

TOWN OF LYME
Select Board Meeting
March 24th, 2016
8:00AM

Town Office conference Room
Public Hearing for Milfoil Grant & No through Trucking ordinance
Approved: March 31, 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: Steve Williams. Police Chief: Shaun O'Keefe. Administrative Assistant, Dina Cutting. Community members: James Jenks, Bret Ryan. Bruce King, David Roby Sr. & David Roby Jr. Stacey Thomson (Thomson Logging),

1. At 8:00 AM MacKenzie opened the Public Hearing for Milfoil Grant: The board reviewed the Grant. It was noted the Town would be responsible for a maximum amount of \$13,431.00 and the State would be contributing \$8,954.00 additional funding. Total project cost will be maximum of \$22,385.00.
There were no public comments at this time.
MacKenzie moved to accept the NHDES grant for the treatment of Milfoil in Post Pond for 2016. Seconded by Jenks. Voted unanimously in favor.
This public hearing was closed at this time.
2. MacKenzie opened the Public Hearing for the review of no through trucking and explained the concerns surrounding the implication of the proposed ordinance. The Board is concerned about protecting and preserving the Town roads. One concern is a logging job taking place in a neighboring town close to the town line. The neighboring town will not allow the logging company to drive on their roads due to year round weight limits on their town roads. This logger is being forced to haul all the lumber out on Town of Lyme roads. The board is concerned that the diversion of heavy trucks operation from other towns to Lyme roads will cause costly damage to the Lyme roads being used. The board had discussed the options of bonding, and limiting weights on targeted roads, but felt this imposed hardship on Lyme contractors.

Bret Ryan spoke to the possibility of reconsidering this ordinance. He felt it was too restrictive and would cause hardship on truckers. In his opinion, the people running heavy trucks are not out to deliberately damage roads and will be responsible enough to fix what they may damage. Goose Pond 4 Corners is a dangerous intersection and is the location where the trucks are being diverted to. Ryan suggested temporarily weight restricting select roads at certain times of the year. This way when it is summer the truckers can still use them. Using King Hill in Etna as an example, he pointed out it has a lower weight restriction on it at all times. Ryan suggested considering that type of restriction for some of the roads instead of no through trucking.

Stacey Thomson, noted he did not want to haul his timber out on Lyme roads; he would rather go out on Rennie Road in Hanover but the Town of Hanover will not allow him to. Consequently, in order to move the lumber being harvested from a Hanover property, he is forced to truck toward Lyme on Two Mile Road, down Baker Hill in Lyme to the intersection at Baker Hill and Goose Pond Road, which is very dangerous and not a good intersection to be coming down and making a turn with a logging truck. He noted if the Town of Lyme would give him a letter stating he could not haul on Baker Hill Road he would then be able to go to Hanover officials and they would need to make accommodations for him. He also stated that he had communicated with Williams (Road Agent) that if any damage had occurred from his trucking on Lyme roads he should let him know and he would take care of repairs.

James Jenks commented he supported a no through trucking ordinance. As a contractor he understood the concerns but felt it would be beneficial to the Town roads in the long run. He

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noted that even in the summer months when you have large trucks running over dirt roads, it is pounding them down and causes wear and tear and damage. Jenks suggested making a weight limit that would allow these larger trucks to run empty but not when they are loaded. This way they could at least save some cost on fuel and wear and tear only running one way on a town road.

After considering all comments the sense of the board was to investigate options discussed today and revisit this at the next meeting. There were no further comments at this time. The board thanked the members of the public for coming.
This public hearing was closed at 8:40AM.

3. Highway: Williams reviewed the following topics:
 - An accident between the Town grader and an Orford resident happened on Tuesday March 22, 2016 on Orfordville Road. The incident was reviewed. Although Lyme Police responded, as well as the Road Agent, MacKenzie noted any accident must be reported immediately. Cutting will notify the insurance company and a Town incident report needs to be filled out ASAP.
 - Budgeting was discussed. Williams will meet with Cutting weekly to review bills and help be sure the expenditures are posted to the correct account. This way there will be an up to date accounting for all spending.
 - Swamp Road (Baker Hill) trimming has taken place. Looks great.
 - Chipper is temporarily out of service. Williams called on Longto Tree Service to come chip and haul trimmings from Swamp Road.
 - Stump grinding is taking place today.
 - Williams noted again he wanted the board to reconsider the truck replacement schedule. He feels the town is waiting too long to replace trucks and the repairs are costly. MacKenzie asked for an accounting of these expenses so the board could consider this.
4. Bruce King: Mr. King came to discuss a letter he had received in the mail from the Select Board concerning an e-mail he sent to the town lymenh.gov address. King noted he felt his 1st and 4th amendment rights had been violated. He felt this was censorship; he has a right to his own opinion and he is a tax payer in this town and pays the wages of all who work for this town. Jenks explained that because of the tone and content of the email the board felt this was harassment of town employees. This Select Board has committed that any time an employee is threatened or harassed, they intervene, believing that it is Select board's job to protect the employees of the Town and do any reprimanding that needs doing. King was assured this was not the first incident in which a letter of concern has been sent to an offender. Jenks noted that this e-mail was intercepted accidentally. As it happened there was no name to whom it was specifically directed, therefore anyone seeing it could have assumed they were being targeted. This particular email system is used for highway department business and although everyone agreed Mr. King and others are entitled to their opinion, they may not use the town email system to be harassing or abusive. The board would like people to come directly to them if they have a concern or comment concerning a town of Lyme employee or about how something is being addressed/handled by a town employee. Mr. King stated he had received the information he needed and the board thanked him for coming to discuss this with them.
5. MacKenzie reported that Mr. Roby had meet with CLD Engineering. The information gathered to date for the rerouting option from River Road to River Road still did not have

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- definitive data but their opinion was it would not be the best choice. The board confirmed they were not going to commit any more funds into this option and they stand with their decision to not investigate this option further. It is too much money to find out this is not an option. The board reviewed some River Road issues. Charlie and Brian (CLD) have offered to meet with the board to review and prioritize all the various River Road issues and areas of concern. The board would like to take them up on this offer.
6. Smith moved to approve the minutes of March 17th, 2016. Seconded by Jenks. Voted unanimously in favor.
 7. Matters arising:
 - Transfer station-Thebodo has secured 2 volunteers for the coming months to help.
 - Sprayer- has this been ordered. Followed was a discussion concerning the increase in price from 2015 to 2016. The balance will be applied to the Highway equipment budget line.
 - Building Committee-Some Lyme Center Academy building issues were reviewed. The well pump was fixed requiring extra wiring. Also different plumber did the installation. Concerns were noted that the Select Board office was not notified of this change prior to authorization. The heating system work was started this week and will take 2 days. It was noted again that all work to be done needs to go through the Select Board office.
 - Still looking for a Certified Timber consultant to grade Intent to Cut jobs.
 - Road side mowing needs to be put out to bid.
 - Town Wetland permitting: This will go to the Board and the Board rep to the Conservation Commission will bring this to the CC for review and approval.
 - River Road: The pump at the River Road fix site will be picked up.
 8. New Business: MacKenzie reviewed a list of ongoing road projects.
 - Hidden Valley-an additional 60' of bank needs to be added to this location fix. The permit needs to be done.
 - Hewes Brook Bridge-The pre-cast bridge plan was ready to go prior to this. Smith also noted the board had previous plans from Pathways Engineering. He doesn't want to reinvent the wheel if we can use what's been done. Also noted instead of replacement the board may be able to consider covering. There needs to be some refreshing on these information, the board will revisit this at a later date. Concern that this is the only way to houses that are on the northern end of the closure.
 - Tullar Farm slump-CLD is in the process of working on this permit. MacKenzie noted Willis needs 1 more boring in order to come back with the soil analysis. He will be in the area. Jenks moved to have Willis do 1 boring for analysis at Tullar Farm slump for the amount of \$1,000.00. Seconded by MacKenzie. Voted unanimously in favor.
 - 400' north of the Tullar Slump a section needs repair; the highway crew will be able to do this repair.
 - River Road-rerouting.
 - Grant options- It does not look like there are any grants at this time to help the town with these bank erosions and or failures.
 - MacKenzie is getting permission from the Society of the protection of NH Forest to remediate the knotweed on the river bank.
 - The Board will publish a brief quarterly report on the web page, listserve, and

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newsletter to keep people informed about the road issues and things the Board is working on.

9. Manifest: The board reviewed and signed manifests in the amount of \$ 2,558.21 (Overseer of Public Welfare) and \$406,180.89 (\$350,000 was school).
10. Chief O'Keefe reported some citizens wanted to know if the Town would consider taking over the back side of the Common roadway, currently owned and maintained by the State of NH. They had spoken to Dennis Ford of the State of NH DOT and he said the town could do this. The citizens would like the board to consider this and to make this road one way with parking on the southern side of the Common. Even though these same people were opposed to the parking area proposed on the little Common area for the school safety issues.
11. David Roby Sr. and David Roby Jr. arrived for their appointment at 10:00AM:
 - Mr. Roby Sr. started by saying that although he hates the idea, he thinks he would agree to the bypass road (River Rd to east Thetford Rd) if a vote at Town meeting fully funds it and votes to put this road through his property. He wants to hear the town tell him to put this bypass road in. Then the Select Board and he can come to an agreement on the price. Mr. Roby reviewed various options he feels have not been investigated fully:
 - 1) Close the River Road for good, make it a dead end.
 - 2) Reopen Shoestrapp Road
 - 3) Change the River Road closed section to a class VI.
 - 4) Move this road over and make the closed section a one lane road.He would like to opportunity to do this. He believes the Town has not made an informed decision. He stated he would not oppose this if the Town votes at the 2017 Town Meeting to put this bypass road in.
Mr. Roby discussed legal option for eminent domain and the difficulty and cost involved.
Mr. Roby has some engineers he would like to weigh in on this; he will hire and pay them. He would like the board's permission to have all CLD's reports given to him. The board granted this request.
The board and Mr. Roby discussed DES requirements, regulations, bridges, Wilder Dam relicensing, ownership of the Dam and additional costs to the town because of DES requirements for various projects. Mr. Roby will be having an appraisal of this property done soon. Mr. Roby stated he was going to think about these discussions and his options and get back in touch with the Board at a later date.
12. State of NH Bounce House Inspection requirement was reviewed. This information will be passed along to Police and Fire personnel.
13. Fire Chief Michael Mundy was appointed as a Deputy Forest Fire Warden.
14. Jenks informed the board of a call from and discussion with Jedidiah Smith concerning his property on Goose Pond Road. The deadline for this part of the clean-up is April 15th, 2016 and the board will be inspecting on April 16th, 2016. Jenks relayed Smith's concern about being unable to meet this deadline due to ground conditions and lack of help. Regarding the removal of tires, Smith indicated to Jenks that few tires outside of a shed area were without rims. The Board felt that if there are

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- tires not on rims which present a significant health hazard to neighbors and community, they can be removed from property and brought to the Highway garage for pick up by NRRA. The vehicle and tire removal will need to be coordinated after the 16th.
15. The board reviewed and signed the MS-123.
 16. The board reviewed and Smith moved to have the Chair sign the engagement letter for Vachon, Clukay & Co for the 2015 audit. Seconded by Jenks. Voted unanimously in favor.
 17. The board reviewed and Smith moved to have the Chair sign the copier contract for the copy machine in the conference room. Seconded by Jenks. Voted unanimously in favor.
 18. Intent to cut for Olsen, Timothy Map 408 Lot 1 was reviewed and signed.
 19. The 2016 mowing contract with Lyme Lawn care was reviewed and signed by the board.
 20. Committee & Commission:
 - Energy committee: Discussed solar tax credits, replacing roof sections at the school and load limits on the school roof. Rich Brown came to discuss energy efficiency for co-housing and encouraged more energy efficiency efforts in buildings. Payback for energy tax credits were discussed.
 - Independence Day committee: July 2, 2016 will be the date. The event will end a bit earlier this year. The committee needs 2 new members. They will be forming sub-committees and starting this year's work.
 - Coffee hour: Jane Fant came to discuss the Heritage Committee/Historians desire to have a fence between the little common and the school parking lot. Jenks will communicate to this group to come back to the board with a formal plan, funding and long term maintenance included. Sarah Shipton is coordinating a "help your neighbor" in conjunction with Green Up Day on May 7th. Any projects the town or recreation commission may have they would like to know and will consider them.
 - River Committee: MacKenzie noted this committee will be coming up with advice on how to comment on the report for re-licensing of the Wilder Dam.
 - Tax Advisory Committee: MacKenzie reviewed this second meeting of the committee. People will be gathering information to be considered at the next meeting.
 21. Reviewed ongoing business. An up to date list for ongoing will be generated for the next meeting.
 22. Hidden Valley project: MacKenzie moved to include monitoring, permitting, after report for DES and any other requirement be included in the proposal from Pathways for this additional 60 ft. section. Seconded by Jenks. Voted unanimously in favor.
 23. There being no further business at 12:00PM Smith moved to adjourn. Seconded by Jenks. Voted unanimously in favor.

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Respectfully Submitted:

Dina Cutting