

**LINCOLN BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY, JUNE 3, 2013 – 5:30PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

Board of Selectmen Present: Chairman O.J. Robinson and Tamra Ham.

Excused Absence: Patricia McTeague

Staff Present: Town Manager Butch Burbank and Administrative Assistant Brook Rose.

Public Present: Brian Baker, Pat Romprey, Bill Conn, Rex Caulder, and Jane Ludwig.

I. CALL TO ORDER

O.J. Robinson called the meeting to order at 5:30pm.

II. MINUTES OF THE PREVIOUS MEETINGS

MOTION: “To approve the meeting minutes of May 20, 2013 as presented.”

Motion: Tamra Ham **Second:** O.J. Robinson **Motion carries.**

MOTION:”To approve the non-public meeting minutes of May 9, 2013 as presented.”

Motion: Tamra Ham **Second:** O.J. Robinson **Motion carries.**

III. BID OPENING – FIRE STATION STRUCTURAL REPAIRS

Two bids were received for the structural repairs on the fire station. O.J. Robinson read the bid announcement aloud. Caulder Construction and J&M Donahue each submitted a bid on the job. Caulder Construction’s bid was \$185,306. J&M Donahue’s bid was \$141,000. Town Manager Burbank will forward the bids to the engineer for review. Pat Romprey, representing Caulder Construction stated that his bid included the roof and if he were to subtract the roof from the bid, the two bids would only vary by about \$2,000. He added that both bidders may be able to come back with a more efficient price if given more time. This would only benefit the Town. Town Manager Burbank will discuss this with the engineer.

IV. OLD/NEW BUSINESS

Special Event Permit -Open Air Flea Market

Brian Baker attended the meeting to discuss his proposal for an open air flea market on the Riverwalk property owned by Dennis Ducharme. Dennis has given Brian approval to host the flea market on his property. Brian informed the Board that there are several farms, crafters, and vendors in the area that are interested in selling their goods at the market. There is abundant parking and small 10x10 booths would be available for vendors to rent for \$20. Brian estimates 10-15 vendors for two different weekends this summer. He added that if the flea market is successful, he would like to continue it every weekend through October. Town Manager Burbank stated that there are two other fresh produce markets in town

that may not like this idea. Tamra Ham thought that having the open air market on a monthly basis would be a great idea. The Board wants to avoid interfering or competing with the two new produce businesses. The Board stated that they think the market is a great idea and would like to see how the two weekends go this summer before approving additional weekends. Town Manager Burbank stated the Planning Department has concerns with having sanitary facilities available. Brian replied that he is researching various alternatives including renting facilities or using The Village Shops. The Board stated that adequate facilities must be in place for the event. They also want to be sure that there will be no cooking on site and prepackaged goods only will be sold. Brian confirmed this to be the case. He added that the intent of the market is to partner with the business community in terms of dining. He wants to create business for local restaurants. Town Manager Burbank stated that the Planning Department would also like to express that there is a fine line between hawking/vending and a special event which is limited to 12 days per year. Brian is aware of this. The Board approved the weekends of July 6-7 and July 20-21 for the open air market.

MOTION: “To approve the special event permit for the open air flea market as proposed by Brian Baker for the weekends of July 6-7 and July 20-21, 2013.”

Motion: Tamra Ham Second: O.J. Robinson All in favor.

School Board Decision on School Funding Formula

Pat Romprey brought up the most recent School Board decision on the school funding formula. The new formula was voted in with five in favor (all Woodstock residents) and two opposed. Jane Ludwig explained that she and Matt Manning voted against approving the formula which will increase the amount the Town of Lincoln pays to the School and thus increase taxes substantially. She added that the change must first be approved at the School District meeting before it goes to the Department of Education for approval.

Bill Conn strongly recommended that the Board examine the joint recreation program and specifically how the Town of Lincoln carries the financial burden of this department for the Town of Woodstock. The Board agreed that they want to focus their efforts on the school funding formula as the dollars for the joint Recreation Department are miniscule compared with the disparity between what the towns of Lincoln and Woodstock pay for the School.

Pat Romprey stated that the majority of taxpayers don't know what is going on in this regards. All agreed that voter education is critical. Tamra Ham added that the School is so expensive that in nine years the towns of Lincoln and Woodstock will not be able to fund it. The Board discussed this at length. Town Manager Burbank brought up the possibility of having a fair mediator examine this matter. The fair mediator being the court so technically the Town of Lincoln would be suing another town board. Town Manager Burbank added that he is waiting on some feedback from Town Attorney Malia as the Town has already reached out to counsel regarding the school funding formula. Jane Ludwig expressed concern that litigation is just going to cost the taxpayers more money. She asked that the Board heavily weight going the route of litigation. Tamra Ham replied that in one year it is going to cost Lincoln's taxpayers \$220,000 more so if the Town were to pay out a comparable amount in legal fees and succeed in court, it would not cost taxpayers any more money.

Town Manager Burbank stated that this issue needs to become forefront in the Town. Tamra Ham added that with the large expenses (the Loon Mountain Bridge replacement, the levee repairs etc.) coming in the next few years, the Board needs to be concerned about the taxpayers.

Special event permit NE Disabled Sports/ White Mt 4th Annual Cycling Classic

This event is in its fourth year. It has all the required permits and is very well organized. The event is Saturday June 22 & 23, 2013.

MOTION: “To approve the special event permit of NEDS White Mountain 4th Annual Cycling Classic for June 22 & 23, 2013.”

Motion: Tamra Ham Second: O.J. Robinson All in favor.

Bill Conn / Citizen Concern

Bill Conn expressed concern that the Town Public Works Department is boycotting Noseworthy’s Auto Parts. Town Manager Burbank replied that the Town does business with Noseworthy’s every week. Tamra Ham added that there is an invoice from this store in the accounts payable every single week. Mr. Conn felt that this was not the case and that Public Works Director Bill Willey would not do business with them. Tamra Ham replied that the Town of Lincoln Public Works has been instructed to spread business out equally among the businesses in Town as much as possible. Town Manager Burbank will review the bills tomorrow to see how much business the Town is doing with Noseworthy’s. The Board reiterated that they would like business spread around amongst the local businesses. They are happy with how Town Manager Burbank has handled this and would like him to follow up with Mr. Conn. The Board asked if there is anything else Mr. Conn would like them to do. Mr. Conn replied that the Board is doing what it is supposed to do. He had nothing else to add.

Pleasant Street / Citizen Concern

Jane Ludwig requested that the Board allow her permission to mow and loam the hammerhead at the end of her street. It is covered in dog feces and she feels that if she were to clean it up, people would not be so quick to let their dogs defecate on the grass there. Town Manager Burbank replied that this is Town property and he will speak with Public Works Director Willey to see what can be done here and then follow up with Jane.

Bill Conn / Citizen Concern

Bill Conn brought up the Black Mountain Road project. He would like to know why the Town hired an engineer for this project. O.J. Robinson replied that there are some major drainage issues in that area that need to be addressed before the Town spends any more money on the road. There was an extended discussion on the matter of drainage. Loon Mountain must address the drainage before the Town does any more repairs to the road. The engineering for the drainage was completed and turned over to Loon Mountain last fall. Town Manager Burbank will follow up with Loon Mountain to see what course of action they intend to take.

Town Manager’s Report

Town Hall Roof

Town Manager Burbank informed the Board that the roof replacement on the Town Offices will commence on June 7th. The contractor will work weekends so as not to disrupt town business.

Update on the Levee

Town Manager Burbank informed the Board that Dubois & King has finished the report and it has been sent to the Army Corp. for approval. The Board will review the report. Town Manager Burbank stated that the report only cites two unacceptable conditions. One of the conditions is the debris piles that are being dumped on the levee by the homeowners association which has caused vegetation growth. The other unacceptable condition is the pipe culvert that Chester Kahn installed through the levee. Dubois & King is recommending a reinforced headwall with a flap gate on this culvert. The report also states that no current construction has degraded the levee. Dubois & King did find, through interviews with property maintenance personnel, that water does get into the basements in this area. Dubois & King found that the levee was originally designed to weep allowing water to get into the homeowners' basements. Unfortunately, nothing can be done about this as it was the design of the levee. Most importantly this report states that none of the current construction is threatened. The Town now has to await plan approval by the Army Corp.

Town Manager Burbank recommended that the Board consider petitioning the court for a special town meeting thus shortening the time it takes to bring the levee back to its original 1960's standards so that the Army Corp. will resume ownership of the levee. He added that this recommendation may be a bit premature as the Town has to wait to see how the Army Corp. responds to the report. It was the consensus of the Board that they are ready to move forward as soon as possible.

Update on the Fire Department

Town Manager Burbank informed the Board that he cannot say enough good things about Acting Chief Ron Beard. He has been making a lot of progress with the Department. Lincoln has a combined training with Woodstock this week. The Woodstock Chief has been over to the Lincoln Fire Station to meet with Ron. Former member Bill Dutille has also re-joined the Department.

Burning at the Solid Waste Facility

Mr. Burbank informed the Board that he received two complaints about burning this past week and one positive comment about the burning. The Board briefly discussed the purchase or rental of a chipper however decided that the high cost of doing so is not worth the few complaints the town receives each year.

Update on Chenard Property

Town Manager Burbank informed the Board that he received another complaint from one of Mr. Chenard's neighbors. Despite the weekly calls to Mr. Chenard and Mr. Burbank making several offers to pay out the \$2500 from the Town to assist with the cleanup, very little progress has been made on the property. After a brief discussion, the Board decided that progress has halted at the Chenard property and they would like Town Manager to place one last call to Mr. Chenard to inform him that if cleanup does not resume immediately, the Town will be asking the Court to enforce the judgment.

2013 Tax Warrant

The Board signed the 2013 Tax Warrant.

V. NON PUBLIC SESSION PURSUANT TO RSA 91-A:II(A,C,E) PERSONNEL, LEGAL

MOTION: “To enter non-public session pursuant to RSA 91-A:II(a,c,e).”

Motion: Tamra Ham Second: O.J. Robinson

MOTION: “To re-enter public session.”

Motion: Tamra Ham Second: O.J. Robinson

The Board re-entered public session at 8:00pm.

VI. ADJOURNMENT

After reviewing the weekly payables and with no further business to attend to, the Board made the following motion.

MOTION: “To adjourn.”

Motion: O.J. Robinson Second: Tamra Ham All in favor.

The meeting adjourned at 8:11pm.

Respectfully Submitted,

Brook Rose

Approval Date ____ / ____ / ____

Chairman O.J. Robinson

Tamra Ham