

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
September 3, 2014
FINAL

Members Present: Chairman Fred Douglas, Selectman Arnie Byam and Selectman Lee Mayhew

Staff Present: Town Administrator Russ Boland

Department Heads Present: Police Chief Rance Deware, Road Agent Kent Perry and Health Officer Carylyn McEntee.

Public Present: Roger Williams, Christiaan Vigneault

Media Present: Jessie Salisbury

Recorder: Russ Boland and Kathleen Humphreys

The meeting was called to order at 6:34pm and was held at Town Hall in the center.

Consent Agenda:

Review and signing of consent agenda items.

- a. AP Warrant
- b. Payroll 9/4/2014
- c. MS 1 Signature Page
- d. Meeting Minutes Non-Public from 8/20/14

Due to the meeting being ahead of schedule, the agenda was adjusted.

Old Business

Emergency Management Garage, Center Road

VOTE: A motion was made by Selectman Mayhew and seconded by Selectman Byam to hold off on repairs until Town Administrator Boland can research, with the Department Heads, the future use of the building. Motion passed unanimously.

Trash removal at Citizens' Hall

Town Administrator Boland reported he had researched the cost of bi-weekly trash removal and recommended H2O Trash Removal from Milford be retained to remove the trash from Citizens' Hall at a cost of \$69 per quarter.

VOTE: A motion was made by Selectman Mayhew and seconded by Selectman Byam to approve H2O Trash Removal to service Citizens' Hall. Motion passed unanimously.

Citizens' Hall Painting

Town Administrator Boland reported that the painting project at Citizens' Hall has begun. The Board was asked what color the building should be. The consensus of the Board was white is

the historical color of choice. T/A Boland reported the current project includes the entrance side of the building and the front of the building. The contractor has notified the T/A that to complete the other two sides the cost would be \$5,000. If the Town elects to wait until next year the price will be at least \$7,500. T/A Boland advised the Board that he believes the \$5,000 can be taken from the existing operating budget, given that several line items will be under spent. Selectman Mayhew stated that he has also examined the budget to date and agrees the town can expend \$5,000 to complete the project within the budget.

VOTE: Selectmen Mayhew made a motion to expend \$5,000 from the operating budget to paint the entire building white. The motion was seconded by Selectman Byam. Motion passed unanimously.

Prosecution Agreement Update

Town Administrator Boland gave an update on the termination of the prosecutor contract with Wilton. Mr. Boland reported that the termination letter was sent to Wilton by certified mail on August 28, 2014 and Lyndeborough received the receipt marked received on August 29, 2014. Chairman Douglas read into the official record the report that the Police Chief Deware had filed outlining his recommendation to terminate the agreement at this time due to reduce case load.

“As the Chief of Police for the Town of Lyndeborough, I cannot see the Town of Lyndeborough paying for the services of the regional prosecutor due to having a low case load. It is for this reason that I am in favor of terminating the contract with the Town of Wilton for the prosecution services provided by the Wilton Police Department Prosecutor, Benjamin Maki. Our current case load does not support \$663.00 a month for the remainder of the 2014 contract year.”

Respectfully,

*Rainsford G. Deware, III
Chief of Police
Lyndeborough Police Department*

Public Hearing

At 6:51 p.m. Chairman Douglas opened the **Public Hearing on Emergency Lanes RSA 231:59-a.**

There was general discussion about the need to have the following Class VI roads be designated Emergency Lanes.

Nichols Road
Greenfield Road
Richardson Road
Emery Putnam Way
Stone Bridge Road
Old Coach Road
Collins Road

T/A Boland reported to the Board that Fire Chief McQuade was unable to attend due to family commitments but that he was in favor of accepting the proposed roads as Emergency Lanes.

It was stated by Road Agent Perry that these roads, if designated Emergency Lanes, would only receive minor work in order to keep them open enough for emergency vehicles to gain access. Selectman Byam inquired about Collins Road regarding the house that is located on that road and if it should be a Class V road. Road Agent Perry advised to his knowledge the road has never been maintained in the winter and has not been maintained during the summer for at least eight years. There was discussion by the Board members that Collins Road should be left off this list until T/A Boland can do research on its status.

VOTE: A motion was made by Chairman Douglas and seconded by Selectman Byam to accept all the roads on the proposed list except Collins Road. T/A Boland will report back on its status of Collins Road after checking with Town Attorney Drescher. Motion passed unanimously.

The Public Hearing was closed at 7:08 p.m.

Community Forum

Roger Williams has attended the last two Board meetings to address his concerns about the town boundaries between Lyndeborough and Greenfield. He inquired what the town's position is and if they have written a letter to the Town of Greenfield. He is looking for a clear title to his property.

Town Attorney Drescher will be reviewing the file. He has been on vacation.

The Supreme Court ruling was discussed. Mr. Williams asked if the Board would like to be provided original documents from 1791 and from 1910. The Board would like the material. Mr. Williams has not provided any evidence yet but only provided a timeline.

Mr. Williams requested the Board review material by the next meeting and requested he be added to the agenda and asked if the town could send a letter to the Town of Greenfield.

Mr. Williams was upset a letter was not written yet as he has a meeting on Monday and felt he does not have the town's support.

Chairman Douglas stated from his personal standpoint he is taking exception Mr. Williams feels he is not getting help from this Board.

Chairman Douglas said the Town Administrator will send a boiler plate letter that Mr. Williams has been in and they are looking forward to working on this together.

Christiaan Vigneault, 20 Purgatory Falls Road, Lyndeborough

Mr. Vigneault wrote a letter, dated Sept. 2, 2014. (*see file for letter*). He faxed one copy on Sept. 3, 2014 and delivered two copies.

He felt he was grieved by the Planning Board because, in his opinion, they have not followed the NH RSAs.

Mr. Vigneault outlined the nature of his complaint in the letter. (*see file*).

He reviewed his complaint from the Aug. 21, 2014 meeting. He had concerns about a lot line adjustment between Cullen and Penney on Johnson Corner. He felt the Planning Board failed

to properly notify him of the pending lot line adjustment in violation of RSA 678:4. His letter was mailed via regular mail. He said it was mailed on Aug. 18, 2014 and received on Aug. 20, 2014.

Mr. Vigneault spoke to T/A Boland about the matter prior to the Planning Board meeting. He outlined his view of the meeting to the Selectmen.

The deed to his subdivision restricts a future subdivision or making a lot smaller. A discussion followed about the process.

Selectman Byam mentioned the lot line adjustment did not create another lot. It moved the lot line. The use of the word subdivision was discussed.

His complaints are.

1. Deed restriction.
2. Didn't get property notice.

A lengthy conversation took place where the Board felt this matter is not in keeping with spirit of community forum and this is a civil matter.

Mr. Vigneault requested the legal address of two Board members. He was provided Chairman Douglas' home address and the town clerk's office address.

New Business

-Chief Deware was successful in obtaining a grant for bullet proof vests.

-MS-5 was forwarded to the DRA.

-The lot behind the fire station is for sale for \$69K.

Town Administrator Report

-Russ Boland and Chief Deware attended the police academy graduation for Officer Eric McDuff.

-The animal control office resigned. Chief Deware is seeking replacement.

-Chief Deware received a thank you letter from the Police Academy because he was an instructor. *See file.*

-A letter is in the file regarding the bond issue.

- The Board was in favor of eliminating the open and close portion of the alarm monitoring for a savings of \$192. The same information can be obtained for the regular monitoring currently in place.

-T/A Boland recommended discontinuing the use of the employee time clock because not everyone is using it. Chief Deware agreed. The Board was in favor of discontinuing its use.

-T/A Boland will send a boilerplate letter to the town of Greenfield notifying them they are looking forward to working together on the town line issue.

-Cullen Lane is not on the list of approved emergency lanes.

The Board went into non-public session at 8:30 p.m. and came out at 8:42 p.m.

Non-Public Session: RSA 91-A:3II (e)

-Pending legal matter

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 8:42 p.m.

Date:

Kathleen Humphreys, Transcriber

Fred Douglas
Chairman

Arnie Byam III

Lee Mayhew

APPROVED BY THE BOARD OF SELECTMEN ON SEPTEMBER 29, 2014