

TOWN OF LYME
Select Board Meeting
&
Public Hearing
February 11th, 2016
8:00AM

Town Office conference Room
Approved: February 18, 2016

The following people were present for part or all of the meeting: Select Board members: Susan J. MacKenzie (Chair), Charles J. Smith & Patty Jenks, Highway department: Steve Williams, Matt Thebodo, Greg Jenks, & Scott Bailey. Administrative Assistant, Dina Cutting. Lyme Foundation representatives, Abbe Murphy & Dave Hewitt. For the Latham Tavern: Tami Dowd and Erin Darrow .

- 1) At 8:00 AM MacKenzie opened the meeting.
- 2) At 8:00AM MacKenzie opened the Public Hearing. No public in attendance at this time.

The board reviewed and discussed the warrant article:

ARTICLE 19. To see if the Town will vote to adopt the provisions of NH RSA 261:153 (VI) to levy an additional motor vehicle registration fee in the amount of five dollars (\$5.00) to be used to support a municipal transportation improvement fund. And to further provide that with the adoption of this article the town shall create Capital Reserve Fund, pursuant to RSA Chapter 35 to be known as the Municipal Transportation Capital Reserve Fund, said fund to be used to fund, wholly or in part, improvements in the local or regional transportation system including roads, bridges, bicycle and pedestrian facilities, parking and intermodal facilities and public transportation. The funds may be used for engineering, right-of-way acquisition, and construction costs of transportation facilities, and for operating and capital costs of public transportation only. The funds may be used as matching funds for state or federal funds allocated for local or regional transportation improvements. Such funds shall not be used to offset any other non-transportation appropriations made by the municipality. And to further name the Select Board as agents to expend this Capital Reserve Fund.

(Majority vote required.) (Recommended by the Selectmen by a vote of 3-0)

There being no public comment the board noted their support for this article. The public hearing was closed at 8:10AM

- 3) Smith moved to approve the minutes of the February 4th, 2016 meeting. Seconded by Mackenzie. The minutes were unanimously approved.
- 4) Matters Arising:
 - A letter to the Planning Board was reviewed and signed by the Board. Smith moved to send this letter to the Planning Board. Seconded by Jenks. Voted unanimously in favor.
 - Historical Preservation Easement: The Patridge violation of the historical preservation easement letter was reviewed. The board offered changes, Cutting will make the requested changes and the board will sign.
 - New Web page is up and running.
 - Over Seer of Public Welfare: The board will offer assistance to the Overseer so that all files will be relocated to the vault by April 1, 2016.
 - E-mail communication from Harold Swartz was discussed. The board has encouraged Mr. Swartz to come to the Select Board meeting and or Coffee hour in the past to discuss his concerns. After a lengthy discussion concerning signage for the closed section of River Road the board will have the highway department put a sign up indicating the house number at which the road is closed from the south end. This will help motorists identify how far they can go before the barricades. The other requests in this e-mail cannot be accommodated.
- 5) Highway:
 - It was noted that most of the signs on the closed section of the River Road are

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vandalized. They have been taken down, spray painted etc. It is difficult and costly to keep appropriate signage in place or legible.

- The Edgell Bridge signs have been put up.
 - Written permission from landowner, Paul Guyer has been received to cut the tree on Washburn Hill. The public hearing for this will take place this evening.
 - Grader: The grader needs significant and costly work. Williams will move ahead with the piston work and the other issues will need to be addressed at a later date. Williams noted this was an aging fleet and there are a lot of problems.
 - Morton Salt: Historically Lyme has not been able to get this company to deliver material to Lyme. Williams believes he has secured an arrangement in which they will now deliver. The board discussed various options. The board and highway department would like to try the treated salt. Morton prices are considerably lower than the present.
 - At this time MacKenzie informed all that the board was offering the foreman position to Steven Williams. He accepted. All present congratulated him.
 - Orford: Orford road crew takes care of the northern end of River Road, from the Orford town line to the Edgell Bridge. The Town will supply material to take care of this section of River Road.
 - Logging traffic: Williams is concerned about local loggers taking advantage of the permission to drive on roads during posted periods. Currently there are 6 logging operations going on in town. He has adjusted the permission sheet to reflect license plate numbers of the trucks. In addition he will keep in-house records of the authorizations and communicate with the Police Dept. about who has been authorized to operate. The board is in support of this.
- 6) 9:00AM- Tami Dowd & Erin Darrow: Latham Tavern well; Darrow explained the DES requirement of a protective well radius easement in order to use a specific well on the Dowd's property. They reviewed the requirements. This subject was discussed previously and the Town's attorneys' position on this matter is to not recommend this easement be given. This would encumber public property for the purpose of benefiting private property interest such as a private well. Dowd and Darrow requested the board give permission to the Town Attorney to discuss this with the DES attorney. Cutting will get a cost estimate and if this moves forward for further investigation the property owner will be responsible for the costs.
- 7) Public Comment: There was no public comment at this time.
- 8) The manifest in the amount of \$83,131.40 was reviewed and approved.
- 9) 9:30AM- Lyme Foundation: Abbe Murphy and Dave Hewitt came to discuss the grant application concerning TransCanada and the Wilder Dam permit. After a lengthy discussion it was agreed MacKenzie will rewrite the grant application. Mr. Hewitt encouraged the board to come forward with some financial contributions towards this effort to go along with the Foundation funding if approved. There is no funding in the budget for this and it is too late to add anything to the warrant. The Foundation will be considering this grant in the next few days. The Connecticut River Joint Subcommittee will be meeting on Monday to discuss this subject.
- 10) Two report of wood cut were reviewed and signed.
- 11) Upper Valley Lake Sunapee RPC house hold hazardous waste contract was reviewed and signed. Smith moved to have the Chair of the Board sign this contract. Seconded by Jenks.

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Voted unanimously in favor.

- 12)** Smith would like to know why C. Witcher is leaving small dumpsters instead of the regular 40 yard open top ones. Cutting will investigate this.
- 13)** Prouty Banner: The sense of the board was to allow the Prouty to put a banner on the common for 1 week prior to the Prouty fundraiser.
- 14)** The board reviewed the final warrant, MS-737 and budget spread sheets. The board signed the warrant for posting on Tuesday February 16th, 2016.
- 15)** Committee & Commissions:
 - None
- 16)** Ongoing:
 - Mackenzie reviewed Fairpoint's response to concerns at the River Road location where Fairpoint removed a telephone pole. They have communicated with NHDES to obtain the necessary permit needed to address this fix.
 - MacKenzie & Chief O'Keefe will be meeting with William Lambert of NH DOT to discuss the possibilities of a crosswalk change to address safety concerns in front of the school.
 - Smith properties: The board performed a site visit on Saturday February 6th, 2016. It is the sense of the board to tackle this project in sections. The board will require that a certain number of assigned items removed from each location by a specific date. It will be made clear that if these items are not removed by the established date, the owners understand the town will move forward to begin the process of this assignment. Cutting to communicate with Town Attorney to request this proposed plan of action be set up.
- 17)** The board approved and signed an elderly exemption application.
- 18)** The board approved abating the interest accrued as the result of a late tax payment for a property that was waiting for the probate court to finalize documents. The amount was \$255.83. Smith moved to abate this interest. Seconded by Jenks. Voted unanimously in favor.
- 19)** At 10:30 Smith moved to recess the meeting until 1:30PM to meet with CLD. Seconded by Jenks. Voted unanimously in favor.

Respectfully Submitted,

Dina Cutting

Meeting of the Lyme Select board on February 11, 2016 reconvened at 1:30pm in the Town Office Conference Room.

Attending were Susan Mackenzie, C. Jay Smith, Patty Jenks-Board members.

Charlie Hirschberg, Brian Vincent and Dan Monette from CLD Engineering and Members of the Public Colin Robinson and Elizabeth Bailey Gray

The purpose of this meeting was to receive information on the options determined to be viable for the issues located on River Road previous called "the slump", now called "slump #1".

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Presenting for CLD Engineering was Dan Monette:

Option #1: This requires a new roadway circumventing the existing site, running from River Road near the driveway for #278 to the East Thetford Road. The approach would be near the driveway at #278 with a possible extension of the culvert. Every effort was made to avoid impacting the farming fields however there will be a small amount of field taken to avoid the ravine areas. Approximately three to four acres of private property will be affected and will require purchase or easement. This option will have slight wetlands impact. Because of the curves and subsequent visibility issues necessary to get from River Road to East Thetford Road it's recommended the speed limit be posted at 25 mph. It's the opinion of the engineers that the creation of the roadway will help stabilize the field edges.

The issue of headlight problems is minimized because the proposed route has a natural tree line buffer. The maximum grade is 8%. The engineers are checking the existing utility pole locations and impacts to be sure wire height is sufficient. The current plan estimate includes paving but the Town's plan is to leave this a gravel road which will result in a considerable savings. The cut and fill is closely balanced, therefore there should be little excess material left over. The road would be ditched on the uphill side. There is 200 ft. of guardrail included in the estimated price. Consult with NH Department of Transportation concerning access to East Thetford Road is scheduled.

Hirschberg commented this is a straightforward general earthwork plan requiring cut & fill and no retaining walls. There may be a need for more culverts and an Alteration of Terrain Permit is required. The project could be completed in one construction season.

The rough estimate is for 2300 ft of new roadway and includes a 20% contractor contingency and a 15% engineering cost.

The Board further discussed some options where we thought cost savings could be achieved such as using the Highway Department for some phases. These will be further discussed with the engineers at a future date.

Option #1: Estimated price is \$850,000.00 (eight hundred fifty thousand dollars)

Option #2: This is a complex plan and requires alignment into existing bedrock to get stable surface to create the road. An 800 ft retaining wall which will vary in height would be required. The road surface would be on ledge and a flat shelf would drop to the existing road area. This option includes significant blasting of approximately 2500 yards. Williams commented he knew of a processor who might be able to crush the blasted materials onsite.

Hirschberg commented there are many assumptions about this option as there remain questions because certain data has not been analyzed. There is the possibility of catastrophic failure if the blasting further compromises the bank and unstable soils or there are unexpected issues with existing conditions. The blasting in this area would need to be very controlled and is very expensive. There is concern about drainage from upper fields, although it appears to be minimal at this time. He's concerned about stability issues and stated there is no guarantee that this repair will not be compromised by the continued river migration issues. Further this option will be very time intensive, possibly taking up to 3 construction seasons to complete.

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The rough estimate includes a 20% contractor contingency and 15% engineering cost. The remedial measures for ledge alone are \$900,000 (nine hundred thousand dollars). The total project is estimated at \$2,500,000.00 (two million five hundred thousand dollars).

MacKenzie stated it was clear an appraisal needs to be completed for the property in question for option #1.

Colin Robinson asked if a repair of the roadway and riverbank as is could be considered. All engineers agreed that was not a possibility; there are too many costly issues and no protection from river impact. It would be wasted money. Robinson asked what the Select Board had in mind to present at Town Meeting. MacKenzie explained the proposed warrant article which goes before the Budget Committee Friday February 12, 2016. Robinson suggested that when talking with the appraiser we request information based on both methods of land appraisal.

Robinson and Gray left the meeting and discussion resumed concerning the second phase of Goose Pond road improvements.

Monette indicated the major plan work was completed and consistent for this; information just needs to be updated for Phase 2. The proposal is to start at the bottom of the hill above the old Hewes Farm creating a 13% grade. Hirschberg recommends this hill be a paved surface with a riprap ditch. If there's no pavement, because of the grade the ditches will continue to fill up and need constant cleaning. There are more trees to be removed. Lyme Highway will address that. There are ways to save money with the materials and depth of the final grade materials. If Lyme Highway does Phase 2, there would be a cost savings. The base plans could be used and materials specifications and estimates done. MacKenzie feels this section could be phased over time if necessary. There is roughly 1800 ft left to finish. Williams stated Lyme Highway would keep an eye on conditions in the spring and report findings.

Hirschberg, Vincent and Monette were thanked for their considerable efforts on our behalf and this meeting was adjourned at 2:45 pm.

Patty Jenks, recorder