

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
September 22, 2021
Final

I. Call to Order:

Chairman Douglas called the meeting to order at 6:02 p.m.

II. Introduction of Members Present:

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

Public & Media Present: T/C T/C Patricia Schultz, Maria Brown, Steve Brown, Road Agent Mark Chase and Building Inspector/Code Enforcement Officer Leo Trudeau, Charlie Post, Lisa Post, Tom Chrisenton, Ginny Chrisenton, Fire Chief Brian Smith and Jessie Salisbury

III. Appointments:

**6:05pm: T/C T/C Trish Schultz Re: Administrative Property Tax Abatements
(Map 232, Lot 052-000)**

Tax Collector & Town Clerk Trish Schultz explained the history of the Hubbard property tax abatement, what was paid to-date and the process to do a redemption to clear the tax lien. Town Assessor, Todd Haywood, incorrectly assessed the property. After the abatement for the July bill, Mr. Hubbard will owe \$17.91.

Chairman Douglas asked T/C T/C Schultz if she is following what the State wants the office to do and she replied, "Yes". She added, "this is the right thing to do for this".

Todd Haywood already changed the assessment once so this is second time he will have to change the assessment. T. Schultz has all the documents and has communicated with Nicki at Interware who will go into the tax software to do the changes. Once this is complete, T. Schultz can contact the owner for the balance.

Trish Schultz left at 6:08 p.m. Charlie Post arrived at 6:09 p.m.

**6:09pm: Steve Brown and Maria Brown, re: Building Permit Update
(Map 230, Lot 006-001)**

Steve and Maria Brown were present. They are trying to get a building permit for Woodward Road.

Mr. Brown went over the events of the last meeting when they got permission to pour concrete for the garage only. The concrete work is scheduled for Sept. 28, 2021. He would like to see what they can do to help keep his building process moving forward and keep the lines of communication open.

Chairman Douglas asked if they received a correspondence dated Sept. 13, 2021 and what his take on the current situation as it relates to this document. Mr. Brown received the letter and speaking for himself said, "This is an area where we talk about the words in the letters, important, specific areas. I question that. The parcel we are trying to build on is not one of the three (3) subdivisions that was referenced in the letter. Fair to say the way we get to our parcel is over those roads that are in those three subdivisions. It is not

clear to us why the moratorium is applicable to us because we are not part of those subdivisions.”

“We understand the Town consulted Jay Minkarah from Nashua Regional Planning Commission (NRPC) for an opinion, it was discussed internally, and it was felt that it does apply to us even though we are not one of the three subdivisions mentioned in the letter but principally because of the access to get to our lot. I took it at face value and doing what I can to work with the Board and be professional,” said Mr. Brown.

Mr. Brown mentioned it was suggested to take the house parts and store them in containers. He has insurance concerns because it's a fabricated house, which would be a bunch of parts in about 5-6, 40 foot containers and not assembled. He asked if there is anything important they should know so they can go do something about it.

Mark Chamberlain said the Browns have followed all the steps and their only problem is access. The access is inadequate per zoning and it's hard to give a driveway permit on a road that does not exist. He understands this is not under their control. Things have stalled so the Town can work out this issue.

Selectman Howe reiterated this issue has to be resolved. He agrees the Browns have been put in a bad spot despite that they did what they were supposed to do.

Maria Brown mentioned that these items just came to light recently, and that is the catch. Selectman Chamberlain said the Board was not aware of it until late June or early July at the latest. As we delved into it, it started to evolve. Maria Brown asked if the waiver [liability waiver] would help with any of this? Selectman Chamberlain responded the waiver is for access to a road but the road does not exist. Maria Brown asked what will make that road exist. Selectman Chamberlain discussed the zoning in relation to town standards with the lower road grade being 18 feet wide. Maria Brown asked who determines that, the road agent? Selectman Chamberlain confirmed that would be the road agent to determine the width of the roads but because these roads are so extensive it will end up with an engineer to look at drainage and so forth. E-911 criteria was also discussed

Steve Brown asked the Board if it would be helpful for the Board to personally look at the roads? The roads were discussed more. Selectman Chamberlain felt that would be helpful while Selectman Howe said it has been a long time since he was up that way. Chairman Douglas felt that roads are not his expertise and has a concern about liability.

Ginny Chrisenton arrived at 6:22 p.m. then Tom Chrisenton shortly after.

Steve Brown said there are places the road is over 18 feet wide and the grass has grown up because we don't collectively drive on it so to make sure to measure the road, not just the tire tracks. There are five property owners on 900 acres with 17 miles of roads. In his opinion the roads are good.

The Browns were informed that the Planning Board will hold a Work Session on Sept. 30, 2021 at Center Hall starting at 7:30 p.m. The roads will be on the agenda.

Lisa Post arrived at 6:27 p.m.

Chairman Douglas said, "The Board prides itself on treating people equal, when I was on the Board in 2001 and today. Everyone has things that come up in their lives with bumps in the road. It is out of your hands, but we will do everything we can do to work with you."

The Browns left at 6:29 p.m.

IV. Community Forum and Public Comment:

Ginny Chrisenton asked if the Board would like the road names tonight for their properties off Woodward Road. Chairman Douglas asked that they submit the document to T/A Russ Boland and explained the E911 process and expressed that signage goes up immediately. Mr. Boland said the Board only received the names about 30 minutes ago. G. Chrisenton said the list is extensive with 26 roads names, with some of the roads being internal forest roads that they use, so she asked if the Board of Selectmen wanted the names for the whole tree farm or just the subdivision.

It was determined that the Chrisenton's submit names for those roads involved with subdivisions and to submit the names with attributes and buildings on them. Ginny Chrisenton said if you will accept it, they will submit names of just the subdivisions on and where people are going in right now.

Decision Making Actions:

Old/Tabled Business:

Assessing Services Requests for Proposals for 2022 – 2025 Update

The three companies that submitted proposals all did them in a different fashion. Background checks will be done. The Board was asked to review the proposals.

Lisa and Charlie Post left at 6:34 p.m.

Proposed move of Wilton Ambulance Department to the Wilton Fire Department Building Discussion

Fire Chief Brian Smith was present.

Wilton Town Administrator Paul Branscomb sent an email which T/A Boland read from, "Your numbers appears to be accurate. Wilton asks that you look at the bigger picture as we see the model proposed of moving to the fire station is in the best interest for all three communities.... It appears that in the first year that Lyndeborough would save \$2,111 on operating basics and \$3,784 in one-time capital expense because of repairs to the fire station are less than the repairs to the current building".

T/A Boland said that it appears in the first year we could save just shy of \$7,000 and a reoccurring savings of roughly \$2,000 per year after that.

T/A Branscomb wanted T/A Boland to point out to the Board that they feel the numbers are accurate and kept reading the email. "Staff moving to the station, a modern facility, and the problems they are facing at 404 Forest Road will be taken care of immediately. They can have cross training with the fire department more readily. In terms of equipment, they believe in the future, they may be going for a larger ambulance such an ambulance on an International chassis and 404 Forest Road would not accommodate it but the Wilton fire station could.

T/A Boland read that a third (1/3) of Lyndeborough will see an improved response time while two-thirds (2/3) will see up to four (4) minutes additional response time.

Wilton's belief is the long-term costs are uncertain in the current structure at 404 Forest Road. The possibility to liquidate it [the building] is uncertain given the fact of the legal actions are being taken. Wilton feels strongly that the model provides the best possibility for future viability and longevity for the ambulance. It will lower long-term capital costs for the building i.e., septic and water."

T/A Boland received an email from T/A Branscomb that PRIMEX's cost to insure the building would be \$875, a \$300 savings if the ambulance were to move to the Wilton Fire Station. T/A Boland followed that up with a phone call to Paul Branscombe and he acknowledged it would be a savings to Wilton but overall it would reduce the rent we would be charged for the ambulance.

Chairman Douglas asked T/A Boland if he got any feedback from a previous meeting they attended in Wilton in relation to their future meeting with the Budget Committee. T/A Boland said he did not receive feedback from the most recent meeting.

Chairman Douglas asked Fire Chief Smith if he has any comments on this. Fire Chief Smith replied, "I don't see how it benefits all parties at play here. Two-thirds (2/3) of the Town is losing four (4) minutes of response time. In my eyes, that is huge. I don't know what they think they are going to benefit by moving down to the station. They need to quit looking at the numbers and look at life safety. If we are only going to save \$2,000, that is a no-brainer, that is nothing compared to a life. I'm not 100% sure why they want to do this. It's not geographically located for Wilton anyways, they are better off where they are at."

Chairman Douglas asked Chief Smith if he has utilized the radio transmissions since there was a meeting a few weeks ago and has it gotten better? Is there issues with Pead Hill? Have issues been fixed? Chief Smith said last time he heard the ambulance log onto MACC Base it was fine. Chairman Douglas said the ambulance could have been in Milford when it logged on. Chief Smith acknowledge that is possible. Chairman Douglas asked at a previous meeting if the ambulance had repeaters and was told yes but in an email three days later he was informed they do not have repeaters. He wanted to know if the emergency services in terms of the radios have been approved and has Chief Smith would have been informed. Chief Smith confirmed that ambulance does not have a repeater.

Chairman Douglas asked the Board if they are willing to save \$2,000 but extend four minutes to two-thirds (2/3) of the Town in Lyndeborough for emergency response. Selectman Chamberlain said, I don't want to tell someone I'm sorry but we saved \$2,000 but your loved one just passed away because they didn't get to them fast enough."

Selectman Howe said, "Been there."

The Board discussed if the agreement needs to be signed by the end of the year and if they have the ability to extend the agreement to extend this six-months. The Board agrees this is a big decision and that it should go to Town Meeting as a Warrant Article for the citizens to vote on.

T/A Boland does not think the current contract defines 404 Forest Road as the location where it has to be. This discussion continued.

VOTE: Selectman Howe moved, Selectman Chamberlain seconded, to direct T/A Boland to contact the Wilton Town Administrator to negotiate an extension of the contract to June 1, 2022 in order to bring the decision, of moving the ambulance services to the Wilton Fire Station, to the Lyndeborough Town Meeting to let the voters decide. Motion passed 3-0.

T/A Boland will include in the letter that the Wilton Ambulance Director should attend Town Meeting.

Volvo Local Bid Results.

The local bid was posted in various locations and local contractors contacted but as of today, there were no bids for the Volvo. The Board discussed if they want to re-post the vehicle on www.municibid.com. They had a bid of \$15,000 from the original auction.

Leo Trudeau, talking as a private citizen, asked if he can submit a bid \$15,015. He was informed the vehicles would be purchased "as is". Mr. Trudeau said he is willing to take the risk and has done some research.

VOTE: Selectman Howe moved, Selectman Chamberlain seconded to sell that particular 2009 Volvo in the amount of \$15,015.00 to Leo Trudeau, as a private citizen, of Warner Road, Lyndeborough, NH. The Volvo is being sold "As Is" and "As Seen Condition". There is no implied warranty, either written or verbal. Motion passed 3-0.

Mr. Trudeau will provide payment tomorrow for the vehicle.

b. New Business:

Review of Proposed Inter-Municipal Ambulance Agreement

This was tabled per the discussion above.

c. Items not on Agenda:

Nothing

V. Town Administrator Report

Four candidates have expressed interest in the Broadband Committee.

The office is reviewing the Covid-19 Policy. Each employee was supplied a copy of the existing policy with their paycheck.

VI. Selectmen's Report

a. MACC Base Action & Agenda

Nothing to report.

b. Transportation Committee

Nothing to report.

c. Planning Board

The Board met on September 16, 2021. There is a Work Session planned for Sept. 30, 2021.

Items on the agenda included:

-Rehearing of the four-lot, lot line adjustment due to compliance issues. This is expected to be noticed for the October meeting.

-The Boisvert permit renewal came up in the correspondence section. Selectmen's Rep. Chamberlain recommended that because it has been two-years since the permit expired that it should not be considered a renewal, but a new permit application. Vice-Chair Rogers agreed.

The Boisverts are arguing they were not notified of the permit renewal. Selectman Howe asked why they should be notified when their permit will expire, they should know when it expires. Chairman Douglas asked to be cc on any correspondence with this applicant and their attorney.

-Selectman Chamberlain said he is going to suggest to the Planning Board Chair not to sign Mylar until after the 30-day appeal period.

d. Heritage Commission

The Commission met on Friday.

e. Conservation Commission

Their last meeting was the same night as the Joint Board Road Policy Meeting, which their Commission was invited to attend, so their meeting was cancelled.

Leo Trudeau would like to Commission to address setbacks from wetlands and make recommendations to the Planning Board. Numbering streams is another task the Conservation Commission was asked to do. Mr. Trudeau also suggested the Boards work on updating the Growth Management Plan, which has expired. Currently, there are 11 active building permits in Town for new homes.

VII. Consent Agenda:

VOTE: Selectman Howe moved, Selectman Chamberlain seconded to accept the Consent Agenda of September 22, 2021. Motion passed 3-0.

VIII. Information Items Requiring No Discussion

None

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

VOTE: Selectman Howe moved, Selectman Chamberlain seconded to enter into a Non-Public session at 7:17 p.m. Motion passed 3-0. The Board was polled, all agree.

VOTE: Selectman Howe moved, Selectman Chamberlain seconded to re-enter the public session at 8:03 p.m. Motion passed 3-0.

Once back in public session Lisa Post and Charlie Post entered the building and joined the meeting. Charlie Post thanked the Board and Staff for all their efforts to make Lyndeborough a good place to live.

Selectman Chamberlain directed T/A Boland to check with Road Agent Mark Chase regarding the closing of a temporary driveway at the corner of Center Road and Curtis Brook Road. This driveway was used for a logging operation that has since concluded.

VOTE: Selectman Howe moved, Selectman Chamberlain seconded to adjourn at 8:25 p.m. Motion passed 3-0.

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 8:25 p.m.

Next regular meeting: October 6, 2021 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber
801_2022

Chairman Fred Douglas _____

Selectman Mark Chamberlain _____

Selectman Robert Howe _____

September 22, 2021 Consent Agenda		
Item #	Item Title	Approved
1	AP Warrants – September 9, & 21, 2021	Yes
2	Payroll Warrant – September 6 through September 19, 2021	Yes
3	VALIC ACH Payroll Warrant -- September 6 through September 19, 2021	Yes
4	Request for Approval of Purchase Order # 2627 – Dugout Gravel, LLC – Winter Sand (\$3,217.00 – Inv. # 1252)	Yes
5	Request to Endorse 2020 Plodzik and Sanderson, P.A. Auditor Representation Letter	Yes
6	Request for Approval of Administrative Property Tax Abatement - Hubbard (Map-Lot 232-052-000)	Yes
7	Board of Selectmen's Non-Public Meeting Minutes – August 25, 2021 (RSA 91-A:3 II (c))	Yes
8	Board of Selectmen's Public Meeting Minutes – September 9, 2021	Yes
9	Board of Selectmen's Non-Public Meeting Minutes – September 9, 2021 (RSA 91-A:3 II (c))	Yes