

**LYNDEBOROUGH BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**October 22, 2014**  
**FINAL**

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

**Staff Present:** Town Administrator Russ Boland

**Public Present:** Ron Curran, Richard Herfurth, Bob Rogers and Ginny Chrisenton

**Media Present:** Jessie Salisbury

**Recorder:** Kathleen Humphreys from audio tape 801-0329  
The meeting was called to order at 6:00pm.

**Consent Agenda:**

Review and signing of consent agenda items

- a. Payroll 10-16-2014
- b. AP Warrant 10-16-14
- c. BOS Minutes 10-1-14
- d. Purchase Order #807 for Salt
- e. Heritage Commission Appointment of Susan Patterson
- f. Election Confirmation
- g. Intent to Cut: 231-035-000

**Appointments:**

**Trustees of the Trust Funds**

Chairman Richard Herfurth was present. Trustees Stan Green and Gary LeBlanc were not available but felt as a committee they wanted to present financial documentation on the fund.

Mr. Herfurth stated the state of New Hampshire passed a resolution that states "we as a town are able to take payment for financial service fees directly from the Capital Reserve Fund". The trustees feel this is good idea so it does not have to be a line item in the budget.

This change would require a warrant article if the town decided to go in this direction. Warrant article would say the fees would be deducted from the Capital Reserve Funds and not specify a dollar figure. The town will also accrue interest on the fund.

Trustee Herfurth reported the town has approximate a million dollars in the account which is making \$11,000 and financial services cost about \$5,000 a year. The town has used this firm since Feb. 2013 and there is no binder so the town can change companies if they choose to.

**VOTE: Chairman Douglas made a motion to agree with the position of the Trustees and let them go forward with a warrant article. Selectman Mayhew seconded the motion. Motion passed.**

### **Cemetery Trustees, Cemetery Expansion**

Bob Rogers was present and asked if the topic could be heard when Ginny Chrisenton arrives. Selectman Mayhew asked if the fees should be increased for internment. Mr. Rogers said the fees are low but lots are only available to Lyndeborough residents.

### **Old Business**

#### **Federal Grant for Recreation Projects**

Mr. Boland attended a workshop for the recreation grant process. The town was considering applying for a 50/50 matching grant to fix the boat ramp at Putnam's Pond. The town will be required to conduct a few studies including an archeological study.

Town Administrator Boland's opinion is to pass on applying for the grant because the town does not own the land but leases it from the State with 30 years left on the lease. His understanding is that if the state does not renew the lease, the town will be required to replace that with "land in kind" or waterfront property with better value.

Selectman Mayhew described his vision of the area being a family place and inquired about a project to clear trees on cemetery land. Mr. Rogers said that if logging happens on cemetery land the two projects could be done at the same time. One of the big costs of doing logging is getting the equipment here.

**VOTE: Selectman Mayhew made a motion to withdraw from the application process for a recreation grant at this time. Selectman Byam seconded the motion. Motion passed.**

### **Cemetery Trustees, Cemetery Expansion**

Bob Rogers and Ginny Chrisenton were present.

The Trustees presented a map showing the lower part of South Cemetery on Cemetery Road. The Town owns 10 acres behind the cemetery which they would like to cut 3 acres. When the flood control dam was built the state deeded the land outright to the town for cemetery use.

Last summer the Trustees and Jeff Smithson from Bay State Forestry walked the land with Road Agent Kent Perry to see if it was feasible to open up some area to store fill. It was determined it is feasible with the idea to use the money from the harvest cut to stump. The town has conservation land and there is access to the area to be cleared already in existence from when the dam was built. According to the Trustees, Bob Todd is agreeable if Bay State Forestry does the work. The forester makes 15% of the profit.

The town also leases the conservation land from the state. The lease from the State is worded "You can have harvest cuts on the land but any of the money that comes in has to be used on the land. It can't be used anywhere else. It could be used to fund a boat landing but there are certain requirements such as you have to be cooperators with NRCS", said Ms. Chrisenton. The lease can be renewed for another 50-years but if it is not, anything done to the land during the time it was leased, will be owned by the State.

It was discussed if this project could be done in conjunction with work on the boat ramp.

The trees have not been marked. Once that will happen, the forester will inform the town of the yield. The Board inquired if the forester could give a price for clear cut vs select cut.

Mr. Rogers suggested a public hearing so residents can be informed. The Cemetery Trustees will provide the town with a CD of the maps.

### **Old Business Continued**

#### **Salary Plan Discussion**

Mr. Boland said there is no step plan, only COLA increases. There is a low and high salary level but no mechanism for employees to grow. The Board discussed the State's Salary Study.

Discussed having objectives that are clear and measurable goals to get to the next step, not based upon only the years of service. Discussed review process

#### **Halloween Hayride**

There will be two tractors and two trailers, one which is town owned and driven by a town employee which will be covered. Wally Holt will drive the other trailer that he owns and he'll be getting a rider policy to cover that and will be reimbursed by the town. The employee will need to be compensated for the time worked. Wally Holt will need to be reimbursed for the insurance fee.

#### **Board of Selectmen Goals Discussion**

The Board felt one goal was the tax rate.

The DRA called with a preliminary tax rate. The Board talked about the philosophy of watching every dollar. Mr. Boland said the budget looks good and are about 9% below the budgeted amount.

Goals discussion will be continued at the next few meetings.

#### **Road Agent Compensation Study**

Mr. Boland did a study which was submitted along with attachment 1 and attachment 2 of the "Fair Labor Standards Act".

Many of the towns that Mr. Boland talked to regarding this issue have their road agent as a non-exempt employee. Those towns that have an exempt road agent are also addressing the issue and recognize it's a problem.

The Fair Labor Standards Act defines a person who is hands-on and those particular functions are non-exempt. Attachment 2 states if the employee's function in a non-exempt capacity for any portion of the week exemptions are typically applied on an individual work week basic. Employees who perform exempt and non-exempt function in the same work week are normally non-exempt.

The research led TA Boland to the conclusion that at this time, in this town, the position of road agent should be non-exempt and turned to hourly status.

In 2005 the position was hourly.

Mr. Boland expects that overtime would be about \$2,000. Discussed overtime and if a budget of 200 hours would be sufficient.

The road agent needs to be educated on the hours and policy.

**VOTE: Selectman Mayhew moved to accept the report on the Road Agent Compensation and make changes effective January 1, 2015. Selectman Byam seconded the motion. Motion passed.**

### **Community Forum**

Mrs. Salisbury reported it was Unity Day at FRES and both elementary schools attended. They had a motivational speaker who was the World Champion Stunt Bike Rider who did tricks while he was entertaining the kids and giving the lecture. She felt the new principal is doing a great job.

### **TA Report**

- The tree cutting for a better line of sight on Mountain Road to Crooked S Road was completed.
  
- The Snow Ordinance was published in the Monadnock Ledger-Transcript on Oct. 7, 2014 and is in effect.
  
- Encumbered funds and electric conduit. There is \$228 of encumbered funds and Mr. Boland wanted to know if the Board wanted that money to be used towards the conduit to light the Christmas tree at Center Hall. Jasper Electric can do the job for just under \$500. They will trench through the driveway. The Board didn't want to see the pavement dug up.
  
- Last week the elementary school conducted an evacuation drill and the police chief reported it went well.
  
- TA Boland's goal is to have the budget in the Selectmen's hands next week to review and have the first meeting in November. It was agreed to schedule the topic for regular meetings.
  
- This Friday, there will be a walkthrough at the Central School and the Board is welcomed.
  
- Old Temple Road excavation complaint. A report was filed by the building inspector who reported the gravel operation is over and the owner is building a barn.
  
- Building Inspector Proposed Contract for 2015 which has an increased fee from \$7,000 to \$15,325. Currently, the building inspector covers about four hours per week. The Chairman wanted to find out the number per week and the amount of work with a breakdown of cases and categories they fall under. The building inspector is also the Code Enforcement Officer.
  
- Generators passed inspected at the school, fire department, highway department along with Citizens' Hal.
  
- Citizens' Hall painting was completed but the stairs will be painted in the spring due to concerns about weather. The check will be issued. He did the carpentry for \$500.
  
- Telephone lawsuit: The material has been filed by Attorney Drescher.
  
- Greenfield-Lyndeborough town boundary material has been forwarded to Attorney Drescher.
  
- Collins Road: Attorney Drescher does not have concerns this can be an emergency lane.
  
- Cell tower. Attorney Drescher has been noticed to contact the cell company.

-Planning Board lot line adjustment procedure. The Board will re-examine how to notice lot line adjustments.

-Mountain Road Engineering and alarm company proposals are in the folders and will be on next week's agenda. It was discussed if the members of the Budget Committee could attend the meetings regarding Mountain Road.

-DRA preliminary tax rate

Burton Reynolds was available to discuss the budget. The DRA called on Oct. 22, 2014 to inform the town the tax rate will increase. The Board reviewed the tax rate, budget, revenue and expenses with TA Boland and Mr. Reynolds in details. The reason for the increase is not spending, that has been kept under control, it would have been less, \$141,000 is going against tax rate for expenses for Wilton's repayment for the school and revenues are down.

It important when explaining it's a sensitive issues and a problem with the Dept. of Education. Mr. Reynolds explained, "It was a complex introduction to the new apportionment and the state was involved." Repaying the \$141,000 reduced the fund balance to where the town is on the edge of the 6-12%. DRA recommends 5% and the town policy is 6%.

**VOTE: Select Mayhew made a motion to direct the town administrator not to apply any surplus to the tax rate and increase the revenue by \$32,000. Selectman Byam seconded the motion. Motion passed.**

### **Adjournment:**

All scheduled items having been addressed, the public meeting was adjourned at 8:30pm.

Date:

Kathleen Humphreys, Transcriber

Fred Douglas  
Chairman

Arnie Byam III

Lee Mayhew

APPROVED BY THE BOARD OF SELECTMEN ON NOVEMBER 25, 2014