

Lincoln Board of Selectmen – Meeting Minutes
November 22, 2010

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

Excused Absence: Selectman Peter Moore.

Staff: Town Manager Peter Joseph and Administrative Assistant Brook Rose.

Members of the Public: Tammy Ham, Lutz Wallem, Pat Romprey, Joe Chenard, Scott McIntyre, Renee Blood, Susan Chenard, Tom Smith and Darlene Smith.

I. CALL TO ORDER

Acting Chairman, Deanna Huot called the meeting to order at 5:18 PM.

II. MINUTES OF THE PREVIOUS MEETING

MOTION: Patricia McTeague made a motion to approve the minutes of November 15, 2010. Deanna Huot seconded the motion. Motion carries.

III. LAURI RUBNER / TRANSFER OF 36 LODGE ROAD, #A210

Peter Joseph explained that the Town has had the deed drawn up for the transfer of 36 Lodge Road, #A210 to Lauri Rubner. Scott McIntyre, Property Manager at the Lodge at Lincoln Station was present to collect the Association fees. The Board waited to see if Lauri Rubner would attend the meeting but she did not. She had mailed in the signed Purchase Agreement thus there are 30 days from the signature date of November 15, 2010 to transfer the property. Brook Rose will contact her first thing in the morning to see why Ms. Rubner did not attend the meeting.

IV. OLD/NEW BUSINESS

Town Manager's Report

Peter Joseph informed the Board that Parker, Maltais, Bog Brook and Goodbout Roads have reached substantial completion. He and Ray Korber signed the Certificate of Substantial Completion today. There will be some "punch list" items that will have to be taken care of in the spring to include seeding, erosion control and establishing turf. The Town will hold a four percent retainer until the work is completed. The contract called for two percent, the additional two percent is the estimated cost of the items to be completed in the spring.

Peter Joseph wanted to clarify for the Board and Town residents that a few people have mentioned to him that there were large quantities of dirt received by several property owners on their private property. Mr. Joseph wanted to make it clear that several individual property owners had contracted with Pichette Brothers for the fill to be left on their property. These jobs were separate from the Town's 4-Roads Project. Mr. Joseph even recommended to Pichette Brothers not to contract with individual homeowners while the 4-Roads Project was underway but Pichette Brothers pointed out that these contracts were separate from the Town work and were private contracts between them and the individual property owners. Pichette Brothers will provide signed waivers from the homeowners to the Town to this affect.

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Mr. Joseph informed the Board there was a total of five job change orders. The original contract price was approximately \$874,000 and with change orders the total was project cost was approximately \$906,000. This overage of approximately \$26,000 is all due to unforeseen occurrences on the job site; much of which was due to the extensive excavation. Any contractor doing this job would have had the same issues. The Town saved substantial monies contracting with Pichette Brothers as the next highest bidder was over \$100,000 more. The Board applauded the engineering firm and specifically Dick Colby and Ray Korber for their outstanding work on this job.

Mr. Joseph informed the Board that the Buonopane's fire last week rendered the business and building a complete loss. The fire started in the kitchen and spread to the front of the building. There were two people in the upstairs apartment at the time and both got out safely. The homeowner thanked Nate Haynes for making him install a fire detector as it very well may have saved his life. The Lincoln Fire Department was on scene within five minutes of the call and the Woodstock Fire Department was right behind them. Mutual Aid from Littleton and Franconia came to cover the Lincoln and Woodstock Fire Departments. Mr. Joseph informed the Board that according to State Statute, the owner has a time limit on the amount of time he has to demolish the building. The Fire Department did a great job containing the fire and making sure that no one was inside. Deanna Huot stated that with winter coming, it is important that the issue of the building demolition is addressed and that it not be left as the building could collapse.

Mr. Joseph informed the Board that Tom Tremblay from Coldwell Banker contacted him this week and would like to remain on as the agent for the Business Park for another year. Deanna Huot stated that to be fair, if there is more than one interested party at this point, the Town needs to start the process over. Peter Joseph will contact the local realtors to let them know.

Patricia McTeague brought the Board up to date on the School Funding Formula Committee meeting that was held this afternoon. It was mostly an organizational meeting. Choosing the seventh impartial member was one major topic of discussion. The School's recommendation is the math teacher, Mr. Baker. Patricia McTeague and Tammy Ham stated that they were really the only ones that expressed that Mr. Baker did not seem like an impartial party as he reports to the Board and the Superintendent. The other members of the Committee were adamant about not paying someone to serve in that roll. They encouraged Patricia McTeague and Tammy Ham to make a recommendation for an individual they would like to serve as the impartial party. Pat Romprey stated that the School's Articles of Agreement require that if a third party representation is requested, the School must fund it. Lutz Wallem recommended having the Budget Committee attend the next School Funding Formula Committee meeting to back the Town of Lincoln's representatives to the Committee. The decision on the impartial party is supposed to be made by tomorrow night at the School Board meeting. The vote on the impartial seventh member will be made by majority vote and even if Patricia McTeague and Tammy Hamm recommend someone, it is their opinion that they would be overruled. Deanna Huot stated that right now the Town of Lincoln pays approximately \$21,000 per student and the Town of Woodstock pays approximately \$10,800 per student. Mr. Bourassa stated at the meeting that any change in the formula would increase taxes in Woodstock and he is not in favor of that. The

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School gave the Committee a great deal of background on the formula for funding. The next Committee meeting will be held on December 8th at 6:00pm.

There was some discussion about the School's accreditation. Tammy Hamm mentioned that the Superintendent has advised the School Board that accreditation is not necessary even though the School has been accredited since the 1960's. Pat Romprey mentioned that if the School loses their accreditation it will have an effect on the high school students who want to apply to Tier 1 and Ivy-league schools. The Board encouraged townspeople to attend the next School Board meeting tomorrow night at 6:30pm. Deanna Huot thanked Tammy Ham, Patricia McTeague and Lutz Wallem for attending the Committee meeting today.

V. PUBLIC PARTICIPATION

Patricia McTeague, Peter Joseph and Pat Romprey conducted a site visit last Friday, November 19th to Joe Chenard's property on Liberty Road. Peter Joseph stated that there were fewer vehicles on the Route 3 lot. Four had been taken away however there was one that was still there further back on the property that the Board hadn't noticed before. It was evident to Mr. Joseph that some work had been done. Joe Chenard stated that he has two 4-6 ton loads of scrap being taken away tomorrow. Next Sunday, he also has someone coming to collect the wood and stack it neatly. Another load of recyclables will be taken off the property as well. All of this work is being done on the house side.

As far as everything on the other side of the street, Mr. Chenard plans to put the Jeep on Craig's List. He hopes the dump truck will be up and running by this fall and the large storage trailers do not belong to him. However, he did allow the trailers to be put on his property 15 years ago. He believes the owners still want the content of the trailers and he will try to contact them to see what can be done about them. He mentioned if worse came to worse, he could pour cement slabs under the trailers and apply for a building permit so that they would be legal. Mr. Chenard prefers not to take that route but would do it to get the Town off his back. He mentioned that he is doing a job in Tilton with a company that moves large trailers like these for free. He will also speak with them about removing the trailers although it may take 2 or 3 weeks to get a hold of them. Deanna Huot asked about the campers. Mr. Chenard replied that they are road worthy and can be put on the road at any time.

Deanna Huot informed Mr. Chenard that the Town is still faced with the same situation which is that after all of the time given to Mr. Chenard to clean up his property, the "junk" is still in excess of the 500 sqft. allowed by State Statute. Mr. Chenard replied that he would move some of his belongings in front of the garage tomorrow to make it less than 500sqft. He added that he would also cut the brush, which would take about a week, to get to the vehicle in the middle of his field out by next week.

Deanna Huot proceeded to review the options the Town has in dealing with this situation as it has to be resolved. She discussed continuing to do inspections of the property or pursuing a cease and desist order. The Town would rather not take legal action but has to address the concerns brought before the Board.

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Patricia McTeague asked what was being done with the three work trucks. Mr. Chenard replied that there are two plow trucks that each have a sander and there is a new flatbed. Patricia McTeague noticed that not one of the vehicles has been registered or inspected since 2007. Mr. Chenard replied that he can register it and if he has to, can register every truck in his yard.

Peter Joseph commented that the vehicles not only have to be registered but also have to be inspected and legal for the road. He added that the fact that the vehicles are not registered currently or legal for the road at this time constitutes a violation of the law. Mr. Joseph's concern is not whether Mr. Chenard's property conforms to the law tomorrow or next week but that it conforms to the law right now. Mr. Chenard asked that the Board tell him what else needs to be done to settle this issue. He feels that he has to keep jumping through hoops and isn't getting anywhere towards settling the matter. Mr. Joseph stated there is a State law that is being violated now and the end result is that Mr. Chenard has to come into compliance with the law regardless of any conditions imposed on him by the Board of Selectmen.

Deanna Huot stated that she would be in favor of another list of items for Mr. Chenard to remove by December 20th. The Board requested that prior to this date, Mr. Chenard have the 6-7 tons of scrap metal removed, the International truck removed, the Jeep sold or gone to the junkyard, the vehicle in the field removed and the boat removed. He must also try to make contact with the company he has been working with to see if they can remove the storage trailers. Mr. Chenard agreed to this and also mentioned that he has two snowmobiles that he is giving to family members, two that are going to the junkyard and four that he is keeping.

Patrica McTeague stated this arrangement does not mean that after the inspection, the Board may not come up with more that has to be done to come into compliance with State Statute.

The follow up inspection will be held on Monday, December 20th.

VI. 2011 BUDGET REVIEW

The Board reviewed the health insurance budget. Mr. Joseph informed the Board that the total insurance costs have dropped because of the change in the composition of the employees and the number of employees taking family, two-person and single reimbursement options. There are fewer employees that are on the Town's insurance and fewer employees taking the family and two person option. The Board also discussed raises and decided to move forward with a 1.0% COLA increase and a 2.5% step raise. The Board also discussed some changes to the Water Department budget, the upcoming revaluation as well as some roads that will need to be resurfaced in the upcoming year and the impact that has on the budget.

VII. ADJOURNMENT

As there was no further business to attend to, the Board adjourned at 8:50pm. The Board then reviewed the accounts payable and payroll registers for the week ending November 19, 2010.

Respectfully submitted,

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Brook Rose

Approval Date: ____/____/____

LINCOLN BOARD OF SELECTMEN:

Chairman Deanna Huot

Selectman Patricia McTeague