

Board of Selectmen Present: Chairman Peter Moore, Selectman Deanna Huot and Selectman Patricia McTeague.

Staff: Town Manager Peter Joseph, Public Works Director William Willey, and Administrative Assistant Brook Steiner.

Members of the Public: Ray Korber, Charlie Cook and Tamra Ham as well as John Marshall, Kim Frydman and Brian Baker of North Country Center for the Arts (NCCA).

I. CALL TO ORDER

Deanna Huot called the meeting to order at 5:04 PM as Peter Moore was not yet at the meeting.

II. BID AWARD DISCUSSION / INFRASTRUCTURE IMPROVEMENTS PROJECT

Ray Korber of KV Partners, LLC attended the meeting to review the bids received for the Town's infrastructure improvements project. Mr. Korber explained the bid review process and tabulation. Eleven contractors submitted bids to the Town on March 4th. Pichette Brothers Construction Company, Inc. (Pichette) made the lowest bid at \$874,945.00 which was 14.5% lower than any of the other bids. The other two lowest bidders were ME Latulippe at \$1,002,270.00 and FL Merrill at \$1,039,229.75.

Mr. Korber explained that throughout the review process the statements of bidder qualifications, references and creditors were thoroughly examined. All of Pichette's references were extremely positive. All said they would contract with Pichette again. Some of the comments made were that Pichette is very responsive and ethical and they do good work with neat construction sites. One reference stated that Pichette is their contractor of choice for New Hampshire. The City of Manchester has worked with Pichette for over twenty years and has nothing but good things to say about them.

When asked why their bid was so much lower, Pichette stated that the southern part of the state is much more competitive and that in the Manchester area, they probably would not have been the low bidder. Mr. Korber recommended that the Town awards the bid to Pichette.

Deanna Huot questioned why the maintenance of traffic was such a low figure. Mr. Korber replied that he explained in detail to Mr. Pichette what the expectation for the maintenance of traffic is. Through traffic in the work zones must be maintained and emergency response vehicles must be able to get through at all times.

Patricia McTeague questioned what mobilization entailed. Mr. Korber explained that it basically just entails getting all of the equipment on the site and preparations in place to begin the job. Ms. McTeague thought the mobilization figure was low. Mr. Korber explained that he reviews each unit line item, the minimum, maximum and average price and compares these figures to all of the other contractors to see if there are any red flags.

There was extended discussion on various line items on the bid tabulation and how the contractors came up with the figures. Mr. Korber made it clear that there was nothing in Pichette's bid that warrants not accepting it. He is not sure exactly how Pichette will profit off of the job but in the final analysis, there is no reason not to hire them. Mr. Korber has contract documents and specifications that Pichette will have to adhere to and there will be a full time engineer on site to impose the contract. The job will commence mid-April. Mr. Willey was also in favor of awarding the contract to Pichette. The Board thanked Mr. Korber for his presentation.

MOTION: Patricia McTeague made a motion to award the Infrastructure Improvements Project contract to Pichette Brothers Construction Company, Inc in the amount of \$874,945.00. Deanna Huot seconded the motion. Motion carries.

III. MINUTES OF THE PREVIOUS MEETING

Approval of Meeting Minutes from March 8, 2010

The Board reviewed the meeting minutes from the March 8, 2010 Board of Selectmen's meeting.

MOTION: Patricia McTeague moved that the minutes of the March 8, 2010 meeting be approved as presented. Deanna Huot seconded the motion. Motion carries.

IV. OLD BUSINESS / NEW BUSINESS

At this time, Peter Moore arrived at the meeting.

Town Board Appointments

The Board would like to advertise for the open and alternate positions on the various Town boards. Mr. Joseph will speak with some of the members who have not been able to attend meetings lately to see if they are still interested in the positions. The Board would like to seat Tom Smith on the Zoning Board as a full time member rather than an alternate.

Roland Dubois Fund

Peter Joseph informed the Board that the Roland Dubois Settlement Wastewater Improvements Capital Reserve Fund is for the purpose of capital improvements to the Town's wastewater treatment plant and associated lagoons in order to treat sewage reasonable anticipated from Loon Mt. Expansion and other sources. There was an extended discussion on the matter and what the money can be used for. The Board thanked Mr. Joseph for this research on the matter.

Review of Charitable Tax Exemption Policy

Brian Baker and Kim Frydman from North Country Center for the Arts made a presentation to the Board on their request for charitable tax exemption. NCCA is looking at whether they are exempt from taxes on their new property where Jean's Playhouse will be located. Deanna Huot explained that the Town is developing a policy on charitable tax exemption and the criteria that would be required for such exemption. Ms. Huot reviewed the criteria with NCCA.

Brian Baker handed out a packet of information on Jean's Playhouse with the bylaws and 2010 budget included. He summarized the bylaws, vision statement and long range goals which NCCA believes fits the charitable criteria the Town is stipulating. He added that the purpose of NCCA is solely to be a charitable, educational venture for the performing and visual arts. NCCA's building will be available for use by the high school for recitals, art galleries and plays and also available to any other charitable organizations in the Town that want to use the building including Friends of the Library, Rotary, North Country Chamber Players and the Highland Games. Kim Frydman added that NCCA donates over 100 tickets and passes to many charitable organizations to be used by the organizations for their own fundraising. The Board thanked NCCA for their presentation. The Board would like to see the 2008 990 financial form from NCCA and then review their application for exemption at that point. Charlie Cook mentioned to the Board that they may want to consider whether other towns throughout the State grant their theatres tax exemption.

V. OTHER BUSINESS AS PRESENTED / PUBLIC PARTICIPATION

Tamra Ham explained to the Board that at the recent annual meeting of the school district, she was introduced to the school's attorney and she got the impression that no matter what she did, the attorney would not accept the petition she has been working on. She stated that the attorney was not at all helpful. Peter Joseph reiterated that the entire meeting did not go well and the school does not seem to want to work with the Town on this matter. There was some extended discussion on the matter. Peter Moore stated that once the recent census figures are available, the Town can look at the articles of the school and work towards an agreement with the school on the threshold for apportionment. The Board thanked Ms. Ham for bringing this issue back up with the school and the Town.

VI. NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3 II(a) AND/OR RSA 91-A:3 II (c)

MOTION: Deanna Huot made a motion to enter into Non-Public Session Pursuant to RSA 91-A:3 II (c) and RSA 91-A:3 (a) at 7:30PM. Patricia McTeague seconded the motion. Motion carries.

ROLL CALL VOTE: *Deanna Huot voted yes*
 Peter Moore voted yes
 Patricia McTeague voted yes

MOTION: Peter Moore made a motion to come out of non-public session at 8:00PM. Patricia McTeague seconded the motion. Motion carries.

ROLL CALL VOTE: *Deanna Huot voted yes*
 Peter Moore voted yes
 Patricia McTeague voted yes

Peter Joseph, Brook Steiner and Chief Ted Smith also went into the Non-Public Session. There was discussion with Chief Smith regarding a personnel issue. No action was taken.

MOTION: Deanna Huot made a motion to go back into the public meeting. Patricia McTeague seconded the motion. Motion carries.

Police Department Update

Chief Smith updated the Board on the CALEA accreditation process which is commencing this week. He explained the process which includes public hearings. The Department has already sent out 75% of their files to CALEA. CALEA has reviewed multiple files so far and reports that the files look good. The assessors are arriving on April 24th and will be working in the meeting room over the weekend. When they are finished, Chief Smith and the Town Manager are invited to a conference where a big presentation to the Town is made. The Board thanked Chief Smith and would like to be kept informed on how the process is going.

Chief Smith also updated the board on the Department's vacancies. There are two full time and one part time dispatch positions. Chief Smith has been advertising the positions and has already begun testing several applicants. The Board would like Chief Smith to keep the Town Manager updated on the status of the Department's personnel on an ongoing basis.

VII. ADJOURNMENT

As there was no further business to attend to, the Board adjourned at 8:30PM. The Board then reviewed the accounts payable and payroll registers for the week ending March 19, 2010.

Respectfully submitted,

Brook Steiner

Approval Date: ____/____/____

LINCOLN BOARD OF SELECTMEN:

Lincoln Board of Selectmen – Meeting Minutes
March 22, 2010

Chairman Peter Moore

Selectman Patricia McTeague

Selectman Deanna Huot