

TOWN OF LYME
Select Board Meeting
December 17, 2015
Town Office conference Room

The following people were present for part or all of the meeting: Susan J. MacKenzie (Chair), Patricia G. Jenks, (Member), C. Jay Smith (Member), Dina Cutting, Administrative Assistant, Shaun O'Keefe, (Police Chief), Fred & Deana Stearns, Scott Williams and Rod Finley, Pathways Engineering, LLC, Sally & Robert Barnum, Community members.

- 1) **Susan J. MacKenzie (Chair), opened the meeting at 8:00 AM.**
- 2) **South River Rd.:** Pathways came to discuss a new bank failure on the southern-most end of River Road. Scott stated the areas that he had seen, were not severe enough to warrant an emergency permit. However, he had not seen the area that Sue had a picture of, and that it was much more severe than he first thought. Borings had been done in 2013, and showed the same sandy, silty soils that exist all along this area. Emergency Filing should be posted within 5 days of the actual event ie: Irene. This area of failure has occurred gradually over the last 6 months. Sue stated that this is the only access to 40 homes, so we can't allow this section to fail. Something needs to be done ASAP. Scott suggested that in order to rectify this, excavation needs to be done at the toe. 2-3' before the river, then build up with large stone to small stone, and cover with top soil to facilitate vegetation growth. Scott will go back out and look at area in the picture, to see if there is an emergency need. He added that 5-6' feet below the road and at least 20' out from the road is the failure area. Sue stated that the area is very deceiving as far as depressions go. Scott is not sure of impacts. The correction process is gradation with DES, site visits w/ pictures to pin point where it is from the pole, and use a plan (already done). Do a cross-section, and have a construction plan. We will need an estimate of impact areas for the DES. If we do a temporary fix only, we need to assemble the permit application. An estimate is \$4,000, but it could be less. Sue suggested that Pathways send a proposal. The Terms and Conditions are outdated. We would need to get a level of comfort for both the Town and Pathways to sign off of them. There was a discussion as to the possibility of the Highway department doing this work. Some discussion concerning various methods for the fix took place. Sue suggested Geotechnical fabric be used. Rod suggested the toe and large rock to small rock was the most effective way to go with this fix. He could suggest a couple of contractors if needed. Dina asked about the cost of the total fix, if over \$5000 it would need to be bid out unless the highway department was going to do it. Rod suggested a very basic process before we spend money on this including stone size cost, and contractor costs. Rod said that there is one more thing you have to do – if you know when and how this will be done, DES won't ask so many questions. Would you like us to split out separate items for priorities? Sue told Scott that he needs to actually go out to the site again. To see where the problem is. Scott will do on the way home today. Sue would like a plan as to their stabilization ideas. Class B stone would be used with other materials on top. Dina suggested that any contractor would have to talk to Rod about this project prior to bidding on it.
- 3) **Select Board Minutes: Jay moved to have the 12/16/2015 non-public: 12/10/15 & 12/3/15 public minutes be approved as corrected. Seconded by Patty, and unanimously accepted.**
- 4) **Matters Arising:**

Old Dorchester Rd: Town council is working on this.

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- Clafin Rd.: The contractor is not finished yet. Any problems will be addressed and they will contact the Highway Department for an approval when finished.
- Catch basins: The State will mark these catch basins on the common.
- Franklin Hill: Guardrails are being put in, and it will be kept open
- Highway Budget: It was noted there is an estimated \$84,000, with one more week of payments that need to come out of the budget. Everything else she is aware of is paid. The Plowing contract was discussed. The board requested all funds come from the 2015 budget for this contract. The payments have been scheduled and the total amount posted in 2015. The payments will be sent at intervals as stipulated in the contract.
- Hanover: A discussion of Hanover possibly plowing the southern section of River Road while the slump section is closed. The scene of the board was to communicate with Hanover about the road plowing and possibly trading another area for River Road.

5) **New Business:**

- Park & Ride: New parking regulation signs are up. Violators are parking for long periods of time in the new parking area. Chief O'Keefe indicated that community members were asking what prompted the posting. Followed was a discussion concerning long-term parking, business and tenants relying on this space for parking. The town needs to make sure the lot is as empty as possible for winter maintenance also.
- River Rd (Slump Area): Information is being gathered today (borings on top of the slope). If the ledge were lower, this would enable the road to be moved eastward with less difficulty. An alternate route onto East Thetford Rd. is one proposal. If there wasn't a ledge in the east bank, the road could be moved over with less cost and complexity. We need to have both proposals and approximate costs for the Town Meeting. An update will be going out to the Town.
- Payroll: Cutting requested the final payday be moved from Jan. 1st to Dec. 31st because of the holiday. The sense of the board was to have this final week posted in 2015 as a 53rd week.

Sue moved to change the final 2015 pay date to 12/31/15. Jay seconded, unanimously accepted.

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Smith Letter: As the result of the court decision received, the board will need to set up a date and time to inspect properties. The sense of the board was to schedule Friday, 1/8/2016 @ 10 AM starting on the Goose Pond Road property and moving to the Dorchester Road property after. Walter Mitchell will send this letter after 12/30/2015.

Cutting Hill Ln.: It was noted in the past the highway dept. had struggled with water issues from the property. The board reviewed the historical problems with this road and driveway. Sue believes the problems stem from the increase height of the Town road. Sue noted ½ off water coming off hill and ½ off their driveway. The stone wall is an issue also. Sue asked if we wanted to go to court or did we want to fix it? Dina cautioned the board concerning the town's responsibility to fix personal property and how the town needs to handle issues like this. The board discussed the options of putting in a culvert and or a catch basin. This needs to be investigated.

- 6) At 10:00AM Jenks moved to enter non-public session in accordance with RSA 91A: 3 II (a) for the purpose of discussing a personnel matter. Seconded by MacKenzie. Voted unanimously by a roll call vote. Present for this non-public was Sue MacKenzie, Patricia Jenks, Jay Smith, Dina Cutting, Fred Stearns & Deana Stearns.**

The board discussed personnel matters.

- 7) At 10:35AM MacKenzie moved to enter public session. Seconded by Jenks. Voted unanimously in favor.**
- 8) There has been some confusion regarding the roller. Cutting has information for review on 2 different Bomag rollers. The 145 Bomag and the 177. 3 & 5 year lease numbers are being gathered. Sue suggested that this be discussed at the next meeting.
- 9) Notice of 30 day appeal period for adult swim docks for Post Pond was noted.
- 10) Smith moved to allow Chair MacKenzie sign the NH Public works mutual aid assistance agreement. Seconded by Jenks. Voted unanimously in favor.**
- 11) NH DRA equalization ratio study for the tax year 2015 was reviewed. This was reported as 98.4%.
- 12) The board received the biannual bridge inspection report from the State of NH. Nothing new was noted concerning conditions of these bridges. There is some signage that needs to be put in place by the highway department on the Fisher Bridge.
- 13) Intent to Cut: Cutter, Donald application for M421 L 22 was reviewed and signed.

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- 14) Appointment of officer & oath of office was reviewed and signed for Coe Kerr, Transfer Station Study Committee.
- 15) CLD proposal for preliminary design for River Road-alternant route. CLD is doing more testing of the slope above the settlement area. Until the information is back from these test pits the discussion and proposal price will be put on hold.
- 16) Demerger: River Rd lot 78 & 75 were automatically merged in 1998 into lot 78. The property owners, Charles & Katherine Pearce, request to have the lots de-merged. The board approved and signed the de-merger and this will be processed for the 2016 tax year.

Committees & Commissions:

- 17) Transfer Station: NRRA & Cassella will come to the Transfer Station to look at the set up and discuss options for the Town. It is clear because of the down fall in pricing for recycled goods it will cost the Town if they continue the recycle program. Some concerns were noted about lack of Wednesday transfer station hours. The Committee is work hard to investigate all option for the program. The committee members are very excited and positive about looking into these options. The Committee recognized this continues to be a temporary site and encourages finding a permanent location.
- 18) Heritage Commission: Jenks reported Architect Jay Barrett was a guest at the Heritage meeting to discuss adding the East Thetford Bridge to the National Historic register as was done with the Fairlee Bridge. Followed was a discussion concerning historical properties and how they are identified by the office staff. It was noted prior to permits being approved the map and lot files should be reviewed for all properties.
- 19) Planning & Zoning Warrant articles: There has been 1 petitioned warrant article thus far. The board believe this is flawed and will not be legal.
- 20) Goose Pond Rd: MacKenzie reported that the walk to check the end of construction went well. Another walk in the spring and then again in June will be done. The highway will mark the culverts. Met with the State on Franklin Hill, and that issue will be resolved.
- 21) Roads Committee: MacKenzie reported, Ross McIntyre came to the meeting to discuss the situation with the River Road Closure. His e-mail to the listserv did not take into consideration all the studies and information gathered to date. He stated he did not believe Trans Canada was doing "quantitative studies" as part of the erosion study. This study would be key to knowing how much of the erosion is caused by the rise and fall of the river. We also need to be in contact with State and Federal Representatives to assist us in getting some assistance with this process. Ross will contact the FERC leader to advise him of our concerns. Sue will contact John Fields to learn about the progress on the erosion study. Jay was working on letters to our representatives.
- 22) Budget Meeting: School Budget- MacKenzie reported that this budget will increase each year. If the town keeps on this track, we'll price ourselves right out of town. Sue proposed the possibly of creating a committee to investigate the impact on taxes from the school budget. It was suggested a subcommittee to research this and then report back to the Budget

APPROVED

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Committee. Collective bargaining has been a difficult topic to address in the past. Other towns are grouping together to learn what each are doing. Through collective bargaining, there was an increase of 2% across the board, while Hanover only received 1% increase. The board and budget committee need to take an active role in holding the line on the school.

- 23) LCAB: Jenks reported on an inquiry received from Community Care of Lyme regarding renting the Academy after the Historians completely relocate. The board will consider renting this space out after the Historians move out.
- 24) The Town offices will be closed Thursday, December 24, and Friday December 25, 2015.
- 25) **There being no further business. Susan J. MacKenzie (Chair) moved to adjourn at 12:00 PM. Seconded by Patty G. Jenks (Member) and voted unanimously accepted.**