

TOWN OF LYME
Select Board Meeting
Thursday September 1st, 2022 9:00 AM
Approved: Thursday September 15th, 2022

Non-Public session at 8:30AM

1. At 8:37AM Ms. Brotman moved to go into non-public session under RSA 91-A:3, II (*I*) legal. Mr. Kahn seconded the motion. Voted unanimously in favor by roll call vote. Present for all or parts of this non-public session were Select Board members Judith Brotman, Benjamin Kilham and David Kahn; Administrator Dina Cutting. The Board discussed a contractual issue.
2. At 8:55AM Mr. Kahn moved to adjourn the non-public session. Seconded by Mr. Kilham. Voted unanimously in favor.

The Board took a recess until 9:15AM.

The following people were present for part or all of the meeting: Select Board members Judith Brotman, Benjamin Kilham and David Kahn; Administrator Dina Cutting; Police Chief Shaun O'Keefe. Fire Chief Aaron Rich. Public: Michael Whitman, Richard Brown, Earl Strout, James Graham, Jim Nourse, Sue Mackenzie, Laurie Wadsworth, Karen Keane, Jean and Mike Smith. Public on Zoom: John Biglow and Jan Williams.

1. At 9:14 AM Mrs. Brotman opened the meeting.
2. Mrs. Brotman opened the meeting to public comment and offered to allow Chief O'Keefe to start.
 - Chief O'Keefe gave a brief description of certain statistics and numbers relating to public use of the Post Pond facility and the beach monitors employed by the Town from July 2nd through August 10th. There were 848 vehicles that visited the facility. 663 were residents, 152 non-residents, and 76 did not stop for the Beach Monitor. At the end of August, there were several incidents of property damage.
 - Rich Brown sought to follow up on his question from the previous meeting about the Police Department staff. Mrs. Brotman stated that the Town's police department consists of Chief O'Keefe as our Police Chief, and Sergeant Elliot. At this moment in time the Board does not have any further information that can be shared publicly. Chief O'Keefe brought to everyone's attention that the number of police officers throughout the state of NH has significantly decreased due to retirement and lack of new applicants. In the past, the State Police in the area could be relied on to respond to any emergencies, but at this time we cannot count on that. Chief O'Keefe explained that he will be retiring in the future, but no specific date has been determined. Because we have not been able to hire another officer, Chief O'Keefe feels at this time it would not be fair to the Town or Sergeant Elliot to announce a retirement date.
 - James Graham was hoping to see the blinking lights for "school zone" area operating correctly this year. Chief O'Keefe informed everyone that the blinking signs are under the school's responsibility. The Chief spoke with the school and they have misplaced the key to the sign, as well as the instructions to reprogram it. The Chief stated the school is working on resolving this issue in order to make the blinking lights operational.

- Michael Whitman asked if a chart of Lyme's governmental system is available. Mr. Whitman was under the impression that any and all questions should come to the Select Board, and thought a chart delineating the Town hierarchy would be helpful. Mr. Whitman also wanted to request a brief non-public session to discuss an email he received from Chief O'Keefe. Mrs. Brotman responded to Mr. Whitman stating that if a non-public session is permitted it will occur at the end of the meeting. Mrs. Brotman stated that the Board will take Mr. Whitman's idea of an organizational chart into consideration for development, if there is not one presently. Mrs. Brotman also stated that she understands Mr. Whitman has concerns with the Recreation Commission. She asked if he had a specific question or concern, that the Board could speak to, to help answer his concerns. Mr. Whitman stated that minutes are not up to date on the website.
 - Laurie Wadsworth wanted to thank the Board for addressing the Common in a public discussion setting.
 - Jan Williams requested a response to her previous inquiry about RSA 76:16. Mrs. Brotman informed Ms. Williams that the Board does not have an additional response for her at this time and will address it after hearing from Town counsel.
 - Karen Keane asked the purpose of the meeting regarding the backside of the Common – specifically was this a discussion. Mrs. Brotman explained that today their only piece of business is to set a date for a public meeting to hear from the public and discuss their thoughts about the back-of-the-Common and potential for public uses of the Common. Mrs. Brotman explained that she is not an attorney, and her use of the word "discussion" is not literal – this is an opportunity to hear from the public about their thoughts on the road, possible parking area, and public use(s) of the Common.
3. At 9:30 AM Fire Chief Aaron Rich spoke to the Board about budgeting/raising funds for a trailer for the Fire Department. The Fire Department has recently received a UTV/ATV from a government grant, for the use in rescues and other situations when they need to go off road on trails, etc. Mr. Rich explained that they also applied for a government grant for an enclosed trailer, but the options available are unfit for the Fire Department needs. The Fire Department may need to request this trailer be a budgeted item. They have received quotes between \$15,000 and \$20,000. The Fire Department is asking the Select Board for permission to start a fundraising campaign for this purchase. They would be asking for donations up to a total of \$20,000. Having an enclosed trailer would shorten the response time and reduce the risk of not having the rescue material that's needed. The trailer would have all Forrest Fire and rescue supplies loaded onto it, including the UTV/ATV, so when an emergency occurs, they would just need to hook onto the trailer and go. The Board feels if the Fire Department raises the funds by donation, they can support this at the present time. Mr. Rich also informed the Board that FAST Squad Captain Lisa Rayes would like to step down from her position. There is a present FAST Squad member that has volunteered to step into the position. Chief Rich will get together the recommendation and then return to the Board for the Board's appointment. Chief Rich stated that Captain Lisa Rayes has done a tremendous job, especially given the pandemic status during her time as Captain.
 4. Ms. Cutting wanted to update the Board on a discussion held at the last meeting regarding the Utility Club using the Lyme Center Academy Building under Community Care of

Lyme's insurance. They can do that, but we need to make sure the Certificate of Insurance from CCL's insurance company states the specific date and time for Utility Club use.

5. At 9:50 AM Mr. Kilham moved to approve the public minutes from the meeting of Thursday August 18th, 2022. Mr. Kahn seconded the motion. Voted unanimously in favor by roll call vote.
6. Mr. Kilham moved to approve the non-public minutes from the meeting of Thursday August 18th, 2022. Mr. Kahn seconded the motion. Voted unanimously in favor by roll call vote.
7. Mrs. Brotman moved to approve the manifest totaling \$138,544.12. Mr. Kilham seconded the motion. Voted unanimously in favor by roll call vote.
8. The Energy Committee has requested to form a new committee, the Lyme Electric Aggregation Committee, that would focus on exploring possible the possibility of community power through electric aggregation, potentially looking to join in the Community Coalition of NH. This would require a vote at March '24 Town Meeting. Mr. Nourse will send the committee additional details including an invitation to other community members interested in this project to become a part of this committee. Ms. Toland will post this information and invitation to join on the Town website and listserv. This committee will also develop a detailed charge and send it to Ms. Cutting so the committee can be formally approved. Mr. Kilham moved to approve the formation of this community power committee. Mr. Kahn seconded the motion. Voted unanimously in favor by roll call vote.
9. The Board reviewed four reappointments for the Heritage Commission. Mr. Kilham moved to approve the appointment of Tim Cook (2-year term), Laurie Wadsworth (3-year term), Ray Clark (2-year term), and Adair Mulligan (1-year term). Mr. Kahn seconded the motion. Voted unanimously in favor by roll call vote. The Heritage Commission had requested they have alternating chair for each meeting. Mrs. Brotman noted that the Commission needs to appoint one member as the chair for a one-year term, and after one year they can elect a new chair if wanted.
10. Response to RSA 76:16 questions. It is Mrs. Brotman's understanding that this RSA indicates the process and steps for filing a tax abatement. That process entails filling out an abatement form and submitting it to the Town Assessor. The Select Board members are not assessors, they hire a professional to have this responsibility. The assessor will then meet with the property owner, view their property and review the application with the property owner. Then the Assessor will make a recommendation to the Board. The Board will then approve or deny those recommendation. The next step for a property owner who is not satisfied by the decision is to file with the Board of Tax and Land Appeals or Superior Court of State of New Hampshire. Mrs. Brotman explained that anyone is more than welcome to come speak with the Board about why they are unhappy with the decision, but the Board does not make changes to assessments at that point in the process (unless an error has been made). Residents are also able to apply for the 2022 tax year when they receive their next tax bill. Ms. Cutting has reached out to Town Council for additional clarification on the question, but has not received a response yet.
11. The Board discussed a date for a public informational meeting about the backside of the Common (On the Common). The meeting will take place **Wednesday, September 21st, 2022 at 6:30 PM**. This meeting is for information gathering only. The Board will reach

out to the school to see if there is a space suitable for this meeting. The Fire Station training room is also a possibility. Once a meeting room decision is made a notice will be sent out.

12. The Board discussed some very general Budget items. Of note is that Social Security is predicting somewhere between an 8-10% increase. The next Select Board meeting will be on **Thursday, September 15th, 2022** - the Board will dedicate and at least an hour to 2023 Budget items.
13. Mr. Kilham moved to approve the Intent to Cut for Map 421 Lot 20. Mr. Kahn seconded the motion. Voted unanimously in favor by roll call vote.
14. Mrs. Brotman moved to approve three Reports of Wood cuts totaling \$903.41, \$456.78, and \$2,302.63. Mr. Kilham seconded the motion. Voted unanimously by roll call vote.
15. Mr. Kahn moved to approve a Veterans credit. Mr. Kilham seconded the motion. Voted unanimously in favor by roll call vote.
16. Mrs. Cutting distributed a draft MS-1 for the Board's review. The Board will review this document and then return to the topic at September 15th, 2022 meeting for a final approval.
17. The Board approved a utility settlement for years 2020 and 2021 totaling \$7,461.00.
18. At 10:24 AM Mr. Whitman requested a non-public session to discuss an email he received from Chief O'Keefe. Under the RSA 91-A statute, Mrs. Brotman advised Chief O'Keefe that he could choose to have this discussion in public if he wished, rather than in non-public. Chief O'Keefe requested this discussion be in public session. Mr. Whitman reported to the Board that he was concerned with the non-functioning of the flashing sign/radar in front of the school. He believes that vehicles do not slow down, and the flashing sign/radar has helped with this issue in the past. Mr. Whitman asked Chief O'Keefe and Matt Thebodo for a status on the signs. The Chief has informed Mr. Whitman that the signs need replacement batteries, these batteries are very expensive and hard to find. The Chief informed Mr. Whitman he will need to review the Budget and talk to the Select Board. Mr. Whitman then wrote an email to the Select Board requesting that Chief O'Keefe replace the batteries. Chief O'Keefe felt he had already informed Mr. Whitman that he would address this concern with the Select Board and Chief O'Keefe told Mr. Whitman that he felt as though Mr. Whitman went behind his back to the Select Board about this issue. Mr. Whitman indicated that he did not like the 'tone' of Chief O'Keefe's email. He asked the Board if it was inappropriate for him to send his concerns to the Select Board. Mr. Kilham stated that Chief O'Keefe has worked hard maintaining safety over the years. Mr. Kilham stated Mr. Whitman should not be "going after the Chief" for something out of his control. Mr. Kilham explained that there is a lot more that goes into every choice than one thinks. Mr. Kilham confirmed that, yes, money can be moved and used for unexpected needs but the amount of money available for those situations are not known until a certain point in budget season. Mr. Kilham stated that issues cannot always be solved at the "snap of finger". Mr. Kilham suggested that if traffic speed near the school was a concern for Mr. Whitman, Mr. Whitman should speak with the people in Town who had previously been against the installation of the RRFB in hopes of alleviating their concerns and supporting the RRFB. The Board feels this would be very productive and helpful. Mrs. Brotman informed Mr. Whitman that the Board has made an extensive effort to have the batteries ready and the signs working for the school year. Mrs. Brotman suggested that a better course of action for this issue would have

been an email copied to both the Police Department and the Select Board so that all voices were heard and all departments were involved to find the most efficient solution. Chief O'Keefe felt as though this request to the Select Board was offensive to his position as Chief. Mr. Whitman explained that that was not his intention. Sue Mackenzie inquired about a third police officer; the Board informed her that this is an option they are exploring. Chief O'Keefe has made many efforts to replace the batteries. Chief reached out to the company that does the calibration in the cruisers and was able to located two batteries for \$1,300.00, which he has purchased. Mr. Thebodo has been out of paternity leave, but when he returns to work, he will replace the batteries.

19. Mrs. Brotman asked if Michael Whitman would be willing to lead starting the discussion about the installation of the RRFB again. Mr. Whitman indicated that is happy to volunteer to do that task. The Board would like to thank all the crossing guards for their help!
20. John Biglow asked if all Mr. Whitman's concerns had been addressed. The Board informed Mr. Biglow that the issues were cleared up. Mr. Whitman agreed
21. Mrs. Brotman moved to enter non-public session under RSA 91-A:3 II (a) personnel. The following people were present during the non-public session: Select Board members Judith Brotman, Benjamin Kilham, David Kahn; Administrator Dina Cutting, Police Chief Shaun O'Keefe. Chief O'Keefe gave a personnel update.
22. At 11:17 AM Mrs. Brotman moved to reenter public session, having made no decisions. Mr. Kahn seconded the motion. Voted unanimously in favor by roll call vote.
23. Chief O'Keefe noted this fall the Police Department will have a senior from Hanover High School taking part in a ride along with the Police department. Additionally, Chief O'Keefe said he will get some maps and other information together for the upcoming public meeting concerning the discussion for the back side of the common.
24. At 11:19 AM Mr. Kilham moved to adjourn the meeting. Mr. Kahn seconded the motion. Voted unanimously in favor by roll call vote.

Respectfully submitted,

Jordan Toland