

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
January 20, 2016
Final

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

Staff Present: Town Administrator Russ Boland and Fire Chief Brian Smith

Public Present: Rick McQuade

Media Present: Jessie Salisbury

Recorder: Kathleen Humphreys

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

Consent Agenda:

Review and signing of consent agenda items

- a. AP Warrant 1/20/16
- b. Payroll 1/20/16
- c. Purchase Order – Fire Dept. Dispatching Agreement KMA
- d. PRIMEX Loss Mitigation Agreement
- e. Intent to Cut 15-279-17
- f. Timber Yield Certification 15-279-11

VOTE: Selectman Mayhew made a motion, Selectman Schultz seconded, to accept the consent agenda items. Motion passed 3-0-0.

Appointments:

Rick McQuade re: Village Store Invoice

Mr. McQuade spoke to the Selectmen about old store invoices he inherited when he purchased the Village Store that the former owner Don Guertin did not close-out. The town's invoice is for \$257.36. If they find this invoice is in error a refund will be issued. The fire department's bill is up-to-date and they utilize a system of a signature required from the person who picked up the goods plus a signature from a fire department officer.

The Board was concerned with the process and the fact some of the invoices went back to 2004 and requested a better system. A policy will be implemented that an individual has to sign and print their name to pick-up a purchase plus obtain a receipt. Department heads can authorize purchases. The store will accept welfare vouchers issued by the town.

VOTE: Selectman Mayhew made a motion, Selectman Schultz seconded, to pay an invoice for \$257.36 to the Village Store. Motion passed 3-0.

Community Forum:

Jessie Salisbury informed the Board that Clayton Brown is pleased there will be a plaque honoring Warren Murdough under the light his family plans to donate at Center Hall but asked they are not named as the donor.

Old Business:

2015 Audit Discussion

The town will continue with the Plodzik & Sanderson. The price will be locked for years one and two then a \$50 increase in year three.

VOTE: Selectman Mayhew made a motion, Selectman Schultz seconded, to authorize the chairman and town administrator to sign the three-year contract with Plodzik & Sanderson of Concord, NH. Motion passed 3-0.

Mountain Road Reconstruction Update

Monday, January 25, 2016 at 10:00am is the pre-bid meeting with Kevin Leonard. Bids open on February 8, 2016 at 10:00am at Citizens' Hall. The Bond Hearing is February 10, 2016 at 6:30pm with the budget hearing to follow at 7:00pm. Devine Millimet reviewed the language. A meeting is scheduled on Friday, Jan. 22 with Attorney Drescher to review the warrants.

New Business:

CIP Review

Fire Chief Brian Smith was present to discuss the fire department budget, stipends and presented "Outline of Officer Structure". It was discussed to keep the money in the stipends line or eliminate that line and increase the officer's line by \$8,000. The Budget Committee will look at this increase. Chairman Douglas asked Chief Smith to have a backup plan.

Chief Smith reviewed the Outline of the Officer Structure. (see file for document). The Board asked about the qualifications, tenure, training and certifications required for officers. Chief Smith informed the Board the membership votes on officers. The Board discussed RSA 154:1:b in which the Board would hear the chief's recommendations then confirm them.

Town Administrator Russ Boland will meet Jan. 26, 2016 with Chief Smith to review the information.

Chief Smith mentioned he is working on a handbook that will include job descriptions, mission statement, SOP and SOG. Selectman Schultz said he has their support and wants to see him initiate the rules and regulations. He would also like to see half the stipend increase next year.

Appointments:

Junkyard Concerns

Residents including Beth Penney, Dave Roemer, Tracy Turner, Paul Turner, Steve Brooks and others had concerns about the growing junkyards at Feel Good Farm and the Hanson Property on Johnson Corner Road which have a number of abandoned and unregistered vehicles as well as vehicles stashed in the woods, off the beaten path. They read zoning 200:05 "Automobile junkyards are not permitted."

Since this is a new Board they would like to discuss this and bring it to their attention. Photographs dated Jan. 16, 2016 were presented as well as Google Maps aerial photos of Feel Good Farm that were put into the record.

With this complaint the Town Administrator will get the Code Enforcement Officer involved for his recommendation. The town will report back to Dave Roemer who is the group's contact.

The group has concerns of a camper and trailer in the field. They are occupied at times. Camping in Rural Lands I is not permitted.

In 2002, the town issued a Cease & Desist order for Larry Boisvert's porta-potty business and ATV business. The ATV case went to the Supreme Court. According to the resident's present, the porta-potties were hidden on their Purgatory Road property but have migrated back to Johnson Corner Road. Aerial photograph showed them on the property.

In 2000, DES did a review and estimated Mr. Boisvert was dumping upwards of 300 gallons per day on his property in a lagoon and was told to stop. They found another lagoon on the property after that. Beth Penney would be interested in a DES follow-up on where the waste is being dumped because she sees his trucks out and sees his products at places such as Keyes Field. In her opinion, his porta-potties are not in good shape.

Paul Turner asked if someone can look into the permit for the paintball operation on Feel Good Farm to look at his plan and the parking plan.

Dave Roemer told the Board they made a complaint to the Planning Board about five-years ago and nothing was done. They brought up the parking issue and other issues. They were told by the Planning Board to call the police with complaints in which there are records of their complaints. For example, Beth Penney said there are issues with the cannon noise after 10:00pm and finding men with rifles on her lawn at 2:00am, a long way from the playing field.

Tracy Turner said she was a member of the Planning Board during the site plan review process for Feel Good Farm and that the hours of operation and parameters of the operation are clearly spelled out, and felt he is in violation.

The Planning Board Secretary will find the information on the review.

The group had concerns about animals being underfed and the safety concerns of the animals and the public because the horses free roaming especially at night on the dark roads. The fence is not adequate. It was noted that Mr. Boisvert advertises as a Livery Business which offers carriage rides and horses rental. This business is not registered.

Zoning regulations states, "No property shall adversely affect another property".

Mrs. Turner mentioned that Mr. Boisvert is very effective in screaming at people so they leave them alone and makes it uncomfortable for people to enforce the regulations. He also "creeps" and brings things back slowly as time goes on. He sued the Town of Lyndeborough multiple times and the ZBA.

The Board informed the residents they will look at all the information, do their due diligence and report back. Selectman Mayhew will assist the Town Administrator in gathering information. Attorney Drescher will be consulted for his records on the decisions rendered.

The town has it in writing that Echo Valley will be cleaned-up this spring.

Jessie Salisbury noted that the reason Feel Good Farm didn't get their ATV Park was because they refused to mark the boundaries.

2016 Selectmen's Report

The Board is satisfied with the report.

2016 Warrants

Some are "Special Articles" and that language should be included. Dresher will be consulted on Article 19 as to if they should strike "One-Ton".

T/A Boland did a comparison on Elderly and Veteran Exemption in neighboring towns.

Elderly Exemption: It will be a \$2,159 distribution with an estimated 1.5 cent tax increase.

War Veteran Tax Credit Modification is a \$10,000 distribution resulting in a 6-7 cent increase.

VOTE: Selectman Mayhew moved, Selectman Schultz seconded, to accept both the elderly and veterans tax exemption as proposed. Motion passed 3-0.

Article 4: War Veterans Tax Credit Modification

Shall the town of Lyndeborough vote to modify the optional annual tax credit for war Veterans under the provisions of RSA 72:28 to increase the optional Veteran's tax credit from \$300 to \$500; or take any other action relative thereto.

Article 5: Exemption for the Elderly Modification

Shall the Town vote to modify the Exemption for the Elderly under provision of RSA 72:39-a, from property tax in the town of Lyndeborough, based on assessed value, for qualified taxpayers, to be as followed: for a person 65 years of age and up to 74 years of age, (currently \$20,000) to \$35,000; for a person 75 to 79 years of age (currently \$30,000) to \$50,000 dollars; for a person 80 years of age or older (currently \$60,000) to \$70,000. To qualify, the person must have been a New Hampshire resident for at least three consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least five consecutive years. In addition, the taxpayer must have a net income of not more than (currently \$25,000) to \$30,000 or, if married, a combined net income of less than (currently \$35,000) to \$40,000; and own assets not in excess of (currently \$60,000) to \$70,000, excluding the value of the person's residence; or take any other action relative thereto.

Warrant 21: Suggest amending "not to exceed \$160,000". Also recommend "mid-size dump".

Other Business:

VOTE: Selectman Schultz moved, Selectman Mayhew seconded, to authorize Chief Deware to pay Beltronics from the Police Detail Revolving Fund, 20-80-12. Motion passed 3-0.

Town Administrator's Report

-The property on Old Temple Road has received a third certified letter. The code enforcement officer was denied access on January 20, 2016.

It was suggested to implement a three-step process: 1) Initial letter. 2) Final letter with a warning of a cease and desist action taken. 3) Cease and desist.

-MACC Base is moving forward and the alarms should be ready in about two-weeks.

-The Scout Road building has been posted.

-The Lyndeborough Building Inspector is helping Wilton while their inspector is away.

Non-Public Session: RSA 91-A:3II(c) at 8:22pm

VOTE: Selectman Mayhew made a motion, Selectman Schultz second, to go into a Non-Public Session: RSA 91-A:3II(c) at 8:22pm. Motion passed 3-0.

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 0:00pm.

Date:

Kathleen Humphreys, Transcriber

Fred Douglas
Chairman

Selectman Lee Mayhew

Selectman Mark Schultz

APPROVED BY THE BOARD OF SELECTMEN ON FEBRUARY 3, 2016