

49 **VOTE: Selectman Douglas moved, Chairman Chamberlain seconded to table a**
50 **decision until the next meeting on June 19, 2019 pending answers to questions**
51 **posed tonight. Motion passed 2-0.**
52

53 **6:10 p.m. - Interview of Conservation Commission Candidate Margaret Hagen.**

54 Margaret Hagen is seeking an alternate position on the Conservation Commission.
55

56 Mrs. Hagen was asked what she would bring to position. She replied that she recently
57 retired, has an agricultural background, worked in forestry, and has a lot of experience
58 running programs. She co-authored a book on water edge topics such as vegetative
59 buffers and things involved with that. She knows a lot about wetlands plans and what
60 wetlands soils look like. She now has the time to volunteer and this is a subject she has
61 both interest and expertise in. She has lived in Lyndeborough for the past 26 years.
62

63 Selectman Douglas asked her opinion on the main charge of the Conservation
64 Commission. In her opinion, the main charge is to look after and protect natural
65 resources for the town, the best uses for town land, and accessibility to town land.
66

67 Selectman Douglas said, "You mentioned you specialized in agricultural background,
68 forestry and water's edges and basil areas." She replied, "Yes". Selectman Douglas
69 asked, "Are you aware that the town of Lyndeborough has never identified the major
70 waterways and the wetlands in the town which is conducive to what the town requires.
71 Would you be surprised?" Mrs. Hagen replied, "I would be surprised because she worked
72 at the Natural Resources Inventory."
73

74 Selectman Douglas went on to describe issues with Intent to Cuts when basil area and
75 wetlands are encroached on. The State says if the Town has not identified that (basil
76 areas and wetlands) there is nothing they can do for enforcement. He asked resident
77 Ray Humphreys if he wanted to make a correction if he is wrong. Mr. Humphreys
78 agreed with Selectman Douglas.
79

80 Margaret Hagen said there are State laws that require a certain amount of basil areas
81 adjacent to waterways. Selectman Douglas agreed but added they need to be identified
82 by the Town and registered. Ray Humphreys commented, "They need to be ordered".
83 Margaret Hagen was surprised that they have not been ordered and completed and said
84 this would be a pretty big project.
85

86 When asked about her position on transparency under RSA 91A for public boards and
87 public meetings and what is required. She felt that every board should be transparent
88 and business only conducted in public meetings and not outside of it.
89

90 Mrs. Hagen served on the Milford Conservation Commission before moving to
91 Lyndeborough and is familiar with how municipal Board's work.
92

93 **VOTE: Selectman Douglas moved, Chairman Chamberlain seconded to appoint**
94 **Margaret Hagen to the Conservation Commission in the Town of Lyndeborough.**
95 **Motion passed 2-0.**
96

97 Mrs. Hagen was asked to see the Town Clerk to be sworn-in.
98

99 Margaret Hagen asked about ordering Town waters and is this something that is looming
100 on the horizon and needs to be done to enforce basil areas. Selectman Douglas
101 mentioned there was an Intent to Cut which had several abutters concerned with the
102 operation and when the State did finally get down here and one of the things they
103 identified was the Town did not identify the waterways and basis areas etc. as required
104 by State statue so as a result they could not get overly involved with enforcement issues.
105 Mrs. Hagen said that was interesting to know and she was not aware of it.

106
107 Ray Humphreys said that Selectman Douglas was correct and added, that as a
108 minimum the Town has not adopted the BMPs under the laws of the State and they
109 could not enforce the 150 foot basil areas around streams or roadways so there were
110 properties that were clear cut because of it.

111
112 Margaret Hagen said this is something that people might not be aware of. Chairman
113 Douglas informed Mrs. Hagen they have made the current Conservation Commission
114 aware of this. She plans to consult with Chairperson Sharon Akers about this topic.

115
116 The appointment of Mark Chase was tabled until the non-public session.

117
118 **6:20 p.m. – Craig Nowak re: Loader Purchase.**

119 Craig Nowak represents John Deere.

120
121 According to Road Agent Mark Chase there is another quote here tonight that was not
122 presented at the last meeting. There are no issues with a deadline for the quote.

123
124 T/A Boland said they initially looked at the State Bid for the 524K but they are
125 considering the L model series which is a larger machine. The quote is for the 544L.

126
127 There are different bids and one has a street sweeper attached. It was noted that the
128 sweeper is in the bid at cost.

129
130 Highway Advisory Committee member Ray Humphreys was present to address
131 concerns. His first comment was he wanted to make sure that with taxpayer's money
132 the Town solicited the right amount of bids as to not bring suspicion to the purchase and
133 asked if the Selectmen are comfortable with that. T/A Boland said the Road Agent was
134 charged with going out and looking at new and used units and came back with a series
135 of quotes that include companies such as Beaugard, John Deere, Chappell Tractor,
136 and CAT.

137
138 The John Deere 544L comes with 6-year, 3,000 hour warranty for the new unit which
139 this extended warranty was set specifically for this purchase. The Government
140 Municipal discount was applied which equaled a 28% savings. The cost is \$150,300.06.

141
142 Mr. Humphreys asked if it has an Integrated Tool Carrier (ITC) which allows for options
143 for different implements. The answer is yes and Mr. Nowak added this has been
144 redesigned for better visibility which allows the operator to be looking directly at the pins
145 therefore there is no guessing when hooking up attachments, which is done at a push of
146 a button and it locks up.

147
148 Ray Humphreys asked how the boom works. It is by auxiliary which is standard on the
149 machine. For example, a plow can be added to the machine in the future and operated

150 by the remote. Mr. Humphreys mentioned the Highway Advisory Committee wanted the
151 option to have different implements.
152

153 Mr. Humphreys did research on maintenance and there was a discussion on this. He
154 asked with regular maintenance, what is the major failure with this machine at say, 4,000
155 hours? Mr. Nowak said there is not an L series machine out there with 4,000 hours yet.
156 This was redesigned from the K2 and improvements were made for hydraulics, the cab
157 was opened up plus there is a lot of new technology in this machine.
158

159 T/A Boland inquired about the delivery time. There is one 544L on the lot ready for
160 Lyndeborough and with a signed purchase order, it can be delivered by Friday or next
161 Monday, June 10, 2019. It was noted that Goffstown did their sealed bid this week and if
162 they present a PO for that machine the Nortrax will be obligated to sell this machine to
163 Goffstown. There are machines available in Springfield which would require trucking
164 fees. They could wait for a factory delivery.
165

166 The Highway Department rented a bigger machine last summer, but feels this size is
167 more appropriate for the Town's needs.
168

169 Mr. Humphreys asked if there are electrical issues due to all the electronics such as
170 screens in the new units and the answer was not in the L series. There were electrical
171 issues in the J series. Training comes with the equipment.
172

173 Selectman Douglas has a concern about the three-piece tire rims. The Towns of
174 Francestown and Weare have that same model and both towns experienced tire issues
175 and cautioned, "Do not get the three-piece rims". His concern is if there are still issues
176 and proceeded to tell the story where Francestown had to replace tires the past three
177 years to fix leaks in the front tires due to the three-piece rims at the cost of \$500 each
178 time. It was determined the round ring causes a leak when the unit is picking up a load
179 and the tire is turned. Selectman Douglas said the Town can't afford for the machine to
180 be down for two-weeks. He was informed there are no options for a one-piece rim and
181 the issues with the 2014 machines has been resolved with a new seal clip ring which is
182 standard on all the new units. He also said the L comes with a quality set of Michelin
183 tires.
184

185 Selectman Douglas said he is very impressed with the unit but wants to be assured that
186 the investments the town puts into this that the machine is not down due to replacing
187 tires. It was noted that the tires are not under warranty.
188

189 There were two issues with the 2014 units. Some of the machines had non-Michelin
190 tires because the factory could not keep up with tire production and the 'knock-off' tires
191 were spinning inside the wheel. The issue was with the Double Coin tire which did not
192 come on every 2014 and early 2015 machines. The current tire is the One Star L3
193 Michelin.
194

195 Selectman Douglas asked Mr. Nowak to make him feel comfortable with the tires. The
196 response was this is not something he has seen on the L series or had to deal with.
197 This issue was about four years ago and the machine has been redesigned for 2019.
198 He said he can't give a guarantee that he is not allowed to give. The L series is the
199 largest selling loader and to date, there have been no issues that Mr. Nowak is aware of.
200

201 The Selectman asked if he could provide names of a few municipalities who own the
202 544L. Mr. Nowak can supply names after tomorrow's company meeting.

203
204 If the machine in his lot is sold, there are at least two machines available in Springfield.
205 A tow order can take a few days to arrange and incur a transportation fee. Bangor,
206 Maine has a few machines available, but the transportation cost would increase. Mr.
207 Humphreys asked about the destination and delivery charge on a piece of equipment
208 that includes it going to a particular destination and asked about dealer transfer and
209 asked if a transfer can be gratis. Mr. Nowak said that it's a lot of money to transfer
210 equipment and the delivery charge was to the original destination. Mr. Nowak cannot
211 confirm a delivery time from the factory.

212
213 It was discussed to submit a PO that is contingent on the Town receiving satisfactory
214 comments from current owners. Mr. Nowak is agreeable to this.

215
216 Mr. Humphreys said he likes the new design and the research he did on the electrical
217 improvements was positive, but he has not heard about the tire issues.

218
219 The Board and Mr. Chase discussed the need for the broom which cost \$12,000.00.
220 The broom is being sold on this deal to Lyndeborough at dealer cost which equates to
221 about a \$4,000.00 savings. Mr. Nowak cannot offer that savings in the future as a
222 separate implement. The current broom could be sold. There is an interested buyer that
223 was told it was not for sale at this time and the Road Agent will contact them with this
224 change. The Town paid \$1,400.00 for the broom and added a second set of bristles.

225
226 It was noted that the quote is \$300.06 over the Warrant Article price. This was
227 discussed. T/A Boland looked up the language which was for \$150,000.00 and the
228 quote the Nortrax is for \$150,300.06. Article 14 read, "...to take any steps to facilitate
229 said sale including, but not limited to, the right to convey title of any vehicles(s) being
230 provided in sale or trade..." T/A Boland felt that if they sold the broom that it could be
231 within the spirit of the Warrant Article. This Warrant Article price was one of the reasons
232 that Mr. Nowak added the broom at dealer cost to come closer to the Warrant Article
233 figures. At this point, he cannot lower the cost or increase the trade-in figures.

234
235 Mr. Humphreys asked Road Agent Chase what he needs the broom for and was told for
236 parking lots and sand clean-up. Mr. Chase said they do not have to purchase the broom
237 today and the Highway Department can figure out another way to do things.

238
239 Chairman Chamberlain felt this is the piece of equipment they all agree on and would
240 like to move forward on this. Selectman Douglas is supportive of this machine. The
241 discussion was if the broom should stay in the deal. T/A Boland said he is comfortable
242 with the purchase of the John Deere 544L if the current tow behind broom is sold.

243
244 **VOTE: Selectman Douglas made a motion, Chairman Chamberlain seconded that**
245 **the Town of Lyndeborough enters into a contract purchase agreement with**
246 **Nortrax for this particular John Deere (544L), quote ID 19465602, which is**
247 **inclusive of the sweeper. The total amount is \$150,300.06, contingent on a**
248 **background check relative with other municipalities and their responses back to**
249 **the Town on the machine. Motion passed 2-0.**

250

251 The purchase order contract added language that said, “*This agreement is contingent on*
252 *the Town of Lyndeborough receiving positive evaluations from existing owners of this*
253 *model machine.*” This addition was initialed by Mr. Nowak and T/A Boland. The
254 Purchase Order was signed by both Selectmen present.

255
256 The John Deere 544L comes with the standard warranty and includes a six-year, 3,000
257 hour warranty, which was created for the Town of Lyndeborough. Mr. Nowak said the
258 standard warranty should not have been stapled to the PO and the correct warranty
259 language will be in the sales paperwork. This was initialed. The warranty includes
260 powertrain, hydraulics, transmission, pistons, pumps, ZBar, etc.

261
262 **IV. Community Forum and Public Comment:**
263 Jessie Salisbury reported the location that Road Agent Chase picked for the post is
264 agreeable to the landowner for the Clark Pottery historic sign. The posts are painted
265 and waiting in Citizens’ Hall for installation.

266
267 Jessie Salisbury inspected the Woodward Monument and reports it is ok after the winter.

268
269 Lucy Schmidt celebrated her 99th birthday on Sunday.

270
271 Tomorrow, June 6, 2019, is the Fourth Grade History Tour at Citizens’ Hall and Center
272 Hall starting at 9:00 a.m.

273
274 **V. Decision Making Actions:**

275
276 **Old/Tabled Business:**
277 **Personnel Policy Re-Adoption**
278 The changes will be reviewed and discussed at the next meeting.

279
280 **Safety Police Re-Adoption**
281 The document was signed.

282
283 **Accounting Policy Re-Adoption**
284 The document was signed.

285
286 **New Business:**
287 **2019-2020 Propane**
288 The price last year with Ciardelli Fuel Company was \$1.649 per gallon. T/A Boland
289 called around for pricing and Ciardelli matched the best price. The contract price is
290 \$1.419, a 23 cent reduction, which equals about a \$1,800.00 savings. The Selectman
291 directed T/A Boland to sign the contract.

292
293 **Policy on Property Monuments Discussion**
294 The Selectmen read the document. Selectman Douglas questioned if a boundary is
295 located in cooperation with another town, that the other town should be liable for half the
296 cost of the survey. He cited recent examples of the marker that was moved on Whiting
297 Hill Road then put back in the wrong location which just got resolved as well as Milford’s
298 efforts to locate the town line on Center Road. Selectman Douglas’ language added
299 relative to when it co-mingles with another town, they share the survey costs.

300

301 Road Agent Chase added, when they put in the New Boston town line that both towns
302 paid for the post and all were present when the post was installed.

303
304 Modifications will be made and this will be discussed at the next meeting.

305
306 **State Paving of Center Road from Rout 31 to Center Hall Update**

307 The Town received notification that Mitchell Sand & Gravel will be paving from Route 31
308 to Center Hall, on or about September 4, 2019. It will be 3/8 of an inch of pavement.
309 Jessie Salisbury asked the Town to keep an eye on the Woodward Monument during the
310 paving process.

311
312 **Items not on Agenda:**

313 Fire Chief Smith was here to discuss a time sensitive portable radio grant. The email
314 notification was received very recently with a deadline of June 14, 2019.

315
316 Chief Smith said this is not approved yet by the Department of Safety because it has to
317 be reviewed by Homeland Security. They are looking for a spreadsheet list of the grant
318 portable radios, given out about 10-years ago, that would need to be reprogrammed.
319 They would come out and do the portable and truck radios. There is not an estimated
320 cost yet. The Town would have to cover the initial cost then be reimbursed. Beltronics
321 estimated it could cost about \$75 per radio. The Town has 25 radios. It could take up to
322 two-years for this to be completed. The letter recommended holding off on any new
323 radio purchases at least one year, allowing the Department of Safety to get the State
324 programming into the new radios at no cost.

325
326 Selectman Douglas announced there will be an information session at the Hillsborough
327 Police Department next week. He received this same grant letter as part of the
328 Frankestown Police Department and inquired if Police Chief Deware received the letter
329 so he can get onboard with the grant.

330
331 It was discussed that the radios are about 10-12 years old under the former grant but
332 reprogramming the radios allows Beltronics to be able to upgrade the radios in the future
333 with the new program.

334
335 The Board agreed to allow Chief Smith to pursue this radio grant and authorize T/A
336 Boland to sign the paperwork.

337
338 **VI. Town Administrator Report:**

339 -Ambulance Advisory Committee attended the Wilton Selectmen's meeting represented
340 by T/A Boland for Lyndeborough, Aaron Patt from Greenfield, and Ken Caisse from
341 Temple The budget questions were deferred until further research. Today, T/A Boland
342 was notified there has been a change because there is a perceived shortage in the
343 budget for labor.

344
345 Changes will affect staffing. They will revert back to the staffing protocol that they will
346 not tone out Ambulance 2 until there is a call which is a direct conflict with Addendum C.
347 They were notified of the conflict. T/A Boland asked Chief Smith to keep an eye on this.
348 The process should be when they tone out Ambulance 1, that Ambulance 2 is toned to
349 cover. Chief Smith has an issue that if they go back to this practice they won't have the
350 personnel in the three towns which would increase the response time. The ambulance
351 will be out more with the addition of a town. Chief Smith has a concern with another

352 change which won't pay paramedics on the weekends unless the ambulance is called
353 out. He expects to see a drop-off in staff because of this.

354
355 -The Town is dealing with a fence issue on Center Road and Johnsons Corner Road.
356 Chairman Chamberlain said they agreed to do a traffic count for calculations for the
357 required sight line. Research will need to be done on the right-of-way.

358
359 The Police Department should do the traffic count. It is suggested to do the count for
360 one week during the morning hours of 7:00 a.m. to 9:00 p.m. and from 4:00 p.m. to 6:00
361 p.m. for the afternoon commuter traffic.

362
363 They are looking for:

- 364 1. The number of vehicles going east bound
- 365 2. The number of vehicles going west bound
- 366 3. Speed of vehicles going east bound during both time frames
- 367 4. Speed of vehicles going west bound during both timeframes
- 368 5. Average speed going east bound
- 369 6. Average speed going west bound
- 370 7. The information should be put into a document and forward to Selectman Douglas so
371 he can do the calculations.
- 372 8. Selectman Douglas requested each speed be written down in order to double check
373 the math for the average.

374
375 They left the meeting with the homeowner being aware that a fence, six feet high, out to
376 this intersection would obscure the sight line looking west bound. If the Town would
377 allow them to do this, it is a liability to the Town and a liability to the property owner from
378 a civil standpoint.

379
380 Selectman Douglas discussed the distance, speed and reaction time at that intersection.

381
382 The Board would like to contact Scott Roper for the information he gathered on the road,
383 the sources and a date of when the County did it. They would like to know if there is an
384 exclusion of the occupancy and was it done before the house was built. The house was
385 built in 1811.

386
387 In the email sent by Scott Roper, he referenced a recent case in 1999 with a problem
388 with a carport/garage on Putnam Hill Road that protruded into Putnam Hill Road. This
389 structure was built by Wally Holt.

390
391 It was discussed if the fence is in the right-of-way. The Fence section of Zoning
392 Ordinance (410.0) states a fence can be 1 foot off the road. It was discussed if
393 ownership of the soil is to midway in the road. As for Zoning Ordinances, it is usually the
394 comment of building inspectors that is referenced that the setbacks begin at the edge of
395 the right-of-way but the Building Inspector can't find anything in the Lyndeborough
396 Zoning Ordinance or the RSAs to support what he has been told so it's up to the
397 Selectmen on how to support this.

398
399 Section 410.0 – Fences of the Zoning Ordinance states:

400 A fence up to 6 feet high does not require a building permit.

401 A fence 6 feet or higher requires a building permit.

402 No fence shall exceed 10 feet in height.

403 All fences may be constructed within the setback, up to 1 foot from the property line.
404 Selectman Douglas mentioned that pertains to the Planning Board regulations but from
405 the standpoint of obstruction of traffic and public safety it does not mean anything. They
406 should consider some type of addendum that says, "This is all contingent on issues with
407 highway safety and traffic movement".
408

409 This afternoon Kathleen Humphreys submitted a request to have a horseshoe pit added
410 at the Center Hall complex. She provided a brief description of the project prompted by
411 discussions with residents of the town and her goal was to start a conversation with the
412 Selectmen and Town regarding the idea. Her vision is for two pits around the Town
413 Barn or the area along the orchard near the hiking trailhead. The Selectmen asked Mrs.
414 Humphreys to present a clear proposal that states the number of pits, location and their
415 expectations to the Selectmen. Any decision would have to involve the Historic District
416 Commission. Selectman Douglas mentioned that it is not permissible to drink alcohol if
417 there is a tournament there.
418

419 **VII. Selectmen's Report:**

420 **a. MACC Base Action & Agenda**

421 The next meeting is June 12, 2019.
422

423 **b. Transportation Committee**

424 There will be a meeting next week with NRPC.
425

426 **c. Planning Board**

427 The Planning Board will have a work session regarding subdivision and lot line
428 adjustment zoning changes on June 20, 2019 at 7:30 p.m. Chairman Chamberlain
429 inquired about a potential lot consolidation application. The secretary noted that
430 recently, application fees were not being collected for lot line adjustments and lot
431 consolidations.
432

433 **d. Heritage Commission**

434 The next meeting is June 21, 2019. The Historic District Commission will meet the same
435 night. Jessie Salisbury mentioned she will have a formal letter to the Selectmen
436 requesting a Selectman attend their meeting in order for them to have it officially in their
437 records regarding the Town Barn Roof Replacement.
438

439 **e. Safety Complex**

440 No items to discuss.
441

442 **Consent Agenda**

443 Selectman Douglas said there is confusion on the Andersen Current Use application and
444 now the application is asking for additional land under Current Use. The Selectmen
445 have an issue with Todd Haywood's letter.
446

447 Todd Haywood will be here on July 17, 2019 to address the sugar shack at Steve and
448 Maria Brown's property. The Andersen application can be extended after the July 15
449 deadline under certain circumstances.
450

451 Selectman Douglas requested an amendment to the May 22, 2019 Selectmen's Minutes
452 regarding his comments on the \$2,000 difference on the proposal for the South
453 Cemetery Retaining Wall work. The amendments will be made and minutes re-sent.

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VIII. Information Items Requiring No Discussion:

Chairman Douglas asked Road Agent Chase to look at cutting the brush on Mountain Road due to sight limitations near the guardrail by the Welch's property (111 Mountain Road) as you come around the corner.

Selectman Douglas had a concern with the maple tree that was planted behind Citizens' Hall a few years ago that is not looking good. T/A Boland said there are tentative plans to replace the tree. It was discussed if there is a guarantee for the tree which was purchased for \$129 at the House by the Side of the Road.

IX. Non-Public Session RSA 91-A:3II (a & e)

VOTE: Selectman Douglas made a motion, Chairman Chamberlain seconded to enter a non-public session RSA 91-A:3II (a & e) at 8:20 p.m. All voted yes. Motion passed 2-0.

VOTE: Selectman Douglas made a motion, Chairman Chamberlain seconded to exit the non-public session at 9:30 p.m. Motion passed 2-0.

Once back in Public Session. **VOTE: Selectman Douglas made a motion, Chairman Chamberlain seconded to accept the Consent Agenda with the exception of the Andersen Current Use request, Item #5. Motion passed 2-0. (See below on page 11)**

VOTE: Selectman Douglas made a motion, Chairman Chamberlain seconded to table the May 22, 2019 minutes pending corrections. Motion passed 2-0. (See below on page 11)

VOTE: Selectman Douglas made a motion, Chairman Chamberlain seconded to adjourn at 9:34 p.m. Motion passed 2-0.

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 9:34 p.m.

Next regular meeting: June 19, 2019 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber

Chairman Mark Chamberlain

Selectman Fred Douglas

Selectman Richard McQuade

505 (see below for Consent Agenda)

June 5, 2019 Consent Agenda			
Item #	Item Title	Item Date	Approved
1	AP Warrants – May 28 & June 4, 2019	6/5/2019	Yes
2	Payroll Warrant – May 20 through June 2, 2019	6/5/2019	Yes
3	Request for Approval of Purchase Order # 20863 – John Bremer Stone Masonry – Repair South Cemetery Stone Wall (May 14, 2019 Project Quote)	6/5/2019	Yes
4	Oath of Office Endorsement – Road Agent Mark Chase	6/5/2019	Yes
5	Resubmitted Request to Approve Current Use Application – William E. Andersen Living Trust, Rev. (227-023)	6/5/2019	No
6	Request for Approval of Intent to Cut Application (19-279-06T) (M-L 206-021) – Accessed Via School House Road	6/5/2019	Yes
7	Board of Selectmen’s Public Meeting Minutes – May 22, 2019	6/5/2019	Tabled
8	Board of Selectmen’s Public Meeting Minutes – May 28, 2019	6/5/2019	Yes
9	Board of Selectmen’s Non Public Meeting Minutes – May 22, 2019	6/5/2019	Yes

506