

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
AUGUST 10, 2015
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

Present: O.J. Robinson and Jayne Ludwig.

Absent: Patricia McTeague.

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

Public Present: Mike Leclair, Edmond Gionet, Paul Beaudin, Mary Conn, Susan Clark, Taylor Beaudin, Emily Burritt, Cindy Rineer, Lutz Wallem, and Steve Noseworthy.

I. CALL TO ORDER

O.J. Robinson called the meeting to order at 5:30pm.

II. REVIEW OF MEETING MINUTES

MOTION: "To approve the minutes of the July 27, 2015 Board of Selectmen's meeting as amended."

Motion: Ludwig

Second: Robinson

All in favor.

MOTION: "To approve the non-public meeting minutes of the July 27, 2015 Board of Selectmen's meeting."

Motion: Robinson

Second: Ludwig

All in favor.

III. BANKING DISCUSSION

O.J. Robinson explained that Town Treasurer Wendy Tanner recently met with Citizen's Bank and Union Bank to evaluate their banking services. She provided the Board with a detailed comparison of those services. The opinion of Mrs. Tanner is that moving from one bank to another at this time would be a long and tedious effort that would not benefit the Town. O.J. stated that according to the comparison all aspects of the Town's current bank (Citizen's Bank) are either equal to, or better than Union Bank and he sees no reason for the Town to change banks at this time. O.J. stated that the Board really appreciates the time that Mrs. Tanner put into this excellent analysis.

Paul Beaudin questioned whether this was a fair process, and whether the Town's banking was put out to bid. O.J. explained the process to Paul and stated that Mrs. Tanner did not negotiate with either institution but was simply fact finding and comparing the services of each bank.

IV. PERSONNEL POLICY UPDATE DISCUSSION

Town Manager Burbank informed the Board that the changes put before them for review are mostly upkeep of the policy and are not substantive. Town staff has been working on updating the policy to reflect today's terminology as well as updating the names of current management and board members.

MOTION: "To revise the Town's Personnel Policy as presented."

Motion: Ludwig Second: Robinson All in favor.

V. OLD/NEW BUSINESS

Town Managers Report

Loon Mt Bridge

Town Manager Burbank informed the Board that as President Rick Kelly was on vacation he did speak with Ralph Lewis who informed him that he did not think the resort would be interested in lighting the bridge. Mr. Lewis planned to check with Mr. Kelly, however, Mr. Burbank has not heard back from either party and thus assumes the project can proceed without plans for lighting the bridge.

A representative from Senator Shaheen's office will be conducting a site visit to check on the progress of the bridge construction on Friday, August 14th at 12:30pm.

Levee and FEMA Mapping

Town Manager Burbank updated the Board on the FEMA LAMP project. The second phase of the mapping project will be completed in September and submitted to the Lincoln Levee Partnership Team and a 30 day review period will commence. Phase Three Flood Hazard Analysis and Mapping will begin at a date yet to be determined. The entire mapping project is a three to five year timeline dependent on federal funding. The Board had an extended discussion on the matter. O.J. would like town staff to pass along any recent mapping of the floodplain (done by developers) to FEMA to get the most accurate mapping possible as well as to hopefully speed the project along. However he does not believe the Town should expend any additional funds to map the flood plain.

Resident Paul Beaudin would rather see funds put in the CIP for mapping of this area. He believes it would be a good planning tool for the Town to have. O.J. replied that there is the issue of spending public money on private land. Further discussion ensued. Town Manager Burbank pointed out that the Town will be actively utilizing the opportunity to require a third party engineer review prior to approving development in any area of concern. Butch further added that the flood maps currently being used are from data collected in the 1920's and any current mapping of this area is a very positive step for the Town of Lincoln.

Water Treatment Plant

Town Manager Burbank informed the Board that the wiring of the South Mountain pump house began today and the third cell at the water treatment plant is in the building. The culvert under the road to the plant needs to be reconstructed and is scheduled to be completed next spring. CIP funds will be used to do the project.

School Sewer Line Project

Town Manager Burbank informed the Board that an issue with the location of the sewer line was brought to his attention by Mike Donahue. Mike originally installed the line and let Butch know that the written plans for the project and the actual location of the line are not the same. Thus the Town could not proceed with the project until NHDES was notified of the change. Contractors that submitted a bid now have to be informed of the actual location of the line so that they can revise their bids. Project construction should resume within two weeks.

Taylor Beaudin expressed concern for the safety of the school children (during soccer games etc.). Mr. Burbank informed him that the Town has worked out a plan with Superintendent McGann to ensure the safety of the students. Taylor questioned why the Town couldn't wait until the 2016 school year is complete to do the project. Butch replied that the property owner wants the line relocated off of his property as soon as possible.

Community Center Siding Project / Drainage Update

The siding on the Community Center is now being replaced and the project is progressing nicely. Jayne Ludwig questioned what the drainage situation is and whether the culverts are at all blocked by trees or silt. Butch replied that there haven't been any recent problems with the drainage but the Public Works Department will be monitoring and cleaning out that area as needed.

Library Reconstruction Project

The library reconstruction and replacement of rotted areas of the building is underway. There was more damage than was originally determined.

Solid Waste Facility Brush

The brush is being cut back at the facility as requested.

Grafton County Economic Development Council Annual Meeting

The Board agreed to have O.J. Robinson represent the Town at the GCEDC annual meeting.

Budget Committee Meeting Schedule

O.J. Robinson informed the Board that Budget Committee Chairman Mike Simons plans to keep the typical schedule of the Budget Committee. Several committee members agreed to keep the standard meeting schedule and address vacancies at their first meeting in December.

Public Participation- Mary Conn

Mary Conn submitted the attached letter from Dave Beaudin. The Board had a discussion about how their meeting minutes are drafted. The Board discussed recording or live streaming the meetings. O.J. clarified that a recording is not minutes. Minutes are a written summary of the meeting with the purpose of recording decisions of the Board and any discussion leading up to those decisions.

The Board is happy with the way their meeting minutes are taken, but as this has been such an ongoing topic of discussion they will put it on the agenda for their next meeting when the full Board is present.

Edmond Gionet stated that taxpayer David Beaudin is requesting that the meetings be recorded, and the Board should consider what he is saying.

Edmond Gionet

Edmond Gionet pointed out that in line 123 of the prior meeting minutes where he discussed the "headwall" that he actually did not see any problem with the headwall but that the problem is the, "north wing wall on the east side of the opening" and, "that is the only thing that has to be done. There is no headwall repair that has to be done over there." Edmond stated that, "I still say you don't need to waste money on engineering."

Edmond then questioned what the Board is going to do about the petition with 58 signatures he submitted. He questioned whether the Board planned to hold a special town meeting. Butch replied that he spoke with NH Municipal Association as well as the Town's attorney on the matter. Legally, the article cannot be heard until the annual town meeting in March. The petition will be placed on the ballot at that time. According to the NH State Statutes, the petition does not legally necessitate a special town meeting. O.J. read the pertinent statute aloud.

Edmond stated that he spoke to the NH Superior Court and was informed that a petition can be submitted to them and it can be filed with the understanding that all costs for filing the petition will have to be reimbursed to Mr. Gionet by the Town. The Town would have to pay him back for the cost to file and enter a petition with the court. Further, he stated that there is a difference of opinion here as to what should transpire. He stated that, "it seems reasonable to him that when the Board receives a petition signed by that many taxpayers that they should act on it and not put their own spin on what the State Statutes say."

Edmond then requested a letter from O.J. (as Chairman) stating the Board's justifications for not acting immediately on the petition, and he would like the statutes the Board is using outlined in this letter. He stated that he "would like it in writing so the paper trail is there on behalf of those people that signed the petition." Further he stated, "I feel very bad that you took that attitude that you choose to be defiant and go to all extremes so that you don't have to act on the petition." O.J. replied that the RSA's are extremely clear about the procedure to follow when a petition to change a municipality's form of government has been submitted. The Board is simply following the law.

Paul Beaudin

Paul Beaudin stated that he hopes the Board would consider the heavy traffic and lack of parking this past weekend when considering locating a skate park in the center of Town which would only add to the traffic problems.

Mr. Beaudin also brought up the puddle at the end of Randy Boyle's lot. He stated that the paving job done there was really poor. He added that after hearing all of Edmond's complaints about drainage and considering the drainage issues on his own street, he feels that work being done around town is substandard. He suggested that the Town should monitor the construction projects that are done in town to ensure that they are being done correctly. Paul would like a greater level of accountability in Town.

Mary Conn

At this time Mary Conn voiced her complaints about inaccuracies on the Town's website. Town staff will follow up on her concerns.

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

MOTION: To go into Non-Public Work Session at 6:50pm.

Motion: Robinson Seconded: Ludwig Roll call vote all in favor.

MOTION: To go back into public session at 7:10pm.

Motion: Robinson Seconded: Ludwig Roll call vote all in favor.

VII. OTHER BUSINESS AS PRESENTED

Abatement

MOTION: "To grant an abatement to Clearbrook Enterprises Inc. in the amount of \$159.00 for property located at US Route 112 (salt shed/garage). Abatement is granted on the first issue 2015 tax bill due to a billing error."

Motion: Robinson Second: Ludwig All in favor.

Chenard Property

Town Manager Burbank informed the Board that he did receive a message from Joe Chenard asking him to come see his property. Butch was not able to connect with Joe but did drive by the property and did not see any changes. Town Attorney Malia did file an order for contempt of court.

VIII. ADJOURNMENT

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

MOTION: "To adjourn."


Motion: Robinson Second: Ludwig All in favor.

The meeting was adjourned at 7:20pm.

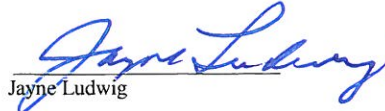
Respectfully Submitted,

Brook Rose

Approval Date 8/24/15



O.J. Robinson



Jayne Ludwig

David Beaudin
10 Louis Lane
Lincoln NH 03251
(603) 745.2775

Aug. DB
July 10, 2015

Board of Selectmen
Town of Lincoln
PO Box 25
148 Main Street
Lincoln NH 03251

Dear Board of Selectmen:

I am unable to attend tonight's Board meeting, as I am out of town.

I am writing to you because I wish to have the minutes of the July 13, 2015 Board meeting corrected or amended to reflect my comments written as spoken. I feel there are important comments not clearly interpreted or that are omitted which change the context and perception of the discussions. I would like my corrections attached to the minutes of tonight's meeting.

Line 142 – Capable of doing the job – I said capable of doing most of the job.

Line 143 – He added that if Mr. Burbank is saying that money was saved on this project, he is wrong.
I said that is not totally accurate not he is wrong.

Line 144 – Town could have done whole thing in house – I said town could have done the better part of the job in house.

Line 145 – He stated that maybe it is time to get rid of the people making these decisions - I said if the people can't or don't want to do this work it may be time to get rid of them.

Line 146 – Listen to Mr. Burbank say that the town staff did this work is “smoke and mirrors” – I did not make that statement at all. I believe it was another taxpayer that referred back to that similar comment on another issue that was being discussed.

Line 147 – Money is being spent that doesn't need to be spent, especially after all the recent budget cuts. – I said that paying a contractor to spread the loam using their operator and excavator, that I feel that the town has the equipment and staff to do this work, especially after all the recent budget cuts.

Line 162 – Dave Beaudin questioned how the Town can qualify the expense of hiring a Contractor at the water treatment plant as emergency work. – I questioned the Town's Purchasing Policy about purchases over a certain amount to see if they needed bids or quotes.

I would like to suggest that the Board meetings be recorded in the future and kept for a period of time so that the reference can be made to them in case that discrepancies arise. I am not suggesting the minutes have to be written as recorded, but it would be a simple and valuable tool in case of similar instances. I also want it to be clear that I am not criticizing Recording Secretary Brook Rose, as I feel she does a good job. I do feel that recording the meeting would help her as well as anyone in attendance to confirm what was in fact being stated.

Sincerely,

A handwritten signature in cursive script that reads "David Beaudin". The signature is written in black ink and is positioned below the word "Sincerely,".

David Beaudin
Town of Lincoln Taxpayer

Enclosure(s)

