

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
JUNE 30, 2014 – 5:30PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

Board of Selectmen Present: O.J. Robinson, Tamra Ham, and Patricia McTeague.

Staff Present: Town Manager Alfred Burbank, Fire Chief Ron Beard, Public Works Director William Willey, and Recording Secretary Brook Rose.

Public Present: Louise Willey, Taylor Beaudin, Dave Beaudin, Spencer Kelley, Paul and Karen Bartlett, and Jane Ludwig.

I. CALL TO ORDER

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

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

MOTION: “To approve the minutes of the June 23, 2014 meeting as amended”

Motion: Patricia McTeague Second: Tamra Ham All in favor.

*The amendment was to revise Line 234 to state that O.J. “ will also be one of the judges for the parade....”
Rather than “the” judge for the parade.*

MOTION: “To approve the non-public minutes of the June 23, 2014 meeting as presented”

Motion: Tamra Ham Second: Patricia McTeague All in favor.

III. PUBLIC PARTICIPATION

Spencer Kelley / Flooding in Home

Mr. Spencer Kelley attended the meeting to make the Board aware of the flooding on his property during the most recent heavy rain storm. He informed the Board that his home has never had water in the basement with the exception of Tropical Storm Irene two years ago. However, with the heavy rain storm last week, they had five feet of water in their basement. Six inches of rain fell in 12 hours. Town Manager Burbank informed the Board that the two large culverts in the Community Center parking lot were blocked by a significant amount of debris which caused the culverts to overflow flooding the Community Center parking lot and playground. The path of the water then continued down the road to flood the Spencer’s property as well as a neighboring rental home. The culvert may either be a poor or outdated design or this flooding could just be a result of all of the debris that built up and blocked the culvert. Bill Willey stated that he pulled two large 3x4 sheets of plywood out of the water that was presumed to have been placed in the drainage stream by children. Someone reported seeing kids carrying plywood through the parking lot earlier that day. Bill added that there is a fair amount of forestland between nearby developments that drain to that stream and that the high water pulls a lot of dead wood into it. He also found firewood and other debris from people’s homes blocking the culvert.

As the water rises, it creates a wall of water that is potentially dangerous. Bill stated that he filled a one ton truck full with debris from the culvert.

Mr. Kelley mentioned that he and his family lost a great deal of their personal belongings including wedding photos and baby items during the flooding from Tropical Storm Irene. They now have a two year old and a two week old and had just bought a new washer and dryer which are now ruined from this most recent flooding. They also lost tools and building supplies. Their furnace has also been flooded twice now. Mr. Kelley is worried about it failing. They have contacted flood insurance companies but are unable to get coverage because their property is not in a flood plain. After the first flood, they covered all of the expenses on their own and assumed such a storm wouldn't happen again yet two years and another flood later, they are faced with mounting expenses. Mr. Kelley made it clear that he was not at the meeting to complain nor does he expect anything from the Town. However, he is seeking help from the Town to ensure that this does not happen again and anything else the Town is able to do for their family would be greatly appreciated.

Mr. Burbank advised that he has contacted the Town's insurance company and he is in the process of sending photos, cost estimates etc. O.J. Robinson stated that there are two issues that need to be addressed. One is the short term issue of the flooding of this property and second is the long term problem of the debris that is pulled into the drainage stream. O.J. questioned whether there is a way to point the drainage in a different direction. Bill Willey replied that the Town does have a lot of property in this location and could potentially create some kind of a swale but the issue is still the debris. Even if the debris could be kept out of the stream, with future development the problem will only get worse. After an in depth discussion about drainage issues and future development, it was decided that Town Manager Burbank would contact H.E.B. Engineers (the firm already under contract to draw up the plans for the Forest Ridge development upstream) to do a drainage assessment of the area to include this problem area downstream.

Mr. Kelley stated that he does not expect an answer from the Town right away. O.J. replied that he was glad the Kelley family approached the Board for assistance. Town Manager Burbank will stay in touch with Mr. Kelley to keep him apprised of any progress the Town makes on this matter.

Paul and Karen Bartlett / Property Flooding

Paul and Karen Bartlett met with the Board to discuss how the recent heavy rainfall affected their property. Paul stated that the Town may need to have an engineer take a look at the Town's dams. He explained that what is happening during a heavy rainfall event is that the water is coming over the dam, picking up the dirt in the road and depositing it in his house and backyard. He had over a foot and a half of water in his basement last week. If one of those dams were to let go, some of the houses and maybe even lives could be lost. O.J. Robinson replied that the dams are inspected by the State and that the Town does have funds set aside to do some rehabilitation to Loon Pond dam next year. Bill Willey explained that the Town has to turn in a plan every spring and fall to NHDES. Part of that plan is to draw the ponds down in the fall and spring to account for increased seasonal rainfall. However, since the Town is doing the work on the river intake structure, the pond is now the Town's main source of water. Bill did drain the pond down in anticipation of the expected rainfall however; he explained that he does not dare draw it down too much because of the circumstances with the river intake being out of commission.

Dave Beaudin mentioned that the Town did install a 36 inch culvert to help alleviate the blockage of the box culvert in this location which did help but then it also filled with debris. He added that even if the

Town fixes this culvert and makes it larger, there is a culvert downstream that does not belong to the Town that may not be able to handle the flow.

After a lengthy discussion, it was decided that the Town would hold off on the design work for the Hanson Farm Road reconstruction, which does not have to be done this year and apply the funds towards hiring an engineer do drainage assessments to determine a course of action on the culverts by the Community Center as well as the issues with the box culvert below the lower Loon Pond dam.

Town Manager Burbank stated that he is highly recommending to the Planning Board that they take a more aggressive look at drainage issues in the Town considering all of the new development and how it affects properties downstream.

O.J. reiterated the following action items:

1. To direct H.E.B. Engineers to look at the retaining ponds at Forest Ridge as well as the engineering plans for the latest development conditionally approved by the Planning Board to determine the best course of action related to drainage in this area and downstream.
2. To engage an engineering firm to look at the two culverts that were discussed tonight.

Jayne Ludwig / Dumpster Issues

Jayne Ludwig attended the meeting to request the Board's assistance with an unsightly dumpster that is behind El Greco's on Pleasant Street. She showed the Board a picture of the dumpster. The dumpster is in violation of the Town's ordinance pertaining to bear proof dumpsters. The dumpster is unlocked the majority of the time and bears have bent the lid up. Garbage is constantly overflowing the rusty dumpster which is the first thing to be seen when turning onto Pleasant Street. Jayne asked if the Board could have the property owners move the dumpster or fence it off. O.J. Robinson replied that the Town does not have any requirements for installing fencing around dumpsters however he will ask Health Officer Ron Beard to look at the site and follow up with a letter to the property manager, property owner and tenants regarding the Selectmen's Wild Animal Ordinance. Bill Willey mentioned that the Board may want to have Ron look at the dumpsters behind Price Chopper and Rite Aid as both have both been open and bears can be seen jumping in and out of them.

Taylor Beaudin / Emergency Work Policy

Taylor Beaudin questioned whether the Town changed the policy on emergency work as there is supposed to be a rotation in place to share the emergency work between local contractors. He added that he knows of three projects recently completed by Caulder Construction. O.J. Robinson stated that the Town did put a notice in the paper calling for local contractors to put their name on a list if they were interested in working in a rotation for the Town's emergency work. Lincoln Trucking and Excavating did not respond. The only contractor to respond was Caulder Construction. The Town posted the notice around Town, on the Town's website, and in the newspaper. Taylor got quite agitated about this and called into question Bill Willey's judgment about his use of equipment on various Town projects. As the conversation escalated, O.J. Robinson stated that the Board trusts the judgment and work of the Public Works Director. Taylor abruptly left the meeting.

Dave Beaudin / Public Works Project Inquiry

Dave Beaudin questioned whether there is a good reason why the recent washout work was not done by the Public Works Department. He stated that as a taxpayer, he is very upset that the Town spent money

to have a contractor do this work when the Public Works Department could have done it and did indeed do the same work ten years ago. Bill Willey replied that he did not have the manpower to do the work with members of his department taking their summer vacations. The conversation escalated until Town Manager Burbank made it clear that it was his decision to hire a contractor to do the work. He added that in his opinion, what needed to be done at the washout site exceeded the equipment and manpower the Town had on hand and this work needed to be done immediately.

IV. OLD/NEW BUSINESS

Town Manager's Report

Update on Recent Flooding Event

Town Manager Burbank informed the Board that he contacted NH Emergency Management to see if the damages throughout the Town and Grafton County would qualify for any Emergency Management funds. The Town had damages of at least \$30-40,000 and does not include the property damage of several residents which may also qualify for funds. NH Route 112 in Woodstock was also washed out. The Town has photos of all of the damages. A representative from Emergency Management did come to the Town to view the damages. Mr. Burbank has also contacted Town Counsel for his opinion on how best to involve the Town's insurance company.

Loon Mountain Bridge Update

H.E.B. Engineers forwarded the following updated schedule to the Town for the Loon Mountain Bridge:

Advertise for bids:	7/16/14
Pre-Bid meeting:	7/31/14
Bids due:	8/28/14
Sign contract:	9/22/14
Start construction:	10/13/14
Substantial completion:	10/14/16
Final payment:	11/30/16

JORI Update

Town Manager Burbank would like to invite the attorney representing JORI to meet with the Board at an upcoming meeting. The meeting would be held in non-public session.

Skate Park Update

The representatives of the proposed skate park would like to schedule a site visit with the Town as soon as possible. The Board decided to make this part of an upcoming Planning Board meeting agenda so that both boards can attend. Town Manager Burbank will also invite Tara Tower, Chief Smith, Bill Willey and North Country Center for the Arts.

Applications for Part Time Deputy Town Clerk/Tax Collector

Two applications have been received for this position. Town Manager Burbank is waiting until after the holiday to schedule interviews.

Sign Violations

O.J. Robinson would like Town staff to write a press release about the upcoming meeting regarding the Sign Ordinance. He would like this sent to the Chamber of Commerce to be sent out in their weekly e-mails. Chief Smith has offered to hand deliver violation notices. O.J. would like a second notice delivered to all of the businesses inviting them to the meeting closer to the meeting date in September.

At this time (6:50pm) Patricia McTeague left the meeting.

V. HOUSING AND COMMUNITY DEVELOPMENT PLAN – RIVERWALK PROJECT

O.J. Robinson explained that the Town is working on drafting and adopting a Housing and Community Development Plan. This plan is a comprehensive planning tool used for future development. Once the Town adopts this plan, the Town is eligible to apply for Community Development Block Grant (CDBG) funds. Dennis Ducharme has approached the Town to ask that the Town be the lead applicant for a CDBG grant for the Riverwalk Project. If the Town receives the grant, part of the grant conditions are that the project guarantee a certain amount of year round full time jobs.

VI. NON PUBLIC WORK SESSION Pursuant to RSA 91-A:3II(e)

MOTION: “To go into Non-Public Session pursuant to RSA 91-A:3II(e)

Motion: O.J. Robinson Seconded: Tamra Ham Roll call vote was all in favor.

The Board went into Non-Public Session at 7:05pm.

MOTION: “To re-enter public session”

Motion: O.J. Robinson Seconded: Tamra Ham Roll call vote was all in favor.

The Board came back into session at 7:40pm.

VII. OTHER BUSINESS

Leclerc Property

The Board discussed the progress being made on the Leclerc property. O.J. Robinson informed the Board that NHDES is drilling more test wells to try to determine the cause of the pollutants in the house. The Board is very concerned about the issue and is eager to find out what conclusions NHDES makes throughout their progress on this case. The Board asked that Health Officer Beard attend the next meeting to update the Board on this matter.

Abatements

MOTION: “To deny the abatement request of the Village Shops ICH, LLC for property located at 25 south Mountain Drive #16, Map 118-046.”

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

MOTION: “To deny the abatement request of 49 Main Street LLC for property located at 49 Main Street, Map 112-055.”

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

The Town’s assessor has not received new appraisals on these properties. Once an appraisal is received, the Town could grant an abatement if the appraisals indicate a decrease in value.

VIII. ADJOURNMENT

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 8:00pm.

Respectfully Submitted,

Brook Rose

Approval Date ____/____/____

Chairman O.J. Robinson

Patricia McTeague

Tamra Ham

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