

TOWN OF LYME
Select Board Meeting
August 4th, 2016
8:00AM
Town Office conference Room
Approved: August 11th, 2016

Present for all or part of the meeting: Susan J. MacKenzie-Chair, C. Jay Smith, Patty Jenks, Chief O'Keefe, Lyme Highway: Steve Williams, Scott Bailey, Greg Jenks, Matt Thebodo
Public: Rusty Keith and John Gartner

1. MacKenzie called the meeting to order at 8:00am.
2. Highway: *Williams presented spec sheets on the new John Deere grader they had tried out. Salesman indicated price increase of \$10,000.00 by March 2017. *There was a complaint received that when the barricades were put back into place after the last time someone illegally moved them, they were placed in such a way that bicycles can't go through anymore. Request that this be fixed asap. Apparently there were also motorcycles using the opening. MacKenzie will check into this and contact the person that called. *Steve will attend the EOC Wrap up meeting scheduled for August 8, 2016. Isn't sure about final cost to highway budget for the clean up after the storm as not all bills are in yet. *Most grading is caught up, Dorchester Rd will get attention next week. Conditions are so dry that it makes the grading and its outcome difficult. They've been using chloride sparingly, and supplementing with water, but it doesn't accomplish the same desired results. *A culvert on River Road was located and replaced. It's operating correctly now. *MacKenzie reported that CLD can help provide a materials list for the project near the Tullar Farm. *No one has been able to reach the road side mowing contractor. Sue will keep trying. He's due to start the beginning of August. MacKenzie will remind him not to mow the river bank on the 2012 repairs. *A quick review of the budget indicates there's about 42% left, which is on target. *Williams estimates there are about 6-7 more culverts left to install this year, and although he has the culverts, there isn't enough aggregate material stocked to complete them all. He's been holding off buying more due to budget constraints. *There have been three applications received for the highway position. *The revised No Thru Trucking signs have been ordered. *O'Keefe reported the No Parking signs are up at the beach area and the new boat racks are in place.
3. The minutes of the Public and non-public meetings held July 28, 2016 were reviewed. Jenks made the motion to approve both; Smith seconded; the minutes were approved as submitted.
4. Matters Arising: O'Keefe has taken a couple of calls regarding the climbing issues in Lyme Center. Because of the volume of complaints/comments received about this he has suggested the interested parties make a request to attend a BOS meeting for an opportunity to have a discussion with every one hearing the same things at the same time. He's contacted the NH Audubon Society, USDA Land Warden, NH Forest & Land Warden, and NH Fish & Game for input. Maps indicate the affected property is owned not only by the Town of Lyme and private land owners, but by Federal agencies as well.

O'Keefe reviewed concerns about EOC and operations following the wind storm. An area of communications concerns might be addressed with an upgrade to highway department radios, which are approximately 20 years old, used when we bought them and not functioning the way they need to now. Williams will be alerted to researching the replacement costs of these for

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budgeting. Further, following the receipt of a communication from the Fast Squad Captain, he expressed concern that it appeared there may have been confusion regarding what appeared to have been an effort to “empower” people to take care of themselves during an event requiring EOC support. MacKenzie indicated that there appears to be a misunderstanding and the issues will be addressed the wrap up meeting.

It is unknown if legal counsel was contacted and/or responded to a request for advice regarding the improvements made to Shoestrap Road by private individual’s.

It is unknown if legal counsel was contacted or responded to a request concerning a communication to the Smiths.

The job description for the new clerk position is a work in progress. The basics will be outlined and the specifics will be documented as the job duties are designated.

5. New Business: MacKenzie has been in communication with Brian at CLD Engineering. They will create a feasibility letter listing pros & cons for the proposed reroute at slump #1. The project near Berway Farm needs a shoreline notification and DES permitting which is delaying the start date. There is a slight impact to the riverbank materials caused by erosion requiring FEMA notification. MacKenzie will notify Paul Hatch. There is the possibility that there are 2 endangered plants in the area and those need to be identified. Member of the public attending the meeting, John Gartner indicated he can help with this and will meet with MacKenzie to review. MacKenzie noted she had received a communication from the Army Corp of Engineers, who are planning on getting together with other agencies to do a site visit of the area they are considering for a repair project.

6. Public Comments: John Gartner works with an agency called “River Smart” which helps communities identify river issues. He’s happy to provide consult to the town for the on-going river saga and MacKenzie invited him to a Roads Committee meeting. Gartner’s primary reason for attending this meeting was to discuss the controversy and actions taken by the Board regarding the trespassing and placing of climbing apparatus on the ledges off Canaan Ledge Lane. He feels there are misconceptions about what’s been done there and why, and wants the opportunity to have representatives from the climbers meet with the Board for a broader discussion at a future meeting. He indicated climbers have a history of running into problems because people do not understand that the danger factor with climbing is less than driving a car. O’Keefe indicated that while liability to the town was certainly a concern, another was the trespassing onto property that did not belong to the climbers, damages (illegal cutting of tress) and not obtaining permission for any of the above. After a significant discussion, it was agreed that a date would be set for a discussion at a future Board meeting. Representatives of all parties will be advised when that date is set.

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Rusty Keith had previously sent members of the Select Board an email message filing an official complaint under the New Hampshire Right to Know Law. Title VI Chapter 91-A : Access to governmental records and meetings

Section 91-A:1--Openness in the conduct of public business is essential to a democratic society. The purpose of this chapter is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people.

Section 91-A:10

Release of Statistical Tables and Limited Data Sets for Research

In his effort to research the impact of Current Use on other tax payers through the state he has requested a spread sheet format of property values and other relevant information. His effort in Lyme has been over the course of 2 years and he feels he has continually been “stonewalled” by the Administrative Assistant and the Assessor each time he makes a request for information. His description of the spreadsheet is that it’s based on information generated for the MS-1 (DRA reporting) and does not feel it would labor intensive to reformat the way the information is garnered to get what he needs. These are public figures, generated through the efforts of public servants who will not provide cooperation. Smith indicated that the Town is currently using an older version of the Vision assessing program, which may hinder the ability to provide the information as easily as Keith thinks, but the situation will be investigated. Keith also feels it would be in the town’s interest to form a sub-committee of 3 members who could help oversee the assessing protocol and process.

Administrative Matters: The Board received a Dog Warrant for 27 dog owners who have yet to license dogs. Civil Forfeiture action begins later this month.

O’Keefe asked if payment has been received from the bullet-proof vest company. Unknown in the absence of the Administrative Assistant.

The “Zero Waste” contract was signed.

The Primex Loss Mitigation contract was signed.

Regarding the formal complaint received regarding Right-To-Know law, the Board has 10 days to respond in writing per RSA 91-A . MacKenzie will draft a letter indicating the matter will be addressed and an effort to create a satisfactory report will happen as soon as possible if the computer software supports it. MacKenzie was curious as to why this had come to this point as the Administrative Assistant has already indicated she could generate the report with no problem.

Planning & Zoning: David Robbins joined the meeting for his monthly report. Although there are few new building projects, there are several rehabilitation and renovation discussions and applications at this time. The Planning Board is working on proposed zoning ordinance changes, and approved a Hazard Mitigation plan for the Master Plan. Pinnacle Project has withdrawn a request for hearing. He continues to try work on the website but he’s been very busy.

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Committees and Commissions: Smith reported Planning Board activity such as Robbins has previously indicated. Jenks had a coffee hour at which an effort for a town wide recognition of emergency services providers was proposed.

Ongoing: MacKenzie asked if the Board still felt budgeting for a part time maintenance person was necessary. It was agreed that this combined with other part time jobs should be investigated and a job description be detailed.

MacKenzie suggested that the guidelines for the Overseer of Public Welfare be reviewed along with a review of the past few years' activity. Lyme has a large budget for this and other towns do not seem to have this type of activity. It would be interesting to find out why we do and they don't.

At 10:30AM Smith 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 MacKenzie. Voted unanimously by a roll call vote. Present for this non-public was Sue MacKenzie, Chair, Patricia Jenks, Jay Smith.

Returned to public session at 10:45 am having discussed an employee evaluation.

At 10:45AM MacKenzie made a motion to enter non-public in accordance with RSA 91A: 3 II (b) The hiring of any person as a public employee. Seconded by Smith. Voted unanimously by a roll call vote. Present for this non-public was Sue MacKenzie, Chair, Patricia Jenks and Jay Smith.

At 10:55AM the board returned to public session having voted to offer this position to an applicant at a start rate of \$16.00 per hour.

This meeting was adjourned at 11:00am

Respectfully Submitted,

Patty Jenks, recorder pro tem