

**LYNDEBOROUGH BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**September 23, 2020**  
*Final*

**I. Call to Order:**

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

**II. Introduction of Members Present:**

Chairman Mark Chamberlain and Selectman Richard McQuade

Selectman Fred Douglas arrived at 6:07 p.m.

Town Administrator Russ Boland and Minute Taker Kathleen Humphreys

**Public Present:** Jessie Salisbury

**III. Appointments:**

None

**IV. Community Forum and Public Comment:**

Jessie Salisbury reported the historical signs have been installed at South Cemetery and Center Cemetery. She would prefer the signs to be lower so they are easier to read.

**Decision Making Actions:**

**a. Old/Tabled Business:**

**Lower Purgatory Falls Parking Lot Discussion**

The Town Office continues to receive calls regarding the status of the falls. The Board discussed if the Falls should be closed this winter. Selectman McQuade made the point the Falls are not typically closed in the winter. The Board discussed additional signage and parking signs.

**Coronavirus Relief Fund Grant Reimbursement Agreement Update**

The Town Office submitted for the third reimbursement grant in regards to the Police Department, Fire Department, and Health Officer. The office is waiting for payment. The grant is capped at \$40,766.00.

**2021 Paving Plan and Brackets Cross Apron Discussion**

T/A Boland told the Board that Road Agent Mark Chase informed Steve's School Bus Services about the upcoming pavement schedule. The tentative dates are September 30, 2020 and October 1, 2020.

**Putnam Pond Boat Ramp Dedication Plaque Discussion**

The dedication plaque should be completed by mid to late October.

**2021 Budget Schedule Discussion**

After a discussion, the Board agreed to meet on October 30, 2020 with the Department Heads. T/A Boland will forward the schedule. Selectman Douglas suggested Jason Johnson provide the MACC Base numbers relative to the ambulance and he would like to see the call for service statistics.

### **Statistical Update**

T/A Boland informed the Board that today is the last day for residents to review the proposed assessments with the assessor. The assessor will then go out and review the new data. About 60 residents requested a meeting.

The MS 1 should be ready for the next Selectmen's meeting with the updated values for the Board to approve. Then it can be submitted to the DRA.

Chairman Chamberlain requested a comparison list to see if there are any assessments that stand out as a possible error. T/A Boland reported there was an average 26% increase.

### **b. New Business:**

#### **Updating the Personnel Policy Regarding VALIC Supplemental Retirement**

T/A Boland supplied the Selectmen with the proposed changes. He explained there is no cost to the Town of Lyndeborough but believes this will help with employee retention if part-time employees are able to participate in a retirement plan at their own expense. There are about 40 part-time employees.

**VOTE: Selectman Douglas moved, Selectman McQuade seconded to approve the retirement plan dated 9-23-20 with the changes outlined by the Town Administrator. Motion passed 3-0.**

#### **2022-2021 Road Salt Bid**

The State Road Salt Bid is \$55.65 per ton, which is down from \$56.25. T/A Boland mentioned there was a conflict with the information received by other Towns so he suggested holding off on a decision until after he can confirm the price.

### **c. Items not on Agenda:**

Nothing to discuss

## **V. Town Administrator Report**

Furnace Brook Road has received attention from the Highway Department since the last meeting.

The resident who owns the last house on Brandy Brook Road was not aware that the Town does not maintain the Class VI portion of the road. T/A Boland did a little research with Attorney Drescher, at no cost to the Town, on what it would take to change it from a Class VI road to a Class V road. The process was discussed or if this should be maintained as an emergency lane. RSA 231 was discussed.

Chairman Chamberlain, Selectman McQuade and Road Agent Mark Chase will visit Brandy Brook Road to view this area.

Selectman Douglas reminded the Board there was a waiver that went out to the previous owner of the property to put them on notice before the house was sold. There were significant drainage issues out there. The previous owner requested the Town address the drainage issues, which was denied because that area is not the Town's responsibility. Selectman Douglas asked Chairman Chamberlain and Selectman

McQuade to keep this in mind when they visit the property and define what would need to be. There is a steep elevation here.

It was discussed that the homeowner would need to bring the road up to Town standards. The Board does not want to see the water run-off into someone else's property, or impact the river, if road is upgraded. A turn-around location would be required if the Town plans to plow to the end of the road.

T/A Boland received an email from Jessie Salisbury inquired about a selling price for the United Church in the Center. At this point, the Town is not aware of a price. It was noted that church officials have not formally approached the Town. A title search process was discussed as well as the Revert Clause on the deed, which states the church cannot be sold for a profit. The Board would like "profit" to be defined. If it is sold to support their other church, would that be considered profit?

Jessie Salisbury said that Mr. Lemire mentioned they are selling the church and they have a prospective buyer. The rumor is he is going to turn it into a garage.

The Board agreed to direct T/A Boland to call Paul Lemire of the United Church to request First Rights of Refusal to purchase the United Church in the Center and negotiate the price. The conversation will be documented via email after their discussion.

T/A Boland and Selectman Douglas have been researching the 501c(3) status of the Wilton Ambulance Association. They are at a loss as to their next steps. They reached out to Fire Chief Smith and Wilton's Town Administrator. The association has not refiled with the Attorney General for their 501c(3) non-profit status and the Town cannot find any members left. The Wilton Town Administrator's position is if the Association does not act on this by the end of the year, it runs the risk of being administratively dissolved by the State.

Earlier today, T/A Boland had a conversation with the Wilton Ambulance Director, who is separate from the Ambulance Association, who agrees that there does not appear to be a membership left in the Association. Selectman Douglas is still the Vice President of the Association. According to the Bylaws, the Association needs to vote on officers, meet regularly, keep minutes and their records.

It was noted that donations cannot be accepted without the 501c(3) in place. Selectman Douglas does not know how much money is in the account or where the records are. The building insurance was paid out of the revolving fund by Wilton

Selectman Douglas will decide if he is willing to continue pursuing this.

## **VI. Selectmen's Report**

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

There was an Inter-Municipal meeting via Zoom to work on an agreement. There was a difference of opinions at the meeting. The agreement runs out at the end of the year. Milford plans to propose a Warrant Article at their Town Meeting in 2021.

### **b. Transportation Committee**

Nothing to report.

**c. Planning Board**

The Planning Board met on September 17, 2020 to hear a proposal for a Firing Range Instruction business at 283 Pinnacle Road, Map 216, Lot 001, owned by Ed and Darlene Anzalone. The Board did not hear the case and only addressed Lyndeborough Zoning Ordinance 801.00 e and voted the proposal does not comply with zoning. The Board recommended the applicant seek relief from the Zoning Board of Adjustment.

Chairman Chamberlain expressed his concern to this Board that it was not a legal meeting because the Planning Board did not discuss the application and he felt it could have gone to a site plan review.

Selectman Douglas attended and was not happy with the some members trying to count “abstained” votes as a “no” vote. He did not like how some members said they “reluctantly” voted either “yay” or “nay”. During the Planning Board meeting, Fred Douglas said he made a statement regarding “nuisance” and felt it was not taken into consideration.

Chairman Chamberlain said the next item on the agenda was Tom Chrisenton’s Lot Line Adjustment. This case was not heard because his application was not complete by the deadline because it was the first time the Board saw the plan was at the Sept. 17 meeting. Chairman Chamberlain reminded the Board that they need to treat all applications equally. The Anzalone’s application was held back a month because they did not meet the deadline.

Chairman Chamberlain informed the Selectmen he proposed new Planning Board Procedures. The 20-page draft was sent to the Planning Board for review. It was on the September agenda, but because the Anzalone case went so late, it was not discussed. It will be on the October agenda.

Selectman McQuade wondered if the Planning Board should come before the Selectmen.

**d. Heritage Commission**

Jessie Salisbury will update the agenda to include a budget discussion. Chairman Chamberlain will provide the Heritage Commission’s treasurer’s report.

**e. Safety Complex**

No items to discuss.

**Consent Agenda:**

Tabled until the end of the meeting.

**VII. Information Items Requiring No Discussion**

No items to discuss.

**VIII. Non-Public Session RSA 91-A:3 II (c)**

**VOTE: Selectman McQuade moved, Selectman Douglas seconded to enter a Non-Public Session at 7:00 p.m. Motion passed 3-0.**

**VOTE: Selectman McQuade moved, Selectman Douglas seconded to reenter the public meeting at 7:45 p.m. Motion passed 3-0.**

**VOTE: Selectman McQuade moved, Selectman Douglas seconded approve the 9-23-20 Consent Agenda. Motion passed 3-0.**

**Adjournment:**

**VOTE: Selectman McQuade moved, Selectman Douglas seconded to adjourn at 7:55 p.m. Motion passed 3-0.**

All scheduled items having been addressed, the public meeting was adjourned at 7:55 p.m.

Next regular meeting: October 7, 2020 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber

Chairman Mark Chamberlain\_\_\_\_\_

Selectman Fred Douglas\_\_\_\_\_

Selectman Richard McQuade\_\_\_\_\_

September 23, 2020 Consent Agenda		
Item #	Item Title	Approved
1	AP Warrants – September 15 & 22, 2020	Yes
2	Payroll Warrant – September 7 through 20, 2020	Yes
3	Request for Approval of Intent to Cut Application, Anzalone (20-279-09T) (216-001, 219-003 & 216-001-001) – Accessed Via Pinnacle Road	Yes
4	Request for Approval of Intent to Cut Application, Buchanan (20-279-10T) (250-020) – Accessed Via Perham Corner Road	Yes
5	Board of Selectmen's Public Meeting Minutes – September 9, 2020	Yes
6	Board of Selectmen's Non Public Meeting Minutes – September 9, 2020	Yes