

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
February 18, 2015
Final

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

Staff Present: Town Administrator Russ Boland

Public Present: Residents Pam Holt and Al Morrison for the public hearing portion. Sharon Akers and Ian McSweeney for a 7:30pm appointment.

Media Present: None

Recorder: Kathleen Humphreys.
The meeting was called to order at 6:00pm.

Consent Agenda:

Review and signing of consent agenda items

- a. A/P Warrant
- b. Payroll
- c. Plodzik & Sanderson Representation Letter
- d. Deputy Treasurer Appointment

Appointments:

Public Hearing Started at 6:05pm

Public Hearing, Chase Road Warrant Article

Landowner Pam Holt and abutter Al Morrison were present.

The warrant was reviewed by town counsel.

Ms. Holt would like no public access to the section of Chase Road that crosses her property due to liability concerns. She cited an example from last spring when a Massachusetts man used his GPS to go from Mr. Morrison's house to Baldwin Hill Road and his vehicle got stuck. It is also a place young people hang out. She has an elderly father who lives on the property, dogs and young relatives that visit and she is concerned about cars speeding down Baldwin Hill Road into her driveway, thinking it's a road.

If approved, the warrant article closes the road from cemetery to Perham Corner. The portion of the road through the Holt property reverts back to the landowner.

The road was closed 50-years ago but in today's times, there were legal challenges in other towns due to wording problems which also exist in the closing of this road.

Mr. Morrison said he has land beyond the cemetery and does not want it close before that location of his property but does not object at that point. This is a 106 foot section. There is an opening in the rock wall that he uses to access his property from this area.

From the Holt side, owners can place a "No Trespassing" or "Private Drive" sign. Discussed a big mound of dirt or rocks to deter drivers from Mr. Morrison's side who said people also drive over his daughter's lawn to exit. Mr. Morrison would prefer a "Dead End" sign.

Some snowmobilers and hunters have permission to use the property.

The town will give up all rights to Perham Corner Road back to angle of Mr. Morrison's property. Mr. Morrison asked if this will affect his property value. The property has been in family for 100 years.

Russ Boland explained used words "closed permanently" in 1958 has been successfully challenged in some towns such as Sunapee. Currently, Chase Road is closed but vulnerable to a challenge, so the town is doing a housekeeping article and changing the words.

A decision was made to proceed with the warrant article as written.

6:35pm. Public Hearing Closed.

Community Forum

No one present

Old Business

None

New Business

Receipt of the 2015 Town Budget

The Town Administrator has a copy of the warrants and the budget which have DRA approval. It was agreed they are ready to be posted at the town office, online and at the post office.

Deputy Treasurer Appointment

Rick McQuade is available to cover for Deputy Treasurer Ellen Martin vacation time which is about 10 hour per year. The topic of Chief McQuade being a department head was researched and determined not to be an issue.

VOTE: Selectman Byam made a motion to appoint Rick McQuade as Deputy Treasurer to fill in when Ellen Martin is on vacation. Selectman Mayhew seconded the motion. Motion passed 3-0.

Town Meeting Discussion Re: Center Hall Opening

Center Hall will be opened a week before elections and the lot cleared.

2013 Encumbrances

It was discovered there are some 2013 encumbrances totally \$18,151 and 2012 encumbrances of \$5,000 that have lapsed. That money will go into unencumbered funds.

Town Administrator's Report

-The town filed \$6,400 with Emergency Management for the first blizzard. There is no guarantee the town will receive the funds.

-Rmon has taken over account from Mainstay. They are up and running.

-The town is working with Monadnock Security on the possibility of installing systems on the DPW Garage, Center Hall & Artillery Garage with a June start date.

-The town received complaints about the highway department and concerns from residents were addressed.

-2013 Audit and Letter of Governance is in tonight's package.

-An audit will start May 11, 2015.

-The town received a memo of understanding with SAU63. It's a letter for covering FRES and LCS. It was suggested to change under Article 2, should read: Chairman of the Board of Directors, Town Administrator, Emergency Management Director or designee. It should be signed and dated at the bottom. The letter will go to Wilton Selectmen next week.

Selectman Byam suggested in case the Town Administrator or Emergency Management Director is not available to include the Selectmen. It was agreed it should mirror the chain of command already in existence.

Title should read emergency management memo of agreement.

Selectman Mayhew asked in number 4, in the first sentence does that mean the emergency shelter can't open until he/she is there and suggested to replace the word "will" with "should".

The use of the school as an emergency shelter will include multi-purpose room, bathrooms and kitchen. All other rooms are not available unless authorized by the administration.

-The library roof was shoveled to remove the snow load.

Conservation Easement

Sharon Akers, from the Conservation Commission and Ian McSweeney from the Russell Foundation were present.

The Town of Lyndeborough has the opportunity to hold a permanent conservation easement on the former Woodmont Orchard on Center Road which is now owned by David Milton that includes 95 acres between side of the road that has the barn storage and orchard and some land across the road.

The Conservation Commission has \$50,000 in the bank. The Conservation Commission Chairperson Sharon Akers was present to discuss the town holding the easement and using \$30,000 in the Commission's account to this purpose.

David Milton will still own and still farm the land and still has the right to sell. The easement allows for future owners to keep it as open farmland, no subdivision and no building except farm use. The property goes back to Purgatory Falls. Mr. Milton would be paid \$420,000. Most conservation easements allow best practice management plan and can do forestry.

The land is open to passive recreation use; hunting, walking or snowshoeing. Biking or snowmobiling would be up to owner.

The Souhegan Valley Land Trust is willing to accept funds from private donors on the town's behalf.

The Russell Foundation is a private philanthropic foundation started by family in New Boston, The Russell family and assist with land conservation. They don't hold easements or charge for services and has no interest in profit. They focus on farmland.

Mr. McSweeney outlined possible Federal funds through the Farm Bill which could be half the cost. They have some requirements but the USDA and Federal government is not the owner of the easement. At least 25% of the remainder comes from other non-federal sources. These projects take about a year and a half. The Foundation secures that federal funds up front and use that time to get the other funds.

Russell Foundation covers the cost of subcontracted survey cost, title cost and administration costs.

If the town holds the easement they are required to walk the land each year and submit a monitoring report to NRCS office.

The land is in current use. There are different levels of current use. The easement would not reduce the taxes.

Snowmobile use has to be written into the easement. The current landowner can take that away temporarily if the land is being abused but with easement those right stay for perpetuity.

The land is not posted but can be posted during active agricultural and forestry. They are the only controls the landowner has.

The value of easement is \$560,000. The landowner will sell it for \$420,000. \$75,000 can come from Federal funds. The Russell Foundation will give \$60,000 while the Lyndeborough Conservation Commission will give \$30,000 which brings it down to \$200,000.

VOTE: Mr. Mayhew made a motion to concur with the presentation and with the town of Lyndeborough holding the easement in partnership with Conservation Commission pending final analysis by Attorney William Drescher. Selectman Byam seconded the motion. Motion passed 3-0.

Town Moderator Walter Holland will be invited to the March 4, 2015 Selectmen's meeting.

The Board had a discussion about the water and septic problem at the highway garage. The Town Administrator will ask Greg Porter to review the plumbing. They are concerned they have not previously heard of this problem, especially during budget time.

VOTE: Selectman Byam made a motion to adjourn at 8:22pm. Mr. Mayhew seconded the motion. Motion passed 3-0.

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 8:22 pm.

Date:

Kathleen Humphreys, Transcriber

Fred Douglas
Chairman

Arnie Byam III

Lee Mayhew

APPROVED BY THE BOARD OF SELECTMEN ON MARCH 4, 2015