

**LYNDEBOROUGH BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**December 15, 2021**  
*Final*

**I. Call to Order:**

Chairman Fred Douglas called the meeting to order at 6:01 p.m.

**II. Introduction of Members Present:**

Chairman Fred Douglas, Selectman Mark Chamberlain (by phone per Covid-19 precautionary protocols), Selectman Robert Howe and Town Administrator Russ Boland

Chairman Douglas stated it is with great sadness that he announces the passing of James “Bud” McEntee. Chairman Douglas stated Bud was very involved in the community and served as an outstanding Town Moderator for many years. Chairman Douglas asked the Board and all in attendance to participate in a moment of silence in the memory of James “Bud” McEntee. A moment of Silence was observed by all.

**Vote: Motion by Selectman Howe seconded by Selectman Chamberlain to donate \$100 from the Town to the Lyndeborough Firefighter’s Association in memory of James “Bud” McEntee. Passed on a roll call vote 3-0.**

**Public & Media Present:** Jessie Salisbury, Jason Johnson and Tom Mitchell

**III. Appointments:**

**6:05 pm – Jason Johnson MACC Base Director re: 2022 Contract:** Chairman Douglas welcomed Director Johnson to the meeting and thanked him for his attendance. Director Johnson and the Board reviewed the 2022 contract noting it was the same as the 2021 contract except the cost for dispatching will be \$23,179.96. The contract covers dispatching of the Police Department and Highway Department.

Chairman Douglas thanked Director Johnson for all the hard work he and his staff perform to insure exceptional dispatching for our Police and Highway Departments. Director Johnson wanted the Board to be aware MACC Base has an outstanding working relationship with the Lyndeborough Police and Highway Departments along with the Lyndeborough Administrative staff.

**Vote: Motion by Selectman Howe seconded by Selectman Chamberlain to enter into a contract with MACC Base for the year 2022 for dispatching services in the amount of \$23,179.96. Passed on a roll call vote 3-0.**

**6:30 pm – Tom Mitchell re: Property Assessment Question (Map-Lot 246-005-000).** Chairman Douglas welcomed Mr. Mitchell to the meeting and asked T/A Boland to give a description of the ongoing case. T/A Boland advised that Mr. Mitchell filed an abatement concerning his parcel in Lyndeborough. Mr. Mitchell’s home is located in Wilton, on a 0.4-acre parcel. He also owns an adjacent lot in Lyndeborough on Center Road (Map-Lot 246-005-000, 2.2 acres), the value of which increased from \$6,900 to \$78,400 during the town-wide revaluation because the assessor determined the Lyndeborough lot was a buildable lot and therefore had been previously under-assessed. Mr. Mitchell then applied for an

abatement, however it was denied because the Selectmen received information from the Lyndeborough Planning Board Chairman and the Lyndeborough Building Inspector indicating the Lyndeborough parcel was a buildable lot. Upon receiving the abatement denial, Mr. Mitchell filed an appeal with the Board of Tax and Land Appeals to review the case. Currently, the case has been returned to the Town by BTLA for an attempt to resolve the case prior to a formal hearing.

T/A Boland advised the Board we have recently received information from Nashua Regional Planning Commission and Attorney Drescher that the 0.4 acres in Wilton and the 2.2 acres in Lyndeborough should be viewed as one lot as described in NH RSA 674:53 III.

**Vote: Motion by Selectman Chamberlain seconded by Selectman Howe to approve the abatement filed by Thomas Mitchell for his property located at Map-Lot 246-005-000 and to instruct the Town Assessor, Todd Haywood, to make the necessary adjustments to the property tax card to reflect one lot and to remove the description that the 2.2 acres in Lyndeborough is a buildable lot. Further, this motion does not affect Mr. Mitchell's ability to appeal the new valuation that will be placed on this property, if he disagrees with the Assessor's conclusions of value for the property. Passed 3-0 on a roll call vote.**

T/A Boland will contact Mr. Mitchell and Town Assessor Todd Haywood to make an appointment for a site visit by Todd Haywood. Additionally, T/A Boland will make Tax Collector Schultz and the Board of Tax and Land Appeals aware of the abatement approval.

Mr. Mitchell thanked the Board and T/A Boland for their efforts in resolving this situation.

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

Jessie Salisbury advised the Board of a resident that fell and broke their hip. The Board asked Jessie to pass on their concern and hope the resident recovers quickly.

Jessie Salisbury asked Chairman Douglas if he would like to comment for the newspaper regarding the passing of James "Bud" McEntee. Chairman Douglas stated Bud McEntee was an icon in the community and was very proud of his Irish heritage. Chairman Douglas stated Bud McEntee was a great Town Moderator, very professional and could always be counted on to run a professional and productive Town Meeting. Chairman Douglas concluded his statements by saying Bud McEntee was an excellent listener who would often provide advice by saying "what you need to learn is civics". Bud will be greatly missed.

#### **V. Decision Making Actions:**

##### **a. Old/Tabled Business:**

No items.

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

No items.

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

Selectman Chamberlain asked if it was a good idea for the Town to purchase rapid Covid-19 tests. TA Boland advised the Board all employee testing that has been required to date has been provided by a third-party health care provider who then issues a written report. The consensus of the Board was not to purchase the rapid tests and to keep the current policy in effect.

#### **VI. Town Administrator Report**

The Broadband/Cyber Security Committee is meeting tonight upstairs at Citizens Hall. Currently, TDS crews are stringing fiber on Center Road. The Town is working with Consolidated regarding the 68 customers on the other side of the mountain.

T/A Boland advised the Board he received an email from Chris Brown (owner of parcel off Locust Lane, Map-Lot 232-038-000, located behind the Town Highway Barn, which has a right-of-way/access easement over the Highway Barn's parcel), stating he is willing to pay the Town \$700 for the fill he removed from Town-owned land within the easement at the Highway Department (46 Locust Lane, Map-Lot 232-036-000). The Board felt that given the Road Agent's belief that the fill has minimal value to the Town, charging Mr. Brown is not appropriate, but Mr. Brown should be required to stabilize the soil banks he created as the result of construction activity within the easement. Additionally, an engineered plan to assure stabilization of the slopes and a drainage system plan shall be submitted by Mr. Brown to the Town in a timely manner.

**Vote: Motion by Selectman Howe seconded by Selectman Chamberlain to not charge Chris Brown for the fill he removed from the easement at the Highway Garage on Locust Lane. Further, to require Mr. Brown to submit an engineered plan on how he intends to stabilize the soil banks he created during construction in the easement and to submit a drainage system plan to ensure damage is not caused by drainage from the easement. This plan and the work required by the plan shall be accomplished in a timely manner. Passed 3-0 on a roll call vote.**

T/A Boland will send an email to Chris Brown advising him of the Selectmen's vote.

#### **VII. Selectmen's Report**

**a. MACC Base Action & Agenda**

No meeting to report.

**b. Transportation Committee**

Selectman Chamberlain advised the committee met last Wednesday, but there was not a quorum. The committee informally discussed the rail system in the area.

**c. Planning Board**

Selectman Chamberlain advised the Planning Board is meeting tomorrow night. The Board will be having an information discussion with Kevin Boette regarding property Mr. Boette owns on Pinnacle Road (Map-Lot 220-021-001 & 220-021-002). Additionally, there is a public hearing on the Airsoft business located on Johnson's Corner Road (Map-Lot 237-014-000).

**d. Heritage Commission**

Their next meeting will be in January 2022.

**e. Conservation Commission**

No meeting this month

**VIII. Consent Agenda:**

**VOTE: Selectman Howe made a motion, Chairman Douglas seconded to accept the Consent Agenda for December 15, 2021. Motion passed 2-0, with Selectman Chamberlain abstaining on a roll call vote. (see below)**

**IX. Information Items Requiring No Discussion**

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

**VOTE: Selectman Howe made a motion, Selectman Chamberlain seconded to go into a Non-Public Session at 6:44 p.m. Motion passed 3-0 on a Roll Call Vote.**

**VOTE: Selectman Howe made a motion, Selectman Chamberlain seconded to exited the Non-Public Session at 7:08 p.m. Motion passed 3-0 on a Roll call vote.**

**VOTE: Selectman Howe made a motion, Selectman Chamberlain seconded adjourn at 7:43 p.m. Motion passed 2-0.**

**XI. Adjournment:**

**VOTE: Selectman Howe made a motion, Selectman Chamberlain seconded to adjourn at 7:09 p.m. Motion passed 3-0 on a Roll call vote.**

All scheduled items having been addressed, the public meeting was adjourned at 7:09 p.m.

Next regular meeting: December 29, 2021 at Citizens' Hall at 6:00 p.m.

Russ Boland, Transcriber

Chairman Fred Douglas\_\_\_\_\_

Selectman Mark Chamberlain\_\_\_\_\_

Selectman Robert Howe\_\_\_\_\_

## December 15, 2021 Consent Agenda

Item #	Item Title	Approved
1	AP Warrants – December 7 & 14, 2021	✓
2	Payroll Warrant – November 29 through December 12, 2021	✓
3	VALIC ACH Payroll Warrant -- November 29 through December 12, 2021	✓
4	Request for Approval of Intent to Cut Application, Holt (21-279-10T) (226-025-000) – Accessed Via Center Road	✓
5	Request for Approval of Intent to Cut Application, Anzalone (21-279-11T) (216-001-000) – Accessed Via Pinnacle Road	✓
6	Request for Approval of Purchase Order # 21138 – CWS Fence & Guardrail – Guardrails for Center and Pettingill Hill Roads (\$19,256.25 – 210113.01)	✓
7	Request for Approval of Purchase Order # 2669 – United Construction & Forestry – John Deere Radiator Replacement (\$4,329.53 - 9135575)	✓
8	Board of Selectmen’s Public Meeting Minutes – December 1, 2021	✓
9	Board of Selectmen’s Public Meeting Minutes – December 6, 2021 (Conditional Building Permit Request – Dupont)	✓