

**LINCOLN BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**NOVEMBER 24, 2014**  
**LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH**

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**Board of Selectmen Present:** O.J. Robinson, Patricia McTeague, and Tamra Ham.

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

**Public Present:** Edmond Gionet and Dave Beaudin.

## **I. CALL TO ORDER**

O.J. Robinson called the meeting to order at 5:35pm.

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## **II. MINUTES OF THE PREVIOUS MEETING**

**MOTION:** "To approve the minutes of the November 17, 2014 Board of Selectmen's meeting."

**Motion:** Patricia McTeague    **Second:** Tamra Ham    **All in favor.**

**MOTION:** "To approve the non-public minutes of the November 17, 2014 Board of Selectmen's meeting."

**Motion:** Tamra Ham    **Second:** Patricia McTeague    **All in favor.**

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## **III. OLD / NEW BUSINESS**

### **Public Participation - Representative Edmond Gionet**

Mr. Edmond Gionet attended the meeting and read the attached statement.

Edmond stated that he feels the town is accountable for the culvert and any related damages and should take care of the repairs. He stated that this is a town issue and it is not fair to the elderly resident that lives there not to fix it. O.J. replied that Mr. Gionet believes the town should repair Plummer Road but not the levee though the town has a signed maintenance agreement for the levee. O.J. asked Edmond what he suggests the town do about the 60-80 year old failed sewer line that will have to be replaced when the culvert is replaced. Edmond replied that the town should fix it and that common sense would dictate policy in this situation. He added that he hopes people in this town wake up and demand that the board act in a reasonable manner. Edmond also stated that he has a problem with the town's Christmas party. He added that when he was a selectman they never had 120 people invited to the party. This is ridiculous considering the high taxes in town. He stated that this town has deteriorated beyond recognition and that it isn't even Lincoln any more. The board vehemently disagreed with Mr. Gionet. Tamra Ham stated that she would not listen to Mr. Gionet's disrespect, arrogant, and condescending manner any longer. She left the meeting.

O.J. stated that the board has always done due diligence and he believes the board is doing what they think is right for the Town of Lincoln. He added that Mr. Gionet stating that the current board is deteriorating the reputation of Lincoln is incorrect. Mr. Gionet replied that he is entitled to his opinion

and that he is not happy. He added that he makes no excuses for his mannerisms. O.J. replied that he applauds Mr. Gionet's efforts to assist residents however; this is a more complicated matter than a culvert replacement. It requires NHDES permits, sewer line replacement etc. He added that this isn't the 1950's anymore and the board cannot take actions on private property the way they might have decades ago.

Town Manager Burbank stated that in light of the way Mr. Gionet treated Brook Rose today, if he has any future issues with employees, he would ask that Mr. Gionet speak with him rather than the employees. He added that town staff does not need to listen to Mr. Gionet's condescending accusations. He wanted the board to be aware of Mr. Gionet's actions against staff while he was in the office today. He added that Mr. Gionet is a very condescending individual and town staff does not need to put up with that kind of behavior from anyone. Mr. Gionet replied that he never wanted Mr. Burbank to be town manager and does not think he is qualified for the job. The board stated that they fully support Mr. Burbank and the town staff. If Mr. Gionet has an issue with a staff member, the board agreed that Mr. Burbank must be present during any conversations. Tamra Ham came back into the meeting and apologized for losing her temper.

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

#### **Skate Park Update**

The Skate Park Committee has decided on a design for the park which they submitted to the town. Town Manager Burbank is planning to schedule a meeting with the landscape architect, Skate Park Committee, and the town's engineer sometime in January.

#### **South Peak Water System**

Town Manager Burbank stated that in researching meeting minutes, he found that the town did agree to relocate the South Peak water pumps however it is unclear who would pay for the pump house etc.

#### **Loon Mountain Bridge Update**

Town Manager Burbank informed the board that Loon Mountain Resort is putting the pressure on FEMA to speed up the review process. The construction contract has been awarded however the contractor only has to wait 60 days before they can pull out of the contract. If this were to occur, the whole bid process would have to start all over again.

#### **Sign Violation Letters**

A second sign ordinance violation letter was mailed out to property owners who are violating the ordinance. The initial letters were sent out to business owners only. Violation letters were only sent out to flagrant violators of the ordinance. Town staff and Planning Board members are working together on further notices. Town Manager Burbank stated that the letters that were sent out were pretty much sent to the same businesses that received the last violation letter which went out in 2012.

#### **Response to Letters From Herb Lahout and Hudabee Hushwa**

O.J. stated that the board would like to respond to the series of emails the town has received from Herb Lahout and Hudabee Hushwa. The board's statement is as follows:

*Over the past several weeks, the Board of Selectman has received numerous emails from someone*

*claiming to be "Hudabee Hushwa". This person stated he was present at our recent sign hearing, but came late and did not sign in, explaining why his name was not on the signup sheet. Collectively, the Selectmen could not remember anyone present that was not known to at least one of us and therefore doubted his claim.*

*Although it is our general policy to read all correspondence publicly at our weekly meeting, we did not read these emails that were from an unknown and possibly fictitious person.*

*Upon investigating the IP address of all of the emails from Hudabee Hushwa, we discovered that they all originated from the same computer that Herb Lahout used to send us all his emails over the past few months.*

*Subsequent to this discovery, we received an email from Herb's email address ([HLahout@aol.com](mailto:HLahout@aol.com)) that was signed by Hudabee Hushwa. When the Town Manager responded to the email and addressed the response to Herb, Herb responded that he did not send us this email, "Mr. Hushwa bcc'd me. When I opened it, it triggered to all recipients. 3rd one today. I have been hacked."*

*The Board of Selectmen is disturbed with this absurd behavior and the obvious intended antagonism of the Board. It is most puzzling and revealing that the messages from Herb Lahout and Hudabee Hushwa contradict each other. In one email, Herb Lahout states, "...so I want to go on record not agreeing with Mr. Hushwa's assessment."*

*We do not intend to read the litany of emails, nor respond to them, nor try to understand why someone would waste so much time and energy and be so disrespectful to harass the Town in this manner. We will make all of these emails available as public record. These actions and behavior are unacceptable and unbelievable.*

This is the board's official response.

### **Revised Fee Schedule**

The board reviewed Carole Bont's recommendations regarding the revised fee schedule. O.J. stated that Carole provided valuable input on the draft fees. The board worked to bring consistency to the schedule. The board had a lengthy discussion regarding the fees for residential and commercial irrigation. The board thanked Carole for her input. O.J. will draw up the final draft fee schedule. The board will hold a public meeting on the new fee schedule at their next meeting.

### **Bridge Lights**

One of the lights is out on the Connector Road Bridge. The board asked that town staff follow up with an electrician to resolve this matter.

### **Warrant Article re Levee**

The board asked that Town Manager Burbank contact Dubois & King Engineers to get an updated figure to use in a special warrant article for the levee.

### **Intent to Cut**

The board signed and approved an Intent to Cut for properties located at 14 White Birch lot 31, Map 114 lots 52 and 55 and 55 pollard road lot 16.

## **Letter of Congratulations to Douglas Moorhead**

O.J. read the following letter on behalf of the board.

*Dear Doug,*

*We, the Lincoln Board of Selectmen, would like to congratulate you on being honored as the recipient of the Volunteer NH Service Award. This award for your volunteer services to our local communities, recognizing your dedication and commitment, is an honor well deserved.*

*Your exemplary service to residents and visitors to the towns of Woodstock and Lincoln is invaluable, and your hard work, years of experience, spirit of dedication, and volunteer services is a tremendous asset to our Towns, and truly makes our community a unique and wonderful place to live and visit.*

*The efforts and countless hours you have volunteered to improve the quality of life for our residents are truly appreciated. It is professionals such as you that help to shape the future of our great community.*

*On behalf of the Town of Lincoln, congratulations!*

*Most sincerely,  
The Lincoln Board of Selectmen*

## **Public Participation – Mary Conn**

O.J. read a letter received from Mary Conn regarding the town's issuing of performance bonuses to employees. The letter is attached.

In response to the letter, Town Manager Burbank stated that he agrees with Ms. Conn. He stated that he believes bonuses were issued fairly in the past based on the recommendations of department heads. However, he believes it is very difficult to fairly determine who receives them and thus he has put an end to the performance bonuses. Tamra Ham added that the board fully trusts and relies on all of the town's department heads. Mr. Burbank added that he has an open door policy for all employees. He also drives around to visit town departments however; he added that he does rely on the department heads as this is their function in the town. The board thanked Ms. Conn for her letter.

## **NHEC Payment of Tax Bill**

NHEC has paid their most recent 2014 tax bill under protest. The value of their assessment has increased substantially. The Town is currently in litigation with NHEC to keep the current assessment.

## **Village Shops / El Charro's Update**

Town Manager Burbank informed the board that Mr. Imbrescia, owner of the Village Shops, has made him aware that several new tenants are planning to relocate into the Village Shops. A culinary school and restaurant, new brewery and possibly a pediatric dentistry group are planned for this space. Mr. Burbank believes that some of this growth is due to the interest the Riverwalk Project is bringing to the area. El Charro's has also started their expansion which when completed, will house a pool table, stage, and dance floor.

## **Abatement**

**MOTION: "To grant an abatement to Barbara Hooker for property located at 31 School Street, land only, Maps 113-104 and 113-105. An abatement of \$2,263 is necessary to correct the problem caused by a town software conversion issue."**

**Motion: O.J. Robinson      Second: Patricia McTeague**

**All in favor.**

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## **IV. ADJOURNMENT**

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

**MOTION: "To adjourn."**

**Motion: O.J. Robinson      Second: Tamra Ham      All in favor.**

The meeting adjourned at 7:05 pm.

Respectfully Submitted,

Brook Rose

Approval Date \_\_\_\_/\_\_\_\_/\_\_\_\_

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Chairman O.J. Robinson

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Tamra Ham

\_\_\_\_\_  
Patricia McTeague

Testimony from Edmond Gionet to be entered into the permanent record for the Town Of Lincoln Selectman's meeting scheduled for 5:30 PM November 24, 2014.

Board members . I come before you to for several reasons. To start with up until late mid morning today the last entry for for meeting minutes was dated October 27. I double checked because on ~~Friday~~ Friday morning November 21. I stopped at the town office with the intention of getting a copy of the draft minutes for the meeting of that was held on the 17<sup>th</sup> . I was surprised and disappointed to hear from Jane Leslie that they were not ready the reason I was told was because Brook Rose was only back part time and wouldn't be in until Monday adding the fact that Brook was also the health and human resource officer for the town and it was required that all towns have a human resource officer. Wow !! I then reminded the Administrative assistant that there was a prescribed time for providing minutes and she immediately got on her computer to send a message to Brook. At least that what she said she did. .It wasn't until this morning that I returned to the town hall and with some difficulty managed to get incomplete minutes. Would you believe that when I went to my computer to prepare a text for this meeting and when I accessed my email account . I had a request to return the minutes I had received this morning along with an attachment of different minutes. Definitely in my opinion the lack of leadership and accountability . There has to be major changes made to town government. I strongly recommend to the board that it get a program called audacity to connect to their XP note pad to record all the minutes and an XP burner to burn the disc, to be stored in a file in perpetuity.. The audacity program is open source and its free

Back to the minutes and the topic of the culvert placed and maintained over the years by the town. At what is recently called Plummer Rd. As the record shows the issue was not who owns the road. It is all about the culvert. Obviously the culvert poses a threat and any damage that resulted is the towns responsibility. Testimony indicates the fact that it was placed by the town. Even though OJ argues that

he considers it a private structure and compares it to the town not plowing private drives or business's , yet he continues to allow 8 foot easements to be plowed paved and maintained at a cost of hundreds of thousands of dollars. And who authorized the use of town personal and equipment to install thousands of dollars worth of drainage on private property at beechwood ? What about Mr Burbank from Campton overhearing that a maintenance superintendent for the town took it upon himself to install the culvert, That's a whopper who said that? By the way the drainage ditch does not run year around. You can quote me. Mrs. Ham calls it good news that there is a potential buyer to assume liability. I don't consider that good news. I am hoping as this issue moves forward that the general public becomes aware of whats going on and that it demand leadership and accountability. I am still waiting for a response. Edmond



November 24, 2014

I would like to start by asking if there will be performance bonuses issued to a select few employees again this year. Last year I requested the list of employees who received performance bonuses in the past 3 years. In 2011, 2012, & 2013 select employee performance bonuses were expended from the budget in the amounts of \$1,200, \$1,300, and \$1,800, respectively.

If I may, I would like to ask the Town Manager and Selectmen a few questions to help me understand the process of determining employee performance bonuses.

1. Who determines which employee receives a performance bonus?
2. Is there a criterion that has to be met for a performance bonus? Is the performance bonus determined from the results of the annual performance appraisal?
3. If a department supervisor/manager/director nominates an employee, how can you be sure that the employee truly deserves it?
4. With all due respect to the chain of command, how do the Town Manager and Selectmen really know anything about the employee when the only contact with them is through the Department Head?
5. How does an employee/department head receive a performance bonus when one admittedly fails to comply with the personnel policy, in which the Town Manager and Selectmen are fully aware of?

I would like to share my belief regarding the employee performance bonus. I believe the administration and elected officials are creating low morale amongst the employees by giving out a performance bonus to the same select few in the past three years. I am not in agreement with the performance bonus due to the unethical way it is distributed. I find it very unsettling, with the many good quality employees the Town of Lincoln employs, the same select few are chosen repeatedly each year for a performance bonus. Actually, I am not in favor of any bonus for employees because there is no fair way to do it. Perhaps the Town Manager and Selectmen should periodically interact with the employees to see first-hand what goes on day to day.

I am also inquiring if a decision has been made to change the sick pay policy.

I would appreciate a written response regarding the performance bonus and sick pay policy.

Thank you for your time in this matter.

Best regards,

*Mary Conn*

Mary Conn