

TOWN OF LYME  
Select Board Meeting  
April 5, 2018  
8:00 AM  
Town Office Conference Room  
Approved: April 12, 2018

The following people were present for part or all of the meeting: Select Board members: Susan J. MacKenzie, Chair, Bradford E. Keith and Kevin Sahr. Administrative Assistant: Dina Cutting. Police Chief O'Keefe. Highway Foreman: Steve Williams. Attorney Colin Robinson.

The meeting was called to order at 8:00AM.

1. Keith moved to accept the minutes of the March 28<sup>th</sup>, 2018 public meeting. Seconded by Sahr. Changes were offered and discussed. Minutes were unanimously approved with changes noted.
2. Keith moved to accept the minutes of the March 29<sup>th</sup>, 2018 public meeting. Seconded by Sahr. Changes were offered and discussed. Minutes were unanimously approved with changes noted.
3. MacKenzie moved to accept the minutes of the March 29<sup>th</sup>, 2018 non-public session. Seconded by Keith. Changes were offered and discussed. Minutes were unanimously approved with changes noted. Sahr noted at this time he appreciated Cuttings experience and willingness to help the board with proper procedural items, he will rely on her for experience and help in these areas.
4. Matters arising:
  - Planning board request: Keith reviewed the proposal for soil indexing to be performed for the Lyme Planning Board. These funds were not budgeted and or planned on as expenses so the Planning Board is asking the Select Board to approve this expense from the Select Board budget. The board will check with David Robbins later in this meeting concerning budgeted funds.
  - Mr. Phettaplace: The board requested he make an appointment for a future meeting to discuss his assessment. He expressed frustration with the amount of time the board was taking to get back to him on this matter.
  - Sahr requested a letter that was written by the Planning Board to the Lyme Community Development Committee from David Robbins. MacKenzie noted she had not received this letter as a member of the committee. Discussion concerning the direction of the Lyme community development committee and the work members were all willing to do.
5. The board reviewed a draft charge for the Lyme Development Committee. Discussions concerning focusing the goals of this committee and having the committee members understand the goals took place. At this time the board noted that this committee needs to tighten up the use of communications via e-mail. Sahr mentioned an e-mail written by the committee Chair, Sahr noted concern over the tone of this e-mail and message. Sahr also noted the e-mails content should have been discussed in a committee meeting not via e-mail. Sahr reviewed some points made in the email and reading in to the message that they do not want to take the time to work on facilitation and bettering the working

relationship with the Planning Board. At this time Sahr noted he was withdrawing his offer to facilitate between the Planning Board and the Lyme Community Development Committee. He is seeing push back from Committee members, there is too much bias from independent members of this committee. The original charge was not well written and this is a learning lesson for the board in the future to make sure charges are written clearly.

6. Steven Campbell- High speed internet and communications. Campbell reviewed what the at hock committee to improve internet in Lyme has been doing in the past years. He reviewed Fast Roads and what had taken place to date. The committees end goal is to have DSL for all Lyme residents who wish to have it. This group plans to start an LLC. Valley Net has and will be involved in the startup, and operations of this LLC. Donations will be requested for the estimated 2.5 million dollars this project will cost. There is much more information to come. Campbell offered to keep the Select Board up to date on the progress of this project. The Select Board noted they were in support of bettering the internet service in Town for the community members. As things get firmed up Campbell will bring information back to this board. The board thanked Mr. Campbell for his time and information.
7. Culvert Inventory: The contract as reviewed and signed. Keith moved to have Chair MacKenzie sign this contract for the board. Seconded by Sahr. Voted unanimously in favor.
8. Planning and Zoning: Davis Robbins-Ag soils indexing projects was reviewed. Robbins explained he had not budgeted for this in his 2018 budget. The board and Robbins reviewed the estimated cost, the information that will be gathered and the reasons why this should be performed by a professional. After careful review the sense of the board was to support the funding come out of the Planning and Zoning budget, noting that if Robbins finds towards the end of the year it looked like this department may be short of funds he could then come back to the board with a request to shift funds from another department to cover his. Robbins reported on the permits for 2018 and reviewed some of the ordinances that he uses in the planning of project with property owners. The board approved Bill Malcom as the Selectboard's appointment to the zoning board.
9. Keith moved to have Sue Mackenzie sign the copier contracts for the Town Clerk and conference room. Seconded by Sahr. Voted unanimously in favor.
10. At 10:30AM MacKenzie moved to enter non-public session in accordance with RSA 91A: II (c) to discuss matters which if discussed in public may effect adversely the reputation of any person. Seconded by by Keith. Voted unanimously in favor by a roll call vote. Present at this meeting was: Susan MacKenzie, Bradford Keith, Kevin Sahr, Dina Cutting, Steven Williams and Colin Robinson. At 11:05AM Steven Williams and Collin Robinson left this non-public session.
11. At 12:20 Mackenzie moved to enter into public session. Seconded by Keith. Voted unanimously in favor.
12. Keith moved to seal the minutes of the non-public session. Seconded by Mackenzie. Voted unanimously in favor.
13. Matters Arising:
  - Transfer station options were discussed. Sahr and Thebodo are actively looking into the option for the future.
  - Pond Program: The board would like to advertise this job as soon as possible. More information to come.

- The board briefly discuss road side mowing. Ask Williams what his opinion is about doing it every year or every other year.
- The board discussed the boring for River Road, these have been delayed because of weather.
- River Road and Tensen memorandum of understanding was reviewed and approved. Keith moved to approve this final document. Seconded by Sahr. Voted unanimously in favor. This will now go the Arend Tensen and his attorney. Memorandum to include signatures of the mortgage holders as advised by counsel.
- Conservation Easement letter to property owners: The board reviewed this drafted letter. Cutting shared an updated communication from Laura, Mitchell Municipal Group. Keith noted he had serious concerns with counsel altering their advice after Mr. Hamilton's visit. Keith noted that the requested advice and response from counsel could not have been more specific or direct. He requested this subject be brought to another firm for a second opinion. The board discussed the pros and cons of seeking advice on this subject. Keith reviewed the difference in 79 A and 79 B classification of land. He reiterated the reasons for the Board's prior decision to reclassifying this property. Keith stated that the board never would have taken this action without Town Counsel's confirmation that it was "incumbent upon the Select Board" to do this. Now that counsel appears to be backtracking on their opinion, the board discussed alternate counsel again for a second opinion. At this time there was no action taken to seek another opinion. Mackenzie felt this is not a town issue it is a state issue. Keith disagreed regarding the reclassification decision. Sahr noted at last week's meeting the board decided to write and letter informing property owners the PA-60 was not being requested and does not need to be filed in the Town unless the property owner wishes to. After a lengthy discussion Keith pointed out that the letter addressed two issues. He asked if this board was considering reversing its decision to reclassify the Conservation Easement property in town. Mackenzie and Sahr noted this was a very divisive subject. After a lengthy discussion MacKenzie moved to not reclassify the property at this time. Seconded by Sahr. Motion voted 2 in favor and 1 opposed. The edited letter will be left on the conference room table for the board to sign.

14. Public Comment: None at this time.

15. Manifests: None at this time.

16. Committee and Commissions:

- Coffee hours: Sahr reported a discussion of River Road
- Conservation Commission: Mackenzie will attend the next CC meeting, she will be reviewing various projects with them.
- Sahr reported EMD Training coming up soon.

17. Ongoing:

- LLP 77 Abatement appeal: The board reviewed this abatement appeal because Sahr was not a board member at the time of filing. The information requested will be sent to the Towns attorney and Todd Haywood, Town Assessor will sign the document. The board requested they be kept up to date on court dates so one of them can attend.

18. There being no further business to come before the board the meeting was adjourned at 2:00PM.

Respectfully Submitted,  
Dina Cutting