

**LYNDEBOROUGH BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**December 13, 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:** Building Inspector/Code Enforcement Officer Leo Trudeau, Mike Kaply from Community Power Committee, Fire Chief Brian Smith, and Jessie Salisbury

**III. Appointments:**

**6:05 p.m.: Building Inspector Trudeau re: Private Road & Class VI Road Policy**  
(Issuance of Building Permits on Class VI and Private Roads Policy and Procedure Manual) Leo Trudeau was looking for movement on the Private Roads & Class VI Roads Policy.

There is a draft dated July 14, 2021, that can be reviewed. Chairman Chamberlain said he has a draft from June 30 and an undated draft. The Planning Board has a recommendation dated September 15, 2022. The goal is to combine the drafts. Chairman Chamberlain will work on this.

Mr. Trudeau would like the policy soon because a resident on Coach Road wants a minor subdivision on Class VI Road. The proposed subdivision would go before the Planning Board, but building permits would have to be approved by the Board of Selectmen.

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

Selectman Douglas said the flagpole in the Center Cemetery (Map-Lot-Sublot 221-022-000), looks beautiful, but wanted to know when the flag will be raised. The pole has a solar light on top of it to illuminate the flag. Leo Trudeau mentioned the POW-MIA flag on the pole in the village is above the State flag that need to be swapped. The DPW will be informed.

**V. Decision Making Actions:**

**a. Old/Tabled Business:**

**Citizen Hall Maintenance Engineering Inspection Update**

The engineer will have a proposal for next meeting.

**Mountain Road Residential Drainage Update**

The Memo of Understanding was executed and recorded at the Registry of Deeds. Most of the work has been completed and construction cones are still at the site.

### **Land Use Change Tax Policy Review**

The Department of Revenue Administration (DRA) has advised there is no required minimum acreage that needs to come out of Current Use (CU) for a building site, instead the amount coming out of CU for the site's curtilage (the lollipop-shaped boundary around a parcel's driveway, house, yard, outbuildings, etc. that delineates the difference between what acreage is in CU and what acreage is coming out of CU for the LUCT), and not the 2 or 5-acre minimum as was previously discussed. This information will be included in the LUCT Policy.

Resident Mike Kaply asked for an explanation. T/A Boland explained the process to build and the timeframe of 18-months for filing LUCT.

Tax credits and exemptions, such as elderly, veteran, or solar panel, for property purchased after April 1 was discussed.

This will be tabled until the next meeting.

### **American Rescue Plan**

Finance Director Paul Hebert has been interviewing companies for the new accounting software. So far, Edmonds would cost \$26,000 then approximately \$12,000 per year to maintain it. We have approximately \$26,000 left with ARPA funds, which can cover this purchase.

Regarding the applications for the fiber optic cable roll-out grant for internet connectivity expansion in north Lyndeborough; the process has been frustrating because the application was flawed, resulting in applications being denied. The office staff is hoping for a positive decision relative to the information we had have from Comcast, the applicant on behalf of the Town.

### **Community Power Committee Update**

Mike Kaply, Chairman of the Community Power Committee and a resident of Lyndeborough, updated the Board that all the requirements have been met for the process such as meetings, a community survey, minutes, and a draft proposal.

Chairman Chamberlain asked the following information be added to the plan; change "Appendix", to "Exhibit" on the bottom of page 4, add, "reliable" to the sentence, "growth of reliable renewable energy".

The next steps are:

- Approval by the Board of Selectmen
- Submit to PUC (this should come out by Town Meeting)
- Approval at Town Meeting by the voters
- Emails sent to residents after Town Meeting, if approved

**VOTE: Selectman Douglas made a motion, Selectman Howe seconded to accept the Lyndeborough Draft Community Power Plan draft with minor changes, dated December 6, 2023. Motion passed 3-0.**

**VOTE: Selectman Douglas made a motion, Selectman Howe seconded to authorize T/A Boland to sign the letters to be sent to the PUC, after sending the letters independently to each Board member for review prior to him signing them. Motion passed 3-0.**

**b. New Business:**

**2024 Warrant Articles Discussion**

Draft 7 has been updated with minor edits. Article 17 will add “an expiration date of until complete or December 31, 2025.”

Article 18: Community Power will add, “however residents must opt out if they don’t want to participate.”

The package has the most current expenses and revenues. Finance Director Paul Hebert filed an expense report with the Board projecting the operating budget will be underspent by \$156,000. The revenue will be \$300,000 more than anticipated. Therefore, the \$450,000 swing is to be added to the fund balance if none of these Warrants are funded by the fund balance.

By the December 27<sup>th</sup> meeting the Board wants to determine:

1. Will we fund any Warrant Articles by the fund balance. Last year all but \$30,000 was funded by the fund balance.
2. Request from the Fire Chief for the Selectmen to be Agents to Expend the Fire Department CIP fund.

Chief Brian Smith was present to once again ask the Selectmen to consider they be listed as Agents to Expend. He outlined arguments such as they don’t know when/if equipment will break and they do not have access to that money until it is voted on. Life safety could be impacted with delays. The Board will reconsider the request.

The Rescue Truck was hit by a State sub-contractor’s plow wing during an accident call on Rt. 31, resulting in minor damages. The Rescue Truck can still function. The roads were bad and they were waiting for police to arrive. The Town will file with PRIMEX.

Santa Clause arrived at Citizens’ Hall last Sunday to greet about 48 children. The tree was lit remotely due to a severe rainstorm.

**2023 Encumbrances Discussion**

The Fire Department stairs were removed from the list, cemetery stone straightening and a new gate were added as well as adding Clerk Works software.

\$71,213.30

-49,050 for police vehicles (listing PD vehicles appropriately for transparency)  
21,400.16 will be encumbered.

**VOTE: Selectman Douglas made a motion, Selectman Howe seconded to accept the 2023 Encumbrances totaling \$71,213.30.**

**c. Items not on Agenda:**

Nothing

## **VI. Town Administrator Report**

Attorney Quinn from the Milford Rotary informed the Town that they would like to contribute between \$10,000-\$20,000 to their communities and are requesting beautification projects ideas from the Board on what they would do if they were granted the funds.

The Loader had an accident involving a rock on the side of Johnson's Corner Road that damaged the broom. The Road Agent said they were able to repair the damage themselves and it's working fine.

The office received a report from Fire Chief regarding the damage to the Rescue Truck.

Conservation Commission Chairman John Pomer asked to be on the next agenda regarding moving alternate Margaret Hagen to a full member and if the Selectmen need to interview her. She was a former full-time member.

Art Napolitano asked if the Town could consider increasing the veteran's property tax credit via a 2024 warrant article. He advised other communities are increasing their exemption to \$750.

The Land Use Change Tax (LUCT) forms for Map-Lot-Sublots 230-004-000 and 207-025-000, were signed-off. Administrative Assistant Dawn Griska amended the DRA forms provided by the Contracted Assessor. Unfortunately, the Contacted Assessor was delayed in submitting the forms when required, and the forms he submitted contained critical errors that had to be corrected prior to the Board signing them. The Town's disappointment will be expressed to the assessing company. Monthly Zoom meetings are planned with the Contracted Assessor.

Selectman Douglas asked about the \$6,000 estimate to fix the Freightliner. He was informed it is not in the expenditure projection, but there is money in the account. Maintaining the trucks was discussed and T/A Boland can review this. A new truck is planned in 8-years, as they are now being budgeted as 15-year trucks. The One Tons were reduced to 6-years and the Freightliners were increased to 15-years from 12-years.

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

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

They met yesterday. So far, the onboarding of the Fire Department with MACC Base has been going well.

### **b. Transportation Committee**

The Committee met today and approved the safety goals for next two years and updated Ten-Year Plan.

Selectman Douglas said DOT had done some work on Rt. 101, but the safety enhancements are not there.

### **c. Planning Board**

The Master Plan Committee met last Tuesday. There was a work session last Thursday, which moved several zoning amendments to a public hearing scheduled for Dec. 21, 2023.

Pike Industries purchased Quinn's gravel pits on both the Wilton and Lyndeborough properties (Lyndeborough map-lot-sublots 238-022-000, 238-023-000, and 245-001-000). Contracted Land Use Admin Cassie Cashin is reviewing the requirements for new excavation permits.

**d. Heritage Commission**

Their next meeting will be in January 2024.

**e. Conservation Commission**

They meet tomorrow night.

**f. Ambulance Advisory Committee**

There is no meeting date yet. The budget is up 35%. The Wilton Town Administrator and Ambulance Chief have requested an agenda appointment with this Board.

**VIII. Consent Agenda:**

Tabled until the end of meeting.

**IX. Information Items Requiring No Discussion**

There was some concern that people may not clearly read or understand they need to Opt-Out of the Community Power project, if approved at Town Meeting. It was decided this information will be showing in bold on the Warrant Article. It was noted that a letter and a follow-up post card are mailed to residents.

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

**VOTE: Selectman Howe made a motion, Selectman Douglas seconded to go into a non-public session at 7:27 p.m. Motion passed 3-0.**

**VOTE: Selectman Howe made a motion, Selectman Douglas seconded to exit the non-public session at 7:45 p.m. Motion passed 3-0.**

Once back in public session the Board completed reviewing the consent agenda for December 13, 2023.

**VOTE: Motion by Selectman Howe seconded by Selectman Douglas to accept the consent agenda for December 13, 2023, items 1-8, excluding items 9 and 10. Items 9 and 10 will be reviewed at a future meeting. Passed 3-0**

**VOTE: Selectman Howe made a motion, Selectman Douglas seconded adjourn at 7:56 p.m. Motion passed 3-0.**

**XI. Adjournment:**

All scheduled items having been addressed, the public meeting was adjourned at 7:56 p.m.

Next regular meeting: December 27, 2023 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber

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

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

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

<b>Consent Agenda – December 13, 2023</b>		
<b>Item #</b>	<b>Item Title</b>	<b>Approved</b>
1	AP Warrants – December 12, 2023	Yes
2	Payroll Warrant – November 27, 2023, through December 10, 2023	Yes
3	VALIC ACH Payroll Warrant – November 27, 2023, through December 10, 2023	Yes
4	Hillsborough County ACH Warrant – December 13, 2023	Yes
5	Request for Approval of Expenditure of \$3,000 and Over – Team Engineering – Citizens’ Hall Structure Evaluation (\$3,000 – Invoice # 46625)	Yes
6	Request to Execute Land Use Change Tax (LUCT) Levy & Warrant – Meigs (230-004-000)	Yes
7	Request to Execute Land Use Change Tax (LUCT) Levy & Warrant – Joy (207-025-000)	Yes
8	Board of Selectmen’s Public Meeting Minutes – November 7, 2023	Yes
9	Board of Selectmen’s Public Meeting Minutes – November 29, 2023	No