

**LYNDEBOROUGH BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**August 2, 2017**  
**Final**

**I. Call to Order:**

Selectman Douglas called the meeting to order at 6:01pm.

**II. Introduction of Members Present:**

Selectman Fred Douglas and Selectman Mark Schultz  
Town Administrator Russ Boland and Recorder Kathleen Humphreys

**VOTE: Selectman Schultz made a motion to appoint Selectman Fred Douglas to fill in as Chairman. Selectman Douglas reluctantly accepted. Motion passed 2-0.**

*The Board expressed that Selectman Mayhew will be dearly missed.*

**Public/Media Present:** Jessie Salisbury, Town Clerk Trish Schultz, Mark Chamberlain, Scott Pederson, Tracey Pederson and logger Bill Crouse

**III. Appointments:**

**6:05pm: Scott & Tracey Pederson, 605 Mountain Road**

Scott and Tracey Pederson have a pending logging application to log 15 acres of their Mountain Road property. They hired logger Bill Crouse. They plan to cut mature trees as well as pine trees in the front yard that pose a danger to their house. This project was delayed due to weather and now the Mountain Road paving schedule. They are here tonight to inquire when their permit might be signed and if will be weight limit restrictions.

*A Weight Limit Restriction Discussion is on tonight's agenda.*

The taxpayers spent \$1.6 million on the Mountain Road Project and the Selectmen do not want to jeopardize the condition of the road or taxpayer's money. Selectman Douglas sited an example of Bible Hill Road in Frankestown that was damaged when trucks rolled the pavement after it was recently paved. This damage was from a reputable logger and they do not want to put a logging operation in that position here.

The Selectmen are concerned about two logging operations using Mountain Road after the final pavement goes down, therefore they solicited professional advice from Northpoint Engineering and Continental Paving asking what the potential problems could be if heavy trucks are allow to drive on the paved road soon after the final coat is applied. The response was, "If there is extended heat, with the weather, and the pavement is not cured, that road would be compromised dearly". Town counsel informed the Selectmen the have the authority to regulate a weight limit or negotiate with loggers to use different routes, post the road accordingly or post a bond.

The experts fear there is a potential the pavement will be damaged if heavy trucks are allowed. Weather, heat and other factors will determine when the pavement will cure. "Heavy truck traffic can damage the road for over a year on hot days."

Logger Bill Crouse filled out the Intent-to-Cut application for the Pederson's logging operation. He investigated using Greenfield Road or French Road but due to the damage to the road it's not feasible. The van Ham family provided a verbal agreement to allow him to access through their property on French Road.

Mr. Pederson asked if a permit can be granted related to weather and temperature because his logging operation can happen in the winter. The Board will inquire about temperature.

The Pederson's expect to transport about 20-30 loads of timber (15 acres) while the Richardson Road logging operation could be hundreds of loads.

Mr. Pederson asked respectfully if there could be a proposed timeframe, road temperature suggestions and if their project could be expected to be completed within a year. It was discussed if the engineers or the asphalt company could be on-site to verify the temperature when they are hauling and determine the surface temperature at the landowner's expense.

Mr. Crouse asked if the weight limit would a posted at the beginning and end of the road and was informed yes. He has concerns that other vendors, such as cement trucks, or other logging operations could disregard the postings, which has happened to him in the past.

T/A Boland will gather additional information and report back on Aug. 16, 2017.

**IV. Community Forum and Public Comment:**  
None

**V. Decision Making Actions:**  
**a. Consent Agenda:**

The request to approve the rental of Citizens' Hall by the Library was removed from the Consent Agenda because the application is lacking a signature. It will be resubmitted for the next meeting. The July 5 and 10, 2017, Selectmen's meeting minutes will only bear the signature of Chairman Douglas; Selectman Mayhew has passed away, and Selectman Schultz was not present at those meetings and therefore he cannot approve them.

<b>Consent Agenda</b>		
<b>Date: August 2, 2017</b>	<b>Date</b>	<b>Approved</b>
AP Warrant – June 28, 2017	6/28/17	
AP Warrant – July 25, 2017	7/27/17	
AP Warrant – August 1, 2017	8/1/17	
Payroll Warrant – 7/17/17 through 7/30/17	8/1/17	

Purchase Order # 2008 – Advance Excavating & Paving	7/19/17	
Purchase Order # 20676 – Advance Excavating & Paving	7/27/17	
Purchase Order # 2011 – D.C. Slocomb Co. LLC	7/24/17	
Request to Approve Contract for Sale of Commercial Alarm System – Monadnock Security Systems, Inc. (OEM Garage - 1645 Center Road)	8/1/17	
Execution of Thank You Letter – Chris Schoen - Citizens’ Hall Display Cases	7/19/17	
Request for Board Certification of 2017 MS-535	8/1/17	
Request Approve Citizens’ Hall Rental – Library Program/Free Gentle Yoga	6/28/17	Consideration Postponed
Request for Approval of Intent to Cut Application (17-279-13T)	8/1/17	
Request for Approval of Intent to Cut Application (17-279-14T)	8/1/17	
Request for Approval of Intent to Cut Application (17-279-15T)	8/1/17	
Board of Selectmen’s Public Meeting Minutes	7/5/17	
Board of Selectmen’s Public Meeting Minutes	7/10/17	

**b. Old/Tabled Business:**

**Mountain Road Update**

On July 31, 2017 there was a meeting with Northpoint Engineers, Continental Paving, T/A Boland and Road Agent Perry to review the schedule. Equipment will arrive on-site August 4, 2017; August 7 patch areas in question; August 8 reclaim Cummings Road, August 9 pave Cummings Road; August 10, Cummings Road binder and fill shim spots on Mountain Road; August 14-15 pave Center Road end to end and complete wearing course while shoulder work will be done the following week. A resident with known allergies has been informed. Eversource will remove poles in Section A next year.

**b. New Business:**

**Mountain Road Weight Limit Restriction Discussion**

The Selectman discussed a weight limit restriction to protect the pavement on Mountain Road while it cures. The RSA gives them the right to restrict the weight.

A pending 260 acre logging operation on Richardson Road verbally indicated they will take the lumber off the other side of Richardson Road and on the dirt road but that will need to be in writing. The Selectmen requested to have their hauling route and plans in writing such as how they will relocate their equipment such as skidders.

The Selectmen would like photographs taken of the culvert that runs under Cold Stream before the end of Mountain Road and to review documents in case there is any damage.

It was noted the spring road weight limit restriction postings in Lyndeborough are 6 tons. Home heating trucks would be exempt.

The Board requested five (5) large Weight Limit signs and a notice will be put in the newspaper. Prior to the pavement there will be signs that say, “Weight limit restricted on the paved portion of Mountain Road”. The MUTCD Book on federal sign guidelines will be consulted.

**VOTE: Chairman Douglas made motion to establish the weight limit to six tons (6) for Mountain Road in the paved sections effective immediately. Additionally, signage and a notice in the newspaper will be posted. Selectman Schultz seconded. Motion passed.**

**Selectmen's Vacancy**

Selectman Schultz stated the town's business must go on. "We have a vacancy because the death of our good friend Lee Mayhew. It's a very sad time for us but we have to move forward." His seat will be filled by a candidate appointed by the Selectmen until the next election in March 2018 when a candidate will be voted into office.

Resident Mark Chamberlain expressed interest in serving. Mr. Chamberlain explained he wanted to give back to the town. He currently serves on a few boards in town. Members of his family have been previous Selectmen. He feels he can bring a balance perspective to the Board. "I don't have agendas other than protecting the town's interests, which are also my interests. I can help the town out," said Mr. Chamberlain.

The Board thanked him for his dedication to the boards he serves and thanked him for coming forward during this tough time. They felt he was a "diamond in the rough."

**VOTE: Chairman Douglas made a motion that the two selectmen appoint Mark Chamberlain to fill the vacancy created by Selectman Mayhew's passing, to serve as Selectman until the next town election in March 2018. Motion seconded by Selectman Schultz. Motion passed 2-0.**

*ELECTIONS*

*Chapter 669-Town Elections-Filling Vacancies*

*Section 669:63*

*669:63 Selectmen. – Vacancies in the board of selectmen shall be filled by appointment made by the remaining selectmen. Whenever the selectmen fail to make such appointment, the superior court of any justice thereof, on petition of any citizen of the town, and after such notice as the court shall deem reasonable, may appoint a suitable person to fill the vacancy; provided, however, that if the town has adopted the provisions of RSA 669:61, IV, and a petition thereunder is submitted before the submission of a petition under this section, the provisions of RSA 669:61, IV shall apply.*

Town Clerk Patricia Schultz swore-in Mark Chamberlain. Documents were signed and are attached to the minutes.

**SB 38 Highway Block Grant Discussion**

Lyndeborough was granted \$73,510 in additional Highway Block Grant money. T/A Boland is reviewing the documents for the specified usage of the money which will be read into the August 16, 2017 Selectmen's Minutes during the Public Hearing on this matter at 6:05pm. The money can be encumbered into next year's paving budget.

**c. Items not on Agenda:**

None

**VI. Town Administrator Report**

-The low bid for sealing the handicap parking area at Citizens' Hall will be reevaluated.

-The pavement at Center Hall has cracks. There is money to seal crack but Selectman Chamberlain is not in favor of seal coating because most of the product washes away and it is only sprayed on which does not connect too well. He will inspect the parking lots at Citizens' and Center and report on the condition.

-September 13, 2017 is Employee Cookout and the Selectmen's Meeting at Center Hall.

-Belemore will vacuum out the Mountain Road culverts August 3, 2017. The state bid was \$2,500 and the cost will be in future budgets.

-T/A Boland reviewed the budget.

-The Selectmen will ask the Highway Advisory Committee to meet August 14, 2017. Items to discuss include snow plowing routes, highway department mission.

**VII. Selectmen's Report**

**a. MACC Base Action & Agenda**

T/A Boland attended a recent meeting. He recapped that they evaluated improvement in the police department, discussed employee benefits, communication, and other issues. Selectman Schultz will attend future meetings.

**VOTE: Chairman Douglas nominated Selectman Chamberlain to be Selectmen's Representative to be to the Budget Committee. Selectman Schultz seconded. Motion passed 3-0.**

**b. Transportation Committee**

No items to discuss.

**c. Planning Board**

**VOTE: Selectman Schultz nominated Chairman Douglas to be Selectmen's Representative to the Planning Board. Selectman Chamberlain seconded. Motion passed 3-0.**

The charge of the Planning Board was to review the Home Occupation and Home Business regulations. Selectman Mayhew was steadfast on preparing an outline of regulations by September 2017.

**d. Heritage Commission**

**VOTE: Chairman Douglas nominated Selectman Schultz to be Selectmen's Representative on the Heritage Commission. Selectman Chamberlain seconded. Motion passed 3-0.**

**e. Safety Complex**

Selectman Chamberlain will be the Selectmen's Representative.

**VIII. Information Items Requiring No Discussion**

None

**IX. Non-Public Session - None**

Selectman Schultz would like the Board to honor some of the ideas and forward thinking that Selectman Mayhew suggested such as employee and Board/Committee training, fixing the split rail fence at Citizens' Hall, making improvements to Putnam Pond and trying to ensure some of these happen and are not forgotten. Selectman Schultz added, "He was doing the best for the town and we have a great affection for him."

Chairman Douglas recommended the cover of the next Town Report be dedicated to Lee Mayhew and mentioned that Lee's favorite saying was, "It will be ok".

The trees at Citizens' Hall will be dedicated on August 16, 2017 with three plaques.

Jessie Salisbury reported advanced copies of the Lyndeborough School book can be ordered.

**Adjournment:**

**VOTE; Selectman Chamberlain made a motion, Selectman Schultz seconded to adjourn at 7:40pm. Motion passed 3-0.**

All scheduled items having been addressed, the public meeting was adjourned at 7:40pm.

Next regular meeting: August 16, 2017 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber

Chairman Fred Douglas

Selectman Mark Schultz

Selectman Mark Chamberlain