

**LINCOLN BOARD OF SELECTMEN  
MEETING MINUTES  
DECEMBER 21, 2015  
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH**

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**Present:** Patricia McTeague and Jayne Ludwig.

**Absent:** O.J. Robinson

**Staff Present:** Town Manager Alfred Burbank, Fire Chief Ron Beard, Police Chief Smith, and Recording Secretary Brook Rose.

**Public Present:** Bill Conn, Cindy Rineer, Paul Beaudin, Dave Beaudin, Tammy Dutilly Gionet, and Roger Harrington.

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### **I. CALL TO ORDER**

Patricia McTeague called the meeting to order at 5:30pm.

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### **II. REVIEW OF MEETING MINUTES**

**MOTION:** "To approve the minutes of the December 14, 2015 Board of Selectmen's meeting as amended."

**Motion:** Ludwig                      **Second:** McTeague      **Motion carries.**

**MOTION:** "To approve the non-public minutes of the December 14, 2015 Board of Selectmen's meeting as presented."

**Motion:** Ludwig                      **Second:** McTeague      **Motion carries.**

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### **III. DISCUSSION OF BOND ARTICLES FOR TOWN MEETING**

The Board reviewed the bond articles for town meeting and decided to wait until the full Board is present on January 11<sup>th</sup> before making any decisions on the articles.

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### **IV. OLD/NEW BUSINESS**

#### **Town Manager's Report**

#### **Pollard Road Sidewalk**

Town Manager Burbank informed the Board that the 1992 design drawings for the Pollard Road sidewalk have been found and will be forwarded to Town Engineer Ray Korber and resident Victoria

Martin. Mr. Burbank stated that he spoke with Mrs. Martin today and believes she may be preparing to draft a petition warrant article.

### **Petition Warrant Articles**

February 2<sup>nd</sup> is the date for any petition warrant articles to be submitted to the Town.

### **Public Participation**

#### **Edmond's 91A Request**

Edmond Gionet stated that #2 on his 91A request has not been addressed. Mr. Burbank replied that Mr. Gionet has been provided with copies of 35 documents in response to his 91A request. These documents were compiled by the Town Attorney. The Town Attorney went through the several boxes the Town has on the Beechwood One matter to compile the 35 documents for Mr. Gionet. Mr. Burbank stated that Mr. Gionet is welcome to come in to the office to review the contents of the boxes if he so desires. Mr. Gionet requested that Mr. Burbank put this in writing. Mr. Burbank agreed to do so. Jayne questioned whether Mr. Gionet received the 35 documents. Mr. Gionet replied that he had but that there was no record of the Town accepting Beechwood One as a town road. Jayne replied that the issue came to a vote when Mr. Gionet was on the Select Board. Two of the three members of the then current Select Board voted to accept the road and Mr. Gionet voted against it. Several months later the deed was filed. Mr. Gionet suggested that he recently observed that one of the signatures on the deed appears to have been forged (as both signatures appear to be the same penmanship). He recommended that the Town not take over this road until the matter has been sufficiently litigated. Patricia McTeague stated that the Board will agree to disagree with Mr. Gionet.

#### **Paul Beaudin**

Paul read a letter of complaint he wrote against the Select Board and the Town Manager about his April 2015 letter of interest for the Budget Committee being misplaced. Patricia McTeague stated that she has his letter in her hand this evening. She added that she believes Chairman Robinson had it in his files. She read the letter of interest into the record. She stated that back in April she supported Paul being appointed to the Budget Committee and further thinks that Paul is entitled to an apology. She was surprised that the Budget Committee did not have Paul's request at the first meeting. Paul replied that he was the one not being treated fairly at the budget hearing as the committee didn't really address the situation and he believes it is a terrible breach of public trust that his letter was misplaced. Patricia agreed that the letter was mistakenly misplaced. She and Jayne both apologized on behalf of the Board. She stated that the Board has no control over how the Budget Committee handles the situation. Jayne and Patricia both apologized to Paul on behalf of the Board. Town Manager Burbank stated the he recalled that Budget Committee Chairman Mike Simons stated that he would not be accepting letters of interest until the fall. Patricia gave Paul's letter back to him and recommended he give it directly to Mike Simons.

#### **Tammy Gionet Dutilly**

Tammy Gionet Dutilly stated that some things in the meeting minutes are stated very specifically and some things are hazy. She referred to prior meeting minutes and specifically the comment she made about the nails on the ground at the transfer station. She stated that she thinks the minutes are reflecting negatively upon her and she would like all of the details of her statements in the minutes. Patricia McTeague replied that the minutes are a summary of the meeting and are not taken verbatim. Patricia

agreed to pass along Ms. Gionet Dutilly's comments to the new board secretary once the position has been filled.

### **Bond Hearing**

Paul Beaudin questioned when the bond hearings would be held. Mr. Burbank replied that he would follow up with Paul once the hearings have been scheduled.

### **Select Board Meeting Schedule**

The Board will not meet next Monday night, December 28<sup>th</sup> as there will not be a quorum present.

### **Cindy Rineer**

Cindy Rineer stated that she has not attended Budget Committee meetings for some time. As she is trying to be more involved in town government, she attended the first meeting of the Budget Committee this year. She stated that she was embarrassed and disgusted at the conduct of the committee members and questioned whether they had adopted bylaws. She added that the members were irritated with each other and were bickering. Paul Beaudin agreed and recommended that the Board pass along her comments to the Budget Committee. He added that all of the town's boards and committees would benefit from further training. Patricia agreed but added that it is difficult to get volunteer boards to commit additional time to attend trainings. She added that she believes the Committee did discuss adopting bylaws but as far as she knows, no further action was taken. After further discussion, it was decided that as the Select Board's representative to the Budget Committee, Jayne Ludwig would bring Cindy's comments to their attention. She added that she does not intend to judge the Committee's process but will simply note Cindy's comments.

### **Bill Conn**

Mr. Conn asked that the Select Board let the Cemetery Trustees know before they dispose of any materials from the Public Works Department. Town Manager Burbank replied that he would inform Public Works Director Hadaway and would have him get in contact with Bill in the spring.

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## **V. NON PUBLIC SESSION Pursuant to RSA 91-A: 3II (e) Legal**

**MOTION: To go into Non-Public Work Session at 6:20pm.**

**Motion: Ludwig      Second: McTeague      Roll call vote all in favor.**

**MOTION: To go back into public session at 7:45pm.**

**Motion: Ludwig      Second: McTeague      Roll call vote all in favor.**

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## **VI. OTHER BUSINESS**

### **Division of Motor Vehicles Notification of New Municipal Agent**

**MOTION: "To appoint Town Clerk Johnna Hart as the Municipal Agent to the Division of Motor Vehicles for the Town of Lincoln."**

**Motion: Ludwig      Second: McTeague      All in favor.**

**Emergency Management Grant**

**MOTION: "The Town of Lincoln Select Board, in a majority vote, accepts the terms of the Emergency Management Performance Grant (EMPG) as presented in the amount of \$8,000 and acknowledges that the total project cost of \$8,000 is a 50% split of which the Town will be responsible for \$4,000.**

**Motion: Ludwig                      Second: McTeague      Motion carries.**

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**VII. ADJOURNMENT**

After reviewing the weekly accounts payables, the Board made the following motion.

**MOTION: "To adjourn."**

**Motion: McTeague                      Second: Ludwig      All in favor.**

The meeting was adjourned at 7:55pm.

Respectfully Submitted,

Brook Rose

Approval Date 1/4/16

  
Patricia McTeague

  
Jayne Ludwig

## Letter of Complaint 12/16/2015

Dear Lincoln Board of Selectman:

I would like to file a complaint against the Lincoln Board of Selectman and the Town Manager. I attended a Selectman's meeting on April 13<sup>rd</sup> 2015 to submit a letter of interest in being appointed to the Town of Lincoln's Budget Committee. At first Chairman Robinson was going to appoint me, however after being informed that the Budget Committee makes all vacant appointments he said he would make sure that my letter of interest was delivered to the Budget Committee. Also in attendance that night was the current Lincoln Budget Chair Mike Simons who publically acknowledged my letter of interest which is in the minutes of April 13, 2015 Selectman's meeting (copy attached). I attended the first meeting of the Lincoln Budget Committee on 12/15/2015 at which the budget committee took up the filling of vacant positions. To my surprise the budget Chair Mr. Simons did not have my letter of interest to be considered for a position on the Budget Committee. I would like to know where my letter of interest went. When I left the Selectman's meeting that night I was assured that my letter of interest would get to the appropriate person. I find it extremely difficult to understand just how my letter of interest got lost considering it was documented in the selectman's minutes and was also verbally noted by the Chair of Lincoln's Budget Committee. As a result of my letter of interest not being available for submission at the December 15<sup>th</sup> Budget meeting, and as a result of the Budget committee given consideration based on date of submission I was not given a vote of consideration. I find this action by the Select Board and Town manager to be a terrible breach of public trust and would like to know how you intend to rectify this situation.

Respectfully submitted:   
Paul Beaudin II

Paul also explained that in the March 23<sup>rd</sup> minutes, Town Manager Burbank stated that Primex is the only entity offering property liability insurance. He stated that Healthtrust also offers this coverage. Town Manager Burbank agreed that this is the case however Healthtrust has been mandated not to accept any new customers. This may change in the near future and if they are permitted to offer this coverage, Mr. Burbank was already planning to get a quote. Any changes will not be made this year as Primex requires a 90 day notification to withdraw from the policy and that time period has already lapsed.

Mr. Beaudin submitted a request to be appointed to one of the vacant positions on the Budget Committee. Tamra Ham commented that the Budget Committee makes its own appointments. Budget Committee Chairman Mike Simons was present and noted Paul's letter of interest.

### **Cindy Rineer**

Cindy Rineer thanked the Board for accepting her proposal to be laid off from the Deputy Town Clerk & Tax Collector position. She wanted the Board to know that Town Clerk Whitman is an excellent worker and that Cindy's request had nothing to do with Mrs. Whitman. Patricia McTeague stated that the Board wouldn't have thought otherwise. The Board was in total agreement that Susan Whitman is a wonderful asset to the Town and does an excellent job.

Mary Conn questioned what would be done with the vacant position. O.J. replied that the position was eliminated and Mrs. Rineer was laid off. The position will not be reopened this year but could be in the future.

### **E-mail from Bill Conn**

*I have a few questions.  
Why are we employing a part time Police Chief?  
When you were considering your budget cuts did you consider eliminating the Public Works Director's position and replacing him with the Solid Waste Manager who has the qualification's, he ran a 3-5 million dollar operation in construction budget at Loon Mountain. He also has 5-7 years left to work and you made the statement that the PW Director only has a couple years to retirement and that statement was made a year ago.  
I am also requesting under 91-A the following information:  
What did the Town of Lincoln pay KD Partners for the construction contract and the observation of the Pollard Road job?  
I'm requesting that this be read at tonight's (4/13/15) BOS meeting and put in the minutes.  
Also, would someone acknowledge receipt of this email?  
Thank you,  
Bill Conn*

Town Manager Burbank stated that he did respond to the email to let Mr. Conn know it was received. O.J. Robinson stated that the Board discussed the reduction in the Police Chief's hours at last week's meeting. Throughout the budget review process, the Board considered all possibilities. Town staff will provide Mr. Conn with the information he has requested regarding KV Partners.

### **Part Time Police Chief Concerns**

Joe Conn expressed his concern with Chief Smith's lack of contributions to the NHRS funds. There was a brief discussion about the function of the retirement fund. Town Manager Burbank noted that it is