

Town of Lincoln

Annual Town Meeting Minutes

March 14, 2023

The Annual Town Meeting, of the inhabitants of the Town of Lincoln, in the County of Grafton, and State of New Hampshire, qualified to vote in town affairs was held at Lin-Wood High School on Tuesday, March 14, 2023. Moderator Robert Wetherell declared polls open at 10:00am. The polls closed at 6:00pm.

ARTICLE 01: Election of Town Officers

To choose all necessary Town Officers for the year ensuing as follows: Selectmen, Budget Committee Members, Cemetery Trustee, Library Trustee, Supervisor of the Checklist, Town Clerk, Treasurer, Trustee of Trust Funds and Zoning Board Members.

Election results of Article 01:

FOR SELECTMEN – 3 year term

OJ Robinson – 201 votes

FOR BUDGET COMMITTEE – 3 year term

Wayne Baltzer – 144 votes

Brian Gallagher – 153 votes

Alfred P Poulin Jr – 132 votes

Paul Beaudin – 3 votes

FOR CEMETERY TRUSTEE – 3 year term

William “Bill” Conn – 187 votes

FOR LIBRARY TRUSTEE – 3 year term

Marilyn Sanderson – 195 votes

FOR SUPERVISOR OF THE CHECKLIST – 6 year term

PJ Ouellette – 10 votes

FOR TOWN CLERK – 3 year term

Kristyn Brophy – 108 votes

Amanda Formalarie – 103 votes

Delia Sullivan – 12 votes

FOR TRUSTEE OF TRUST FUNDS – 3 year term

Paul Schirduan – 151 votes

FOR ZONING BOARD – 3 year term

Delia Sullivan – 164 votes

Raymond D’Amante – 151 votes

Article 02: Planning - Amend LUPO-Section D Floodplain

LUPO, Article VI. DISTRICT AND DISTRICT REGULATIONS-Section D. FLOODPLAIN DEVELOPMENT DISTRICT.

Are you in favor of the adoption of Amendment No. 01 as proposed by the Planning Board for the Town Zoning Ordinance known as the "Land Use Plan Ordinance" (LUPO) as follows: amend Article VI District and District Regulations, Section D – FLOODPLAIN DEVELOPMENT DISTRICT as necessary to comply with requirements of the National Flood Insurance Program?

Recommended by the Planning Board

**Yes 173 – No 27
Article 02 passed**

Article 03: Planning - Amend LUPO-Signage

LUPO, Article VI-B. LINCOLN SIGN REGULATIONS

Are you in favor of the adoption of Amendment No. 02 as proposed by the Planning Board for the Town Zoning Ordinance known as the "Land Use Plan Ordinance" (LUPO) as necessary to comply with two (2) US Supreme Court cases re: regulation of signage as follows:

- a. Clyde Reed et. al. v. Town of Gilbert Arizona, 576 U.S. 155 (2015), 135 S Ct 2218 (2015) to make all of the provisions of the sign ordinance "content neutral"; and
- b. City of Austin v. Reagan National Advertising of Austin, LLC, 142 S. Ct. 1464 (2022) the more recent US Supreme Court case having do with off premise signage.

Proposed changes to the Sign Ordinance are substantial and include numerous amendments to the rest of the Land Use Plan Ordinance that references signs to conform to these two US Supreme Court cases. Proposed amendments include the following sections of the Land Use Plan Ordinance:

- Article V General Regulations, Section G. Home Businesses
- Article VI-A Telecommunications Equipment and Facilities, Section H. Conditional Use Permits and Site Plan Review; Criteria, Construction and Performance Standards, e.
- Article VI-B Lincoln Sign Regulations
- Article VI-C Temporary Land Uses, Section C. Temporary Land Use Signage
- Article VI-D Solar Energy Systems Section G, paragraph 4
- Article VIII Board of Adjustment, Section A. Board of Adjustment, Paragraph 3 Request for Special Exception Under Sign Ordinance, subparagraph e.

Recommended by Planning Board

**Yes 164 – No 36
Article 03 passed**

RESULTS OF THE TOWN BUSINESS MEETING

MARCH 14, 2023 at 6:30 pm

Moderator Robert Wetherell opened the Annual Town Meeting at 6:45 pm.

Moderator Wetherell welcomed everyone present and thanked everyone for coming. He proceeded to thank the Lin-Wood school for accommodating us and the facilities department for their extra work and asked the attendees to please make note of the Annual School District Meeting which is to be held on Tuesday March 21st at the middle and high school with voting between the hours of 2:00pm and 6:00pm followed by the meeting starting at 7:00pm.

Moderator Wetherell then reiterated that this is not a public forum, it is a legislative body. He encouraged all to ask questions and to participate.

The Moderator then informed the voters of the rules of order for the town meeting:

- All cell phones should be turned to silent
- Each participant will treat every other participant with respect and courtesy. The moderator will not allow personal attacks or inappropriate language.
- Anyone wishing to address the meeting will use the microphone and first be recognized by the moderator. Speakers will begin by stating their name. All other speakers will be considered out of order. I will allow non-voters to speak, however please identify yourself as a non-voter. While allowed to speak, you are forbidden from voting.
- The initial presentations on bond articles will be limited to twenty minutes, the remain articles will be limited to ten minutes, all speakers in debate will be limited to three minutes (including a warning at one minute remaining). Time to be determined by the moderator. All new speakers who desire to speak will be given a chance to do so before one is given a second opportunity on the same issue.
- Each Article needs a motion and a second in order to discuss it.
- Only one amendment to a motion will be allowed on the floor at any one time. No amendment to an amendment will be allowed; such proposals will be dealt with as subsequent amendments after the first amendment has been voted upon. All amendments will be submitted in writing to the moderator. The subject of the original article must be addressed in the amendment and it cannot be a negative amendment.
- The moderator can be overruled by a majority of the meeting.
- State statues do govern legal procedures not listed here.

Article 04: Route 3 Water Main Upgrades-Long Term Debt

To see if the town will vote to raise and appropriate the sum of Two Million Two Hundred Thousand dollars (\$2,200,000.00) for the engineering and reconstruction of a portion of the Route 3 Water Main, and to authorize the issuance of not more than \$2,200,000.00 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon; The Selectmen and the Budget Committee recommend this article. (3/5 ballot vote required).

Motion made by: Tamra Ham
Seconded by: OJ Robinson

Robert Wetherell called for a recess at 7:03PM. The meeting was called back to order at 7:21PM with while polls remain open for one full hour.

Yes 95 – No 7

Article 04 passed

Article 05: New Police Station-Long Term Debt

To see if the town will vote to raise and appropriate the sum of Six Million Dollars (\$6,000,000.00) for the engineering and construction of a new Police Facility, and to authorize the issuance of not more than \$6,000,000.00 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon; The Selectmen and the Budget Committee recommend this article. (3/5 ballot vote required).

Motion made by: Tamra Ham
Seconded by: Jack Daly

Robert Wetherell called for a recess at 8:20PM. The meeting was called back to order at 8:36PM with while polls remain open for one full hour.

Yes 81 – No 22

Article 05 passed

Tamra Ham motioned to table Articles 6 & 7, which was seconded by OJ Robinson. **Motion passed by unanimous voice vote.**

Article 06: Route 3 Water Main-Engineering

In the event Article #4 is defeated, shall the Town will vote to raise and appropriate the sum of Three Hundred Twenty-Five Thousand dollars (\$325,000.00) for the engineering of the improvements to the Route 3 Water Main. . This special warrant article will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the engineering for the Route 3 Water Main is completed or by December 31, 2024, whichever is sooner. The Selectmen and Budget Committee recommend this article. Tax Impact: \$.26/per thousand.

Motion made by: none
Seconded by: none
Article 06 tabled

Article 07: New Police Station-Engineering/Final Designs

In the event Article #5 is defeated, shall the Town will vote to raise and appropriate the sum of Four Hundred Thousand dollars (\$400,000.00) for the Engineering and Final Design services for a new Police Facility. The scope of services will include Architectural and Engineering (Civil, MEP/FP, Structural) and Cost Estimator services, Schematic Design Phase, Design Development Phase, and completion of Construction Documents. This special warrant article will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the Engineering and Final Design Services are completed or by December 31, 2024, whichever is sooner. The Selectmen and Budget Committee recommend this article. Tax Impact: \$.32/per thousand.

Motion made by: none

Seconded by: none

Article 07 tabled

Article 08: Operating Budget

To see if the Town will vote to raise and appropriate the Budget Committee's recommended sum of Seven Million Seven Hundred Eighty-Sixty Thousand One Hundred Forty-Three dollars (\$7,786,143.00) for the purposes of General Government; Public Safety; Highways; Sanitation; Water Treatment; Health, Welfare, Culture and Recreation; and Long and Short Term Debt including Interest, for the ensuing year, exclusive of all special and individual warrant articles. The Selectmen and Budget Committee recommend this appropriation. (Majority vote required.) Tax Impact: Appropriations = \$6.19/per thousand; Revenue = \$1.57/per thousand; Net Tax Impact \$4.62/per thousand.

Motion made by: OJ Robinson

Seconded by: Tamra Ham

Article 08 passed with opposition.

Tamra Ham motioned to restrict reconsideration on articles 8 & 4. OJ Robinson seconded. **Motion passed by unanimous voice vote.**

Article 09: 2023-2025 Collective Bargaining Agreement

To see if the Town will vote to approve the cost items included in the collective bargaining agreement reached between the Board of Selectmen and the International Brotherhood of Teamsters, Local #633, which calls for the following increases in salaries and benefits at the current staffing level:

Fiscal Year 2023-Estimated Increase: \$76,615.00

Fiscal Year 2024-Estimated Increase: \$52,019.00

Fiscal Year 2025-Estimated Increase: \$47,019.00

And further to raise and appropriate Seventy-Six Thousand Six Hundred Fifteen dollars (\$76,615.00) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels. The Selectmen and Budget Committee recommend this article. Tax Impact: \$.06/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 09 passed by voice vote unanimously

OJ Robinson motioned to table Article 10, which was seconded by Tamra Ham. **Motion passed by unanimous voice vote.**

Article 10: Special Meeting-CBA

Shall the town, if Article #9 is defeated, authorize the governing body to call one special meeting, at its option, to address Article #9 cost items only? The Selectmen recommend this article. (Majority vote)

Motion made by: none

Seconded by: none

Article 10 tabled

Article 11: School Resource Officer

To see if the Town will vote to raise and appropriate the sum of One Hundred Twenty Thousand (\$120,000.00) for the purpose of hiring a full-time School Resource Officer, including estimated benefits expenses, with \$100,000 to come from the school and grant funding. The Town shall receive a federal grant match contribution of up to \$125,000.00 over three years. Furthermore, to authorize the Board of Selectmen to enter into a Memorandum of Understanding (MOU) with the Lincoln-Woodstock School District to establish a cost-sharing formula to offset the expense. The Selectmen and Budget Committee recommend this article. Tax Impact: \$.01/per thousand.

Motion made by: Tamra Ham

Seconded by: Jack Daly

Article 11 passed with opposition

Article 12: CRF-Fire Truck

To see if the Town will vote to raise and appropriate the sum of Four Hundred Fifty Thousand dollars (\$450,000.00) to be placed in the Fire Truck and Equipment Capital Reserve Fund (created in 1989) and to further fund this appropriation by authorizing the withdrawal of \$450,000.00 from the unassigned fund balance as of December 31, 2022. No amount is to be raised by general taxation. The Selectmen and Budget Committee recommend this article.

Motion made by: Tamra Ham

Seconded by: Jack Daly

Article 12 passed with opposition

Article 13: CR-Library Building

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand dollars (\$20,000.00) to be added to the Library Building Capital Reserve Fund (created in 1991). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.02/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 13 passed with opposition

Article 14: CR-Employee Separation

To see if the Town will vote to raise and appropriate the sum of Ten Thousand dollars (\$10,000.00) to be added to the Employee Separation Expendable Trust Fund (created in 2010). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.01/per thousand.

Motion made by: tammy

Seconded by: jack

Article 14 passed by voice vote unanimously

Article 15: CR-Library Building

To see if the Town will vote to raise and appropriate Twenty Thousand dollars (\$20,000.00) to be placed in the Library Building Capital Reserve Fund (created in 1991). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.02/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 15 passed by voice vote unanimously

Article 16: CR-Public Works Vehicle & Equipment

To see if the Town will vote to raise and appropriate Twenty Two Thousand dollars (\$22,000.00) to be placed in the Public Works Vehicle and Equipment Capital Reserve Fund (created in 1990, amended in 2008.) The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.02/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 15 passed by voice vote unanimously

Article 17: CR-Police Department Equipment

To see if the Town will vote to raise and appropriate One Hundred Fifty Thousand dollars (\$150,000.00) to be placed in the Police Department Equipment Capital Reserve Fund (created in 1995.) The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.12/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 16 passed by voice vote unanimously

Article 18: CR-Water System Rehabilitation

To see if the Town will vote to raise and appropriate One Hundred Sixty-Six Thousand dollars (\$166,000.00) to be placed in the Water System Rehabilitation Capital Reserve Fund (created in 1995). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.13/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 17 passed by voice vote unanimously

Article 19: CR-Sewer System Rehabilitation

To see if the Town will vote to raise and appropriate Three Hundred Thousand dollars (\$300,000.00) to be placed in the Sewer System Rehabilitation Capital Reserve Fund (created in 1995). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.24/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 18 passed by voice vote unanimously

Article 20: CR-Roads & Streets Reconstruction

To see if the Town will vote to raise and appropriate One Hundred Twenty-Three Thousand dollars (\$123,000.00) to be placed in the Road and Street Reconstruction Capital Reserve Fund (created in 1994). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.10/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 19 passed by voice vote unanimously

Article 21: CR-Kanc Rec Area Equipment

To see if the Town will vote to raise and appropriate Eighty-Three Thousand dollars (\$83,000.00) to be placed in the Kancamagus Recreational Area Equipment Capital Reserve Fund (created in 2005). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.07/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 20 passed by voice vote unanimously

Article 22: CR-Property & Building Maintenance

To see if the Town will vote to raise and appropriate Eighty-One Thousand dollars (\$81,000.00) to be placed in the Property and Building Maintenance Expendable Trust (created in 2007). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.06/per thousand.

Motion made by: Tamra Ham

Seconded by: Jack Daly

Article 22 passed by voice vote unanimously

Article 23: CR-Engineering & Planning

To see if the Town will vote to raise and appropriate Five Thousand dollars (\$5,000.00) to be added to the Engineering & Planning Capital Reserve Fund (created in 1997). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.004/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 23 passed by voice vote unanimously

Article 24: CR-Solid Waste

To see if the Town will vote to raise and appropriate Ten Thousand dollars (\$10,000.00) to be added to the Solid Waste Facility Improvements Capital Reserve Fund (created in 1999). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.01/per thousand.

Motion made by: Tamra Ham

Seconded by: Jack Daly

Article 24 passed by voice vote unanimously

Article 25: CR-Village Center & Riverfront Park

To see if the Town will vote to raise and appropriate Thirty Thousand dollars (\$30,000.00) to be placed in the Village Center & Riverfront Park Capital Reserve Fund (created 2008). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.02/per thousand.

Jay Duguay motioned to increase the funds to \$80,000.00. Seconded by Delia Sullivan. Amendment failed by voice vote.

Motion made by: Tamra Ham

Seconded by: Jack Daly

Article 25 passed by voice vote unanimously

Article 26: CR-Revaluation

To see if the Town will vote to raise and appropriate Twenty-Five Thousand dollars (\$25,000.00) to be placed in the Revaluation Capital Reserve Fund (created in 1984, amended in 2008.) The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.02/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 26 passed by voice vote unanimously

Article 27: CR-Library Technology

To see if the Town will vote to raise and appropriate Two Thousand dollars (\$2,000.00) to be placed in the Library Technology Capital Reserve Fund (created in 1997). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.002/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 27 passed by voice vote unanimously

Article 28: CR-Community Building

To see if the Town will vote to raise and appropriate the sum of Forty Thousand dollars (\$40,000.00) to be added to the Community Building Expendable Trust Fund previously established (created in 2005). The Selectmen and Budget Committee recommend this article. Tax Impact: \$.03/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 28 passed by voice vote unanimously

Article 29: CR-Cemetery Maintenance

To see if the Town will vote to raise and appropriate the sum of Five Thousand dollars (\$5,000.00) to be added to the Town Cemetery Maintenance Expendable Trust Fund (created in 2006). The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.0004/per thousand..

Motion made by: Tamra Ham

Seconded by: Jack Daly

Article 29 passed by voice vote unanimously

Tamra Ham motioned to restrict reconsideration on articles 12 through 29. OJ Robinson seconded.

Motion passed by unanimous voice vote.

Article 30: Purchase Police Cruiser

To see if the Town will vote to raise and appropriate the sum of Fifty-Two Thousand Eight Hundred Thirty-One dollars (\$61,857.00) for the purpose of purchasing a replacement cruiser. The Selectmen and Budget Committee recommend this appropriation. Tax Impact: \$.05/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 30 passed by voice vote unanimously

Article 31: Highway Block Grant Program

To see if the Town will vote to raise and appropriate Thirty Thousand dollars (\$30,000.00) for purposes allowed under the State of New Hampshire Highway Block Grant Program. This appropriation is to be offset by revenue from the State of New Hampshire Highway Block Grant Program to the extent that it is available. The Selectmen and Budget Committee recommend this appropriation.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 31 passed by voice vote unanimously

Article 32: Cemetery Record Retention Software

To see if the town will vote to raise and appropriate the sum of Ten Thousand (\$10,000.00) for the purpose of purchasing cloud-based record retention software for the Town Cemetery. The selectmen and the Budget Committee recommend this article. Tax Impact: \$.01/per thousand.

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 32 passed with opposition

Article 33: Modify Veteran's Tax Credit

Shall the Town READOPT the ALL VETERANS' TAX CREDIT in accordance with RSA 72:28-b, for an annual tax credit on residential property which shall be equal to the same amount as the standard or optional veterans' tax credit voted by the under RSA 72:28? (Majority vote required)

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 33 passed by voice vote unanimously

Article 34: Readopt Optional Veterans Tax Credit

Shall the town READOPT the OPTIONAL VETERANS TAX CREDIT in accordance with RSA 72:28, II, for an annual tax credit on residential property of \$750.00? The Selectmen recommend this article. (Majority vote required)

Motion made by: Tamra Ham

Seconded by: OJ Robinson

Article 34 passed by voice vote unanimously

Article 35: Transact any other business

To transact any other business that may legally come before the meeting.

OJ Robinson presented the following proclamation on behalf of the Board of Selectman:

PROCLAMATION

Establishing April 1st of each year to be known in Lincoln, NH as **Marshall Young Friendship Day**.

WHEREAS, Marshall Young was a resident of Lincoln, NH for 82 years, and

WHEREAS, Marshall was well-known and well-loved by our community, often seen talking, joking, and smiling outside the post office and walking around town, and

WHEREAS, one of Marshall's favorite days of the year was April Fool's Day, and

WHEREAS, Marshall enjoyed pranking our community members all year long, but especially on April Fool's Day, and

WHEREAS, our community cared about Marshall and those who knew him would laugh at his jokes and pranks, knowing it gave Marshall satisfaction and gave him a sense of accomplishment and belonging,

NOW, THEREFORE, The Town of Lincoln hereby proclaims that April 1st of each year, starting on April 1, 2023, will be known as **Marshall Young Friendship Day**.

Proclaimed this 14th day of March, 2023 by the Town of Lincoln Board of Selectmen

Tamra Ham made a motion to dissolve the 2023 Annual Town Meeting

Seconded by: Jack Daly

All in favor by unanimous voice vote.

The 2023 Lincoln Town Meeting dissolved at 9:45 pm.

I hereby certify that the above return of the Annual Lincoln Town Meeting of March 14, 2023 is true and correct to the best of my knowledge.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kristyn Brophy', with a long horizontal flourish extending to the right.

Kristyn Brophy, Town Clerk