

**Town of Lyndeborough NH
2015 Town Meeting Minutes
March 14, 2015**

Meeting was called to order at 10:00am by Moderator Walter Holland on Saturday, March 14th, 2015 at Citizens' Hall located at 9 Citizens' Hall Road in Lyndeborough, New Hampshire.

Lyndeborough Town Warrant

To the Inhabitants of the Town of Lyndeborough, in the County of Hillsborough in said state qualified to vote in Town affairs; You are hereby notified to meet at Center Hall, 1131 Center Road in said Lyndeborough on Tuesday, the tenth (10th) day of March 2015 at ten o'clock in the forenoon until seven o'clock in the evening, for ballot Voting of Town Officers and all other matters requiring ballot vote; and, to meet at Citizens' Hall, 9 Citizens' Hall Road in said Lyndeborough, on Saturday, the fourteenth (14th) day of March 2015 at ten o'clock in the morning, to act upon **Articles 2 through Article 26**;

Article 1 To choose all necessary Town officers for the year ensuing.

*-indicates elected (212 ballots cast – 1207 Registered Voters)

Results:

Selectman (3 years)	*Mark Schultz	117 write-in
	Larry Boisvert	32 write-in
Town Clerk/Tax Collector (3 years)	*Patricia "Trish" Schultz	206
Trustee of Cemeteries (3 years)	*Lawrence Cassidy	195
Library Trustee (3 years)	*V. Lucille Watt	180
	*Mark Schultz	185
Trustee of Trust Funds (3 years)	*Stanley Greene	190
Budget Committee (3 years)	*Sandra Schoen	179
	*Burton Reynolds	193
Zoning Board of Adjustment (3 years)	*Lee F. Mayhew	181
	*Karen A. Grybko	181

All those elected will be sworn in as the last order of business today.

Article 2 To see if the Town of Lyndeborough will vote to raise and appropriate the sum of one million seven hundred forty three thousand and sixty six dollars, (\$1,743,066), representing the operating budget for fiscal year 2015 as prepared by the Budget Committee. Said sum is exclusive of all special or individual articles addressed; or take any other action relative thereto. *The Selectmen and Budget Committee recommend this appropriation. (Majority vote required).*

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam. Budget Committee Chairman Don Guertin gave an overview of the budget. Some discussion followed.

Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 2 Passes**

Article 3 To see if the Town of Lyndeborough will vote to raise and appropriate the sum of Fifty Nine Thousand Eight Hundred Dollars (\$59,800) for the purpose of procuring engineering services on and analysis of Mountain Road and further to authorize the Board of Selectmen to contract with a qualified engineering company for these services, said engineering company to work with the Selectmen to provide to the 2016 Town Meeting a construction proposal for funding of the necessary work on Mountain Road that are outside the scope of the Town Highway Department capabilities. The sum of Fifty Nine Thousand Eight Hundred Dollars (\$59,800) to come from fund balance with no amount to be raised from taxation, this is a non-lapsing appropriation and will not lapse until the project is complete; or take any other action relative thereto. *The Selectmen and Budget Committee recommend this appropriation (Majority vote required)*

NB: This engineering work entailed in the warrant article shall consist of but not be limited to, discussion at Town Meeting, develop existing conditions plan, geotechnical evaluation, preliminary design, final engineering design, NHDES permitting activities/applications, filing at registry of deeds, and construction cost estimate.

This engineering work will be developed in the following four areas of Mountain Road:

1. Beginning at Mason Rd. and extending approximately 1,822 feet to Badger Pond.
2. A 475 foot section at the top of Mountain Rd. between 444 and 462 Mountain Rd.
3. A section known as the ledges near Hunters Cot.
4. The back side of Mountain Rd. beginning west of French Rd. and extending approximately 3,232 feet to the end of the existing pavement.

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas. Road Agent Kent Perry spoke to the article. Jeff Lewis and Kevin Leonard from Northpoint Engineering gave an overview of the Engineering Project for Mountain Road.

Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 3 Passes**

Article 4 To see if the Town of Lyndeborough will vote to raise and appropriate the sum of twenty thousand dollars (\$20,000) to be combined with the twenty thousand dollars (\$20,000) raised in last year's non-lapsing Warrant Article 3 for a total of forty thousand dollars (\$40,000) for the purchase of a new police vehicle, associated equipment and set up costs. This purchase will replace the 2011 4WD police vehicle. This will be a non-lapsing appropriation per RSA32:7 VI and will not lapse until the vehicle is replaced or 2016, whichever is sooner; or take any other action relative thereto.

The Selectmen and Budget Committee recommend this appropriation (Majority vote required.)

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.

Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 4 Passes**

Article 5 To see if the Town of Lyndeborough will vote to raise and appropriate the sum of twenty four thousand dollars (\$24,000) to be added to the Repair and Replacement of the 1994 Fire Department Pumper Capital Reserve Fund previously established for that purpose; or take any other action relative thereto. *The Selectmen and Budget Committee recommend this appropriation. (Majority vote required).*

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.

Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 5 Passes**

Article 6 To see if the Town of Lyndeborough will vote to raise and appropriate twenty-four thousand dollars (\$24,000) to be added to the Repair and Replacement of the 2005 Fire Department Pumper Capital Reserve Fund previously established for that purpose; or take any other action relative thereto. *The Selectmen and Budget Committee recommend this appropriation (Majority vote required.)*

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 6 Passes**

Article 7 To see if the Town of Lyndeborough will vote to raise and appropriate the sum of forty thousand dollars (\$40,000) to be added to the Repair and Replacement of the 1984 Tanker Capital Reserve Fund previously established for that purpose; or take any action relative thereto.

The Selectmen and Budget Committee recommend this appropriation. (Majority vote required.)
Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 7 Passes**

Article 8 To see if the Town of Lyndeborough will vote to raise and appropriate the sum of three hundred and fifty thousand dollars (\$350,000) for the purchase of a new fire department tanker and to authorize the withdrawal of one hundred and fifty thousand dollars (\$150,000) from the Capital Reserve Fund previously established for that purpose. The balance of two hundred thousand dollars (\$200,000) is to be received from a Federal Emergency Management Agency Assistance to Firefighters Grant. **In the event that the Town of Lyndeborough does not receive the Assistance to Firefighters Grant this warrant article will be deemed void; or take any other action relative thereto.**

The Selectmen and Budget Committee recommend this appropriation. (Majority vote required)
Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 8 Passes**

Article 9 To see if the Town of Lyndeborough will vote to raise and appropriate the sum of twenty four thousand dollars (\$24,000) for the purchase of up to two thermal imaging cameras. The sum of one thousand one hundred forty two dollars (\$1,142) to be raised from general taxation and the balance in the sum of twenty two thousand eight hundred and fifty eight dollars (\$22,858), to be received from a Federal Emergency Management Assistance to Firefighter Grant. **In the event that the Town of Lyndeborough does not receive the Assistance to Firefighters Grant this warrant article will be deemed void; or take any other action relative thereto.** *The Selectmen and Budget Committee recommend this appropriation. (Majority vote required)*

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 9 Passes**

Article 10 To see if the Town of Lyndeborough will vote to change the purpose of the existing Replacement 2002 Rescue Vehicle Capital Reserve Fund to include the repair as well as the replacement of that vehicle. If approved, the fund will be named Repair and Replacement of the 2002 Rescue Vehicle Capital Reserve Fund; or take any other action relative thereto. *The Selectmen and Budget Committee recommend this article. (2/3 vote required)*

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.

Moderator: Ready for the question? Read Article. All those in favor raise your yellow voting card, all those opposed raise your yellow voting card. **Yes 49 No 0 Total Count 49 Article 10 Passes**

Article 11 To see if the Town of Lyndeborough will vote to raise and appropriate the sum of thirteen thousand five hundred dollars (\$13,500) to be added to the Repair and Replacement of the 2002 Rescue Vehicle Capital Reserve Fund previously established for that purpose; or take any other action relative thereto. *The Selectmen and Budget Committee recommend this appropriation. (Majority vote required).*

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.

Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 11 Passes**

Article 12 To see if the Town of Lyndeborough will vote to change the purpose of the existing Replacement 2002 Mack Truck Capital Reserve Fund to include the *repair* as well as the replacement of that vehicle. If approved, the fund will be named Repair and Replacement of the 2002 Mack Truck Capital Reserve Fund; or take any other action relative thereto. *The Selectmen and Budget Committee recommend this article. (2/3 vote required)*

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.

Moderator: Ready for the question? Read Article. All those in favor raise your yellow voting card, all those opposed raise your yellow voting card. **Yes 47 No 0 Total Count 47 Article 12 Passes**

Article 13 To see if the Town of Lyndeborough will vote to raise and appropriate the sum of twenty-two thousand dollars (\$22,000) to be added to the Repair and Replacement of the 2002 Mack Truck Capital Reserve Fund previously established for that purpose; or take any action relating thereto. *The Selectmen and Budget Committee recommend this appropriation (Majority vote required.)*

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.

Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 13 Passes**

Article 14 To see if the Town of Lyndeborough will vote to change the purpose of the existing Replacement of the 2007 One-Ton Truck Capital Reserve Fund to include the *repair* as well as the replacement of that vehicle. If approved, the new fund will be named

Repair and Replacement of the 2007 One-ton Truck Capital Reserve Fund; or take any other action relative thereto. *The Selectmen and Budget Committee recommend this article. (2/3 vote required)*

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.
Moderator: Ready for the question? Read Article. All those in favor raise your yellow voting card, all those opposed raise your yellow voting card. **Yes 43 No 0 Total Count 43 Article 14 Passes**

Article 15 **To see if the Town of Lyndeborough will vote to raise and appropriate the sum of thirty four thousand dollars (\$34,000) to be added to the Repair and Replacement of the 2007 One-ton Truck Capital Reserve Fund previously established for that purpose; or take any action relative thereto.** *The Selectmen and Budget Committee recommend this appropriation (Majority vote required.)*

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 15 Passes**

Article 16 **To see if the Town of Lyndeborough will vote to change the purpose of the existing Replacement of the 2009 One-Ton Dump Truck Capital Reserve Fund to include the *repair* as well as the replacement of that vehicle. If approved, the new fund will be named Repair and Replacement of the 2009 One-ton Dump Truck Capital Reserve Fund; or take any other action thereto.** *The Selectmen and Budget Committee recommend this article. (2/3 vote required)*

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.
Moderator: Ready for the question? Read Article. All those in favor raise your yellow voting card, all those opposed raise your yellow voting card. **Yes 43 No 0 Total Count 43 Article 16 Passes**

Article 17 **To see if the Town of Lyndeborough will vote to raise and appropriate the sum of twelve thousand dollars (\$12,000) to be added to the Repair and Replacement of the 2009 One-ton Dump Truck Capital Reserve Fund previously established for that purpose; or take any action relative thereto.** *The Selectmen and Budget Committee recommend this appropriation (Majority vote required.)*

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 17 Passes**

Article 18 **To see if the Town of Lyndeborough will vote to raise and appropriate the sum of twenty thousand five hundred dollars (\$20,500) to be added to the Repair and Replacement of the 2007 Backhoe/Loader Capital Reserve Fund previously established for that purpose; or take any action relative thereto.** *The Selectmen and Budget Committee recommend this appropriation (Majority vote required.)*

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 18 Passes**

Article 19 **To see if the Town of Lyndeborough will vote to raise and appropriate the sum of nineteen thousand dollars (\$19,000) to be added to the Repair and Replacement of the 2008 Volvo Dump Truck Capital Reserve Fund previously established for that purpose; or take any other**

action relative thereto. *The Selectmen and Budget Committee recommend this appropriation (Majority vote required.)*

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 19 Passes**

Article 20 To see if the Town of Lyndeborough will vote, pursuant to NH RSA 35:9-a-II, to authorize the Lyndeborough Trustees of the Trust Funds to pay for capital reserve fund investment management services, and any other expenses incurred, without further action of the town meeting, from capital reserve funds income. No vote by the town to rescind such authority shall occur within five years of the original adoption of this article; or take any other action relative thereto. *The Selectmen and the Trustee of the Trust Funds recommend this article. (Majority vote required)*

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 20 Passes**

Article 21 To see if the Town of Lyndeborough will vote to authorize the Board of Selectmen to appoint a committee to study the feasibility of building a Safety Services Complex or other options and to determine the best location for said complex or other options, the committee to consist of not less than seven (7) nor more than nine (9) members to study the current and future space needs and to determine the best location for the Lyndeborough Fire, Police and Emergency Management Departments. Committee members to be registered Lyndeborough voters, chosen for their professional expertise and community experience. Said committee, to report annually to Town Meeting, as to the progress to date. The Fire Chief, Police Chief, Highway Agent, Emergency Management Director or their designee will serve as ex-officio members of said committee. It is expected that this committee will present a final report to the voters no later than the Town Meeting of 2018; or take any other action relative thereto. *The Selectmen recommend this article. (Majority vote required)*

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 21 Passes**

Article 22 To see if the Town of Lyndeborough will vote to establish a Capital Reserve Fund for the study of the location and construction of a safety complex or other options for the Lyndeborough Fire, Police and Emergency Management Departments and appropriate the sum of Five Thousand Dollars (\$5,000) for this Capital Reserve Fund and to further appointment the Board of Selectmen as Agents to Expend from this account; or take any action relative thereto. *The Selectmen and Budget Committee recommend this appropriation (Majority vote required)*

NB: This unusual request for the Board of Selectmen to act as agents to expend comes from their belief that at some time this committee will need to consult with experts/professionals on this task and such activities would be properly paid for from this account. The only way to accomplish this without March Town Meeting vote is to designate the Selectmen as “Agent”.

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.

Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 22 Passes**

Article 23 To see if the Town of Lyndeborough will vote, in accordance with NH RSA 32:5,V-b, to require that the annual budget and all special warrant articles having a tax impact, as determined by the governing body, shall contain a notation stating the estimated tax impact of the article, or take any other action relative thereto. *The Selectmen recommend this Article. (Majority vote required)*

Selectman Fred Douglas: Walter, as a result of differences that have come up most recently the Board of Selectmen are going to Pass Over this Warrant Article at this time and I can give an explanation if you wish.

Moderator: So we have a motion to Pass Over, do we have a second (second from Selectman Byam)

Selectman Douglas: During the budget process the Board of Selectmen had looked at ways of being very upfront, very positive to the community and to the voters and that they knew on every individual Warrant Article what the potential of the estimated tax impact would be. They do it in other communities and that was what one of the Board of Selectman was bringing forward. As we went through the process we adopted that Warrant Article. Towards the end of the period when the Warrant Articles were actually in print and accepted there was further discussions with the Budget Committee and long standing Budget Committee member and he explained in detail, and I have been present at meetings where the Budget Committee explains in detail if you pass xyz all the Warrant Articles, the operating budget and taking all the revenues etc. into account this is the estimated tax impact. It was felt that if we listed the impact of the tax after every single Warrant Article that it may become confusing to the citizens and the tax payers of Lyndeborough. With that being said we wanted to work with the Budget Committee because they do an excellent job, specifically Burton Reynolds does an excellent job explaining to the citizens what in fact the impact may have. Again, it is all estimated because everything is a moving target as you know. So what we wanted to do is pass this over and not even deal with it at this point.

Moderator: Okay I have a motion to pass over and a second, all those in favor of passing over signify by saying Aye, all opposed signify by saying Nay. **Article 23 is Passed Over**

Article 24 To see whether the Town of Lyndeborough, pursuant to the authority in RSA 231:45-a, will vote to discontinue the road described in Warrant Article 4 of the annual town meeting of 1958, said road being therein described as ‘... *leading from the gate of the (Perham Corner) cemetery to the four corners near Joseph Rudis ...*’, said roadway being situated completely on property shown on the current Town of Lyndeborough Tax Maps as Lot 025-000 on Tax Map 247, being further depicted on said tax map by a dotted line entitled ‘Chase Road R/W’, leading southwesterly from the westernmost end of the cemetery (Lot 026 on said tax map) to Perham Corner Road, so that any right which the Town has in and to said roadway as well as any public servitude to which said roadway is subject will be vacated. The intent of this article is to insure

that title to the fee interest in the land under said roadway be hereafter unencumbered by any interest of the town; or take any other action relative thereto. *The Selectmen recommend this article. (Majority vote required)*

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 24 Passes**

Article 25 To see if the Town of Lyndeborough will vote to authorize the Selectmen to accept the reports of auditors and committees as printed in the Town Report; or take any other action relative thereto. *(Majority vote required)*.

Motion made by Selectman Arnold Byam to move article as read, seconded by Selectman Fred Douglas.
Moderator: Ready for the question? Read Article. All those in favor signify by saying Aye, all those opposed signify by saying Nay. The Ayes have it. **Article 25 Passes**

Article 26 To transact any other business that may legally come before said meeting.

Motion made by Selectman Fred Douglas to move article as read, seconded by Selectman Arnold Byam.

Presentation by the Chair of the Board of Selectmen, Fred Douglas: Selectman Arnold Byam was recognized for his service to the Town as a Selectman. Burton Reynolds was recognized for his dedication and service to the Town. Don Guertin was recognized for his many years as a Budget Committee member.

Moderator: Do I have a motion to adjourn, (so moved) do I have a second (audience seconded). I have a motion to adjourn and a second, I declare that this meeting will be adjourned.
Meeting adjourned at 12:23pm

Respectfully Submitted,

Patricia H. Schultz
Town Clerk/Tax Collector
Town of Lyndeborough NH