

**LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
OCTOBER 19, 2015
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH**

Present: O.J. Robinson, Patricia McTeague, and Jayne Ludwig.

Staff Present: Fire Chief Ron Beard, Police Captain Jeff Burnham, and Recording Secretary Brook Rose.

Public Present: Roger Harrington, Paul Beaudin, Tammy Dutilly, David Beaudin, Cindy Rineer, Wendy Tanner, Susan Clark, Steve Noseworthy, and Mary Conn.

I. CALL TO ORDER

O.J. Robinson called the meeting to order at 5:52pm.

II. REVIEW OF MEETING MINUTES

MOTION: “To approve the minutes of the October 5, 2015 Board of Selectmen’s meeting as amended.”

Motion: McTeague Second: Ludwig Motion carries.

MOTION: “To approve the non-public meeting minutes of the October 5, 2015 Board of Selectmen’s meeting as presented.”

Motion: Ludwig Second: McTeague Motion carries

III. EMPLOYEE RETIREMENTS

Town Manager Burbank informed the Board that the Public Works Director and Town Clerk & Tax Collector positions have been advertised. Two applications have been received for the Town Clerk position. After a brief discussion, the Board decided to conduct interviews for the Town Clerk position on Monday, October 26th.

IV. ICE CASTLE SITE PLAN REVIEW DISCUSSION

O.J. updated the Board on the situation with the ice castle. He explained that the ice castle was located at the HOBO Railroad property last winter. The Planning Board did initially ask the business to apply for a site plan review application to which the business obliged but then proceeded to withdraw. O.J. read the attached letter from HOBO Railroad owner Ben Clark.

The Town's attorney has advised the Board that enforcement action is the only option available to the Town. Given the initiative Mr. Clark has taken in hiring an engineer and drafting a traffic design, the Board made the following motion:

MOTION: "That the Select Board takes no enforcement action in regards to the ice castle in 2015 contingent upon the ice castle presenting a traffic plan to the Board at a public meeting where the ice castle is on the agenda. The Board also has the expectation that the NHDOT application for approval of a traffic design be submitted before said meeting in order to expedite the process."

Motion: Robinson Second: McTeague Motion carries unanimously.

Jayne added that there will be public hearings regarding the ice castle to receive public input. She added that one of the abutters that had a really hard time with the ice castle last year is now on board with it. Mr. Clark has done a lot of additional work to make this plan successful for the Town. Patricia agreed.

Paul Beaudin stated that he cannot understand why the Town cannot force the ice castle to go through site plan review especially as the owner represented one thing which actually resulted in another. He added that the Board is not doing their duty by picking and choosing. O.J. replied that there is a lot of gray area in this situation. The ice castle was allowed at Loon Mountain and then the HOB0 Railroad over the past two years and did not go through site plan review. The Town's ordinance is unclear on the matter. All of these elements including the fact that the property owner is going above and beyond (even beyond what is required by site plan review) to work with the Town is why the Board is not taking enforcement action. O.J. stated that the Board cannot force the business to come in for site plan review. Paul suggested not giving the business water until they go through the process. Bill Conn suggested that the Board invite the Planning Board to attend the public hearings.

Wendy Tanner stated that throughout this process, she has heard that expansion of use and change of use are two reasons to go through the site plan review process. She stated that in this situation the ice castle is not a change of use and an expansion of use is debatable. She added that the back parking lot has been used for a lot purposes over the years so proving an expansion of use is very hard to do. O.J. replied that this is the gray area he referred to earlier.

V. OLD/NEW BUSINESS

Riverfront Park Planning Committee

O.J. informed the Board that after committee appointments were made, another town resident, Marcus Corey expressed interest in serving on the committee. O.J. left it up to Jayne to decide whether or not to appoint Marcus to the committee. The Board clarified that they would like the committee to come up with a diagram/layout of the 20 acres set aside for a park.

Town Manager's Report

Lincoln's 250th Anniversary Banners

The 250th banners will be taken down and stored at the Town Hall. One will be given one to the Historical Society and one will be displayed at Town Hall. Butch questioned what the Board would like to do with the rest of the banners. Roger Harrington suggested giving one of the banners to the first Lincoln resident born in 2014. The Board thought this was a great idea. Auctioning the banners off was also discussed.

Senior Citizens' Christmas Party

The senior citizens' Christmas party will be held on December 9th from 10:00am-1:00pm. Butch plans to attend and invited the Board to join him.

Tax Bills

Tax bills are scheduled to be mailed out on November 1st.

Pines at Forest Ridge Update

Butch informed the Board that he met with Ray Korber this week as there were some major issues brought to light from the third party review. All of the retention ponds will need to be re-surveyed. They're all improperly installed. All of the drainage will also have to be re-installed. The Town recommended that they not disturb the drainage during the rainy season (this fall). All parties have been notified included NHDES and the EPA.

Sale of Town's 2008 Ford Crown Victoria

The highest bidder on the Town's 2008 Ford Crown Victoria was Jonathan Ham.

South Peak Water Assessment Project

Butch is meeting with Hoyle & Tanner this week to start the planning process for this project. Flow tests and liabilities with private water systems will be discussed.

Water Plant Filter Addition

This project is complete and the punch list items are being addressed.

School Sewer Re-Alignment Project

This project is complete and the punch list items are being addressed.

NCC Transportation Meetings

Carole Bont will attend on November 3rd.

NHDOT Meeting

On October 27th the Town is meeting with NHDOT to discuss the high volumes of traffic during special events. Riverwalk will also be required to submit a traffic plan to NHDOT.

Waste Management

The contract with Waste Management has been signed and executed.

Pollard Road – Town Land Cleanup

No one has expressed any interest in the corrugated pipe. O.J. asked that Butch contact the White Mountain Snowmobile Club to see if they have any use for it. Bill Conn questioned whether it could be used on the Riverwalk trail. Butch will look into this.

Traffic Update

The Board thanked Chief Smith for the traffic update he provided to them.

Public Participation

Roger Harrington

Roger Harrington would like to ensure that the drainage issues at Forest Ridge are addressed. Butch replied that all of the issues have been well documented. O.J. added that this past year, the Town adopted a Stormwater Drainage Ordinance to ensure that enforcement mechanisms are in place.

Paul Beaudin

Paul Beaudin suggested that the Board give the 250th Anniversary banners to the Legion or the local Boy Scouts troop to be auctioned off.

He went on to say that the Columbus Day weekend traffic was terrible. He added that there was a ski and snowboard shop that had their tent over the sidewalk all three days of the holiday weekend. Town staff will follow up with the business owner.

Paul stated that the criteria for the Director of Public Works position are way over what is needed for the Town of Lincoln. He stated that the current Director did not have all of these qualifications when he applied for the position. Jayne stated that the Board would rather seek out applicants that are qualified rather than setting the standards too low. The current Public Works Director has been in the position for 26 years.

Paul stated that he is baffled that the Town is spending \$34,000 on a water study without putting it out to bid. He stated that the Board is not representing the best interest of the taxpayer and that these kinds of actions do not lead to a lot of confidence in the Board.

Mary Conn

Mary Conn questioned whether there have been any discussions about contracting the work at the water plant out. O.J. replied that the Board has not discussed this at all. Butch added that he does not plan to. Mary also questioned why Bill Willey is going to stay on until September 2016 and whether he would still be an employee or a contractor. She questioned if he would get any benefits. Butch replied that Bill's position after his retirement is still being discussed.

Bill Conn

Bill Conn questioned why the Board does not have a Town employee operate the sewer plant. There was an extended discussion about this. Butch stated that the sewer plant has been operating very smoothly for many years and has never been out of compliance. The plant is required by the State to report to the Town and the State on a regular basis. There have been no issues and it is very cost

effective to keep the plant running as is. He added that if the plant were run by the Town, at least an additional two full time employees that hold sewer licenses would have to be hired. Further, there is not an abundance of people in NH that hold sewer licenses.

Bill Conn questioned whether the taxpayers are going to get hit with a million dollar bond to upgrade the sewer plant. O.J. replied that the Town is already setting aside funds in the CIP in anticipation of this. The EPA could mandate that the Town upgrade at any time. The fact that the Town has open lagoons is unheard of. Additionally, contracting with a business that is up to date on the regulatory world is a great benefit to the Town.

MS-1

MOTION: “To sign the MS-1 as presented by Finance Officer Helen Jones.”

Motion: Robinson Second: Ludwig All in favor.

VI. ADJOURNMENT

After reviewing the weekly accounts payables, the Board made the following motion.

MOTION: “To adjourn.”

Motion: McTeague Second: Ludwig All in favor.

The meeting was adjourned at 7:30pm.

Respectfully Submitted,

Brook Rose

Approval Date 10/26/15

O.J. Robinson

Patricia McTeague

Jayne Ludwig