

Town of Lincoln
Selectboard Regular Meeting
January 7, 2025

{Draft} Meeting Minutes

<https://us06web.zoom.us/>

Vote format: YES/NO/Vacant, Absent, Abstention, Recusal

Called to order at 6:34 PM by Tim McGowan, Chair

Present: Victor Atkins, Joe Martell, Tim McGowan, Lisa Sargent, Ken Stockman

Other town officials present: Trish Waugh, Town Administrator; Kristyn Brady, Selectboard Assistant; Will Mathis, Highway Supervisor; Nate Reynolds, Animal Control Officer

Public present: Anthony Andrews, Donnie Sargent, Jason Moreau (Zoom), Coco Moseley (Zoom)

Public Comment

Joe Martell shared that a 911 call came in on Sunday night, and Will Mathis made sure the fire department was aware of the correct address and plowed and sanded the route all the way up the driveway. The whole board expressed their gratitude.

Donnie Sargent asked that we use no salt in the sand that we spread on the roads. You can't really monitor the mix in the bucket, and it isn't always evenly distributed. Joe shared that they do it to keep the sand from freezing where they store it outdoors. Eric, the foreman in Bristol, hasn't used salt for 20 years – they just set aside the frozen sand to get to the broken-up sand underneath. Once they melt, they use what has been set aside. Will shared that because they get cleaner gravel from a distributor, they don't need as much salt. Because we create our own sand, we do need it. And we do set aside frozen chunks and let it melt. The crew is going to adjust the mix of the sand the next time they harvest it. In the meantime, we're still talking about a storage shed for the future, and we could likely use less salt if it was tarped. Donnie acknowledged that it made sense to do that. Will agreed that salt is bad for the road come spring, but it is a necessary part of the process now. Victor shared that he used to order tarps from recycled vinyl billboards (billboardtarps.com) that we could order for next season. Donnie thanked Will and the crew for doing a nice job with the roads overall. Tim shared that it has always been our intention to lessen the amount of salt used, and we will continue to pursue it.

Anthony Andrews came to introduce himself to the Selectboard as he has put in an application for the open Highway Maintenance Worker position. He has done a lot of road maintenance work and been around a lot of plowing in his career. He is based in Middlebury. He asked about the process and timeline for hiring. Tim shared that we feel like our crew is complete at the moment, but they will review his application and give him a call if they felt it warranted a full interview.

Agenda

MOTION by Tim, 2nd by Joe to approve the agenda as written.

PASSED 5/0/0

Updates & Reports

Highway Update

- Will Mathis shared that it was a tough day of consistent snow all day long. They did get the needed parts to put the wing back on Gary's tandem next week. Jeff Booth has been fantastic, keeping the trucks clean and maintained as constant plowing was going on.
- Downingsville, Grimes, Ripton Rd, and South Lincoln bridges need concrete and cable or metal guardrails. The bridge fund is depleted, but we need to add this to the budget. Joe will get in touch with Donnie Sargent for an estimate.
- Will shared that they will be plowing and sanding as needed, limbing and pruning anything that is hitting the plow mirrors and windshields. Grading and ditching done until springtime. Putting together a list of culverts in the three-year-old inventory and will give the list to Mike Winslow at ACRPC. We missed the grant application for culverts, but we have some inventory to take care of some, and we'll need to purchase some with next year's budget. Will is going to estimate how many and of which size. It will take the crew about half a day's work to do each culvert.
- He proposed that we plan to replace all the metal guardrails and stanchions across town at \$100,000 over the next five years. When we repave West River Rd, that would be the time to do the guardrails all at once. Trish pointed out that we need some kind of reserve for when the guardrails get hit and damaged.
- Will got three quotes for a Ford 550, with options for a plow, sander, and wing. Also called to get a quote on replacing the loader to include in the capital improvement plan. It would be nice to get a bucket attachment, power boom (street sweeper), and flail mower/boom mower for the front. This would lower costs for third-party street sweeping and roadside/canopy mowing in the summer. Ken asked about a lease option, instead of financing. Victor said it may even be a better deal.
- Tim asked about lubricant needs for the budget. Will said he'll need one or two 55-gallon drums of diesel oil, differential fluid from NAPA, and grease. Tim and Trish will look into the costs to input – it's looking like we'll need to increase from last year's budget, because we're doing more in house.
- Tim asked if there are major tools that need to be replaced. Will said two airjacks to put the chains on. Joe said the air compressor, which is very old. Will and Victor added that a budget for more small tools would be helpful.
- Will ordered materials to address the OSHA/VOSHA safety compliance needs. He needs a quote on a first aid kit system to put into the Misc Garage Expense line item. The fire alarm system and extinguishers have been inspected and brought up to code and will be charged to building maintenance. They need to repaint an exit and egress line in the spring, when the roads aren't wet and salty. He has questions about the classification of a crawl space and whether it needs a confined space plan.
- For building maintenance, the roof washers and screws need looking at because the building is coming up on its 30th year.
- Trish asked a question about the budget vs actual cost of winter sand. Tim explained that the budget includes the mortgage for the sandpit property, Chuck's screen, and Chuck's labor. It was budgeted for \$30K and actual is at \$41K. Will said he got more sand this year than last year and it took longer because the weather was wet.

Executive Session

MOTION by Tim, 2nd by Ken to find that premature general public knowledge of pending or probable civil litigation or prosecution, to which the public body is or may be a party will clearly place the Town of Lincoln at a substantial disadvantage by disclosing its negotiation strategy.

PASSED 5/0/0

MOTION by Tim, 2nd by Ken to enter executive session to discuss pending or probable civil litigation or prosecution, to which the public body's or may be a party, under the provisions of 1 VSA § 313(a)(1).
PASSED 5/0/0

The Selectboard invited Trish Waugh and Nate Reynolds into executive session.

Entered executive session at 7:44 PM.

Exited executive session at 8:16 PM.

No decisions made based on the discussion in executive session.

New Business

ATV Use on Lincoln Roads

- This topic had previously been discussed by the Selectboard in May and August of 2024. The Board (which included Conor McDonough and Amanda Allen, at the time) discussed resident feedback on the current use of ATVs, which are not explicitly permitted on town roads, as well as questions they'd like answered, like the liability risk and possibility of enforcing a new ordinance. Victor Atkins conducted calls with multiple towns that have passed ordinances allowing ATV use on roads and asked about their experiences, which he described as mostly positive.
- What remained was to discuss whether or not to proceed with drafting and attempting to pass an ordinance.
- The Lincoln constables, Matt Collins and Erika French, attended over Zoom to share their perspectives.
- Matt shared that ATVs need to be registered and driven by licensed drivers 16+ and no riders under 12. Require that they get minimum liability insurance. Everyone on ATV needs to be wearing a helmet. Trail Access Decals through VASA, which will help maintain roads and help contribute to law enforcement.
- Matt said he's read about damage to roads from ATV use in other towns. Victor shared that none of the town clerks he talked to from towns where ATV use is permitted on town roads brought up increased road maintenance as an issue.
- Coco Moseley shared that she questions the public benefit beyond ATV riders, and she thinks it should be a town vote vs a Selectboard vote, given the possible impacts. There have been two really bad accidents in recent years, one of them was lethal. Without a good plan on enforcement, she believes we'll see increased injuries and fatalities. They are not designed to be ridden on roads. Victor talked to towns in the Northeast Kingdom with an ATV ordinance and they felt that damage and noise complaints were reduced because the plates kept people accountable. Coco thought it might have been Canaan or Washington.
- Matt addressed the question of law enforcement: If plates were required, it would be easier to hold people accountable as long as you get a plate number. He'd be in favor of having a town vote as well. He doesn't believe two constables with our limited budget for law enforcement to fairly enforce an ordinance.
- Joe feels that ATVs are no different than dirt bikes and motorcycles that use the road now.
- Jason Moreau discussed the downside of allowing this and does not recommend letting it happen.
- Ken asked if someone put this question up for action or where the request is coming from.
- Tim replied that it has been requested by residents in the past.
- Tim mentioned that he appreciated all the information and concerns that those involved had brought to the conversation.
- Lisa spoke of her experience on the VAST trail system and how a well written ordinance could be beneficial.
- Discussions over the costs involved in enforcing the ordinance.

- The Selectboard agreed that more information is needed, and it should be a decision of the voters if they would like the Selectboard to continue investigating into the subject. If it was added to the Town Meeting Warning it would be a question - “Does the Town want to pursue creating and approving an ATV Ordinance”?
- Victor will write up the question for everyone to review at the next meeting.

Updates & Reports

Town Administrator Update

Time is needed for budget discussions, therefore, there is no formal update for this meeting.

Kristyn Brady took minutes up to this point and exited the meeting at 8:30 PM. From here on, Trish Waugh took minutes.

Current Business and Authorizations

FY26 Budget Drafts

- Tim and Ken went over a few line items with the other members.
- Discussions of things that need to be planned for and developing a capital plan to raise the funds for items such as the garage roof and equipment upgrades.
- Due to the lack of time, the Selectboard decided they need to hold a special meeting just for budget review. A special meeting will be warned and planned for January 13 at 5:30 PM.

Draft Town Meeting Warning

- The latest draft of the town meeting warning was discussed.
- Ken is concerned about article 9. He felt it was an emotional subject and maybe we should move this article to before the break.
- Discussion of article 7 (Australian ballot). Rob Reiber created a petition to add this to the meeting warning. The selectboard decided to wait for the petition deadline before deciding whether to put this on.
- Discussion of adding an article for a capital plan for garage maintenance and other planning. Ken thought it should be added after or near article 10.
- Have the Town Administrator develop a question for the warning regarding creating a capital plan fund for repairs such as a new roof.
- Adding an article regarding the Town Clerk’s salary. There was a discussion of the best way to do this. Having the regular salary in the budget and having the article for the voters to approve the increased percentage instead of the full amount.
- The requested one time increase from Lincoln Cemetery was discussed. They would like to increase the amount from \$5,000 to \$10,000 to support the fence replacement. It was asked if they needed to petition to request this increase. It was decided to discuss this further during the special budget meeting.
- There was discussion of whether the Selectboard wanted to uphold or waive the petition requirements for new and increased appropriations requests. There are benefits to having a group go through the petition process such as being able to verify that it is a legitimate request.
- Victor asked if we could require groups to prove that the funds being requested are used for the purpose that was approved. Other members did not feel it was necessary based on the amount of the requests and that it would be difficult to monitor.
- A near-final draft will be made available at the next meeting.

Accounts Payable & Payroll Warrants

MOTION by Tim, 2nd by Joe to approve **AP-25-28 for \$35,658.78.**

Includes \$6,749.14 for fuel, \$4,033.41 for salt, and \$3,150 for annual website services.

PASSED 5/0/0

MOTION by Tim, 2nd by Joe to approve **PR-25-25 for \$7,533.33** [pay period ending 12/14/24]; **PR-25-26 for \$7,342.66** [pay period ending 12/21/24]; and **PR-25-27 for \$7,168.86** [pay period ending 12/28/24.]

PASSED 5/0/0

Previous Meeting Minutes

MOTION by Tim, 2nd by Ken to approve meeting minutes for the 12/17/2024 regular meeting.

PASSED 3/0/2 (Victor and Lisa abstained)

New Business

Town Meeting Turnout

- Ken does not think there is much you can do, it's a small space and even if we were able to get more people where would we fit them?
- Virtual option was also discussed but is difficult to control.
- Trish shared some suggestions Kristyn had developed.
 - Update the cover of the Town Report to make it clear that all are invited to vote in person at Town Meeting.
 - Create a webpage on what the Town Report is, what Town Meeting is, and what will be decided there.
 - Share a series of posts on Front Porch Forum about what Town Report is, what Town Meeting is, and what will be decided there.
 - Host a special Selectboard meeting that runs through what will be discussed. This can be hybrid, because there will be no voting.
 - Keep the actual run-of-show at Town Meeting as short as possible. Hold special meetings to pregame any controversial articles.
 - Collaborate with the school on a mock Town Meeting presentation, where kids can learn about the process and participate in a vote. (Sally suggested asking them to choose what shape and color the upcoming year's dog registration tags should be.)
- Lisa agrees getting the younger generation involved is important.
- Ken agreed to take on the task of finding ways to engage high school/college aged kids.

Dog Noise Control Ordinance

- Ken discussed that we should look into this further and see if the 20-year-old ordinance needs to be updated.
- One of the office staff will research the issue.

Personnel Policy Updates

- There was discussion of the following updates to the Town of Lincoln Personnel Policy:
 - Change the holiday leave section to pay employees whether they are scheduled to work or not.
 - Change the prorated calculation for part-timers to be exactly half of a full-time employee.
 - Add clarification to the on-call section regarding how the floating holidays accrue and expire.

MOTION by Tim, 2nd by Lisa to accept changes to personnel policy as outlined by the Town Administrator to go into effect immediately.
PASSED 5/0/0

Appointments and Employment

MOTION by Ken, 2nd by Victor to appoint Kate McGowan as a Lincoln Library Trustee until the next election.

Tim McGowan recused himself from the discussion, because Kate is his spouse.

PASSED 4/0/1 (recusal Tim)

Tim brought up one additional point that he asked the other members about. He would like to go to a timed meeting to try and keep the meetings moving quicker. The agenda already has time limits on items but are they reasonable. Everyone agreed that they would help to maintain the established time limits on the agenda.

MOTION by Tim, 2nd by Joe to adjourn at 10:05 PM.
PASSED 5/0/0

Respectfully submitted: Patricia Waugh