

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
October 18, 2023
Final

I. Call to Order:

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

II. Introduction of Members Present:

Chairman Mark Chamberlain, Selectman Fred Douglas, and Selectman Robert Howe
Town Administrator Russ Boland and minute taker Kathleen Humphreys

Public & Media Present: Jessie Salisbury, Ray Anderson from MACC Base, Rep. Lisa Post, Art Napolitano, LFD member Devin McEntee, Road Agent Rick McQuade and Conservation Commission Chairman John Pomer

III. Appointments:

6:05 pm.: MACC Base 2024 Dispatch Agreement

Ray Anderson, MACC Base

Presented tonight is the 2023 agreement that is good until the end of December 2023. MACC Base is preparing the 2024 agreement, which is on the November 16, 2023, Board of Selectmen's agenda. The agreement will be broken down into the cost for fire and police services.

IMA has police at 40% and fire at 20% and what Lyndeborough pays comes out of the bottom line. Lyndeborough will be 60% moving forward, it's a big jump from last year but they are adding a service. Mr. Anderson said they break the budget down and have two agreements.

The Board was agreeable with the contract. Mr. Anderson provided two copies.

VOTE: Selectman Douglas made a motion, Selectman Howe seconded to accept the agreement as printed by the Milford Area Communication Center Director Chairman. Motion passed unanimously 3-0.

The Board signed the agreement.

T/A Boland asked for another vote to approve a \$3,000 expenditure with Wilton for Police and Fire dispatch for the use their antenna and allow T/A Boland to do a Letter of Concurrence. Chairman Chamberlain asked why they are asking for this now. It was explained that last year the cost was \$1,570 but this year the fee includes two services.

Chairman Chamberlain does not like the way the letter is written, it says if any interference problems occur that Lyndeborough will take any measure to rectify it. He felt that was open-ended. Selectman Douglas asked about line 3, "as a result of using frequency and any issues relative to that frequency Lyndeborough has to rectify it" and asked the frequency. It is 151.4975 MH.

LFD member Devin McEntee said that the Lyndeborough Fire Department is joining Wilton's Fire frequency. Chairman Chamberlain says the way it is written, we are still responsible. Selectman Douglas thought it was a separate frequency. Mr. McEntee said his understanding is that Wilton wanted an understanding that it's Wilton's equipment.

Ray Anderson did not want to speak to the agreement that is between Wilton and Lyndeborough, but provided insight on Wilton's frequencies that police and fire on two different frequencies and both are on repeaters plus a repeater in LFD and LPD vehicles. It was noted the frequencies were tested.

VOTE: Selectman Douglas made a motion to table this until we can get clarification and ask T/A Boland to contact Chief Don Nourse for clarification.

The Board will take up the issue of the \$3,000 fee only.

VOTE: Selectman Douglas made a motion. Selectman Howe seconded to accept the cost of \$3,000 for using the Town of Wilton's tower for the year 2024. Motion passed 3-0.

Ray Anderson said he is very pleased that the Town of Lyndeborough is sending the fire department to MACC Base. They are working on back-up agencies to put the frequency in and with this you get redundant services with Hollis-Brookline Emergency and Amherst Emergency who both have line-of-sight, and they can take over in case we have to evacuate. He confirmed the license is good for about a year and a half.

Appointment: 6:20 pm: Kevin Leonard, Glass Factory Road Engineering

Kevin Leonard was present and said the goal tonight is to cycle back on correspondence and to get direction moving forward.

Glass Factory Road:

Northpoint Engineering was authorized by the Selectmen to do an existing conditions survey but have been held up by the NH DOT. They are asking for help to navigate not being kicked off the tracks.

It has been time consuming to track down the information, but these are the steps.

1. Pay an application fee of \$400.
2. Be responsible for the cost of onsite inspectors, as required. DOT won't confirm the cost or the requirement until the work starts. Best guess, between \$400-\$1,500 to navigate the problem.

After a lengthy discussion, the plan is to abandon the survey on railroad tracks and finish the plan for the corridor and then look at our next steps. The Board discussed trying to finish this next year. The T intersection on the other side of Glass Factory Road will be prioritized.

Center Road

After a detailed discussion it was decided to prioritize Glass Factory Road and the look toward Center Road phase two in 2025.

When the Center Road Engineering Project is completed then the project will be sectioned into three pieces. 1) Bracketts Cross. 2) Curtis Brook. 3) remainder of road with drainage and reshaping the hills.

Chairman Chamberlain will respond to Kevin Leonard's email questions.

The Board agreed that Kevin Leonard and T/A Boland should continue discussing the project and work on a contract for Glass Factory Road. We will enter into a contract for Glass Factory Road in 2023 and reevaluate Center Road at the end of 2024. Glass Factory Road project will be put out to bid.

7:17 pm: John Pomer re: Conservation Nomination of Marcy Stanton

Conservation Commission Chairman John Pomer was present.

Mr. Pomer is recommending Marcy Stanton be appointed to the Conservation Commission. She has lived in town for a while. She has been a guest at their meetings and brought good ideas to the table. Mr. Pomer discussed the current Board's terms.

VOTE: Selectman Howe made a motion, Selectman Douglas seconded the appointment of Marcy Stanton to an alternate for the Conservation Commission.

Selectman Douglas mentioned that candidates were supposed to come before this Board for a conversation. It was discussed this should continue moving forward.

Motion passed 3-0. *Ms. Stanton will need to be sworn in at a later date.*

Piscataquog Land Conservancy (PLC) plans to install a sign at the trailhead at the end of Scout Road on Rose Mountain property (Map-Lot 209-001-000), to clarify how the land is used and that it is conservation land and a good place to start hiking. The Board reviewed a sheet of the sign construction and did not object. The sign will be within PLC's right of way.

7:27 pm: State Rep. Lisa Post re: High Speed Internet Grant

State Rep. Lisa Post was present.

Rep. Post said the application is partially filled out but has some missing information. Chairman Chamberlain said this is an issue and does not like signing something that is not complete. Rep. Post said that Comcast will provide the additional information when they have it. Comcast is not filing for the money themselves and the money should go to the town.

T/A Boland said the emails were included in the package.

Selectman Douglas asked Rep. Post if she saw the letter from Comcast is dated October 20, 2023. She responded that is the due date and listed on the draft. There is also a signature page which has "draft" removed.

Chairman Chamberlain is uncomfortable signing something that is not complete, but also uncomfortable with not signing it and missing out on \$75,000. Selectman Douglas said, "This is the first time I have ever signed a document that does not have the pertinent information and I'll never do it again".

VOTE: Selectman Douglas made a motion that Chairman Chamberlain sign-off on this contract this evening, noting it is with reluctance because it is missing information. Selectman Howe seconded the motion. Motion passed 3-0.

The document was signed by Chairman Chamberlain.

Rep. Post said there is not a guarantee that the Town will get this. Art Napolitano does not have any additions comments and said he is happy with the internet when it works well.

IV. Community Forum and Public Comment:

Jessie Salisbury mentioned that the ambulance service will celebrate their 50th anniversary next year. She suggested we join the ambulance service in doing something. One of Lyndeborough's founding members was Betty Stevens who was a well-liked community member. She felt it would be nice to honor Mrs. Stevens. The ambulance was funded in the 1970s.

V. Decision Making Actions:

a. Old/Tabled Business:

Consideration to Issue Cease & Desist Order (Map 231, Lot 029-000)

T/A Boland presented two copies to the Board which include the health official's reports for Sweet Brier Farm. The Board read the documents.

The applicants were tasked with doing a list of requirements in order to operate a Bed & Breakfast plus being granted a Special Exception from the ZBA. The applicants withdrew the application without prejudice from the ZBA on October 11, 2023. They do not plan to operate as a B&B, will plan to operate through other platforms.

Selectman Douglas read the document into the minutes.

VOTE: Selectman Douglas made a motion, Selectman Howe seconded to vacate the Board of Selectmen's October 4, 2023, issued Cease & Desist order for Sweet Brier Farm, Map-Lot 231-029-000, and issue in its place the amended Cease & Desist order this evening. Motion passed unanimously, 3-0.

Citizens' Hall Maintenance Engineering Contract Update

John Turner is scheduled to inspect Citizens' Hall (Map-Lot 239-001-000), on October 26, 2023, at 11:00 am, and will be joined by Leo Trudeau, Phil Brooks, and Rick McQuade. A section of the ceiling in the Police Department will be removed to facilitate visual access on October 23, 2023. T/A Boland will research the old photo album for documentation of the previous renovation project.

Mountain Road Residential Drainage Update

Road Agent Rick developed a plan with the property owners (837 Mountain Road, Map-Lot 207-029-000), to help get the water off the roadway. The property owners will install a drainage pipe in the Town's ROW (right-of-way), with the assistance of the DPW. The Road Agent would like to prioritize winter preparation before this project.

Land Use Change Tax Policy Review

Chairman Chamberlain is working to review the policy language. He has a concern about the 18-month deadline. It is by the DRA timeline and not the change of use happens.

There is a meeting tomorrow with assessor. Attorney Drescher can review the language. Subdivisions in current use were discussed and who pays the penalty when they are sold.

b. New Business:

2023 Town Report Cover & Dedication

The Board was asked to submit recommendations for the Town Report cover and dedication at the next meeting.

c. Items not on Agenda:

Recently, free ranged livestock have been running around town creating a problem on the roads. Selectman Douglas said that all police officers are animal control officers. There is a State Statute called "Trespassing Livestock" which states it is not allowable for livestock to run wild and destroy other property. It's an Old Blue Law.

Richardson Road resident Michelle Boot has been posting notices and the police will check if the animals belong to her and inform her about the RSA if they are.

Selectman Howe talked about the amount of timber tax the Town is receiving from the Report of Cut on a Dutton Road (Map-Lot 225-017-000 & 225-018-000), timber operation does not seem accurate: \$900 for 40,000 board feet cut. The need for a Town Forester was brought up again.

Does Wilton have a town forester? T/A Boland tried to recruit one a number of years ago, and talked with Bob Todd, and Dave Buxton. We will examine what other towns are doing.

VI. Town Administrator Report

The LEOP was executed with NRPC. Cassie Cashin of NRPC will be assisting with the project.

The blower purchased for the DPW is working out well. A concerned citizen called because they thought it was too early to use the blower and thought 0800 was better than 0700 hour.

The CIP is meeting Monday night at 7:00 pm. T/A Boland and Charlie Post attended a CIP workshop. The Town appears to be in good shape regarding the process.

The budget review will start on Friday, October 27, 2023 at 1:00 pm. An electronic version should be available for review by next Tuesday.

The Budget Committee is meeting on November 7, 2023 at the Citizens' Hall. The first order of business will be to elect officers, receive the budget and come up with questions.

Selectman Douglas noticed that the Cemetery Trustees are typically not spending the money appropriated and have \$4,000 in their budget and a line item with \$3,000. He suggested they consider a new flagpole for Center Cemetery. It is an old and weak wooden pole that Selectman Douglas has personally worked on in the past. He asked permission from the Board to contact of Keith Carmen for a quote for a new pole and encumber the funds. Chairman Chamberlain suggested to have a solar light because the flag is left up. The pole is in the Historic District, and it was questioned if it can be replaced by a fiberglass pole or does it have to remain wooden.

In the past the Trustees have been encumbering the loam for years and not using it. Selectman Howe said there is money for the Johnson Corner Cemetery fence, and it was noted the Center Cemetery fence is broken.

VII. Selectmen's Report

a. MACC Base Action & Agenda

This was discussed at the start of the meeting with Ray Anderson.

b. Transportation Committee

The Committee discussed EV equipment grant and working on the rules.

c. Planning Board

There is a meeting tomorrow night. The Board will review the Rules of Procedures and if they are agreeable to the draft, will post a public hearing in November. Any zoning amendments can be heard at public hearings in December.

Selectman Douglas asked Chairman Chamberlain to make the Planning Board aware of the number of unregistered vehicles and apparent repair business with vehicles in various disassembled states left in the parking area. The building is the former store (Map-Lot 232-026-000), approximately two buildings down from the school. Automotive Service Station requires a special exception from the ZBA. Junkyards were discussed. The Code Enforcement Officer recently visited the property on Route 31.

d. Heritage Commission

There is a meeting next Friday.

e. Conservation Commission

The Commission is working on a Mission Statement plus looking at conservation properties and easements.

f. Ambulance Advisory Committee

T/A Boland will talk to Wilton Ambulance tomorrow regarding plans for the 50th Anniversary. Danielle Gardner is the ambulance chief.

VIII. Consent Agenda:

VOTE: Selectman Howe made a motion, Selectman Douglas seconded to accept the Consent Agenda for October 18, 2023. Motion passed 3-0. (see below)

IX. Information Items Requiring No Discussion

Lisa Post asked Chairman Chamberlain if the ZBA is meeting with the Planning Board tomorrow night to discuss their Rules of Procedures. Tomorrow night is to finalize the Planning Board's rules.

Upcoming ZBA Meeting is on November 2, 2023 for the Cillo (Map-Lot 250-014-000) continued case.

The minute taker was handed a list of outstanding minutes to review and submit.

X. Non-Public Session RSA 91-A:3 II

None

VOTE: Selectman Howe made a motion, Selectman Chamberlain seconded adjourn at 8:37 p.m. Motion passed 3-0.

XI. Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 8:37 p.m.

Next regular meeting: November 1, 2023 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber

Chairman Mark Chamberlain _____

Selectman Fred Douglas _____

Selectman Robert Howe _____

Consent Agenda – October 18, 2023		
Item #	Item Title	Approved
1	AP Warrants – October 11 & October 17, 2023	Yes
2	Payroll Warrant – October 2, 2023, through October 15, 2023	Yes
3	VALIC ACH Payroll Warrant – October 2, 2023, through October 15, 2023	Yes
4	Request to Appoint Marcy Stanton as An Alternate Member of the Conservation Commission, Term Ending 2025	Yes
5	Request to Approve Issuance of Timber Yield Tax Levy & Warrant, Strasburg (22-279-02T, Map-Lot (Map-Lot-Sublot 225-017-000 & 225-018-000), Accessed Via Dutton Road	Yes
6	Execution/Affirmation of Contracted Assessor's Recommendation & Board of Selectmen's May 24, 2023 Vote to Approve Tax Year 2022 Land Value Property Tax Abatement - Mitchell (Map-Lot 246-005-000)	Yes
7	Request to Execute Land Use Change Tax (LUCT) Levy & Warrant – Dupont (230-024-000)	Yes
8	Request to Execute Land Use Change Tax (LUCT) Levy & Warrant – Holt, Pamela, Trustee (247-025-002)	Yes
9	Request to Execute Land Use Change Tax (LUCT) Levy & Warrant – Kaply (233-016-000)	Yes
10	Board of Selectmen's Non-Public Meeting Minutes RSA 91-A:3 II (a, c & I) – October 4, 2023	Yes

- * Please note the Board of Selectmen's Public Meeting Minutes – October 4, 2023, were approved at the October 17, 2023, Board of Selectmen's meeting.