

TOWN OF LYME  
Select Board Meeting  
June 2, 2016  
8:00AM  
Town Office conference Room  
Approved: June 9<sup>th</sup>, 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: Scott Bailey, Steve Williams, Greg Jenks & Matt Thebodo. Police Chief, Shaun O'Keefe. Administrative Assistant, Dina Cutting. Fire Chief, Michael Mundy, P&Z Administrator David Robbins, Community members, Rusty Keith, Ms. Gerry Caney, Mrs. Jeri Wilmott, Mr. & Mrs. David Roby Sr.

- 1) At 8:05 AM MacKenzie called the meeting to order.
- 2) Highway Department:
  - June 8<sup>th</sup> at 11:00AM Army Corp of Engineers will be coming to look at River Road. Funding has been released and Lyme will be considered for a portion of these funds. Amount yet to be determined. The Select Board would like the Road Agent, to be available to attend this meeting.
  - Culvert at the Stina Kohnke property needs to be put in. Williams will discuss this with the property owner.
  - Williams would like to purchase 1 more load of chloride. This will make a significant difference on the roads. The board supported this and the funds will come from the dirt road maintenance budget line.
  - Grafton Turnpike: The upper beaver pond on the USDA property let go and did significant damage to Grafton Turnpike and private properties. This is the second time in less than 4 years. This time the damage was much worse than the last. The funding for these repairs will come from Emergency Road Repairs CRF. A letter will be sent to USDA to inform them of the incident and costs associated with the roads repairs, in addition to any known repair costs to the private properties. It's hoped there will be some effort toward reimbursement of these costs. To prevent this from happening again the board discussed a possibility of coming up with a strategic plan working with USDA. The idea of blocking this opening with boulders so any dams will not be able to open and cause more damage has been mentioned.
  - Allan Rowell (Rowell's Grading) will be coming next week to do road grading. MacKenzie noted Williams did not have to have Rowell do all of the grading he's been scheduled for if there are budget constraints.
  - June 7<sup>th</sup>, 2016 is the first EOC strategy meeting to be held at the Fire Station. The Road Agent has been requested to attend at least one of these sessions.
  - Mountain Demo show-all highway personnel went. It was a good time.
  - Grader demos will be happening over the next few months.
  - MacKenzie noted overtime concerns with the use of part-time help doing two jobs. The total hours worked, regardless of where are combined and anything over 40 hours is paid overtime. MacKenzie wanted Williams to be aware because this has happened over the past few weeks and it will affect the highway OT budget. He understood.
  - Transfer Station: Road counter was put out. Wednesday evening hours count was 241 vehicles coming into the Transfer station.
- 3) Minutes: Jenks moved to approve the minutes of May 26<sup>th</sup>, 2016. Seconded by Smith. Voted

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unanimously in favor.

4) Matters arising:

- Voting booths: Jenks reported the ones that were to be ordered are no longer available. The Secretary of State regulates this and are helping to try and locate booths that are compliant with state regulations. Stay tuned.
- Boat Rack: Chief O'Keefe presented a memo written in 2010. The ordinance was discussed and reviewed. The title of the document is misleading, implying it is a set of bylaws, when in fact it is an ordinance. The heading will be corrected. Cutting noted a previous board had held a public hearing and voted this ordinance on 6/19/2008 with the final schedule being voted on 4/08/2010. Changes need to be made to update this document. The board will hold a public hearing on June 23<sup>rd</sup>, 2016. MacKenzie will check to make sure there is a sign requiring names and addresses on each boat. E-mail sent out to notify community members that they need to adhere to these requirements and if not the boat will be removed. O'Keefe would like to review historical minutes and ordinance documents regarding this issue.
- The Charge for Assessor Search Committee will be reviewed for next meeting. Cutting will post a notice on listserv looking for interested community members.
- Army Corp of Engineers will be coming to view the River Road from the river. Some funding has come through so hopefully the Town will get financial aid with some of the erosion problems. River Road neighbors have donated the use of their boats to assist with the research efforts.

5) Public Comments: None at this time

6) Manifest: none

7) Over Seer of Welfare: The board has requested a file be provided for review at the authorization and request of an applicant. In addition, in January 2016, as a protective measure for important town files, the board determined that all town related documents must be located in the town office vault. As Overseer of Public Welfare information has historically been kept at the home of the presiding Overseer, the first request of three was made for the relocation of all Overseer of Public Welfare files to the town vault, in a locked file, for security purposes. To date, no files for either purpose have been received. The board feels they have no other recourse but to research what measures must be taken to retrieve the information needed and move the historical information to the Town vault.

8) Smith: Jenks noted the letter she sent came back *return to sender incorrect address*. It was determined Smith does not have a PO Box, the PO is holding his mail for him. She will resend the letter. The board members viewed the Goose Pond Road property from the road on June 1<sup>st</sup>, 2016 and determined that no vehicles had been removed as of that date. MacKenzie moved the town's attorney be contacted to get a court order that all derelict vehicles, trash & debris be removed from the Goose Pond Road property. Seconded by Smith. The board discussed the possible ramifications of this action, Smith had been given multiple opportunities and extensions to get this location cleaned up, and he has been offered help from individual Select Board members on more than one occasion with this clean up. Unfortunately, it has now moved to the Town needing to take care of this safety and health

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hazard. It was noted the court order must address the concern of Smith trying to stop this vehicle removal. Smith may not create any obstruction in allowing items to be removed, if this happens the property owner could be arrested. The motion was voted unanimously in favor. Jenks voiced concern and reservation about taking this action.

- 9) Tax Collector hours: Marci O'Keefe has proposed being open to the public on Thursday evenings from 4:30 to 6:30pm. The board reviewed concern of any employee who accepts money being in the building alone, for safety reasons. It was noted the Tax Collector must be open a minimum of 2 hours per month. Possibly changing to end public hours at 6:00PM. The board requested O'Keefe come to a board meeting to discuss the logistics of everything.

10) Committee & Commission:

- Planning Board: working on the Master Plan
- Independence Day Committee: Good meeting, will be meeting weekly from now until the celebration. Businesses have stepped up to donate items and food. They will be having a dunk tank. The committee is looking for a commitment from Fire and Fast Squad.
- Coffee Hour: Carola Lea had concerns of trash on the River bank. Faith Catlin noted concerns of speeding on Route 10 north of town, she was informed that the state regulates this area for speed and she should contact them. Yolanda Burjoski, concerns over pond program, beach, geese, concession stand, and suggested using dogs to get rid of the geese. She was encouraged to come up with a plan or program and bring it to the board for consideration. MacKenzie was visited by Senator Kelly Ayotte and Councilor Joe Kinney.

11) Review ongoing:

- Final bill for Goose Pond Road was approved for payment-\$6,170.00 and \$1,000.00 for paving of the end of a driveway.
- Signs for Shoestrap Road have been ordered and we are still waiting.
- Edgell Bridge surveillance, nothing of concern this week.

- 12) Mr. Roby joined the meeting at this time: The board was asked to review the status of the Smith property clean up on Goose Pond Road. Roby noted the best idea was to have a private citizen purchase this property and clean it up. Roby reported Mr. Penfield is beginning to make an attempt to convince Smith to sell this property to someone who will clean it up. There was confusion as to why the Zoning Ordinance was not being enforced as it clearly states the property is in violation and frustration expressed that nothing has happened and all the vehicles, trash and debris are still there. The Roby's felt it was time to show no leniency. Further, Roby stated that if there was not positive action on this effort, the neighbors, whose property values and quality of life have been compromised for so long could sue the town for not getting this taken care of in a timely fashion. He also advised the town should place a lien on the property for any funds expended on legal fees and on the clean-up effort.
- River Road: Mr. Roby again requested the board consider opening the closed section as a class VI road. MacKenzie firmly noted the board would not reconsider opening this road, it was closed for safety reasons and changing it to a Class VI road would not make it safer to travel on. The board has made a decision based on advice and evidence from engineers, and will not be considering this request. The board needs to focus on getting the re-routing done.

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Mr. Roby noted he felt many people would rather close River Road than pay \$800,000 to fix it. Town meeting could change everything and he would like to board to consider not spending any more funds on this until after Town meeting 2017. The board only has the funding to do some of this project and Mr. Roby is concerned that money will be spent and the vote will not pass. He stated he was also in favor of closing it altogether. At this time, Jay Smith handed a letter to Roby to inform him of more testing being done on the proposed area of reroute and the beginning of eminent domain proceedings. Mr. Roby read it and stated he had previously given permission for testing and was sorry the Board felt they had to do this.

13) Planning & Zoning: Robbins reported on the following topics:

- Possible permit for a home, pending sale on Stanhope Route 10 property
- Permits are slow to come in this year
- Some questions concerning excavation on properties. The board does not get involved with this kind of work.
- Adult swim docks: The plants and vegetation will be looked at next week.
- Been working on the web site
- Working on drafting a chapter for the Master Plan for the EOP

14) The board noted it was going to be time for the second quarter public report.

15) The board discussed drafting the letter to the property owner concerning the damage to Grafton Turnpike Rd and three private residence driveways with the rupture of the beaver dam on Winslow Ledge.

16) Evaluations need to be started. Cutting will make sure Robbins, O'Keefe, Williams and herself receive a self-evaluation form to get started.

17) At 10:32AM MacKenzie moved to enter non-public session in accordance with RSA 91A: 3 II (c) for the purpose of discussing matters which, if discussed in public, would likely affect adversely the reputation of any person. Seconded by Jenks. Voted unanimously by a roll call vote. Present for this non-public was Sue MacKenzie, Patricia Jenks, Jay Smith, and Dina Cutting.

At 10:45AM the board returned to public session. MacKenzie moved to seal the minutes of this non-public session. Seconded by Smith. Voted unanimously in favor. These minutes will be reviewed on June 1, 2017.

18) At 10:47AM Smith moved to adjourn. Seconded by MacKenzie. Voted unanimously in favor.

Respectfully Submitted:

Dina Cutting