

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
April 1, 2015
Final

Members Present: Chairman Fred Douglas, Selectman Lee Mayhew and Selectman Mark Schultz.

Staff Present: Town Administrator Russ Boland

Public Present: Ray Humphreys

Media Present: Jessie Salisbury

Recorder: Kathleen Humphreys

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

Consent Agenda:

Review and signing of consent agenda items

- a. WLC Emergency Shelter Memorandum of Understanding
- b. R. Sprankle Resignation Acknowledgement Letter
- c. Timber Yield Tax 208-010-000
- d. Intent to Cut 207-025-000
- e. 3/18/15 Non-Public Meeting Minutes

Appointments:

None

Community Forum

None

Old Business

Mountain Road Engineering Update

A contract for Mountain Road engineering from Northpoint Engineering was reviewed and changes discussed. Selectman Mayhew provided Town Administrator Russ Boland with a copy of modifications.

Some of the modifications include:

Page 207: "2016 construction season" added.

Next to last paragraph: "Need to inform abutters and keep the public informed."

Discussed increasing next year's legal budget in anticipation of the pending easement application costs or add a sub-line on the budget for legal costs. It was discussed to have an estimate for the easement fees.

The original proposal included miles and other expenses to be included in the contract but in Exhibit B they are listed. Clarification is needed.

VOTE: Selectman Schultz made a motion to accept Selectman Mayhew's modifications to the Northpoint Engineering contract. Selectman Douglas seconded the motion. Motion passed unanimously 3-0.

VOTE: Selectman Mayhew made a motion to send the contract to town counsel for review. Selectman Schultz seconded the motion. Motion passed unanimously 3-0.

Purgatory Falls Road 235-012-000 Property Discussion

The letter the town recently received is still at Attorney Drescher's office and the town is looking at proper way to proceed. Mr. Boland will send a letter to Mr. Welch's attorney confirming receipt of the letter and that it is being looked at by town counsel.

Social Security Update

The IRS and Department of Health & Human Services have stated when an employee is receiving retirement benefits, in Group 2, and working part-time in a Group 2 role, they are not entitled to social security benefits paid by the town.

The town was paying social security on part-time and full-time police officers. This topic will be continued in non-public session.

New Business

HB 547

HB 547 passed the House of Representatives and went on to the Senate. A bill by the utility company was also proposed today. The town has contacted Sen. Sanborn to discuss the bill and will invite him to a future meeting.

It was explained the energy companies wants the pole tax to be standard and consistent.

It is possible this bill could be a loss of \$50,000 to the town. It was noted the DRA did an assessment but historically they have not always been accurate.

Planning Board concerns regarding: Lot 250-12

A case was before the Planning Board on March 19, 2015. The property is on Center Road and owned by Ray Hutchinson who wants to subdivide into two lots.

The Board had concerns about the road frontage and a road. A letter sent to Attorney Drescher whose opinion is a variance would be the best option which the selectmen agree with.

VOTE: Selectman Schultz made a motion to let the Planning Board know the Selectmen's position to go forward with the case and send it to the Zoning Board of Adjustment. Motion passed 3-0.

Safety Complex or other option Committee

A list of residents interested in being on the committee are: Scott Roper, John Pomer, Stephane Roper, Walter Holland, Bob Rogers, Wally Holt, Russ Gaudiana and Andy Roeper. Mark Chamberlin has a civil engineering background and has expressed interest when the committee

was discussed at town meeting. Highway, fire and police, and emergency management department heads will work with the committee.

Since the board is at the limit of nine members there are concerns about both Ropers being on the Safety Complex Committee. The Town Administrator will call and ask if they can select which person wants to serve.

The Selectmen would like an update every six month and a report to the town after three years.

VOTE: Selectman Mayhew made a motion to have Town Administrator Russ Boland ask the Ropers which one wants to serve on the Safety Complex Committee. Selectman Schultz seconded the motion. Motion passed 3-0.

VOTE: Selectman Mayhew made a motion to allow Selectman Schultz to serve on the committee. Chairman Douglas seconded the motion. Motion passed 3-0.

It was agreed to have committee members and department heads attend a selectmen's meeting before commencing. They will make a charge and be provided with past studies.

Crooked S Road Gravel Proposal

The town was approached last week from resident Steve Freischlag on Crooked S Road who offered to donate gravel to the town and then plans to lay down bio-solid materials to reclaim the land.

Town Administrator Russ Boland explained he reached out to the state and the resident and it's a complicated issue. There are Class A and Class B materials, regulations and setbacks to consider among other concerns and issues.

It was discussed for the Planning Board to understand the ramifications of the issue of hazardous materials and will need a solid skill set to address it.

Crooked S Road resident Ray Humphreys attended the meeting and provided a study with information to Chairman Fred Douglas before the meeting. He explained it's a cooperative study between major agricultural schools such as Cornell University, UNH and Rutgers and the paper admits they are not agricultural scientists.

This material has been approved in several states and amendments made. It is not safe as a top dressing. The paper suggested bio-solid material not to be used on porous gravel surfaces because it will percolate. The Class B materials contain the same pathogens but they have been un-stabilized, not killed. Without proper pH monitoring those pathogens revitalize and start to move. They have huge heavy metal content such as mercury and other metals.

Even if the bio-solid material is allowed to be used it can't be used as a top dressing and the property owner would be required to lay down a clay top to try to contain it.

It was stated the Lyndeborough Planning Board should start to look at this closely and for the town to have an opinion. Several towns have opinions and some have mixed rules and some follow state guidelines. The Planning Board should consider an ordinance for solid waste on properties.

There are cases where bio-solid product caused illness and death.

Chairman Douglas invited other Board members to drive by the Crooked S Road property and look at the property and type material on-site. He believes there is a lot of ledge therefore the material on the property most likely won't be of much use to the town. He also expressed concerns with water issues, environmental concerns and reclamation of the property. The Board felt the town should not be involved with residents on their property.

Mr. Humphreys added the paper said it is not edible for livestock. He noted many fertilizers that can be purchased in stores claim to be organic but have bio-solid materials and it's a way to disguise it.

Election of the Chairman of the Board of Selectmen

VOTE: Selectman Mayhew nominated Fred Douglas as the Board Chairman. Selectman Schultz seconded the motion. Motion passed 2-0.

Selectmen Representation to Town Board

Planning Board

VOTE: Selectman Mayhew made a motion to select Selectman Schultz as the representative to the Planning Board. Chairman Douglas seconded the motion. Motion passed 2-0.

Heritage Committee

VOTE: Selectman Schultz made a motion to appoint Lee Mayhew as the representative to the Heritage Committee. Chairman Douglas seconded the motion. Motion passed 2-0.

Budget Committee

VOTE: Selectman Mayhew nominated Fred Douglas as the Budget Committee. Selectman Schultz seconded the motion. Motion passed 2-0.

2015 First Quarter Budget Review

-The propane use for the heating season was on target of 6,000 gallons.

-The budget that was affected the most this winter is the highway budget which is at 23% spent. Overtime is at 104%, part-time help is at 82% spent and blades line is at 108%. Sand is at 136% due to two extra deliveries since the highway department ran out of sand. Block grant is 36% spent. \$10,086 was spent on the backhoe lease which will be paid off in December.

The whole budget at the 25% mark is 21.3% spent.

Recalibration of the sand was discussed. The highway department has enough salt for two more ice storms and enough sand for four more storms. Road Agent Kent Perry is pleased with the sand/salt mix because it is not blowing off the road and when the sand goes down it holds better. It has been a tremendous savings and attributed to the calibration class Mr. Perry attended.

VOTE: Selectman Mayhew made a motion to have TA Russ Boland coordinate with the road agent for a two week rental of the screener next year. Selectman Schultz seconded the motion. Motion passed 3-0.

The possibility of a sand pile in north Lyndeborough was discussed as it would save on gas plus wear and tear on the highway vehicles.

The grader is going in for service this week for issues and needs service maintenance.

Town Administrator's Report

-The Lyndeborough grader has a wing that pushes the banks back and the extension has to be done manually. It was noted that Wilton and New Boston have a piston that can bring the extension back two more feet and allows them to come up when come to a tree or other obstacles and further than when it is done manually. It is concluded that part of the problem is mechanical for not being able to push snowbanks back enough.

-The 2002 Mac was sent to J&Ds and the work was estimated at \$3,500 but Kent Perry was able to get the parts for a discount.

-Phil St. Cyr of PRIMEX did a flagging class for the town and during it he emphasized safety precautions such as wearing jackets. He will conduct a plowing class in the fall.

-The school monthly payment of \$224,800 is down to 194,894 for next three months. July 1, 2015 starts the new school fiscal year.

-ATVs

One ATV would not start and the other was releasing a lot of gas. Last December the town spent \$1,600 in maintenance costs. The Board requested the ATVs are started every two weeks and a log be kept. A vehicle log will be required from all departments. The ATVs were donated and the owners, Mr. Sowerby and Mr. Haggard, have first right of refusal.

-The Board agreed they are not a liaison to department heads.

-Selectman Mayhew felt the job description Russ Boland was hired under is not what it is on the chain of command.

-Mr. Boland received a letter of authorization to purchase federal surplus at the White Farm. Names are required of what town employees or authorized to make purchases. It was discussed to include Kent Perry, Russ Boland, Rance Deware and Fred Douglas. Signatures are required.

VOTE: Selectman Mayhew made a motion to authorize the document to purchase federal surplus from White Farm. Selectman Schultz seconded the motion. Motion passed 3-0.

-Old email addresses have been removed which will save the town up to \$4.00 per month per email address. The Board felt the former computer company should have done that during the audit. It was discovered by the new company and Cindi Hasty.

-The town can recover a \$6,400 refund because the state has been declared a federal disaster area from the January 26-28, 2015 storm.

-PLT will be doing an evaluation review class on May 7, 2015. A simple two-page form with objectives and other information is preferred. It should include a ranking system with numbers 1 through 5 to choose from with an explanation box if #3 is not selected.

Other discussions

Selectman Mayhew asked about a letter from Mike Decubellis and the driveway permit application which was in the meeting package. The application should CC the road agent, town forester, Planning Board and code enforcement officer and be should be signed by the Town Administrator.

Non-Public: RSA 91-A:3II (a)

Personnel Update

VOTE: Selectman Mayhew made a motion to enter into a non-public session. Selectman Schultz seconded the motion. Motion passed 3-0 at 7:50pm.

The non-public session ended at 8:58pm.

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 8:59pm.

Date:

Kathleen Humphreys, Transcriber

Fred Douglas
Chairman

Selectman Lee Mayhew

Selectman Mark Schultz

APPROVED BY THE BOARD OF SELECTMEN ON APRIL 15, 2015

