

**LYNDEBOROUGH BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**November 29, 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 and Jessie Salisbury

**III. Appointments:**

**6:05 p.m.: Public Hearing for Acceptance of \$24,086.57 in Unanticipated Funds from the State of NH, per NH RSA 31:95-b III (a), for the purpose of road maintenance**

**6:15 p.m.: Building Inspector Trudeau Operational Update and Discussion**  
Tabled until later in the meeting.

**IV. Community Forum**

Jessie Salisbury asked how long Walter Holland has been doing the role of Santa Claus.

**V. Decision Making Actions:**

**a. Old/Tabled Business:**

**Citizens Hall Maintenance**

The Board discussed the proposal and possible options. There is a cost savings of \$1,000 to do both reports at the same time. Budget scenarios were considered:

\$10,600 for both  
\$6,400 for foundation only  
\$5,200 for roof only

The savings would be because it includes one site visit, not two.

The Board directed T/A Boland to contact the structural engineer for a formal proposal for both designs and ask for a report explaining the situation, which can be handed out at Town Meeting and to draft a Warrant Article for \$10,600.

**6:30 p.m.: Public Hearing for Acceptance of \$24,086.57 in Unanticipated Funds from the State of NH, per NH RSA 31:95-b III (a), for the purpose of road maintenance**

This came in as revenue and does not have to be a particular project. It will increase our revenue this year. The money will go against the DPW budget and not a particular project.

*Closed public hearing 6:33pm.*

**VOTE: Selectman Howe moved, Chairman Chamberlain seconded to approve the acceptance of \$24,086.57 in Unanticipated Funds from the State of NH, per NH RSA 31:95-b III (a), for the purpose of road maintenance. Motion passed 3-0.**

### **6:33 p.m.: Building Inspector Trudeau Operational Update and Discussion**

Building Inspector/Code Enforcement Officer Leo Trudeau was present.

Mr. Trudeau wanted to address two topics:

1. At a prior meeting, Mr. Trudeau asked the Board to consider moving forward with a Class VI Road Policy and he was curious if there is any movement on this request.

2. Define point to measure setbacks from roadways.

After a lengthy discussion it was decided the point to measure setbacks from for roadways is the right-of-way (ROW) and if there is a conflict, we might have to require a certified plot plan. Removing stone walls was discussed. Corner lots have two different public ways and has two fronts, two sides and no rears, the street number policy was discussed. Frontage is the length of road, boarding on a public right-of-way.

### **Mountain Road Residential Drainage Update**

The proposed Memo of Understanding (MOU) for 837 Mountain Road (Map-Lot-Sublot 207-029-000) was reviewed. Recommended changes included: remove the notary requirement to start the project but include "to be recorded at the Hillsborough County Registry of Deeds (HCRD). Spelling on front page, Town should be capitalized and add 's = "Town's". Change HW to DPW in the last two sentences.

Page 2, paragraph 3 states "Owner will be responsible for keeping the pipe clean and in good working order". It was noted there is no provision for lack of maintenance. Future owners will be responsible for keeping the pipe clean. Chairman Chamberlain suggested, following same process as in the driveway regulations 236:13 IV. Provide an issued notice to the homeowner of the defect and if they don't do anything, then the town can fix it while the property owner will be responsible for the cost.

After the last page after "understanding" it states, "attached to this are photos of before works is started", add between the statement, "and of installation of the pipe".

After the work is complete, no other alteration or construction. Selectman Douglas asked if they can clean the end of the pipe, but was informed it's on the owner's property.

**VOTE: Selectman Douglas moved, Selectman Howe seconded to authorize T/A Boland to execute the MOU for the drainage project at 837 Mountain Road as outlined with the corrections. Motion passed 3-0**

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

The Board reviewed the draft policy and discussed what's triggers this. The sale of a parcel, which reduces the acreage is a trigger. Example, a 35 acres parcel, sells off 5

acres then it triggers Current Use changes. It would need to update the Current Use (CU) for remaining land.

An issue is with new construction, or changes done, and the Town seems to run out of time on a lot of these processes. It was suggested to modify this to when a parcel is being developed so we go out relatively quickly. A building permit or driveway permit will the trigger. There can be a notification if there is a Land Use Change Tax and initially do a 2-acre reduction. When the project is done, the property owner can come back and refile. Typically, there won't be much less than 2-acres for the curtilage. Other towns do it this way, instead of the "lollipop" formation that goes around the house and down the driveway, as the previous assessor addressed the changes. The draft will be rewritten.

### **Potential Changes of Code Red to Genysis**

Chairman Chamberlain received a sample log-in to review. The confirmed Town contacts are: the Police Chief, the Fire Chief, and the Health Officer plus it was agreed to add the Town Administrator and the Chair of the Board of Selectmen. Training is on December 18 and December 19. The Town officials listed above will be added as user names plus signed-up for one of the training sessions.

### **American Rescue Plan Discussion**

The total was \$181,322 with \$100,000 staying in advance for the broadband update until that situation with the possible grant is resolved. The Board was asked if they want to use \$56,000 from ARPA or encumber the money to pay for Northpoint Engineering for Glass Factory Road and for the new office software, which could cost \$20,000-\$30,000. Board agreed to go with APRA funds for engineering.

**VOTE: Selectman Douglas made a motion, Selectman Howe seconded to obligate \$56,000 from the American Rescue Plan Act Grant to Northpoint Engineer for engineer services for Glass Factory Road. Motion passed 3-0.**

## **b. New Business**

### **Warrant Articles**

Changes include the operating budget, which was last year's operating budget and add Citizens' Hall engineering to the Warrant. The Selectmen being agents to expend for the Fire Department suggested by the Fire Chief was not agreed upon.

### **Encumbrances**

The Board agreed on \$68,750 after removing the \$56,000 discussed above for engineering services. Department heads were asked to submit encumbrances. Additional reviews of the encumbrances will take place at future meetings.

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

None

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

The wide pine boards will be ordered to complete the Center Hall (Map-Lot-Sublot 221-004-000) repairs.

The question of hiring a Town Forester was addressed again and T/A Boland feels this is money well spent. There are two candidates to consider. The former stipend was \$1,000. Examples of times when a forester would have been helpful was discussed.

Mr. Mitchell is going to the Board of Tax and Land Appeals (BTLA) regarding his tax year 2023 abatement application for his abutting lots that are in Wilton and Lyndeborough (Map-Lot-Sublot 246-005-000).

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

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

No report.

### **b. Transportation Committee**

They meet in two weeks.

### **c. Planning Board**

A work shop is scheduled for December 7, 2023. The Planning Board is working on additional proposed 2024 zoning regulation amendments.

### **d. Heritage Commission**

The new signs will be ordered, pending Town approval of the language.

### **e. Conservation Commission**

They will have a meeting in December.

### **f. Ambulance Advisory Committee**

There is no report. The Board is satisfied with the director's work and mentioned the director is working on the policies.

## **VIII. Consent Agenda:**

**VOTE: Selectman Howe made a motion, Selectman Douglas seconded to accept the Consent Agenda for November 29, 2023, item #1-7 and 9-10. Motion passed 3-0.**

*Consent Agenda item # 8 'Board of Selectmen's Public Meeting Minutes – November 7, 2023' was tabled (see below).*

## **IX. Information Items Requiring No Discussion:**

Selectman Douglas plans to decorate the Christmas tree at Center Hall and asked about the ornaments.

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

None

## **XI. Adjournment:**

**VOTE: Selectman Douglas made a motion, Selectman Howe seconded adjourn at 7:43 p.m. Motion passed 3-0.**

All scheduled items having been addressed, the public meeting was adjourned at 7:43 p.m.

Next regular meeting: December 13, 2023 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber

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

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

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

<b>Consent Agenda – November 29, 2023</b>		
<b>Item #</b>	<b>Item Title</b>	<b>Approved</b>
1	AP Warrants – November 30, 2023	Yes
2	Payroll Warrant – November 13, 2023, through November 26, 2023	Yes
3	VALIC ACH Payroll Warrant – November 13, 2023, through November 26, 2023	Yes
4	Request for Approval of Expenditure Over \$3,000 – Northpoint Engineering – Center Road Reconstruction (\$9,481.55 – Inv # 6460)	Yes
5	Request for Approval of Expenditure Over \$3,000 – Avitar – Annual Software Support (\$4,740 – Inv Date 11/14/2023)	Yes
6	Request for Approval of Intent to Cut Application, Menzel (23-279-08T) (243-001-000) – Accessed Via Collins Road	Yes
7	Request to 2023 Renew Nomination of Donnie Cole as Health Officer and Carylyn McEntee as Deputy Health Officer (State of NH Nomination Form)	Yes
8	Board of Selectmen's Public Meeting Minutes – November 7, 2023	No
9	Board of Selectmen's Public Meeting Minutes – November 15, 2023	Yes
10	Board of Selectmen's Non-Public Meeting Minutes RSA 91-A:3 II (a, c & I) – November 15, 2023	Yes