed Schmidt. The three big Maples at Town Hall were planted in 1976 and dedicate to our three signers of the Declaration of Independence. They talked about putting a plaque on the side of the Town Hall listing the dedication of the trees. The Liberty maple was planted by the Conservation Commission but not sure what year. They will be getting the word out that trees are important and to think about them. A village like this one without trees would not be good, trees make a village.

Center Hall Project Update

Wally Holt said, "The hall will be there many, many moons to come. It has stood the test of time." They were able to move the rafters in a bit with the new brackets. Photos were in the October 17, 2013 issue of the Milford Cabinet and Holt invited the board to come take photos or see it before it is closed up. The \$4,000 cost was covered by a Warrant Article approved at the March 2013 Town Meeting.

Mr. Boette said on a side note, that LCS Principal O'Connell will match funds to buy new playground equipment but they needed a place to keep the equipment and considered buying a plastic shed but they don't hold up too well. Mr. Boette said he mentioned Wally's name as a person who might be able to build a shed. OIC Deware suggested another option is to find an Eagle Scout to build it as a scout project plus another suggestion was to talk to the WLC high school shop teacher.

Community Open Forum:

Mr. Mayhew inquired if there is any more word on the School Committee to spend money on the gym.

Mr. Reynolds informed the residents there is a new committee that will address the FRES and LCS school building issues and he's on the board along with Bruce Houston and they will meet for the first time the next evening, October 17. Their goal is an independent group of people to provide feedback. Mr. Reynolds also said it will be challenging but he plans to look at it with an open mind and is willing to consider a many options. There is concern that some minds are already made up on the issue.

Mr. Mayhew confirmed his speculation of, "the answer to my question to what you want to do will that increase the education and the answer was no."

Selectman Boette thinks that FRES has serious building issues that will require a lot of money. In his opinion, he thinks Wilton's is thinking if Wilton has to spend \$6 million why not spend \$8 million and

get a new school and involve Lyndeborough. If they charge LCS to be deficient and it may require the town to spend \$2 million on the LCS or it could force us to send the Lyndeborough elementary school kids to Wilton. It concerns him that they have not come to the CIP and if they do say they need this that will send Lyndeborough tax rates through the roof.

Mr. Holt expressed his concerns that our school board should stay in Lyndeborough and not do what Wilton wants.

Mr. Reynolds asked Mr. Holt to take a look at the utility closet at Citizens Hall and install a vent because of heat buildup caused in part by the server. Cindi Hasty believes there is an antique grate that could be used. Selectman Byam asked to consider fire code safety first.

Selectman Byam announced the garage at 1645 Center Road is fixed and they can now then do the landscaping next year. Liability issues regarding the stairs was brought up and Mr. Perry will put a lock on the building. It was discussed getting a quote to fix the stairs and second floor and Mr. Holt was asked if he wanted to submit a quote. The police and emergency personnel will use the building for storage. It was noted there is a well and septic system on the property and Mr. Perry said when they do landscaping they will take into consideration usage for future fire drills on the site.

Open forum closed at 7:37pm.

Old Business Continued:

Boston Post Cane:

Georgia Hutchinson's mom moved out of town and the family returned the Boston Post Cane to the town. The town will research who the eldest resident in town is. It was noted that Lucy Schmidt turned 93 in June.

New Business:

Joint Loss Safety Committee:

The town completed all inspections for the year and the only issue was to have an electrician to come and point out things such as faulty wiring in places and where extension cords are being improperly used plus safety lights needs to be replaced or repaired. Jasper Electric will be asked to give an estimate. The stage area is a nightmare at both locations. Requested a breakdown of the various parts of the job in the estimate to determine how much the budget can accommodate.

Mr. Reynolds mentioned the main emergency lights at Center Hall don't work but new lights were installed. Due to safety reasons, all the old lights that are not working need to be removed. Mr. Rogers mentioned stage lighting is there from when plays were held at Citizens' Hall but not all of it works and maybe it should be removed.

The town is expecting a quote on the generator lines at Citizens Hall which were not properly done. It is the hope the new wire can be snaked through the existing conduit.

Mr. Reynolds discussed the need to have two emergency exits and egresses in town buildings and the police department only has one. Phil St. Cyr of Primer, our Worker Compensation Carrier, suggested to pull out the window with the bars and install tempered breakable glass as an emergency exit but it will also require an alarm for when and if the glass is broken.

All light bulbs require a safety glass or covered over the bulb which means the light in the tax collector's closet needs to be updated. Mr. Boette is going to look into the code on this matter.

Talked about a carbon monoxide detector at Citizens' Hall and to make sure it's installed about eye/mouth level.

OIC Rance Deware turned in the bid for the new police cruiser. Once it's ordered it will take 12-weeks so if the town wants a delivery date by April the vehicle will need to be ordered in January. Deware reviewed the figures with CIP earlier in the week.

Health Officer/Code Enforcer Update by Carol McEntee, Health Officer

Carol McEntee and Mike Borden visited a home on the Second Frankestown Turnpike after a complaint of a failed septic system and a mold issue. It is confirmed there is a mold issue and septic system failure. The home is owned by a divorced couple and the ex-husband lives elsewhere. The wife is having a home repair person in Friday and Mr. Borden will be there also when the septic is opened. For a stop gap measure to stay in house the family would have to have tank pumped out every week or two. The Health Officer had to explain the health hazard and for children not to play there plus it's leaching into the conversation area in the next property and it's hunting season so there is concerns of animals drinking the water and getting sick and people shooting the animals and getting sick.

House is on the market and the real estate person was angry and aggressive with Ms. McEntee. Ms. McEntee stated it's against the law to sell a house with a failed septic system or it has to be disclosed. Kenny Rocca is providing a septic plan and after it is paid for he can release the design to Concord then they send it to us. The homeowner is getting the septic pumped out and has to kept receipts according to law

Inside the house they can't determine if the problem is mildew or black mold but the State does not have money available to test so the Health Officer has to treat it as black mold.

Perham Corner Road house problems:

A home on Perham Corner Road has a serious health problem with renters living in a home with no water and is a "dire situation". The house has a dug well with about one foot of water in it and it appears it has been this way for a long time. The pipe that goes into the house has layers of dust. Renters are a husband, wife and infant and have not lived there for a few weeks. There is probably only 50 gallons of water available and people can't live in those conditions. The owner met with Ms. McEntee and Mr. Borden on October 16 and was very aggressive with them and just left the meeting. The home is in foreclosure and the owner believes the renter is responsible for all maintenance which includes the water problem. They documented the mold issue with photographs. The renters can't live there anymore and the mother and baby have left already. The 5 month old baby had every symptom of mold issues and McEntee told the father he can't bring the baby back to the house again. The husband had six tours of duty in Afghanistan and wife had two tours and this is a horrible situation for them and their baby to live in.

Health Officer McEntee reported the mold and water issue is awful. The box for electrical supply is down in the basement and there is water there and everything is rotting. There is an in-ground pool on the hill and the fencing has falling down plus the owner never covers the pool in the winter and their dog got caught in the pool. The renters moved in March when snow was on the ground and didn't know the pool was there.

The process to condemn the house was discussed. Mr. Borden is researching the procedure and RSA. Mr. Reynolds suggested consulting with Attorney Bill Drescher on the proper procedure to condemn a house. He also suggested the police accompany the health officer on any future visits to the home.

Health Officer Carol McEntee presented letters to the homeowners and one letter to the state to report the situation. Perham Corner is still in negotiations.

2012 Full Value Tax Rate Comparison

Lyndeborough ranked 166 out of 225, with 255 being the highest in tax comparisons. Lyndeborough is close to being in the top 25% of having the highest tax rates. Wilton is ranked #189. Mr. Reynolds suggested to look at the beginning of the list and the towns with the lowest tax rates are resort or second home towns such as Wolfeboro, Waterville Valley and Meredith. Lyndeborough does not have second homes or businesses to keep the taxes low.

Additional Office Support

Cindi Hasty requested seeking temporary help with the filing with the idea of 4-5 hours per week not expected to be for a long period of time. Her request was granted.

Chief of Police:

A work session is scheduled for **6pm on Wednesday October 23** to address the Police Chief position. Mr. Reynolds has heard feedback from most of the members on the Citizen's Board and he read a letter and shared samplings of questions and in the end the letter stated that OIC Lt. Rance Deware should be considered a viable candidate for the position of police chief.

A discussion followed as to why the town received so few applicants for the chief position and apparently the same problem for the officer's position. Mr. Mayhew wonders if the town is still viewed by the law enforcement community as not good place to work due to past problems. Heated discussion continued.

Mark Schultz was surprised Selectman Douglas is not present tonight knowing how important this meeting is. Mr. Schultz also reported he was on the Citizen's Committee and considers himself a hard grader but thought applicant Deware did well. He was sorry there were not more candidates to consider. His reason to come here was to make sure the Board went through a process as the town voted for. As a former police chief and officer for many years with the LPD he also had concerns of the politics with former issues and the working environment.

Mr. Schulz also added, this is a special circumstance to have a part-time chief and you don't always have those qualifications in a part-timer. He's happy Lt. Deware is here. He also wished there were more candidates but speculates that OIC Lt. Deware probably would have come out #1 regardless and does not want him to be "default" because he probably would have been the choice. The peer board also said he was a great candidate to go forward with. He stated "We have a good candidate and even said if there were other candidates he would have come out on top. I want to make sure that was clear in his perspective."

Resident Suzy McLaren made a statement. She said, "Rance is sort of like a son to me. He grew up with my step-son Dwaine, who is the chief in Pembroke, and he gets my vote heavily. I have every confidence in this young man with this education and zeal to do more and he want more and his love for this town and wants to make a difference."

Selectman Boette added, "One thing I've seen here is his commitment to the community that I have not seen in other people. It's not just a job to pay the bills, he's here because he cares."

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 8:35 p.m.

Date: October 16, 2013

Kathleen Humphreys, Recorder

Kevin J. Boette
Chairman

Arnie Byam III

Fred Douglas

APPROVED BY THE BOARD OF SELECTMEN ON OCTOBER 30, 2013