

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
August 3, 2016
Final

Members Present: Chairman Lee Mayhew; Selectman Fred Douglas; Selectman Mark Schultz
Staff Present: Administrative Assistant Cindi Hasty and Road Agent Kent Perry
Public Present: Ray Humphreys
Media Present: Ashley Saari
Recorder: Kathleen Humphreys

Chairman Mayhew called the meeting to order at 6:00pm.

Consent Agenda:

Review and signing of consent agenda items

- a. Non-Public Meeting Minutes 7/20/16
- b. Meeting Minutes 7/20/16
- c. PA-16 Dogwood Natural Area Reimbursement Application
- d. Putnam Pond Recreation Request Letter to DES
- e. School Board Request Letter
- f. Library Trustee Audit Results Letter
- g. Intent to Cut 215-012-000
- h. Land Use Tax 247-016-002

VOTE: Selectman Schultz moved, Selectman Douglas seconded to approve the Consent Agenda. Motion passed 3-0.

Non-Public Session: RSA 91-A:3II(c) at 6:02pm. Chief Deware - Personnel

VOTE: Selectman Schultz made a motion, Selectman Douglas second to go into a Non-Public Session: RSA 91-A:3II (c) at 6:05pm. Motion passed 3-0.

VOTE: Selectman Schultz moved to re-enter the public meeting at 6:18pm. Selectman Douglas seconded the motion. Motion passed 3-0.

Community Forum

Len Mannino

Mr. Mannino wanted to introduce himself to the Board and announce he is running for the open County Commissioner seat. His platform items included:

1. Restore trust. Support citizens' right to know. Ensure transparency.
2. Adherence to rules and regulations to strengthen accountability across departments.
3. Stop raiding taxpayers' cash reserves to avoid tough budget decisions. Restructure by prioritization.

Appointment:

6:34pm: Road Agent Kent Perry; Follow-up from 7-20-16 meeting.

Mr. Perry was not able to submit the requested quotes tonight because many of the vendors were not available due to vacations.

Mack Truck Discussion

Mr. Perry has concerns with the engine and internal parts since the fuel system has never been opened. He stated it has always run okay but it has high sulfur content. He does not support rebuilding the Mack. He supports replacing the Mack with a new truck.

VOTE: Selectman Schultz moved to table the discussion on the guardrail and the Mack truck until the next Selectmen's meeting. Selectman Douglas seconded the motion. Motion passed 3-0.

Mountain Road's base pavement used 12.60 tons but was budgeted for 13 tons. The road agent will identify additional sections to estimate the paving material required.

Drainage at Mountain Road was installed near the intersection of Center Road.

The handicap parking lot at Citizens' Hall was discussed. It will be cleaned at the end of the project.

Selectman Douglas asked when the section of Mountain Road, at the end of Section D, will be widened by the town's highway department. There was a disagreement on the scope of the work and Mr. Perry felt it will take a long time and anticipates the work to be done next spring while Selectman Douglas felt it would take a week and could be done sooner.

New Town Business:

Highway Department Job Descriptions

VOTE: Selectman Schultz made a motion, Selectman Douglas seconded to table job descriptions for the Highway Department until the next Selectmen's meeting. Motion passed 3-0.

Purchasing Policy

The policy recommendations for changes were reviewed and the document will be updated.

VOTE: Selectman Schultz moved, Selectman Douglas seconded to table the purchasing policy discussion until the next meeting. Motion passed 3-0.

Intent to Cut: Policy and Procedures

The Board wanted to review the town's policy and procedures for Intent to Cut Permits.

The Selectmen cannot deny Intent to Cut Permits unless there is an obvious error such as all owners have not signing the application or it is not filled out properly.

The state forester was contacted to review a logging operation on Crooked S Road that had issues with the basil area cut and wetland violations. The Town Administrator has been in touch with the State Forester in terms of other properties with issues such as streams and stone walls. The Board has very little authority in these circumstances.

Neil Billodeau is the State Forester Ranger. A letter dated August 1, 2016 and wrote he expects to be in Lyndeborough this week and will provide a status of the property.

The property on Crooked S Road should have been re-seeded and reclaimed within six-months of the end of the logging to prevent erosion but it appears reclamation has not been done.

Administrative Assistant Cindi Hasty is coordinating training in this area of forestry and asked if it should include excavation and gravel. The Board was in agreement that gravel is a function of the Planning Board.

Selectman Douglas asked who regulates the driveway permits. He asked if the temporary driveway permits for logging operations been updated and if they are being used. He also wanted to know who has enforcement authority; the Planning Board or the Selectmen. Selectman Mayhew felt the any violations of temporary driveway permits are in the jurisdiction of the Selectmen and they can set a timeframe for the driveway to be closed and have the authority to ensure it is done and require it be closed. Applicants can be given a violation notice, the same as a zoning violation, and can be brought to court. He felt the driveway permit was a process that belongs to the Planning Board and the Selectmen are the enforcement agent.

Selectman Douglas suggested the closing date be 30-days after the intent to cut is over for consistency. He asked if the road agent has been filling out the new temporary driveway permits, taking photos and following-up on the permits. Selectman Douglas was informed; yes.

Resident Ray Humphreys had a few comments and presented a letter from John Nute from the UNH Cooperative Extension regarding logging violations on Crooked S Road.

Neil Bilodeau, Forest Ranger with the N.H. Forest Protection Bureau inspected the property, and sent an email to Mr. Humphreys outlining the issues and violations on 94 and 110 Crooked S Road with the basal and wetlands. He stated the applicant applied to convert the land within 180 days and that has not been done. Mr. Humphreys wanted to know, as a taxpayer, what is being done.

Mr. Humphreys felt in light of the past violations that the town check on the new Intent to Cut Permit for 110 Crooked S Road, filed in Aug. 2016, at the beginning, middle and end process. He has concerns about the basal and 50 foot buffer for the pond.

Mr. Humphreys stated the town is not following the Master Plan. The order of the town streams has not been completed and he felt that the Conservation Commission should be involved. He was informed the town office is trying to find an organization that can rank the wetlands and it was noted that NRPC does not provide this service. Mr. Humphreys mentioned the town may have to contract a company such as TF Moran or another group like this. This could be a possible warrant article. He also stated that the Conservation Commission can take a 40 scale map and work from GPS or a geodic survey and apply the information they know, because they live in and hike in the areas, and perform some of the leg work prior to handing it over to another organization in order to help cut the cost.

Mr. Humphreys mentioned that once this assignment is completed in the Master Plan the town can go above and beyond the State regulations and can make the buffers longer.

Chairman Mayhew will ask for this topic to be on the Conversation Commission's agenda.

Mr. Humphreys is a Civil Engineer and deals with these rules frequently.

Mr. Humphreys mentioned he has a stream that cuts through his property into the beaver pond with native trout and as of last week the trout in the stream were dead due to lack of rain. He wants to protect the native wildlife as much as possible.

Selectman Douglas has concerns with a logging operation starting on Crooked S Road while that road is being used as a detour for the Mountain Road Project. He has concerns with the large logging tractor trailer box trucks (400 tons of chips are expected to be removed) and the large construction company trucks on this narrow road at the same time.

Mr. Humphreys felt the town is obligated to be proactive and ensure the cost of the Mountain Road Project is maintained and trucks are not delayed because the road is blocked. Selectman Schultz said the police can address it if any issues arise. Mr. Humphreys asked for transparency and suggested the town inform the logging company there is large road project ongoing and that safety is a concern. Chairman Mayhew felt the Board can be proactive and also ask the police chief to keep an eye on it. Mr. Humphreys suggested a discussion with the logging operation not to stage the equipment on Crooked S Road.

The Planning Board Secretary informed the Selectmen that the next Planning Board agenda will include a discussion of the Master Plan. The meeting is Thursday, August 18, 2016 at 7:30pm.

Town Administrator's Report

-Rose Mountain Rumble is Aug. 27, 2016 and the horse ride is Aug. 28, 2016. Both events will be using Center Hall.

-The Fire Department asked if the town can waive the fee for a fundraiser at Center Hall for Jackie Smith who is suffering from cancer. She is an EMT and her husband is the fire chief. The benefit is being hosted by the Fire Department and Wilton-Lyndeborough Women's Club.

There was a discussion about the town covering the cost of a police detail.

VOTE: Chairman Mayhew made a motion to waive the fee and absorb the cost of the police detail if necessary for the fundraiser to be held at Center Hall on Aug. 21.

Since this request was not officially made, no decision was made. No second to motion.

-The Employee Cook-Out is Aug. 31, 2016 at 4:00 p.m. at Center Hall followed by the Selectmen's Meetings. The Wilton-Lyndeborough Women's Club will cater the event.

-The 2016 Municipal Law Series is available. Anyone interested in attending events should contact Cindi Hasty at the town office. Town Administrator Boland is registered for the series.

-Kingsbury Construction will replace a broken mailbox at 79 Crooked S Road.

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 7:33pm. (19:33)

VOTE: Selectman Schultz made a motion to adjourn at 7:33pm. Selectman Douglas seconded the motion. Motion passed 3-0.

Respectfully submitted,
Kathleen Humphreys, Transcriber

Chairman Lee Mayhew

Selectman Fred Douglas

Selectman Mark Schultz

APPROVED BY THE BOARD OF SELECTMEN ON AUGUST 13TH, 2016

