

TOWN OF LYME
Select Board Meeting
October 18, 2018
8:00 AM
Town Office Conference Room
Approved: October 25, 2018

The following people were present for part or all of the meeting: Select Board members: Susan MacKenzie, Bradford Keith and Kevin Sahr. Highway: Steven Williams & Scott Bailey. Administrative Assistant, Dina Cutting. Northern New England Field Services, Dennis Thompson.

1. At 8:00AM Chair Mackenzie called this meeting to order.
2. Highway: Williams and the Select Board discussed the following topics:
 - ☐ J.J Blake will be coming in the near future to clean up some roadside wood.
 - ☐ Cutting Hill Lane: The board and Williams reviewed the situation concerning a silt fence that has been put up along the side of Cutting Hill Lane. This fence is in the Town road right of way. The fence is diverting water coming off the resident's property down the road. This will cause road erosion and damage. A letter will be sent to the family noting if they put this fence up it must be removed immediately. Keith moved to approve and send this letter. Seconded by Sahr. Voted unanimously in favor.
 - ☐ Dennis Thompson (NNEFS): Thompson reviewed the River Road reroute project. The anticipated ledge has not been present as the Geotech testing showed. Thompson will be digging in various areas to determine if there is ledge or large boulders as previously found. This will cause some changes in the layout of the road. The surveyor will be there Monday to layout the center line of the new road.
 - ☐ At this time Keith moved that the Board continue to honor all formal agreements and contracts as signed by the parties and not interfere with any negotiation or agreement between Mr. Tensen and Mr. Thompson regarding excess material from the River Road by-pass project. Seconded by MacKenzie.

It was noted Tensen asked the board to address the fill (up to 4,000 yards if available) he was expecting from this project. Sahr expressed concern and frustration that the board has not stuck to its word. He remembered the board agreeing to this request during a past board meeting. Sahr commented there is a value for the Town to keep this deal when working with people in the future. At this time, he wanted to ask Thompson if there was a way to work this out. Hoping there was a good solution with proximity of delivery in mind. Thompson stated he knew nothing of this arrangement. In the contract with the Town all the material is Thompson's. He has been trucking any usable fill to the Pit. Any usable fill will go to the pit for the Town to use on future road projects. It was noted this agreement was made when Tensen was donation 1.5 acres. Once the plan changed and the reroute called for 3.7 acres, the Town was then purchasing the acreage. The fill for Tensen was not discussed or renegotiated. This was never made part of the purchase and sales agreement. Thompson stated Tensen was paid \$87,500 for this land and would rather save the tax payers money if possible at this point.

It was clarified that fill (fill with stumps etc.) has been brought to the pit already, this is an arrangement made between Thompson and Jenks. Thompson explained Jenks approached him, plans in the future to do something with the pit, and arranged to take any material Thompson was not using. Sahr announced the need of a written agreement between Jenks and Thompson. The town needs to protect itself from any future liability or possible remediation having to do with the fill being given to Jenks from this town project.

The board reviewed and discussed the agreement concerning the leasing of the pit. Williams will need to mark the areas in the pit where the town has any material at this time. An inventory of what is in the pit now need to be done. Jenks will stake out the areas the Town can use. MacKenzie will review this information and discussion with Jenks. The pit lease needs to be renewed so this is an opportune time to take care of these issues.

Thompson noted at this time he would deliver to Tensen any material the Town will not be using for \$1.00 per yard. Thompson informed the board that because of the varied soils he would be surprised if there even ends up being 4,000 yards. It was noted at this time that all material hauled to the pit as of today belongs to the Jenks not the Town. Thompson noted he would get a letter signed by the Jenks that will cover the liability of the Town. This agreement will be between Thompson and Jenks, it will indemnify the town from having to remove any of this material in the future.

At this time the motion was re-read and voted MacKenzie & Keith yes and Sahr no.

Sahr commented he is respectfully asking Thompson to make arrangements with Tensen for this request.

- ☐ A brief discussion on the material the Town can use in the future and how this will be communicated to the Town. Thompson confirmed he will contact Williams when they locate any material he feels will be of use to the Town. The board asked Thompson to come and give an update report if the design plan changes significantly.
 - ☐ Williams to provide a diagram of the pit delineating the Town's area and the materials inventory.
 - ☐ The Board will send a letter to the school regarding plowing for the 2018-2019 season.
 - ☐ The back hoe bucket needs a major repair. Discussion re purchasing a new backhoe vs an excavator.
3. Cutting reviewed FEMA tracking. Discussed a more efficient way of tracking material, labor and equipment use. This will be worked on with the highway department.
 4. Sahr moved to approve the minutes of the October 11th, 2018 meeting. Seconded by Keith. Voted unanimously in favor with changes noted.
 5. Discussed working with Orford and Piermont on shared services and possible a Town Manager.
 6. The board reviewed and discussed the presentation at the Budget Committee meeting concerning leasing equipment. This will be discussed in the future.

7. The board will be meeting on Wednesday October 24th, 2018 at 10:00AM to work on the 2019 proposed budget.
8. Consultant Tony Puntin visited two sites in Lyme to advise the Highway Dept and SB on how to repair Pony Hill culvert and the catch basins at the entrance to the covered bridge.
9. Flint Hill and Pinnacle: The state is not accepting any more bridge aid applications, they are scheduled for the next 10 years. The board reviewed the estimate of costs. This will need to be on the list and as the Town can afford.
10. Reviewed the MS 4
11. Manifest was reviewed and signed.
12. Discussed the concern that we do not know if anyone in town is really having trouble with taxes. Several statements have been made that this is not really a problem. Sue would like to conduct a survey to try to get a sense of how big of an issue this really is. Sue to develop a draft survey.
13. No public comment at this time
14. A communication from Mr. Furstenburg on 10-12-2018 was distributed to all the Planning Board members by Chair Stadler concerning the consultant's information for the visioning report.
15. Preliminary tax rate: the board briefly reviewed the preliminary tax rate document. The board discussed using some undesignated fund balance to keep the 2019 tax rate level. Keith moved to apply \$60,000 from the undesignated fund balance (\$636,585) to keep the tax rate level for 2019. Seconded by Sahr. Mackenzie noted concern with using some of these funds. The .17 cent increase seems reasonable. After a brief discussion to board decided to table this discussion until the next week.
16. Mowing RFP- The board reviewed the suggested changes. Cutting to make changes and send out for bids.
17. Common Committee charge: The draft was reviewed. Mackenzie moved to approve the charge. Seconded by Keith. Voted unanimously in favor.
18. Grant Brook final invoice. The invoice has not arrived as of this date. Sue advised having a cutoff date for overdue bills.
19. Cutting Hill Lane: A letter was reviewed and signed by the board. It is requiring a silt fence be removed in the Town right of way on Cutting Hill Lane. Any damage to the road will be the property owner's responsibility.
20. Committee and Commission:
 - ☐ Coffee Hour:
 - ☐ Budget Committee: a brief review of the meeting took place.
 - ☐ Planning Board: Keith noted the parking lot lighting at Dowd's Inn was discussed. Cutting to gather additional information on this topic.
 - ☐ Road Committee: Sahr requested the committee work on strategic initiatives concerning the roads. Come up with a list of top 10 and start working on the top 3. MacKenzie noted the committee has this list almost completed.
17. At 11:05AM Keith moved to enter Non-public session in accordance with RSA 91-A II (a) Personnel Seconded by Sahr. Voted unanimously by a roll call vote. Present for this session was MacKenzie, Sahr and Keith. Personnel matters were discussed. At 11:35AM Mackenzie moved to enter public session. Seconded by Keith. Voted unanimously in favor.

18. There being no further business before the board at this time Keith moved to adjourn at 11:35AM. Seconded by Mackenzie. Voted unanimously in favor.

Respectfully submitted,

Dina