

## MINUTES

**SELECTMEN'S MEETING  
TOWN HALL**

**January 4, 2021  
6:30 PM**

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### **ATTENDEES:**

Leon Rideout, Selectman	Shane Beattie, Selectman	Edward Samson, Town Manager
Benjamin Gaetjens-Oleson	Alan Savage	Rob Christie
Lucy Wyman	Michael Nadeau	Charity Baker

The meeting was called to order at 6:30 p.m. by Selectman Leon Rideout.

### **PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING:** To accept CARES Act funding in the amount of \$10,500.00 from the State of NH to support programs of the local Police Athletic League (PAL).

**Motion was made by Leon and seconded by Shane to open the public hearing. All in favor. Motion carried.**

Leon asked if anyone from the public had any comments and stated the public hearing would remain open during the regular meeting.

### **OLD BUSINESS:**

- Review and approval of the December 21, 2020 Selectmen's meeting minutes. **Motion made by Shane and seconded by Leon to accept the December 21, 2020 meeting minutes. All in favor. Motion carried.**

**APPOINTMENT:** Alan Savage asked to be put on the agenda to discuss with the chairman, Leo about the proper way to go into nonpublic session. He would like to see the rules Leo uses as a guide for the proper procedure. Since Leo was not in attendance at the meeting, he requested the discussion wait until the next meeting. Alan also requested the non-public board of selectmen minutes that involved discussion of he and Allen Bouthillier as zoning board members be unsealed.

Ed stated a request to open sealed minutes should be in writing and then forwarded to be reviewed by the Town attorney before the minutes are unsealed. Alan stated it was actually up to the board of selectmen whether or not to unseal minutes.

### **NEW BUSINESS:**

- Ben presented a building permit for Brenda Stewart to build a single-family home on a private/class VI road. He explained before a building permit can be issued on those roads, the permit needs the approval of the board of selectmen and the planning board.

**Motion made by Leon and seconded by Shane to approve the building permit for Brenda Stewart on a private/class VI road as long as a waiver of liability is signed. All in favor. Motion carried.**

Shane mentioned he spoke with Mike Turner the John Deere dealer regarding the backhoe repairs and he agreed to take \$4,000 off the repair quote per their previous conversation about Shane's concerns of a premature failure of the equipment.

Ed presented the contract and intent to cut for the town forest from forester Greg Ainsworth. The board signed all required paperwork.

Lucy Wyman was present to discuss why the town is so stubborn about streaming or zooming meetings. She pulled out her phone to record the meeting. Leon stated it was voted down at town meeting. He also stated that he has concern with the cost of having to buy the equipment. Lucy stated Ben told her the town already has an owl.

Rob mentioned the conservation commission meetings are set up for zoom and it is not hard to do. They have even had some people from the public request to be included in the meeting.

Again, Leon stated it was voted down at town meeting. Lucy stated, it was not even allowed to be discussed at town meeting. The moderator shut it down before anyone was able to speak. Rob stated that it was voted not to appropriate the money, not the actual broadcasting of the meetings. There was a lot of heated discussion.

Ed stated his concern is that some people have an issue with being recorded and may not be willing to participate on committees and boards if they will be recorded. He also stated the meetings are open to the public and they are more than welcome to attend in person. Lucy expressed concern for the number of stairs people have to climb to get to the meeting hall.

Leon again stated it was proposed at town meeting and voted down. He requested that she bring it to town meeting again. She asked if it was actually going to be heard or is the Moderator going to shut it down before discussion even is started.

Ben brought up the phone-in board meeting he had and mentioned it was not ideal. He has also heard that even the conservation commission meetings over zoom are not the best.

She also stated that she feels the minutes are a bit deficient. She feels the minutes should be specific as to who says what. The previous minutes should have stated that Leo said the town needs an attorney. She feels the public needs to know who says what at the meetings.

Rob Christie mentioned he discussed an abatement request for his property with Ed earlier in the day and Ed reviewed the process with him, however, he still wanted to present the abatement request to the board directly at the meeting as it is his understanding that property assessment disputes were to be brought before the board of selectmen.

Rob stated the law says the tax bill is based on what is on your property as of April 1st and the notes on the assessment card from the contracted assessor were not on property as of April 1st. Ed mentioned submitting his abatement request to Jason Call the town’s contracted assessor and he will review it and give recommendations to the board. Rob feels he should have submitted it directly to the board of selectmen first.

Rob also wanted to revisit the conservation fund discussion which took place at the December 21<sup>st</sup> meeting. He stated, since that meeting Ed has researched the audit reports and given copies of them to Rob and he is thankful for those records. However, he would also like the records back to 1990 which would be the year money started being deposited into the fund. He is still looking for

reports from 1990-2004. He also stated that some of the beginning and ending balances from year to year don’t always match up.

The warrant article in the 1989 town warrant was when it was voted start putting money into the fund. It was stated 10% of land use change tax each year and understands with a cap of \$2,000.00.

He wanted to discuss the money coming into the fund in 2016 over \$275,000. Ed stated that was for the Martin Meadow Pond dam repair project. Rob’s concern is there was no vote to expend that money from the fund and the law states any money expended from the fund must be by vote of the commission. His concern is if one of the big donors is audited by the IRS and they have issues with that donation then the town and commission will be in the hot seat.

Rob asked if they can discuss these issues or is it still in the hands of the attorney. Ed explained it was sent to town counsel because the last email received from Rob stated he was considering the next legal steps. Rob feels it is just records that need to be combed through to get a handle on what is in that account.

Ed stated there are accurate records of the moneys that went into that fund for the Martin Meadow Pond dam project. Rob feels they should share a copy of the minutes and records with the commission as the money went into and out of the conservation fund. Leon mentioned the problem is there are no commission minutes for many years, so there is no record of a vote to accept that money and expend out of that fund.

Rob mentioned the fund is not reported in the treasurer’s report in the town report and feels it really should be reported. He has requested that those funds be reported by the treasurer.

Ed mentioned he has received a resignation letter from the conservation commission clerk, Jean Oleson and Ed stated that Rob has caused her to resign. Rob mentioned he has not been informed that she is resigning. Ben stated she submitted her resignation to the chairman of the commission.

Leon stopped the back-and-forth banter and stated it was not productive. Leon stated, we cannot just make minutes appear. The commission will just have to do better recording minutes moving forward.

Ed stated there are accurate recordings of all of the transactions in the fund regarding the Martin Meadow Pond dam project. Leon and Shane wanted to clarify there is no way to know if there was a vote to put the money in and out of the fund because there are no minutes that exist to prove a vote was or wasn’t taken.

Rob stated that was just one year. There are other years that money was dispersed where there was no vote to expend the money. Rob would like to know the accurate accounting of the fund so they know what is available in case a project comes up that funding is needed.

Shane asked Rob if the other commission members are aware, he was at the meeting speaking on the commission’s behalf. Rob stated that he emailed the members with the topics of discussion he was going to go over with the board. He stated he did not get any replies back from the other members.

He mentioned that in the past some of the kids that were sponsored to go to the Barry Conservation camp were not Lancaster residents. Leon stated the town had not sent kids to the camp for many years but in recent years it was voted to fund Lancaster kids.

Shane asked where the commission was on creating a projects list in case money should come available from outside funding sources. It would be great to have a list of projects ready so a proposal can be submitted to get any money available to fund the projects. Shane mentioned one project could be to get an OHRV trail accessible from/to town. Alan said the biggest projects they may want to look into getting funds for are the Heritage trail and OHRV trails and work displacing wetlands.

Rob thanked the board for hearing him out regarding the conservation commission fund.

**Motion made was made by Shane and seconded by Leon to close public hearing. All in favor. Motion carried.**

**Motion made by Leon and seconded by Shane to accept the CARES Act funding in the amount of \$10,500.00 from the State of NH to support programs of the local Police Athletic League (PAL) and to authorize Town Manager Ed Samson to sign any and all paperwork. All in favor. Motion carried.**

Shane asked Ed where he was at with Smokin’ T’s business loan agreement. Ed said they were in and signed the agreement.

Shane asked why the sidewalks were not plowed last week before the storm even came through. He had a complaint about Main Street. Ed was not sure what roads wouldn’t have been plowed as far as he knew they were done. Leon and Lucy both mentioned they watched the sidewalk being plowed and then a short time later the plow truck came through and pushed it back in.

**Motion made by Shane and seconded by Leon to adjourn. All in favor. Motion carried.**  
Meeting adjourned 7:52 p.m.

Respectfully submitted,

Charity M. Baker

Board of Selectmen

Date: \_\_\_\_\_

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Leo Enos

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Leon Rideout

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Shane Beattie