

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
APRIL 6, 2015
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

Board Present: O.J. Robinson, Patricia McTeague, and Jayne Ludwig.

Staff Present: Town Manager Alfred Burbank, Fire Chief Ron Beard, Police Chief Ted Smith, Recording Secretary Brook Rose, Finance Officer Helen Jones, Public Works Director Bill Willey, Officer John Suglia, Town Clerk and Tax Collector Susan Whitman, Deputy Town Clerk Cindy Rineer, and Trustee of the Trust Fund Lutz Wallem.

Public Present: Paul Beaudin, Edmond Gionet, Roger Harrington, Taylor Beaudin, Joe Conn, Tamra Ham, Mike Simons, Ivan Saitow, Louise Willey, Steve Noseworthy, Susan Clark, Jon Ham, Mary Conn, Dave Beaudin, Paul Bartlett, and Susanne Chenard.

I. CALL TO ORDER

O.J. Robinson called the meeting to order at 5:27pm.

II. NON-PUBLIC WORK SESSION *Pursuant to RSA 91-A:3IIa(personnel)*

MOTION: To go into Non-Public Work Session at 5:27pm.

Motion: O.J. Robinson Seconded: Jayne Ludwig

Roll call vote all in favor.

MOTION: To go back into public session at 5:45pm.

Motion: Patricia McTeague Seconded: Jayne Ludwig

Roll call vote all in favor.

III. 2015 BUDGET REVIEW

Chairman Robinson opened up the ongoing discussion regarding the operating budget. He outlined a summary of the budget cuts and explained that in collaboration with department heads and input from the public, the Board succeeded in making \$200,000 in reductions spread across most departments. A summary of these reductions is as follows:

Executive:	\$9,300
Personnel Admin:	\$22,000
Planning:	\$3,700
Town Hall:	\$12,200
Cemetery:	\$3,000
Police:	\$28,050
Emergency Mgmt.:	\$1,000
Fire:	\$14,650
Public Works:	\$8,400

Solid Waste:	\$14,100
Community bldg.:	\$12,730
Health:	\$750
Welfare:	\$15,600
Recreation:	\$32,850
Library:	\$22,400
 Total:	 \$200,730

He stated that an additional \$110,000 has been removed from the budget via further personnel cuts. The proposed 0-3% raise was also reduced to 0-1.5%. Two positions were eliminated including the Solid Waste Supervisor and a full time dispatch position. The supervision of the solid waste facility now falls under the Public Works Department. The dispatch position will be eliminated pending the retirement of a current dispatcher. Three full time positions have been assigned a reduction in hours. The Police Chief's position will be cut to 32 hours, The Tax Collector position will be cut by five hours to 15 hours, and the Assistant to the Town Manager's hours will be cut by five hours to 35 hours. Three part time positions will also be reduced in hours. The HR Administrative Assistant will be cut by eight hours per week. The Planning Assistant by 4 hours, and the Deputy Town Clerk by 12 hours. The overtime allowance for the Planning Administrator will be limited to 40 hours. All of these revisions save the Town \$110,000.

These payroll reductions are in addition to the elimination of one new police officer and the reduction of many part-time positions in the Recreation Department that were included in the original \$200,000 of reductions. In total, six departments were effected as follows:

Executive:	4 employees
Planning:	2 employees
Police:	3 employees
Solid Waste:	1 employee
Community Center:	1 employee
Recreation:	Approximately 12 employees from 4 different programs.

O.J. stated that the Board has achieved the \$310,000 budget reduction that the taxpayers voted for. There were some difficult decisions. The Town has good employees that saw their positions eliminated or altered.

Edmond Gionet stated that the budget is still up 3.1% over last year. He questioned where that fat in the budget is that is causing this increase. O.J. replied that there is no "fat" in the budget and that over the past three meetings the Board has gone line by line through the budget so that the public is aware of the revisions being made. The original budget is available for anyone including Mr. Gionet to review. O.J. added that Mr. Gionet is welcome to review the budget and point out where the fat he is referring to is. Jayne Ludwig added that there was some excess in the Kanc Recreation Area expenses but the Board decided not to go that route with their budget cuts. She stated that more could have been cut but it is not the time to do so. The extra fat Mr. Gionet is referring to is simply an increase in the cost of doing business in the Town which was pointed out at the last meeting. Finance Officer Helen Jones stated that there is also an increase in the operation budget because funds set aside for repairs were taken out of the CIP and placed into the operating budget. Budget Committee Chairman Mike Simons stated that on a budget of five million dollars, the legal expenses went up approximately \$100,000 which is the 3% increase. Town Manager Burbank agreed. O.J. stated that the Town has ongoing litigation which has to be budgeted for. With the current levee situation there is likely to be even more legal action taken against the Town by some of the involved parties who have publicly threatened lawsuits.

Paul Beaudin questioned who made the decision to cut the Solid Waste Facility Manager position. O.J. Robinson replied that it was decided at a non-public meeting held by the Boards of Selectmen from both Lincoln and Woodstock. Jayne Ludwig stated that the Woodstock Board of Selectmen agreed to cut the bottom line budget and left it up to the Town of Lincoln to decide how best to carry that reduction out. Paul questioned whether the Public Works Department's time for assisting at the facility is being charged to the Town of Woodstock. O.J. replied that any time spent by Town staff (not management) is being logged on timesheets and will be charged to the solid waste budget. Paul questioned whether these are permanent reductions in staffing. O.J. replied that the Board has not discussed that. Mary Conn questioned whether the Public Works Department employees would receive additional compensation for their work at the facility. O.J. replied that they would not.

Cindy Rineer questioned whether the Police Chief volunteered to have his hours reduced or if the Board requested it. O.J. replied that Chief Smith was overly cooperative in helping the Board address the budget constraints through his own personal salary as well as others in that department. There was an extended discussion regarding the duties of the Police Chief. Mary Conn stated that it appears to be that the Chief is being targeted. Chief Smith replied that he is not being targeted and was happy to make this change. His position and duties will not change other than the fact that he will be at the Department 32 hours per week.

Cindy Rineer questioned whether the Planning Administrator would be limited to 40 hours. O.J. replied that there will be no overtime permitted but that schedule adjustments will be made using comp time. He added that part of this whole reduction includes the fact that employees will be mandated to use up their comp time rather than being paid for their comp time at the end of the year.

Cindy stated that she had offered to the Town Manager to give up her 8 hours (the Board cut her from 20 to 8) to be totally laid off from her position as Deputy Town Clerk and Tax Collector. The Board stated that they were not aware of this. Cindy added that she thought it would make more sense for her to be laid off and allow the Town Clerk or Town Manager's Assistant to keep their hours. She stated that Town Manager Burbank told her that an elimination of the position was not on the table at this time. The Board will consider Cindy's offer when determining the final schedule for the Town Hall staff.

Cindy Rineer stated that she has attended the last few meetings and it is well known that the files at the Town offices are in disarray. The Town spends a significant amount of money on researching and locating missing documents, files etc. She added that when she was hired she was given the directive to make organizing the files a priority. She questioned whether this was still a priority for town staff and if so, how are they to do so when they do not have time especially with their hours being reduced. O.J. replied that the filing is absolutely a priority. Locating documentation is consistently a problem especially for the Planning Board. He would like to maintain that getting the filing in order is a goal for town staff. Cindy informed O.J. that when she worked for the Town many years ago and the town hall was relocated, files were just boxed away and placed in a storage room. They did not have time to maintain a filing system then and with current staff cuts, they will not have time to do so now either. O.J. replied that he would still like the full time staff to make organization of the files a priority. He added that realistically, part time positions were added because of the increase in essential town services. Existing staff cannot maintain the ever increasing workload.

Cindy commented that, "she feels so badly that people in this room are pointing fingers at certain people and blaming all of these reductions on one person. What was voted at Town Meeting was the majority vote. It is unfortunate that people are blaming one person." O.J. replied the he did not get angry or reject these budget cuts as it was a task given to the Board by the voters. He does regret the animosity this situation has brought to the Town. He stated that, "we all live in a beautiful town and we have a lot

of great citizens and town employees. I want to keep the spirit and community of Lincoln alive. This is just a minor operational issue. There will be things that don't get done and some pain in the process but we still live in a beautiful community. There was no spite or anger on my part in this. This is what a majority of the townspeople voted for." Further he stated that his leadership style is collaboration. The Town needs to work together without pointing fingers and being angry. The Board thanked Cindy for bringing this issue up.

Dave Beaudin questioned how the Board feels about the petition submitted last week to cut the Solid Waste Facility Manager's position. He stated that if the petition is not considered animosity, what would it be considered? O.J. replied that the petition was received after the joint meeting with Woodstock and held no weight on the decision. Further he stated that the budget cut has created animosity in this town and that he is more upset about the animosity it created than the actual budget cut. Jayne Ludwig added that the petition could have been a conflict in personalities, had nothing to do with job performance, and held no weight in her mind.

The Board had further discussions about the Town Hall staff, how to manage the schedule, and whether to close the office one day per week. O.J. questioned whether Susan Whitman had an opinion on closing her office one day per week. Susan replied that with the significant increase in new development taking place, the Town is getting busier. There are more tax bills to process. More than 11 million dollars was taken in last year which requires a great deal of paperwork, reports etc. She added that she would not like to see her residents have one less day per week to conduct business. The office is also very busy in the summer with vital records, dog licenses, motor vehicles, and the cemetery. She added that every day is different and that she would not be able to determine which day to close the office. Paul Bartlett stated that if the Town is concerned about bringing in revenue, cutting the Tax Collector's hours is the wrong approach.

Mary Conn questioned whether the Planning Administrator and Finance Director could be cut to give more hours to Cindy Rineer and the Planning Assistant. She questioned whether they could share some of the work load. The Board agreed that the planning and finance positions are too specialized to be handled by other employees.

Joe Conn questioned whether the Town could bring the operation of the wastewater facility in house. O.J. replied that Town Manager Burbank looked into this a few years ago. Town Manager Burbank added that the Town could not cover staffing the facility (benefits/payroll) without increasing expenses. The company that manages the facility has only increased their costs 4% since 1997. That being said, Town Manager Burbank does plan to explore this option again in the near future.

Mary Conn questioned whether there are any plans to contract out the Water Treatment Plant. O.J. replied that the Town also explored that option a few years ago. At that time there were only two certified operators with one planning to retire in the near future. The Town had to explore options as the plant cannot be run by one person. Since that time another employee has expressed interest in being involved at the plant and is working towards licensure. At this point, the Board intends to keep the operation as it is.

IV. OTHER BUSINESS / PUBLIC PARTICIPATION

Solid Waste Facility Hours of Operation

The Board discussed changing the hours of operation at the Solid Waste Facility. Currently it is open every day but Wednesday. With reduced staffing, an alternate schedule needs to be considered. The Board had an extended discussion and decided to explore cutting back the hours to either five days or four days with two additional half days. The facility's staff believes that a five day schedule does meet the needs of the business community. Further research into this matter will be done and also discussed with the Town of Woodstock before any changes are made. O.J. Robinson suggested possibly opening the facility for half days on Tuesdays and Thursdays. Patricia McTeague thought it would be reasonable to try an alternate schedule during the shoulder season which would give the Town time to determine how well an alternate schedule would work.

Plummer Road

Edmond Gionet questioned whether the Board is still procrastinating on the, "intermittent" brook by Plummer Road. O.J. replied that the Town had a licensed engineer examine the Town portion of the property over by the community center and is awaiting his recommendations. He added that the Town is restricted from doing improvements on private property. Edmond replied that the Board has done all kinds of other work on private property. O.J. replied that Mr. Gionet has discussed this matter over and over with the Board and the result remains the same. Just because a culvert may have been installed by the Town decades ago when that type of activity was not regulated does not mean the Town has the legal authority to do so now. The Board had a brief discussion regarding storm water issues, NHDES requirements surrounding storm water runoff and how it pertains to the new development in Town. The watersheds surrounding Forest Pines, South Peak, Mansion Hill, and the Landing were discussed. Storm water runoff has been a widespread issue in the Town and the Planning Board has taken corrective action via an amendment to the Land Use Plan Ordinance to address this issue.

Audacity Program

Mr. Gionet reiterated why he believes the Board should use the Audacity software to record the meeting minutes. He stated that this way the minutes are not edited and are available in an unabridged version. O.J. replied that Mr. Gionet has had this conversation with the Board many times. He clarified with Mr. Gionet that the Audacity program is simply recording software to record the minutes. The Town already has the capacity to do this. The software Mr. Gionet is proposing is not official minutes. He stated that minutes have to be in a written version. A member of the audience commented that the Town would most likely not want to pay someone to transcribe minutes verbatim as it would be a very lengthy process and the document would also be difficult to read. It was also clarified that meeting minutes are supposed to summarize the discussions that take place at the Board meeting. The public is always welcome to attend the meetings if they have questions or concerns on any specific topic.

Review of Mr. Bill Conn's Email received April 6, 2015

At the request of Mr. Bill Conn, OJ Robinson read the following email into the meeting minutes:

I have a few questions for tonight's BOS meeting.

Since we've taken over management of the Solid Waste Facility how much is Woodstock paying for the management, meaning the town manager and public works director? Also, how many days a week will the Solid Waste Facility be open?

Last week I had a question on the insurance. This week I'd like to know if Woodstock is responsible for half of that cost? Did they pay half of \$2,970.00 or \$5,932.00, which is the real cost? Also, were there mistakes made in prior years on this?

I'd like a copy of the 3/16/15 budget cuts the town manager recommended to the BOS.

I'd like to know how long Selectperson Pat McTeague has been a selectmen and how many times she's

chaired the board?

I would also like to make the following statement for the record.

The change at the Solid Waste Facility looks, feels and smells like retaliation to me. remember the person that proposed the budget cut did just that, it was the people of the town that voted on it. Also, were there any other positions that have been eliminated or that are going to be?

I'm requesting that this be read at tonight's (4/6/15) BOS meeting and put in the minutes.

O.J. responded to Mr. Conn's e-mail as follows:

The Town of Woodstock will not be charged for the Town Manager or Public Works Director's time. Any Public Works Department employees working at the facility will track their time accordingly and that will be charged to the solid waste budget.

The facility hours are yet to be determined.

The 2013 budget was incorrect. The mistake was corrected. Woodstock does not pay half of the budget; they pay half of the expenses which they have paid all along.

The revisions to the budget that Town Manager Burbank suggested were merely discussion points for the Board; all of which are in the meeting minutes.

Selectperson McTeague stated that she has been on the Board for many years and has never wanted to Chair the Board. It is the same with her terms on the Planning Board. She stated that her years of service are outlined in the town reports. O.J. added that he has been the Chairman since 2012 and it was the decision and vote of the Board to put him in this position.

O.J. stated that Mr. Conn's charge of retaliation is inaccurate. Both boards from the towns of Lincoln and Woodstock met to discuss potential budget cuts. They agreed that there was a supervisor that was paid a lot of money to supervise only two employees. Mr. Beaudin did a great job for the Town and there was never any discussion of retaliation. He added that neither town has a reason to retaliate.

E-mail From Sharon O'Brien

O.J. read the following e-mail from Sharon O'Brien:

Last summer the town had identified 7 owners as stakeholders/owners of the levee. It is my understanding from recent correspondence from the town of Lincoln and NH DES that the number of stakeholders has been increased to 211, including the owners at the Links.

I spoke to Steve Doyon to ask for documentation about why the Links owners are now considered as stakeholders/owners of the levee. Mr. Doyon said the state was not involved in designating the stakeholders/owners. He referred me to the town.

Can you help me understand how the Links owners came under the designation?

Can you tell me where I might find the supporting documents or even possibly send me a copy of them?

I would appreciate your help in understanding this very complicated issue.

Best regards,

Sharon O'Brien

O.J. Robinson replied that the Town supplied NHDES with a list of abutters specific to a boundary that NHDES determined is the levee. Town Manager Burbank added that NHDES raised the number of owners to 211. The majority of the 211 owners are from the Lodge at Lincoln Station. The Lodge at Lincoln Station is currently appealing to NHDES. He added that the Links is also right on the levee and has the same opportunity for appeal. O.J. clarified that it is NHDES, not the Town that determines the ownership.

Correspondence from Vin Osgood

Mr. Vin Osgood submitted correspondence stating:

“Due to misinformation I wish to rescind my name from the transfer station petition.”

Town Manager’s Report

Chamber of Commerce Meeting

Town Manager Burbank has scheduled a meeting on April 18th with the Chamber of Commerce Board of Directors to discuss the recent changes to the Town’s sign ordinance. Planning Administrator Carole Bont and Chairman Robinson also plan to attend.

K&S Market / Booster Pump Station (South Peak)

Town Manager Burbank is ready to proceed with this project. Funds are allocated from the Sewer Tap Fees/Water Rehab fees (CIP) for the project. A portion of this project will include 100 feet of line needed for the pump house (South Peak). The project will cover both the booster pump and sewer line. It will go out to bid in the next few weeks. The Town is working with both the school and the property owner to schedule the work.

Loon Mt. Bridge

Contractors are now working 7 days a week in an effort to speed up the job. Work is progressing on time and under budget. Project reports are available on the Town’s website.

Solid Waste Facility

The transition of moving the facility under the management of Town Manager Burbank and Public Works Director Willey is going well. Both have been spending time getting up to speed on daily operations and discussing possible future changes. The facility’s staff has been very cooperative.

Ice Castle Update

The ice castle was recently knocked down and is beginning to melt. The castle used 10 million, 600 thousand gallons of water and paid the Town approximately \$22,000.

Loon Pond Dam

Town Manager Burbank recently met with the Forest Service regarding the work planned for the the

Loon Pond dam. The Town will be required to go through the US Forest Service review process before being permitted to access the pond to do any repair work to the dam. This review is a 1-2 year long process and is being required because of the growing list of endangered species residing in this habitat. The Town will have to get an extension from NHDES for the work they are requiring on the Loon Pond dam. The Town is hoping to utilize some of the environmental research work that Loon Mountain Resort has already had done.

Paul Bartlett questioned what measures are being taken by the Town to ensure the dam by the water treatment plant is safe. Town Manager Burbank replied that the dam is safe and that the culvert needs to be enlarged. The enlargement of the culvert will be something discussed during the 2016 budget meetings. Public Works Director Willey added that he plans to draw the pond down about 4 feet and that the Town's agreement with NHDES is to draw the pond down during the spring and fall. In addition, if there is a lot of rain forecasted, the Town will draw the water level down. He added that it takes about 8 hours to bring the water level down. Mr. Bartlett stated that his concern is with the homeowners below the dam. Mr. Burbank replied that the Town was ready to put this project out to bid but the project was shut down by the federal government. Mr. Bartlett stated that the lawsuits the Town will see will be more than the cost to replace the dam if the houses continue to flood. Chairman Robinson stated that he understands Mr. Bartlett's concerns and the Town will move forward with this project as soon as they are permitted to do so. He added that the Town is able and will be repairing the lower culvert and the swale which should help alleviate some of Mr. Bartlett's concerns. Town Manager Burbank added that the Forest Service wanted the Town to remove the dam and return the pond to its natural state. The Town is fortunate to be able to even have a water reserve here. Mr. Willey added that without the dam, the Town would have absolutely no flood control mechanisms.

V. NON-PUBLIC WORK SESSION *Pursuant to RSA 91-A:3II(legal, personnel)a,e*

MOTION: To go into Non-Public Work Session at 7:50pm.

Motion: Jayne Ludwig

Seconded: Patricia McTeague

Roll call vote all in favor.

MOTION: To go back into public session at 8:35pm.

Motion: Patricia McTeague

Seconded: Jayne Ludwig

Roll call vote all in favor.

VI. ADJOURNMENT

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

MOTION: "To adjourn."

Motion: Patricia McTeague

Second: Jayne Ludwig

All in favor.

The meeting was adjourned at 8:45 pm.

Respectfully Submitted,
Brook Rose

Approval Date ____/____/____

Chairman O.J. Robinson

Patricia McTeague

Jayne Ludwig