

LYNDEBOROUGH BOARD OF SELECTMEN

MEETING MINUTES

March 20, 2024

Approved

I. Call to Order:

Chairman Chamberlain called the meeting to order at 6:00 p.m.

II. Introduction of Members Present:

Chairman Mark Chamberlain, Selectman Fred Douglas, and Selectman Robert Howe

Town Administrator Russ Boland and minute taker Kathleen Humphreys

Public & Media Present: Jessie Salisbury, Building Inspector/Code Enforcement Officer Leo Trudeau, Community Power Members Ray Humphreys and Bob Hayden, and resident Bob Newton. Charlie Post arrived at 6:56 p.m. Lisa Post arrived at 7:11 p.m.

III. Appointments:

6:05 p.m.: Election of Board of Selectman Officers

Chairman of the Board of Selectmen

VOTE: Selectman Douglas made a motion, Chairman Chamberlain seconded to nominate Selectman Howe as Chairman of the Board of Selectmen. Motion passed 3-0.

Budget Committee

VOTE: Chairman Chamberlain made a motion, Selectman Douglas seconded to nominate Selectman Howe as Selectmen's Rep. to the Budget Committee. Motion passed 3-0.

Budget Committee Alternate

VOTE: Selectman Howe made a motion, Selectman Douglas seconded to nominate Chairman Chamberlain as the alternate Selectmen's Rep. to the Budget Committee. Motion passed 3-0.

Ambulance Advisory Committee

VOTE: Chairman Chamberlain made a motion, Selectman Howe seconded to nominate Selectman Douglas, with T/A Boland as an alternate, to the Ambulance Advisory Committee. Motion passed 3-0.

MACC Base

VOTE: Chairman Chamberlain made a motion, Selectman Howe seconded to nominate T/A Boland, with Selectman Douglas as an alternate, to MACC Base. Motion passed 3-0.

Emergency Operations

All the Selectmen and T/A Boland will be involved with Emergency Operations.

NRPC

VOTE: Selectman Howe made a motion, Selectman Douglas seconded to nominate Chairman Chamberlain as the Representative to the Nashua Regional Planning Commission Transportation Committee Town. Motion passed 3-0.

Historical District Commission

VOTE: Chairman Chamberlain made a motion, Selectman Douglas seconded to nominate Selectman Howe as Selectmen's Rep. to the Historical Society. Motion passed 3-0.

Heritage Commission

VOTE: Selectman Douglas made a motion, Selectman Howe seconded to nominate Chairman Chamberlain as Selectmen's Rep. to the Heritage Commission. Motion passed 3-0.

Conservation Commission

VOTE: Chairman Chamberlain made a motion, Selectman Douglas seconded to nominate Selectman Howe as Selectmen's Rep. to the Conservation Commission. Motion passed 3-0.

Planning Board

VOTE: Selectman Howe made a motion, Selectman Douglas seconded to appoint Chairman Chamberlain as Selectman's Rep. to the Planning Board and Selectman Douglas as an alternate. Motion passed 3-0.

Community Power Committee – Post Town Meeting Follow Up

Community Power Committee members Ray Humphreys, Bob Haden, and Leo Trudeau were present.

Ray Humphreys asked the Board what the future of the committee is now that the Warrant Article to approve community power failed at Town Meeting. Bob Hayden informed the Board that the PUC approval of Community Power in Lyndeborough does not expire. The plan can be amended if necessary. Bob Hayden said the committee was excellent and brought a lot of experience to the table. New members would be welcomed.

The Committee can continue to work on the plan, educate the public and present a Warrant Article next year.

It was noted that there were many inaccuracies brought up by the public at Town Meeting. For example, a resident with property in Wilton said they could not opt out. Bob Hayden said that statement is false. The Community Power Committee held public meetings and information sessions, but no residents attended.

Selectman Douglas commented that the "opt-out" verbiage caused concern and asked if that can be changed to an "opt-in" option. Bob Hayden said it is possible but historically that has not worked out so well, with usually only a 2-3% participation rate.

Lyndeborough was the only town that Bob Hayden's company did a direct mailer for. It was also the only community out of 15 in which the Community Power Warrant Article failed this year. So far, out of the 30 communities in the past, Lyndeborough is the only town that did not approve the warrant.

**6:20pm Finance Director Paul Hebert re: Accounting Software Upgrade Discussion
Paul Hebert**

Finance Director Paul Hebert provided a detailed description of the audit concerns with using QuickBooks and after extensive research he did on software companies, he presented his top three choices tonight. Mr. Hebert recommended going with Edmonds Gov. Tech.

The plan is to bring payroll back in-house, which would save about \$5,000. We will not have to renew the software subscription with QuickBooks for a savings of \$700. Paul Hebert can do some of the conversions himself, which will save money off the one-time fee of \$14,000. He explained some of the conversion work he has done in the past.

T/A Boland said the Town received ARPA funds in which \$25,322.47 is available. The office will present a report in early April. The Town does not have to obligate the funds until December 2024, but the State recommends obligating by September.

Chairman Chamberlain said, based on the amount of testing and work you have done and if you are recommending Edmonds, that is the way to go. There is the conversion savings, savings overall and the fact we are going to be able to come into compliance with our auditor. It is something we need to do. I would be in favor of contracting this now.

VOTE: Selectman Douglas made a motion, Selectman Howe seconded for T/A Boland to enter into a contract with Edmonds and use \$25,322.44 through the ARPA funds for this contract. Motion passed 3-0.

T/A Boland wanted to acknowledge Paul Hebert for all the work he has done on this along with his other duties. Paul Hebert said it is his pleasure. Chairman Chamberlain mentioned that Paul has saved and earned the Town money. Leo Trudeau added that the building department also appreciates Paul's work.

7:05pm. Road Agent McQuade re: Department of Public Works Operations Discussion

The DPW was contacted by resident Jon Lavoie asking if the WJAA can borrow the department's tow-behind roller to compact the baseball diamond at Goss Park. The WJAA plans to roll the field and will provide their own tractor for the work. The DPW can drive it down, then it would be locked down and they would pick it up afterwards. The Board was agreeable.

Road Agent McQuade discussed the amount of scrap sitting around the DPW. Some of the stuff we have accumulated has fallen into a sad state of affairs and not used much anymore. Examples were a horse trailer that is mostly used to hold stuff for Community Day, a heavy-duty trailer, road message boards that are difficult to program or the LED lights are not working. Typically, towns can pick message boards up at the White Farm or after a big road project when they are being sold off.

The Board felt anything the Road Agents feels is an asset to hang onto, otherwise scrap it.

Updated RFP for paving

The Paving RFP was missing a small section of Old Temple Road which is a 300-foot section above the bridge. The RFP due date will be adjusted from April 3 to April 17, 2024.

The Board discussed the segments of the paving plan. There was a discussion about the linear cracking, road width, and water issues on Putnam Hill Road. The DPW will do 2-3 test pits to make sure what we have is stable.

Chairman Chamberlain inquired about the 2nd NH Turnpike. Last year, Ed from Advanced Paving said that the 2nd NH turnpike and New Road can last 2-3 years. Rick McQuade said he has not seen a lot of changes in that road. Crack sealing was discussed. Mountain Road and Temple Road are on the list for crack sealing.

Selectman Douglas asked the Road Agent to stress to the contractor that the crack seal this year didn't hold up. He mentioned Mountain Road, near Cindy Ginns house, where the pavement is being ripped up by the plows. Work on that hill was discussed.

Leo Trudeau commented he noticed they stopped using the sand as a top dressing when sealing cracks. The Road Agent will reach out to New Boston and Frankestown because they use the same vendor.

Chairman Chamberlain mentioned that a few things are missing and wanted to review the drainage. Road Agent McQuade said the DPW is doing the pre-work then filling in the swales after. It was discussed to put the pre-work in the RPF because of the coordination efforts and a 3-4 week notice for prep work. Driveway aprons were discussed and to include an apron on unpaved as "sacrificial apron" and to include field aprons and turning areas. Traffic control and dust control should be included.

Road Agent McQuade was given the go-ahead to move forward after making those amendments and after Mark Chamberlain reviews the final document.

T/A Boland said they are putting out an RFP for gravel because there is a big increase in cost expected on April 1st.

2019 Freightliner

The 2019 Freightliner has another problem. The PTO and pump stopped working. The vehicle is at Sizemore in New Boston. After the diagnostic it was determined that missing bolts caused the problem. Road Agent McQuade had images and described the situation and work in the past. HM in Antrim was the last shop to service the Freightliner.

The cost of the repairs includes \$600 for the pump and maybe \$200 for the work. The work in Antrim was about \$2,600 and that was about 1.5 years ago. Road Agent McQuade described how the damage happened after hauling out of Milford.

A local mechanic, Ralph Porter on Center Road can assist moving forward with inspection checks for this problem.

VOTE: Selectman Douglas made a motion, Selectman Howe seconded to never use HM Fleet Services in Antrim again. Motion passed 3-0.

It could cost \$500-\$1,000 for the replacement part and PTO and \$4000 for the job to be safe. The mechanic will take it apart on the bench to make sure the pump is okay. Usually when the shaft lets go, that is the only component that lets go. They are concerned the previous mechanic might not have torqued it correctly.

Selectman Douglas inquired about the vehicle maintenance budget. It is \$15,000 in-house and \$30,000 at a service facility but reduce that by \$4,000 after this service.

The DPW would like to do an open house for the public that would include activities such as Touch a Truck and letting the kids put their hand prints on the plow.

The DPW rebuilt the tow behind rake for approximately \$2,000. A new one would be \$15,000.

A cost analysis for the Budget Committee was discussed. Rick McQuade said he will submit a report for the rough cost of mud season. The department used a lot of different materials.

IV. Community Forum and Public Comment:

The Historical Society will join the Heritage Commission on various upcoming projects. The Town Charter will be a topic at the annual meeting in April.

Rep. Lisa Post discussed House Bill 1479 regarding paid lobbyist and wanted to gauge the Board's opinion before tomorrow's vote.

There were two amendments proposed and she felt that one might alleviate municipalities' fears that states anybody who is not paid as a lobbyist can go out and testify. For example, a police chief, firefighter, town clerk, etc. as long as they are not paid as a lobbyist.

There is a 2006 law, HB 155 which prohibits activities that would co-mingle lobbyist and town money.

Option #2 show transparency and things won't change with the exception that residents must vote to deny in the town if they want to do this.

Lost power in the building at 7:56 p.m.

Chairman Chamberlain was concerned this could cost us more money. This topic was discussed. Rep. Post said there is a law on this so it was debated why we need another law to obey the first law. Selectman Douglas read a memo from NHMA regarding HP 14-79. He also wants to ensure that police chiefs are allowed to speak in Concord to testify.

Leo Trudeau added the President of the Builders Association talked about this bill. If it passes, then paid code enforcement officers could not go to Concord to speak because they are a paid employee.

There is no available document on the amendments to review because this will be made on the house floor. This Board was not in favor of approving this bill.

V. Decision Making Actions:

a. Old/Tabled Business:

American Rescue Plan Grant Update

This was discussed earlier. The office will be doing report soon.

Citizens' Hall Engineering

This Warrant Article was voted in at Town Meetings. The contract was revised to reflect that payment is due in 30-days.

Selectman Douglas pointed out the contract said, under general design, assumptions the 2018 building code will be based on the design and asked if because this is a historic building, would that be compromised. Code Enforcement Officer/Building Inspector Leo Trudeau said no because the 2018 IRC is the minimum code and it can be followed. Any of this proposed work should not be an issue.

**VOTE: Selectman Howe made a motion, Selectman Douglas seconded to authorize T/A Boland to complete the agreement with Team Engineering for Citizens' Hall structural design specs for the total of \$10,600, Project #23-249.
Motion passed 3-0.**

b. New Business:

2024 Board and Commissions Reappointment & Recruitment Discussion

This is on the Consent Agenda and in here. Some of the reappointments include Lou Rota, Charlie Post, Stephanie Roper, and Doug Powers. There are vacant positions on some of the committees or boards.

It was discussed if the list of officials on the document needs to be modified because it appears some members may not live in town anymore such as Lorraine Strube, Deb Leavitt, and Carol Wright. It was questioned if the Monument Committee is still active. Jessie Salisbury thought the Monument Committee was disbanded then became another committee. It was confirmed the state forester position is still valid.

Planning Board Chairman Charlie Post informed the Selectmen that there are two residents who wish to join the Planning Board and requested the applicants to be on the next Selectmen's Agenda for an appointment interview.

2024 Town Meeting Review

The Board felt that Town Meeting went well. The wording issue that had an extra \$500 in a Warrant Article was corrected by amendment.

Chairman Chamberlain swore Charlie Post in as a regular Planning Board member.

Presentation of 2024 NH DRA Form MS-232 (Report of Appropriations Actually Voted)

This is in the package to sign. The total does not include the revenue offsets.

c. Items not on Agenda:

Code Enforcement Officer Leo Trudeau asked the Board to consider establishing a \$100 flat rate fee for solar. He has to calculate the fees which are typically slightly less or more than \$100 and a flat fee would streamline the process and save time for the department. He received over a dozen permits this year.

Selectman Howe asked how that relates to a larger solar project. This can be discussed. Chairman Chamberlain mentioned the limit on the tax exemption size. Mr. Trudeau said he can review this with Dawn Griska in terms of assessing information and report back at the next meeting.

VI. Town Administrator Report

The water test report came back with okay results.

Letters will be going out to employees outlining the benefit changes approved at Town Meeting.

The office will be presenting Mike Kaplan with a \$100 gift card as a thank you for setting up the sound system at Citizens' Hall for Town Meeting.

The pre-planned Eversource outage changed to April 23-24.

VII. Selectmen's Report

a. MACC Base Action & Agenda

MACC Base met today and worked on the mission statement. They asked the town administrators to come and work on the model.

b. Transportation Committee

There was a meeting last week regarding the safety plans for the Rt. 101 bypass. Plans call for 12-foot travel lanes with 8-foot shoulders. The double yellow lines were discussed. There will be no passing lanes and a painted ghost median. The work will start in May and be completed by August. Selectman Douglas had a concern that the DOT is narrowing the lanes. That area has seen a large number of deadly accidents, 27 deaths in a 3.6-mile stretch.

c. Planning Board

Tomorrow night's meeting has the Feel Good Farm Permit Renewal on the agenda. The police department report was submitted. There was a large crowd at the last Master Plan Committee meeting.

d. Heritage Commission

The Committee will meet next Friday.

e. Conservation Commission

They met last week and talked about Class IV roads and town properties. The Roadside Clean-Up is scheduled for April 20-27th. Selectman Douglas mentioned trash on Fay Rd.

f. Ambulance Advisory Committee

No report

VIII. Consent Agenda:

Discussed the Selectmen's February 7, 2024 minutes that had edits and strike outs.

VOTE: Selectman Douglas made a motion, Selectman Howe seconded to accept the February 7, 2024 changes as outlined. Motion passed 3-0.

VOTE: Selectman Douglas made a motion, Selectman Howe seconded to accept the Consent Agenda for March 20, 2024, items 1-15. Motion passed unanimously 3-0.

IX. Information Items Requiring No Discussion

None

X. Non-Public Session RSA 91-A:3 II (a, b & c)

VOTE: Selectman Douglas made a motion, Selectman Howe seconded to enter into a non-public session at 8:57 p.m. Motion passed 3-0.

VOTE: Chairman Chamberlain made a motion, Selectman Douglas seconded to re-enter the public session at 9:35 p.m. Motion passed 3-0.

Once back in public session, the Board announced they hired Arnold Byam as a Heavy Equipment Operator for the Department of Public Works.

VOTE: Selectman Douglas made a motion, Selectman Howe seconded to adjourn at 9:36 p.m. Motion passed 3-0.

XI. Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 9:36 p.m.

Next regular meeting: April 3, 2024 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber

Chairman Mark Chamberlain _____

Selectman Fred Douglas _____

Selectman Robert Howe _____

Consent Agenda – March 20, 2024		
Item #	Item Title	Approved
1	AP Warrant –March 21, 2024	Yes
2	Payroll Warrant – March 4, 2024, through March 17, 2024	Yes
3	ACH: VALIC & ADP Processing Fee Payroll Warrant – March 4, 2024, through March 17, 2024	Yes
4	ACH: NH Dept of Motor Vehicles – March 6, 2024, through March 19, 2024	Yes
5	Request for Approval of Expenditure of \$3,000 and Over – AmChar Wholesale – Police Officer Equipment (\$3,111.87 – Quote Date 3/13/2024)	Yes
6	Request for Execution of 2024 NH DRA Form MS-232	Yes
7	Request to Appoint Stephanie Roper as Full Member of the Heritage Commission, Term Ending 2027	Yes
8	Request to Appoint John Pomer as Full Member of the Conservation Commission, Term Ending 2027	Yes
9	Request to Appoint Charles Post as Full Member of the Planning Board, Term Ending 2027	Yes
10	Request to Appoint Louis Rota as Full Member of the Historic District Commission, Term Ending 2027	Yes
11	Request to Appoint Robert “Doug” Power as Full Member of the Conservation Commission, Term Ending 2027	Yes
12	Request to Approve 2021 Administrative Land Use Change Tax (LUCT) Abatement & Execute Abatement Disposition – Holt (Map-Lot 247-025-002)	Yes
13	Board of Selectmen’s Public Meeting Minutes – November 7, 2023	Yes
14	Board of Selectmen’s Public Meeting Minutes – February 7, 2024	Yes
15	Board of Selectmen’s Public Meeting Minutes – March 6, 2024	Yes