

LINCOLN BOARD OF SELECTMEN

APPROVED

MEETING MINUTES

OCTOBER 22, 2018 – 5:30 PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

Board of Selectmen Present: Chairman OJ Robinson, Tamra Ham, and Jayne Ludwig

Staff Present: Fire Chief Ron Beard, Captain Jeff Burnham, & Administrative Assistant, Jane Leslie.

Public Present: Dave Beaudin, Roger Harrington, Jim Welch, Debbie Celino, Taylor Beaudin, John Koziel, Union Leader Reporter, Gloria Morin, Kathy (Walter) DeAngelo and Sherwood B. Avery.

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 5:30 p.m.

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

The review and approval of the meeting minutes was postponed until next week (October 29th).

III. OLD/NEW BUSINESS

Police Department Update

Chairman Robinson explained that the Lincoln Police Chief had been out on paid administrative leave for the past several weeks and was finally released of his duties last week. The Board of Selectmen and Town Manager Burbank had several concerns with the Police Department including the morale; the lack of joint cooperation with outside law enforcement agencies, the recent resignation of an officer, and ultimately, the release of personally identifiable information from the police dispatch logs (names and social security numbers). As a result of these events, the town obtained services from an outside agency, *Legal & Liability Risk Management Institute* to conduct a thorough and comprehensive review of the department which consisted of discussions with all sworn officers of the town; past town employees, non-sworn officers of the town, and other key individuals. The report has been delivered to the Town and reviewed by the Selectmen and Town Manager, and based on the report's findings it was determined that the Police Chief be relieved of his duties immediately. The Board of Selectmen will be seeking a replacement for the Police Chief, and as recommended in the report the town has engaged with NH Police Standards & Training, the Federal Bureau of Alcohol, Tobacco, & Firearms (ATF), the Drug Enforcement Agency (DEA), and the NH Attorney General to look closely at issues that the report has brought up concerning the department.

Robinson went on to further explain that the report will *not* be made public per the town's attorney due to confidential information contained therein. Robinson noted that as information becomes available, he will update the public accordingly.

Town Manager's Report

NHMA Annual Conference

The NH Municipal Association will be holding their Annual Conference on November 14th & 15th in Manchester. Selectmen Ham & Ludwig will be attending the Conference on both days.

Planning Board Vacancies

There have been two (2) Planning Board resignations, (1) Norm Belanger and, (2) Pat Romprey have

both resigned. Replacements will be sought immediately and any interested parties are welcome to submit a letter of interest to Town Hall.

Water Plant Upgrade

The chemical upgrade just started (CIP item) and it will be a large upgrade to the chemical feed system.

Trustees of the Trust Funds update

There has been an issue raised between the Finance Department and the Trustee's financial books not balancing. This problem has been going on for some time and as required by state statute, Burbank has notified the Attorney General's Office of this concern which has triggered a subpoena to all three (3) Trustees to appear for a hearing in Concord at the Attorney Generals Office on November 7, 2018.

The Landing Negotiation

Town Hall received the latest proposal for negotiation this day and will discuss further in Non-Public Session.

Ad Hoc Town Water Committee

Chairman Robinson has been approached by several members of the community (Jay Scambio, Ken Mack, Dennis Ducharme, and Taylor Beaudin) who have expressed an interest in being a part of the committee that will be addressing the water issues that confront the town, as well as options and priorities. Selectman Ludwig added that they will continue to take input regarding names from residents as well as business owners.

Myles Moran Property

Myles Moran approached Town Manager Burbank concerning a water main pipe that the town had put in that is on his property (Maple Street to O'Brien Avenue). Moran feels the town did this without the right of an easement and wants the implanted posts marking the water main removed. Burbank explained that Town council is conducting a deed search to confirm whether or not an easement exists. Roger Harrington has maps that were surveyed by Roy Sabourn of the area in question and will bring them into Town Hall.

Public Participation

Kathy Walter DeAngelo introduced herself to the Board (daughter of Mr. Walter's, Longhorn Owner) and asked the Board if when the Town plows snow in the winter up near the Longhorn Restaurant on Route 3, if they could plow the snow high enough so that it blocks the front of the restaurant and the snowmobilers cannot run through their property. Burbank told Ms. DeAngelo that she should call the Police Department when this occurs so that they can intervene as well.

Gloria Morin asked the Board if the town could put a stop sign up on the corner of Maple Street and Pollard Road because it is unsafe at this section of the roadway (curve in roadway with brush/shrubs that deter vision). Burbank said he would have the Public Works Dept. take a look at that and possibly ask the property owner (Loon Mt.) to cut the shrubs back.

Roger Harrington asked how things were going on the West Street project. Burbank responded that the project is slowing down in preparation for a winter shutdown.

Gloria Morin asked who made up the rule that kids can only trick-or-treat on certain streets. The Board explained that children can trick-or-treat anywhere in the Town of Lincoln, and the Friends of Rec started a candy drive to offer relief to the busiest streets in town

Roger Harrington asked the Board if they felt the engineering costs were a bit high for the Pollard Road Sidewalk project. Chairman Robinson reviewed the cost sheet and some of the engineering costs associated with the project overall and explained that it was important that the engineer was on-site to ensure that the project was done the way it was designed and paid for.

Union Leader reporter, John Koziel asked the Board what the costs were for the third-party review of the Police Department. Burbank responded that the report cost \$16,500. Koziel also asked approximately how many individuals/social security numbers were released by the police dispatch. Burbank explained that the release of information from the Police Dept. had approximately 18 names associated with social security numbers on it. Koziel also questioned whether or not the Board had voted to seal the report and what the name of the organization was that conducted the investigation. Burbank replied the Board had not voted to seal the minutes, however, on advice of counsel the town would not be releasing the report. Legal and Liability Risk Management Institute, LLC is the name of the third-party reviewer.

Taylor Beaudin commented that an engineer normally gets paid 8% of the permitting and design, and 10% for job observation (based on Beaudin's research) and feels the \$100k for the engineering costs on the Pollard Road sidewalk is a lot of money. Beaudin recommended future engineering projects go out to bid in an effort to get lower engineering fees.

Dave Beaudin asked about the \$400k bond for the levee and if that included any mitigation work. Robinson explained that this money is for the damages from the storm and the installation of concrete.

Captain Burnham updated the Board on the Police Department and the addition of a new part-time dispatcher, Robert Wetherell who will begin field training shortly. The department is also moving forward with filling one (1) full-time police officer position which will hopefully be completed by mid-late November. The department is also actively updating and re-writing policies. The department is participating in the *Beards for Bucks* fundraising efforts with all proceeds going to CHAD (Children's Hospital at Dartmouth). Anyone interested in donating money or sponsoring an Officer or the Department as a whole can go to the Police Department's website (LincolnnhPD.org) or their Facebook page and follow the links.

IV. NONPUBLIC SESSION *Pursuant to RSA 91-A:3: II(a,c,e)*

MOTION: "To go into Non-public session pursuant to RSA 91-A(a,b,c)." *The Landing litigation, Personnel (Police Dept.), Levee Contract, Romprey Civil Suit, LFD lawsuit.*"

Motion: OJ Robinson

Second: Tamra Ham

Motion Carries.

The Board went into non-public session at 6:45 pm.

MOTION: "To re-enter public session."

/ Motion: OJ Robinson

Second: Jayne Ludwig

Motion Carries.

The Board came back into public session at 7:25 p.m.

VII. ADJOURNMENT

After reviewing the weekly payables and with no further business to attend to, the Board made the following motion.

MOTION: "To adjourn."

Motion: OJ Robinson

Second: Jayne Ludwig

Motion Carries.

The meeting adjourned at 7:30 p.m.



Respectfully Submitted,
Jane Leslie

Approval Date 11 / 12 / 2018



Chairman OJ Robinson



Selectman Tamra Ham



Selectman Jayne Ludwig

October 22, 2018
Board of Selectmen's Meeting
Please PRINT Legibly

Roger Harrington
(Print Name)

John Horvath

Sharon B. Perry

Debbie Celino

Jim Welsh

Katherine Dangelo

GLORIA MORIN

Roger Harrington
(Sign Name)

John Horvath

Sharon B. Perry

Debbie Celino

Jim Welsh

Katherine Dangelo

Gloria Morin

Union
Leader

Pollard Road Sidewalk

Date Paid	Vendor	Amount	Balance
Appropriated 2015			525,000.00
4/14/2016	KV Partneres	95.00	524,905.00
5/12/2016	KV Partneres	2,500.00	522,405.00
6/16/2016	Gallagher, Callahan	630.00	521,775.00
5/26/2016	Promised Land	7,350.00	514,425.00
9/15/2016	KV Partneres	3,952.20	510,472.80
5/16/2016	KV Partneres	1,800.00	508,672.80
10/13/2016	KV Partneres	3,337.20	505,335.60
11/10/2016	KV Partneres	1,800.00	503,535.60
11/18/2016	US Postal Service	22.95	503,512.65
12/22/2016	KV Partneres	6,533.04	496,979.61
1/19/2017	KV Partneres	1,895.00	495,084.61
2/18/2017	KV Partneres	2,442.20	492,642.41
2/9/2017	KV Partneres	1,831.50	490,810.91
3/9/2017	KV Partneres	3,459.40	487,351.51
4/13/2017	KV Partneres	1,589.10	485,762.41
5/11/2017	KV Partneres	2,035.40	483,727.01
6/15/2017	KV Partneres	1,179.40	482,547.61
7/13/2017	KV Partneres	12,234.40	470,313.21
8/10/2017	KV Partneres	4,372.70	465,940.51
9/17/2017	KV Partneres	6,521.86	459,418.65
9/7/2017	Salmon Press	134.00	459,284.65
10/15/2017	Promised Land	3,360.00	455,924.65
10/12/2017	KV Partneres	5,900.80	450,023.85
10/12/2017	KV Partneres	1,645.22	448,378.63
11/2/2017	Classesn's	3,000.00	445,378.63
11/2/2017	O'Rourke Property	1,018.50	444,360.13
11/2/2017	O'Rourke Property	441.40	443,918.73
11/16/2017	KV Partneres	6,817.20	437,101.53
11/22/2017	Classesn's	100.00	437,001.53
12/7/2017	KV Partneres	4,051.60	432,949.93
12/26/2017	Lincoln Trucking	108,841.86	324,108.07
1/8/2018	KV Partneres	2,900.00	321,208.07
6/11/2018	KV Partneres	3,182.80	318,025.27
7/21/2018	Lincoln Trucking	76,635.72	241,389.55
7/21/2018	KV Partneres	3,196.10	238,193.45
7/31/2018	KV Partneres	1,450.00	236,743.45
8/13/2018	Lincoln Trucking	83,301.87	153,441.58
8/29/2018	Lincoln Trucking	28,576.44	124,865.14
8/31/2018	KV Partneres	2,967.20	121,897.94
	Due KV	1,450.00	120,447.94
	Due Lincoln Trucking	18,100.73	102,347.21
	Misc. Cost	????	
			203,791.93 Received from Construction Loan
			4/12/2018

Lincoln Trucking

Pollard Road Sidewalk

G/L Acct #
03-4810-300

Date	Invoice #	Amount	Paid	Balance	Ck #	Date Paid
Project Bid				293,697.40		
12/21/2017	App #1	108,841.86	108,841.86	184,855.54	60111	12/28/2017
6/29/2018	Change Order	4,931.00		189,786.54		
6/24/2018	App #2	76,635.72	76,635.72	113,150.82	61015	7/21/2018
8/13/2018	App #3	83,301.87	83,301.87	29,848.95	61244	8/23/2018
8/27/2018	Change Order	16,828.22		46,677.17		
8/29/2018	App #4	28,576.44	28,576.44	18,100.73	61308	9/6/2018
Totals		319,115.11	297,355.89			

Balance due

Project Bid	293,697.40
Change Order #1	4,931.00
Change Order #2	16,828.22
New project total	315,456.62

KV Partners LLC

G/L Acct #
03-4810-300

Pollard Road Sidewalk

Date	Invoice #	Amount	Paid	Balance	Ck #	Date Paid
Project Initiation				2,500.00		
4/30/2016	1204	2,500.00	2,500.00	0.00	57307	5/12/2016
Totals			2,500.00			
Preliminary Design				18,000.00		
7/30/2016	1243	1,800.00	1,800.00	16,200.00	57874	9/15/2016
8/27/2016	1257	3,600.00	3,600.00	12,600.00	57874	9/18/2016
9/30/2016	1261	2,700.00	2,700.00	9,900.00	57995	10/13/2016
10/26/2016	1279	1,800.00	1,800.00	8,100.00	58120	11/10/2016
11/26/2016	1283	3,600.00	3,600.00	4,500.00	58274	12/22/2016
12/31/2016	1302	1,800.00	1,800.00	2,700.00	58520	1/19/2017
1/28/2017	1312	900.00	900.00	1,800.00	58591	2/9/2017
6/30/2017	1368	1,800.00	1,800.00	0.00	59283	7/13/2017
Totals			18,000.00			
Final Design				12,000.00		
6/30/2017	1368	8,400.00	8,400.00	3,600.00	29283	7/13/2017
7/29/2017	1377	2,400.00	2,400.00	1,200.00	59413	8/10/2017
8/26/2017	1389	1,200.00	1,200.00	0.00	59545	9/17/2017
Totals			12,000.00			
Bid Assistance				4,500.00		
8/26/2017	1389	4,050.00	4,050.00	450.00	59545	9/17/2017
9/30/2017	1397	450.00	450.00	0.00	59705	10/12/2017
Totals			4,500.00			
Construction Phase				29,000.00		
9/30/2017	1398	5,800.00	5,800.00	23,200.00	59705	10/12/2017
10/28/2017	1417	5,800.00	5,800.00	17,400.00	59869	11/16/2017
11/25/2017	1420	2,900.00	2,900.00	14,500.00	59969	12/7/2017
12/30/2017	1435	2,900.00	2,900.00	11,600.00	60194	1/11/2018
5/31/2018	1480	2,900.00	2,900.00	8,700.00	60875	6/14/2018
6/30/2018	1487	2,900.00	2,900.00	5,800.00	61014	7/21/2018
8/14/2018	1505	1,450.00	1,450.00	4,350.00	61216	8/16/2018
8/31/2018	1513	3,500.00	2,900.00	1,450.00	61332	9/13/2018
Totals			27,550.00			

Balance due

Other					
3/26/2016	1191	KV	95.00	57184	4/14/2016 Meetings & Coordination
6/7/2016	284526	Gallagher	630.00	74473	6/16/2016 Loan Documents
5/4/2016	2185-01	Promised Land	7,350.00	57402	5/26/2016 Survey
8/27/2016	1257	KV	352.20	57874	9/15/2016 Meetings/Mileage
9/30/2016	1261	KV	637.20	57995	10/13/2016 Meetings/Mileage
11/1/2016		US Postal	22.95	Paid by CC 11/21/206 Shipping	
11/26/2016	1283	KV	2,850.00	58274	12/22/2016 Easements/drawings
11/26/2016	1283	KV	83.04	58274	12/26/2016 Printing & Postage
1/30/2016	1170	KV	2,442.20	56954	2/18/2016 Meeting,project management site visit etc.
12/31/2016	1302	KV	95.00	58520	1/19/2017 easements meeting
1/28/2017	1312	KV	931.50	58591	2/9/2017 Meeting, printing
2/24/2017	1319	KV	3,459.40	58705	3/19/2017 Meeting & Coordination, mileage
3/31/2017	1335	KV	1,589.10	58868	4/13/2017 Meeting & Coordination, mileage, printing
4/29/2017	1340	KV	2,035.40	58985	5/11/2017 Meeting & Coordination, printing
5/27/2017	1354	KV	1,179.40	59145	6/15/2017 Meeting & Coordination, mileage
6/30/2017	1368	KV	2,034.40	59283	7/13/2017 Meeting & Coordination, mileage
7/26/2017	1377	KV	1,972.70	59413	8/10/2017 Meeting & Coordination, printing
8/26/2017	1389	KV	1,271.86	59545	9/17/2017 Meeting & Coordination, printing
8/25/2017	497965	Salmon Press	134.00	59558	9/7/2017 Invitation to Bid
9/20/2017	2382-01	Promised Land	3,360.00	59674	10/5/2017 Survey
9/30/2017	1398	KV	100.80	59705	10/12/2017 Mileage
9/30/2017	1397	KV	1,195.22	59705	10/12/2017 Meeting & Coordination, mileage, printing
10/14/2017	455	Classen's	3,000.00	59787	11/2/2017 Tree cutting
10/13/2017	20455	O'Rourke	1,018.50	59806	11/2/2017 Plantings
10/13/2017	20456	O'Rourke	441.40	59806	11/2/2017 Plantings
10/28/2017	1417	KV	1,017.20	59869	11/16/2017 Construction Observation, mileage, meetings
11/5/2017	485	Classen's	100.00	59896	11/22/2017 Stump
11/25/2017	1420	KV	1,151.60	59969	12/7/2017 Construction Observation, mileage
5/31/2018	1480	KV	282.80	60875	6/14/2018 Construction Observation, mileage
6/30/2018	1487	KV	296.10	61014	7/21/2018 Construction Observation, mileage
8/31/2018	1513	KV	67.20	61332	9/13/2018 Mileage
9/12/2018	50596	L.A. Brochu Inc	650.00	61363	9/20/2018 Tree for Roger Harrington
Total Misc Costs			41,846.17		
Total Paid to Date			106,396.17		

Draft

DATE: 8/3/2018

No.	DESCRIPTION	SCHEDULED VALUE			PREVIOUS COMPLETED		CURRENT COMPLETED		STORED MATERIAL		TOTAL COMPLETED & STORED	
		QUANTITY	UNITS	UNIT PRICE	COST	QUANTITY	COST	QUANTITY	COST	QUANTITY	COST	COST
1	Mobilization	1	LS	\$7,200.00	\$7,200.00	1.0	\$7,200.00		\$0.00			\$7,200.00
2	Excavatory Excavation	30	CY	\$14.00	\$420.00	131.0	\$1,834.00		\$0.00		131.0	\$1,834.00
3	Excavation of Unsuitable Materials	100	CY	\$15.00	\$1,500.00	0.0	\$0.00		\$0.00		0.0	\$0.00
4a	15" HDPE Drain Pipe	284	LF	\$39.00	\$11,466.00	300.0	\$11,700.00		\$0.00		300.0	\$11,700.00
4b	12" HDPE Drain Pipe	533	LF	\$27.00	\$14,391.00	528.0	\$14,256.00		\$0.00		528.0	\$14,256.00
5a	Catch Basin-Curb Inlet	3	EA	\$2,490.00	\$7,470.00	3.0	\$7,470.00		\$0.00		3.0	\$7,470.00
5b	Drop Inlet-Type B	1	EA	\$1,600.00	\$1,600.00	1.0	\$1,600.00		\$0.00		1.0	\$1,600.00
6a	Grushed Gravel-Driveways	50	CY	\$29.00	\$1,450.00	13.5	\$391.50		\$0.00		38.1	\$1,104.90
7a	HBP Hand Method	110	TN	\$270.00	\$29,700.00	57.6	\$15,541.20		\$29,754.00		110.2	\$29,754.00
8a	Bituminous Sidewalk	1610	SY	\$42.44	\$68,328.40	1,177.5	\$49,973.10		\$17,039.66		401.5	\$17,039.66
8b	Curb Ramp Type A	60	SY	\$74.75	\$4,485.00	0.0	\$0.00		\$0.00		57.8	\$4,316.81
8c	Curb Ramp Type B	60	SY	\$52.75	\$3,165.00	0.0	\$0.00		\$0.00		57.8	\$3,091.83
8d	Detachable Warning Device	20	SY	\$215.00	\$4,300.00	0.0	\$0.00		\$0.00		15.8	\$3,397.00
9	Vertical Granite Curb	3515	LF	\$31.40	\$110,371.00	2,566.0	\$80,572.40		\$25,496.80		3,378.0	\$106,069.20
10a	Relocate Hydrant	3	EA	\$1,725.00	\$5,175.00	4.0	\$6,900.00		\$0.00		4.0	\$6,900.00
10b	Adjust Hydrant	3	EA	\$500.00	\$1,500.00	2.0	\$1,000.00		\$0.00		2.0	\$1,000.00
11a	Adjust CB Casting	5	EA	\$100.00	\$500.00	5.0	\$500.00		\$0.00		5.0	\$500.00
11b	Adjust SMH Casting	1	EA	\$100.00	\$100.00	0.0	\$0.00		\$0.00		1.0	\$100.00
11c	Adjust GV Box	1	EA	\$40.00	\$40.00	1.0	\$40.00		\$0.00		1.0	\$40.00
11d	Adjust WSO Box	6	EA	\$11.00	\$66.00	1.0	\$40.00		\$0.00		1.0	\$40.00
12	Remove and Reset Fence	300	LF	\$8.50	\$2,550.00	132.0	\$1,122.00		\$0.00		132.0	\$1,122.00
13	Reconstruct Stone Wall	50	LF	\$10.00	\$500.00	0.0	\$0.00		\$0.00		0.0	\$0.00
14	Relocate/Reset Traffic Sign	7	EA	\$40.00	\$280.00	2.0	\$80.00		\$0.00		5.0	\$200.00
15	100 lbs Calcium Chloride	20	EA	\$14.00	\$280.00	0.0	\$0.00		\$0.00		0.0	\$0.00
16a	Hay Bales	20	EA	\$5.00	\$100.00	12.0	\$60.00		\$0.00		12.0	\$60.00
16b	Silt Fence	500	LF	\$0.60	\$300.00	0.0	\$0.00		\$0.00		0.0	\$0.00
16c	Erosion Stone	30	CY	\$25.00	\$750.00	0.0	\$0.00		\$0.00		0.0	\$0.00
17	Loam and Seed	1300	SY	\$6.10	\$7,930.00	0.0	\$0.00		\$0.00		1514.0	\$9,235.40
18	Maintenance of Traffic	1	LS	\$7,780.00	\$7,780.00	0.8	\$5,835.00		\$1,945.00		1.514.0	\$9,235.40
CO1	Sewer Service Relocations											\$7,780.00
TOTAL:					\$293,897.40		\$206,086.20		\$100,832.40			\$493,810.00

Notes:

1. Key To Units: LF = Linear Feet; SY = Square Yards; CY = Cubic Yards; LS = Lump Sum; EA = Each; LB = Pound; TN = Ton; BG = Bags; AL = Allowance

