

**LYNDEBOROUGH BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**June 16, 2021**  
*Final*

**I. Call to Order:**

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

**II. Introduction of Members Present:**

Chairman Fred Douglas, Selectman Mark Chamberlain, and Selectman Robert Howe  
Town Administrator Russ Boland

**Public & Media Present:** Jessie Salisbury

**III. Appointments:**

None

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

Jessie Salisbury commented that the Goding lot is looking better. She also asked if there is a place for people to go to get firewood if they need it to keep warm over the winter.

**Decision Making Actions:**

**Old/Tabled Business:**

**Class VI Road Discussion**

T/A Boland conveyed that Attorney Chris Drescher reviewed the Road Policy and felt it was good and that the release is standard. He sees no reason why the Town can't record documents at the Hillsborough County Registry of Deeds (HCRD). It would help with the Town's liability.

The office staff will review older records to locate important documents that should have been recorded. If they find a document, it can be recorded at the HCRD.

**Edits:**

It was determined to change all "must" to "shall" because it is unequivocal.

-Page 3, line 69: Roads shall be accessible. Strike "are reasonable" and replace with "shall be".

-Same paragraph: add "or" in "their vehicles or town vehicles". It was discussed that some emergency personnel take their personal vehicles to a scene.

Lines 71-72: Add a comma (,) next to personnel. Strike "or their".

Line 135: Last word on right change from "must" to "shall" have written permission

Line 136: Strike "permit" add "permission". (Per the RSA language)

Line 141: Change "must" to "shall"

Line 160: After installation drainage culverts add "and swales, etc."

B: refers to the Town of Lyndeborough Zoning and Mark Chamberlain said it should conform to the Streets & Roads.

Line 185: "Certified mail" will be changed to "verified" mail. Strike "return receipt requested" and add "Per RSA 21:53".

Line 197, Make that an "A" (record) and add a "B".

B would be "Copies of executed notice, with minutes of all discussions and motions attached, shall be filed in the appropriate road and parcel files".

244 HCRD change "," to "," and "and shown on Tax Map \_\_\_\_\_ lot \_\_\_\_\_;"

261: To provide, remove the "a" municipal agreement (because it's singular) and same thing on the next section for private road agreement with.

Chairman Douglas questioned RSA 264, as it talks about homeowners assume responsibility to bring students to the nearest bus stop. He wonders why this is in there. After discussion it was determined that the sentence was appropriate.

Selectman Chamberlain will send verbiage for line 142.

T/A Boland will update document that will be reviewed at the next meeting.

### **2021 Paving Projects Update**

The Brandy Brook Road paving will occur later in conjunction with the Mont Vernon project but the vendor would like to process the \$108,000 payment now.

### **Assessing Request for Proposals Discussion**

T/A Boland made changes to the RFP as requested. The plan is to send the RFP to companies on the DRA website in addition to other companies. It can be sent out next week with a return date of August 9 then open the letters at the August 11 Selectmen's meeting.

**VOTE: Selectman Chamberlain made a motion to authorize T/A Boland to send out the Request for Proposal for Assessing Services for 2022-2025 to the listed companies and notices. Selectman Howe seconded the motion. Motion passed 3-0.**

### **Septage Agreement with Merrimack, NH Discussion**

TA Boland highlighted the changes made to address the Board's concerns.

**VOTE: Selectman Chamberlain made a motion to authorize T/A Boland to sign the Septage Agreement with the Town of Merrimack from January 1, 2021 to December 31, 2026. Selectman Howe seconded the motion. Motion passed 3-0.**

Selectman Chamberlain has been informed that Fay Road is not being plowed by the Town but by a private resident. T/A Boland will look into this. He said that residents on Fay Road were asked for their feedback on the road, which he did not get.

The Boards inquired about the two speed signs, which both are not working again, because the batteries need to be changed. Chairman Douglas said it is not hard to change the batteries. Selectman Chamberlain asked if the police are gathering stats/data from the speed signs. He thought it would be interesting to see the speeds through Center Road.

Chairman Douglas asked about the Emerson Driveway Memo of Agreement (MOA). T/A Boland said the document was signed and on its way to be recorded at the HCRD.

Selectman Chamberlain said he went to look at Chris Brown's easement stakes at the Highway Garage and was not sure about the easement layout. He would like to see the Staking Worksheet and the driveway sketch. This driveway cut is for the logging operation. Mr. Brown was supposed to contact the Town Office before proceeding but he has not been in again as of this date. The driveway easement was not supposed to be logged until the sketch was discussed, because the intent was to only cut what was needed, not the whole easement area.

The Tax Collector forwarded Chairman Douglas the annual Dog Warrant, RSA 466:14, which lists all dogs owned or housed by residents in the town. The dogs are required to be registered and to verify their rabies shots. The Dog Warrant lists the unlicensed dogs. Once the Dog Warrant is signed, it goes back to the Town Clerk, and then the police will notify the resident of unlicensed dogs. At that point, residents will have 96 hours to pay the Town Clerk the license fees and/or any penalty. If the fees are not paid within 96 hours, they be presented a summons to appear in Milford District Court.

**VOTE: Selectman Howe made a motion, Selectman Chamberlain seconded to accept the Dog Warrant for 2021 for enforcement. Motion passed 3-0.**

**b. New Business:**

No items to discuss

**c. Items not on Agenda:**

Nothing

**V. Town Administrator Report**

Kevin Leonard (Northpoint Engineering) will be putting together an engineering estimate for Center Road Phase II and Glass Factory Road reconstruction.

The Brandy Brook resident dropped his request for the Town to take over that road.

The parking lots at Purgatory Falls have re-opened and so far there have been no problems. Additional "No Parking" signs were installed on the roadway.

The Memo of Understanding (MOU) between Matt Emerson and the Town was executed and notarized. It will be filed with the HCRD.

T/A Boland attended a webinar in regards to the American Rescue Plan to learn more about the opportunity. The Town has until August 18, 2021 to apply. This will be a topic at the next Selectmen's meeting.

**VI. Selectmen's Report**

**a. MACC Base Action & Agenda**

No items to discuss

**b. Transportation Committee**

Selectman Chamberlain mentioned TAPS projects that Brookline, Nashua and Amherst are going forward, which are not relevant for Lyndeborough.

There is a meeting June 22 at 6:00 p.m. with Andrew Smeltz of NRPC regarding the road system maintenance survey. Road Agent Chase, Town Administrator Boland and Selectman Chamberlain will attend and to ask questions and set priorities. Mr. Smeltz was supplied with a road list. The project is scheduled for the fall.

**c. Planning Board**

The Board will meet tomorrow night at Center Hall. There are two new applications: A four-lot, Lot Line Adjustment for the Chrisenton properties and a three-lot subdivision on Baldwin Hill Road for Mr. Forleo, which has a B&B business.

**d. Heritage Commission**

The Commission will be meeting next week.

**e. Safety Complex**

No items to discuss.

**Consent Agenda:**

**VOTE: Selectman Howe made a motion, Selectman Chamberlain seconded to accept the Consent Agenda for June 16, 2021. Motion passed 3-0.**

**VII. Information Items Requiring No Discussion**

On June 23, 2021, Chairman Douglas and T/A Boland will meet in Wilton regarding the ambulance. T/A Boland asked the Selectmen to forward any questions they might have. Selectman Chamberlain said he had questions but did not get answers and that the calculations were wrong

Selectman Chamberlain suggested replacing the Safety Complex & Other Options Committee with the Conservation Commission under the "Selectmen's Report".

Chairman Douglas asked what is going on with Feel Good Farm. T/A Boland said he talked to Attorney Drescher who spoke to the Mr. Boisvert's attorney and they are supposed to reach out to the Planning Board for an appointment.

Chairman Douglas asked the secretary to clearly document who said what in the minutes. It is important to verify who made the comment.

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

**VOTE: Selectman Chamberlain made a motion, Selectman Howe seconded, to enter a Non-Public Session at 7:14 p.m. Roll Call: All members voted yes. Motion passed 3-0.**

**VOTE: Selectman Howe made a motion, Selectman Chamberlain seconded to exit the Non-Public Session at 7:46 p.m. Motion passed 3-0.**

Once back in public session, the Board announced they reappointed Mike Decubellis to the Conservation Commission.