

1 PENDING APPROVAL

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3 Town of Lincoln, Vermont

4 Regular Meeting of the Lincoln Selectboard

5 Held via GoToMeeting due to Covid-19

6 November 17, 2020 6:30 PM

7
8 Attending: Chair, Bill Finger; Vice-Chair, Paul Forlenza; members at large Oakley Smith, Will
9 Sipsey and Bay Jackson; Selectboard Ass't/Bookkeeper, Ann Moreau-Kensek

10
11 Guests: Zoning Board of Authority Chair /Planning Commission member Tommie Thompson;
12 Town Clerk, Sally Ober; (Arrived later in the meeting) Zoning Board of Authority Member Nate
13 Wallace-Gusakov (arrived later in the meeting); Josiah Jackson

14
15 1. Bill brought the meeting or order at 6:33 p.m.

16 He asked if there were any adjustments to the agenda, and hearing none, moved to approve the
17 agenda as written. Second by Paul Forlenza called and passed, 5-0-0.

18
19 2. Consent agenda: Bill noted the minutes from the 11.12.2020 Special Meeting with Patrick
20 Reen were sent yesterday. The Consent Agenda consists of:

21 a. Minutes of the 11/5/2020 Regular Meeting; Minutes of the 11/6/2020 Emergency Meeting;
22 Minutes of the 11/9/2020 Special Meeting; Minutes of the 11/12/2020 Special Meeting

23 b. Payroll Warrant #21/20: \$2,568.45; Payroll Warrant # 21/21: \$2,221.98

24 c. Accounts Payable Warrant # 21/21: \$35,139.20

25 After asking if the board would like to discuss anything, Bill moved, and Will seconded to
26 approve the consent agenda. No discussion, vote passed 5-0-0.

27
28 3. Public Comment: Two guests

29 Tommie Thompson and Josiah Jackson

30 Bill asked them if there were things they wanted to discuss. Tommie noted he wished to talk
31 about coordinating the ZBA as well as about Town Personnel. He wanted to discuss
32 coordinating with the Selectboard regarding the Sand Pit. Also, he wanted to talk about the Town
33 Garage and the non-conforming aspects and that the property never received a Conditional Use
34 permit. The issues he has had trouble with are non-conforming. Need to have a Conditional Use
35 Permit and how to conform the existing property.

36
37 Bill noted that it sounds like a separate discussion between Tommie and two Selectboard
38 members to lay out the issues going back 20 years and then get it on an upcoming agenda.
39 Tommie was curious, as the Chair of the ZBA, about the Zoning Administrator.

40
41 Oakley asked as a point of order if the meeting was being recorded according to State Law.
42 Recording option was turned on.

43 Bill suggested Tommie meet with Paul Forlenza and Will Sipsey. Will is going to contact
44 Tommie tomorrow (Wednesday).

45 Tommie mentioned a confrontation he had with a Town Employee. Tommie is writing a letter to
46 the Selectboard about it. Paul and Will are going to talk with Tommie.

47

48 Bill asked Josiah if he had anything to discuss, and he replied nothing that wasn't already on the
49 agenda.

50

51 4. Reports:

52 a. Highway Report: Bill reported that Dave is working on getting back-up drivers and
53 contingency plans in case Road Crew with Covid-19 in the coming months. Possibility of doing
54 a Mutual Aid Agreement in Addison County similar to what Rutland County is doing. Also,
55 Brett Sargent was hired to clean up roadside debris on Downingsville Road and began the work
56 today.

57

58 b. Selectboard Ass't/Bookkeeper Report: Ann reported that she has mostly been working on
59 grants this week. The Equipment grant (\$5,600) and Better Roads Grant BR0792 (\$13,616.84)
60 were both submitted for reimbursement this week. LGER is about ready to go and should be
61 about \$10-12,000, depending on what they approve.

62

63 c. Town Clerk /Treasurer: to be discussed in Executive Session

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65 d. Budget and Finance: Paul reviewed the budget to date and pointed out a few highlights.
66 Overall, the budget expense is a little below but close to where it should be at this point.

67

68 e. Interim Zoning Administrator: Will noted that the Zoning Administrator had a lot of work
69 partly done. He's been doing customer service and getting organized. Paul and Tommie thanked
70 Will for taking this on.

71

72 5. Old Business:

73 a. Planning Commission- review and approval of the 10/19 Special Planning Commission
74 Meeting minutes (if available) correcting previous Planning Commission viz ZA hiring process:
75 Nothing new on the Planning Commission on-going process. Bill talked to Atty. Benj Putnam,
76 and the situation will be discussed in Executive Session. Given that this is part of a bigger
77 conversation, Bill suggested Bay and another Selectboard member and Aaron and another
78 Planning Commission member could meet and discuss. There is also the subprocess going on
79 with Nate (regarding research on formation of a Development Review Board)
80 Josiah commented and Bill stopped him because he is a member of the public and he had the
81 opportunity to speak but did not speak during the public comment period.

82

83 b. Town Website and Ordinance and Policy Reviews:

84 Website: Bay sent to the Selectboard info on vendors and a survey to look over. Bill noted he'd
85 like to see examples of other Towns that have moved their services to these vendors and hear
86 about their experience. Bay will send links.

87

88 Ordinance and Policy Reviews:

89 Bay noted the Personnel Policies had just come that day, and she would probably work together
90 with Ann, who had already been working on the Personnel Policy.

91 Bill reported that The Municipal Codes were mostly boilerplate and he would see where they
92 were appropriate or not.

93 Will noted that he didn't know why the Town has a Sewage Policy and explained his reasoning.

94 He suggested revoking it. The Traffic Ordinance is also old. Instead of having an ordinance that
95 lists the signs, the Town should geolocate signs and have a document that has all that.

96 c. MALT/Jackson Conservation Easement: Bay reported that she and Paul had a good meeting
97 with Jamie from MALT and then described the process going forward.

98 Tommie had a question regarding a draft provision in the easement regarding subdivision.

99 Paul made a presentation summarizing everything. Discussion on what constitutes a Baseline
100 Report, which was clarified to mean the clearings, forest, waterways, etc.

101

102 Oakley asked if the Board wished to hear comments from the public and Bill suggested that if a
103 non-Selectboard member wished to speak they should send to Bill a message in the chat bubble
104 saying what you'd like to talk about.

105 Bay asked if the Board wished to address Tommie's question. She related that Jamie said only
106 one subdivision in a similar situation has been tried, and it was denied.

107 Paul brought up adding a clause regarding having the ability to use gravel in an emergency
108 situation. Further discussion ensued. Paul discussed the next steps .

109

110 d. Sand Pit Conditional Use hearing: Discussion on the Hearing that had been scheduled for the
111 9th and was postponed. The Selectboard withdrew the conditional on November 5. Brief
112 discussion on changes to the Sand pit application. Bill noted he had talked to Benj Putnam, who
113 is well versed in what is going on. Bill suggested forming a committee and do a presentation for
114 the ZBA- maybe two Selectboard members and two ZBA members, Chuck Norton, Benj Putnam
115 and Robert Clark from Otter Creek and Will Sipsey as Interim Zoning Administrator to explore
116 next steps. Chuck is not averse to moving the January 21 deadline. Discussion on process and
117 who should be involved.

118 Discussion on being careful about ex parte communications and review of the Zoning Regs. Will
119 recommended that discussions include him as ZA but not members of the ZBA since the ZBA is
120 a quasi-judicial body that will be required to act on the conditional use permit application.

121 Bill noted the Selectboard is not prepared right now to answer questions.

122

123 e. Bike/Ped Grant-Sidewalk Scoping Study-Public Meeting: The Public meeting for this will be
124 at the Selectboard meeting on Dec. 1. Bay touched on the process.

125

126 f. Ordinance to regulate Lincoln Gap Road parking and winter closure dates: No progress to
127 report.

128

129 6. New Business:

130 Paul shared that the MAUSD committee to look at the feasibility of school buildings is
131 tomorrow (Wednesday) at 5 p.m.

132 Paul would like to ask people for input on the budget on Front Porch Forum. Hopefully the first
133 draft of the budget will be ready for Dec. 1- at the latest, the second meeting in December.

134

135 Discussion on the Selectboard weighing in on the possible school closure, especially regarding
136 economics and the losses if the school leaves Lincoln. Bill feels this is urgent. There are no
137 numbers available for Lincoln. Will noted the State is asking us to make a Capital decision
138 without any knowledge. Discussion on the Google Drive file Rob Backlund created. Discussion
139 on what it would look like to leave the school district, and previous studies that have been done.

140 Jim Warnock is a specialist in Charter Schools and may be important to include in this.

141

142 Bill emphasized the Selectboard needs to develop a response at the next meeting.

143 Paul suggested a Special Meeting in December on this subject. Bay Jackson and Paul will meet
144 with Rob Backlund, Sarah McClain, Jim Warnock, and Caleb Elder. Paul expressed his belief
145 that if the district closes three schools it is going to cost us all a fortune. It's a bad situation.

146

147 Bill suggested a Special Meeting in December and that the Board needed to move on for tonight.

148

149 At 8:18 p.m. Oakley moved to enter Executive Session because premature public knowledge of
150 Atty client communication would substantially prejudice the town by revealing privileged
151 information, and also to discuss a personnel matter. PF seconded, passed 5-0-0.

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153 Everyone but the Selectboard and Sally Ober left the meeting at this time.

154

155 *Exited executive session at 9:30 PM.*

156

157 **Motion** by Paul, second by Will to make one-time payment in the amount of \$6,000.00 to Town
158 Clerk, Sally Ober recognizing her extraordinary additional work hours that were required by the
159 COVID 19 pandemic, especially regarding safe access to vital town records and the November 3
160 general election which featured a record high voter turn-out and time-consuming mail in ballots.

161 **Passed** 5 – 0

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163 *Meeting adjourned at 9:33 PM.*

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165 *Respectfully submitted : Ann Kensek, Lines 1-153 & Bill Finger, Lines 157 - 165*

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