

LYNDEBOROUGH BOARD OF SELECTMEN

MEETING MINUTES

August 9, 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, Building Inspector/Code Enforcement Officer Leo Trudeau, Bob Hayden and Ray Humphreys

III. **Appointments:**

6:05 pm: Community Power Committee Update

Bob Hayden, Ray Humphreys, and Leo Trudeau were present.

Bob Hayden provided an update on the Community Power Committee. Members were provided a book with information. A schedule was devised to ensure the Committee is ready to present a Warrant Article at Town Meeting 2024. A survey was developed to help gather resident's preferences. The Selectmen requested the survey be mailed to each household especially because of the "opt-out" action required to not participate in the program. The Town does not have a postage discount. Mr. Hayden asked if the Town can assist with providing labels, addresses and envelopes. The Board agreed that the Town will supply the envelopes. The Committee should consult with the Lyndeborough Post Office for their procedures/regulations.

The Committee will schedule two public hearings to hear public comments and make any changes. The plan is to have an in-person meeting in conjunction with a Zoom option. In the past, the meetings have not been well-attended, but there are statutory mandates. After approval by the Public Utilities Commission (PUC) and at Town Meeting, two additional meetings shall be required to review the details of how it works as an opt-out plan. A phone number will be provided to opt-out. The Committee will personally talk to residents with solar power and renewable energy to answer questions specific to their needs.

The electric power buying process was discussed.

6:30 pm: Discussion of Religious Exemption Application Denial - Jetavana Temple Forest Monastery Monastic Community (Co-Abbot Jayanto Bhikkhu and Assessor David Marazoff)

Postponed to a future meeting.

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

Jessie Salisbury reported that the new "Welcome to Lyndeborough" and "Old Temple Road Bridge" signs are ready. They are awaiting the Road Agent and Dig Safe's approval to install.

7:00 pm: Conservation Commission Donation for Purchase of Land Discussion

Conservation Commission Chairman John Pomer was present for a discussion about the Commission's desire to donate funds towards the Piscataquog Land Conservancy's purchase of Map-Lot 209-002-000.

Selectman Howe addressed his concern about people driving Jeeps on conversation land. He was informed that PLC's August 2, 2023, document states, "No wheeled vehicles" and "The use of wheeled vehicles in case of a public emergency are allowed".

Selectman Douglas asked if the PLC has a right to restrict land uses in the future such as hunting and fishing, that is currently allowed. Mr. Pomer will look into this.

Selectman Douglas referenced State Statute relative to it being illegal to ride an ATV off their property. A registered vehicle that goes off road, becomes an ATV, which can be fined for leaving the roadway.

Ray Humphreys asked if this property will be in a recreational easement and if so, they are required to allow hunting. Selectman Douglas replied that they can apply for Current Use and that status they can also change if they choose to.

It was noted that PLC already owns the property, so the question was asked, "Why are they doing this now?". It is in relation to a contingency fund repayment. The Board has no authority in this situation, but recommended the Commission uses better judgement going forward to be clear that the terms of the agreement can't be changed in the future. Selectman Douglas asked the Commission to request PLC to monitor this land and maybe put a gate up. He presented information about a piece of property off Scout Road that was damaged from ATVs and the issues that occurred there.

V. Decision Making Actions:

a. Old/Tabled Business:

Community Day Update

Community Day fliers were mailed to residents. Community Day Sunday, August 27, 2023, at Center Hall, 1131 Center Road, 10 am to 2 pm.

There is a Community Day Board meeting this Thursday at 9:00am at library to go over details.

Record Digitizing

There will be a presentation at the next Selectmen's meeting on August 23, 2023.

Set-Backs from a Public Way Update:

Code Enforcement Officer Leo Trudeau was present.

Code Enforcement Officer Trudeau consulted the NH Municipal Association (NHMA) staff attorney who said that specific language from the zoning carries the day. He can recommend the Planning Board work on an amendment to provide more specific language if this Board wishes that the point of measurement is from a public way. The Board had a discussion regarding clarifying the language.

Naming of an Accessway:

The owners of the three lots off Center Road (Map-Lot 234-007-000, 234-008-000, & 234-010-000) are okay with the accessway being named, Gregory Lane for the purpose of emergency E 9-1-1 addressing. It is clear this is a “common driveway” and not classified as a road.

VOTE: Selectman Howe made a motion, Selectman Douglas seconded to accept the name, ‘Gregory Lane’ for the common driveway as further described on Hillsborough Country Registry of Deeds Plan 29541, which provides access to parcels 234-7-0, 234,8-0, and 234-10-0, via Center Road, for the purpose of emergency response addressing E911 and that the road sign have a “Private Road” sign attached. Motion passed unanimously 3-0.

b. New Business:**Citizens’ Hall Maintenance Discussion**

There is a concern the floor in the Police Department is sagging. After an inspection it was determined that the steel plates supporting the wooden floor joists only go as far as a big rock in the basement, and the unsupported wooden floor joist is now resting directly on the rock.

The first-floor portion of Citizens’ Hall southwestern chimney, which was originally within what is now the Police Department, was removed during the 1998 renovation/reconstruction project, and the remaining 2-stories of the chimney that were not removed still remain in place, and are supported by a beam within the Police Department. Ways to safely remove the remaining 2-stories of the defunct chimney were discussed. The Heritage Commission will be consulted.

c. Items not on Agenda:

Leo Trudeau reviewed his research on the potential septic issue at Map-Lot 239-077-000, owned by Robert Wells. The approval for construction for a new system expired, then an extension was granted, which also expired. Mrs. Wells said there is nothing wrong anymore. The situation was discussed. It was determined not to take any further action, but keep an eye on the issue. Selectman Douglas asked if there were photographs taken.

Code Enforcement Officer Trudeau mentioned the old campground at Echo Valley (Map-Lot 235-007-000) had done a sizable amount of building construction without permits. Recent conversations were had with the owner and he has applied for build permits. There is also an automobile graveyard there. Camping on the property was discussed.

VOTE: Selectman Douglas made a motion, Selectman Howe seconded not to issue any more permits for this location until the property owners come before the Board of Selectmen and Code Enforcement Office. Motion passed 3-0.

Chairman Chamberlain would like to reinstitute the employee appreciation luncheon. He contacted Karen Grybko from the Wilton-Lyndeborough Women’s Club. They are willing to provide the lunch and would like the number of guests. The Employee Luncheon will be September 14th at 4:00pm. It will be funded through the Selectmen’s miscellaneous line. The department heads will be informed.

Selectman Douglas asked when Mountain Road is going to be graded. It’s washing out by the “hourglass” and is getting narrower and narrower. He would like to see the road

material being re-used. The hill by Cindy Ginn's property (Map-Lot 207-008-000) was washed out and covered with rocks. He also voiced a concern about the deep ruts by Cummings Lane and the Mountain Road drain near 326 Mountain Road (Map-Lot 215-032-000) is plugged up.

VI. Town Administrator Report

There is a growing concern about having to commit to ARPA funds. A few suggestions are a fuel management system for Public Works Department and upgrading of software for Finance Department. Slip lining culverts were suggested.

Class VI driveway permits. Shawn Durgin, the logger for the Van Ham/French Road timber operation (Map-Lots 208-004-000, 208-005-000, & 208-006-000, Timber Op 23-279-03T) didn't pay for his temporary driveway permit. After a discussion, it was determined to charge for the permit because the Road Agent still has to perform the necessary work and visit the property multiple times.

The E. coli test taken on Furnace Brook came back at 28. The Town of Wilton was notified in writing.

T/A Boland said that Administrative Assistant Dawn Griska reported our Current Use files have not been recertified for about 15-years. Additionally, she feels when the assessing software migrated from Vision to Avitar, the previous assessor potentially did not complete all the steps necessary, possibly creating valuation issues.

The Town filed the Revised Revenues Report (MS-434) with DRA today. To date, the budget is on target.

Finance Director Paul Hebert opened a few more CDs which will earn close to \$20,000 in returns. Selectman Douglas inquired about the Meals & Rooms Tax.

Wilton is not going for the SRO Grant (School Resource Officer) because they missed the deadline. There was a lot of discussion about this at their meeting. This Board felt they should wait for the grant and not hire anyone now because that would be supplanting and disqualify them from future grants.

VII. Selectmen's Report

a. MACC Base Action & Agenda

There is a meeting next week.

b. Transportation Committee

There is no meeting this month.

c. Planning Board

There were no new cases on the last agenda. The Board discussed zoning for ADUs.

This month a property owner off Center Road (Vincent, Map-Lot 234-007-000) is coming before the Planning Board because they want to make the common driveway discussed earlier this evening ("Gregory Lane") a public road so they can subdivide their property, which is 19.7 acres.

Chairman Chamberlain said he talked to both the Planning Board and ZBA regarding when to ask for escrows for clarification for the office and will be instructing staff on the requirements.

d. Heritage Commission

There is a meeting on August 25, 2023 to discussed Community Day. Mary Lemire approached the Commission to discuss the shutters that are falling off the church in the Center and what should be done about it. The Code Enforcement Office will look into this plus a few shingles that need repair. The "South Lyndeborough" sign on the common will be repaired by the sign maker.

e. Conservation Commission

There is a meeting tomorrow night.

f. Ambulance Advisory Committee

The Committee met a few weeks ago and received a comprehensive report on the ongoing operations.

VIII. Consent Agenda:

VOTE: Selectman Douglas made a motion, Selectman Howe seconded to accept the Consent Agenda for July 9, 2023. Motion passed 3-0.

Consent Agenda – August 9, 2023		
Item #	Item Title	Approved
1	AP Warrants – August 1 & August 8, 2023	Yes
2	Payroll Warrant – July 24, 2023, through August 6, 2023	Yes
3	VALIC ACH Payroll Warrant – July 24, 2023, through August 6, 2023	Yes
4	Request for Approval of Purchase Order – Avitar Associates of New England Inc. – Permitting Module (\$5,900.00 – 6/15/2023)	Yes
5	Request to Execute Disposition of 2022 Property Tax Abatement – Rocco Family Revocable Trust (Map-Lot 231-019-000)	Yes
6	Request to Approve Issuance of Timber Yield Tax Levy & Warrant, Holt Brothers Orchard Partnership (22-279-05T, Map-Lot (247-032-000), Accessed Via ROAD	Yes
7	Board of Selectmen’s Public Meeting Minutes – July 26, 2023	Yes
8	Board of Selectmen’s Non-Public Meeting Minutes RSA 91-A:3 II (a, c & I) – July 26, 2023	Yes

IX. Information Items Requiring No Discussion

None

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

None

VOTE: Selectman Howe made a motion, Selectman Chamberlain seconded adjourn at 8:02 p.m. Motion passed 3-0.

XI. Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 8:02 p.m.

Next regular meeting: August 23, 2023 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber

Chairman Mark Chamberlain_____

Selectman Fred Douglas_____

Selectman Robert Howe_____