

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
JANUARY 25, 2016
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

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

Staff Present: Town Manager Alfred Burburk, Fire Chief Beard, Police Chief Smith, and Brook Rose.

Public Present: Cindy Rineer, Russ Bradshaw, Tamra Ham, Susan Clark, Edmond Gionet, Dave Beaudin, Paul Beaudin, Tammy Gionet Dutilly, Victoria Martin, Mary Conn, and Roger Harrington.

I. CALL TO ORDER

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

II. REVIEW OF MEETING MINUTES

MOTION: "To approve the minutes of the January 11, 2016 Select Board meeting as amended.

Motion: McTeague **Second:** Ludwig **Motion carries.**

MOTION: "To approve the non-public minutes of the January 11, 2016 Select Board meeting as presented.

Motion: Ludwig **Second:** McTeague **Motion carries.**

III. SIDEWALK IN FRONT OF THE NORDIC INN

Russ Bradshaw attended the meeting to request that the Town reconsider plowing the sidewalk in front of the Nordic Inn. The Town does not plow it. Town Manager Burbank stated that the Town's Winter Maintenance Policy of 1993 excludes plowing several of the Town's sidewalks. The Board agreed to review the policy prior to the next meeting and to put it on the agenda to discuss next week. The Board would like to review all of the sidewalks not currently being maintained. Mr. Bradshaw thanked the Board. Paul Beaudin added that there is no lighting on the sidewalk that runs from the Nordic Inn to the Kanc Motor Lodge creating a dangerous situation the Town may also want to consider. Edmond Gionet added that the Board should review RSA 231:111-113 which is the state law regarding sidewalks.

IV. LEVEE DISCUSSION with Paul Beaudin

Paul Beaudin stated that he still has a problem with the Town's plan to rehabilitate the last 300ft. of the levee. He added that he has reviewed the letter from NHDES and finds nothing in it stating that the Town has to rebuild the levee to 1700ft. It only suggests that the trees and brush be removed for the

entire 1700ft. The letter states that the levee must be restored to the 1960 as built configuration. He went into further detail of the ACE report and the Dubois and King engineering report on the levee. Paul does not understand why the taxpayers should be burdened with the additional 300ft of the levee which will cost an additional \$52,000. He asked for an explanation from the Board.

O.J. Robinson replied that NHDES is the authority over this structure and they have defined the limits of that structure. The structure includes the additional 300ft. O.J. reviewed the NHDES letter with Mr. Beaudin and stated that NHDES does define the additional 300ft. through their description of the levee in the aforesaid letter. Jayne Ludwig added that the Town does not own the levee currently and will not in the future. Further discussion ensued. The Board understood Mr. Beaudin's concerns but feels that that the alternative to not fixing this additional 300ft. is leaving it to the homeowners along the levee.

Paul read RSA 482:33 pertaining to this situation. He believes that the RSA's provide some legal language for the Town to turn this back over to the homeowners. He is concerned that the Town will get stuck with this again further down the road. He thinks it is terrible that the NHDES and USACE are forcing this upon the Town. They are doing the Town a great disservice, and he feels that the Town should relay this message to them.

Town Manager Burbank agreed with Mr. Beaudin's concerns, but stated that the Town's legal counsel has vetted all of these arguments and found that this avenue is the least impactful to the taxpayers. The Town has gone back to NHDES to argue over the 300ft. Paul Beaudin questioned whether going this route was indeed the most cost effective to the Town in the long run. The Board is comfortable with the route the Town is taking as being the best course of action for the Town and the taxpayers.

Edmond Gionet submitted a photo to the Board from 1962. He stated that if anyone were to view this picture and the development along the river, they would wonder why anyone would build in that location in the first place. The people that bought from the developer should be accountable. He does not think that the Town should be burdened with this responsibility. He recommends spending more money to litigate and put the "EPA's feet to the fire."

V. OLD/NEW BUSINESS

Town Manager's Report

Loon Bridge Update

Town Manager Burbank informed the Board that the steel for the bridge is in place. The sewer lines and electrical conduit will be installed under the bridge this winter. Construction will then be halted until spring. The bridge should be completed in the fall of 2016.

Pollard Road Sidewalk Project Update

Victoria Martin informed the Board that she has a petition warrant article prepared with the necessary signatures and will submit it to the Town this week. Mrs. Martin has drafted an information flyer and has handed them out to every homeowner on Pollard Road inviting them to attend an information meeting to give their input on the proposed project. She also spoke with every homeowner that was home the day she walked the road. She is trying to do due diligence to ensure this project is not a surprise to anyone at Town Meeting. She has scheduled the public information meeting at the town hall for February 17, 2016 at 7pm. Ray Korber and Butch Burbank have agreed to attend. She stated that she feels that the Town is spending a lot of money on big ticket items when there are public safety issues in Town that

need to be addressed. She would like to see the sidewalks clear for this reason. She added that a sidewalk along the length of Pollard Road would be good for everyone. Mr. Burbank agreed that if a sidewalk is constructed it should be maintained year around. O.J. added that the Board is eager to review the policy and make some immediate changes. O.J. questioned whether Mrs. Martin's warrant article was written to appropriate funds for the engineering as well as the construction. Mrs. Martin replied that the article includes funds for the design and construction of the sidewalk. The total figure amounts to \$525,000 which contains a 15% contingency.

Loon Pond Dam Update

Mr. Burbank informed the Board that the US Forest Service has moved faster than usual and that their environmental assessment has been completed. The Town is awaiting their report. The project is back on schedule to be put out to bid in the spring.

Ice Castle

Chief Smith informed the Board that traffic to the ice castle is flowing smoothly for the most part. The Department plans to slightly alter the traffic plan to direct exiting traffic to use the Connector Road exit during Loon Mountain Resort's peak traffic times.

Budget Committee Meeting Update

The Budget Committee did make some changes to the Board's proposed budget. The Fire Department's budget went down, the water budget was slightly altered, and the community building's budget was increased by \$30,000 to support the renovations to the building. The Town of Woodstock Select Board is unanimously in favor of the project.

Public Participation

Paul Beaudin

Paul Beaudin questioned whether it is the standard of the Board to accept a petition warrant article just before midnight at the dispatch center as Mr. Romprey recently did. The Board discussed the matter and decided not to set policy based on one incident that was extremely out of the ordinary. They agreed that all residents would be treated fairly and equally and that the RSA's do not speak to a time of day when petitions shall be submitted by. Mr. Beaudin does not want to see a precedent set or preferential treatment given to the Vice Chair of the Planning Board. O.J. replied that every resident has the right to represent themselves as a taxpayer and a resident. He added that the particular petition that Mr. Beaudin is referencing was not a valid petition anyway as it lacked the necessary signatures. The petition request will be discussed and voted on at the upcoming Planning Board meeting.

Tamra Ham

Tamra Ham clarified that February 2nd is the budget hearing and the due date for a petition warrant article. She recommended that the Board may want to schedule the budget hearing for after the due date for petition articles in the future. She also added that one has to be a registered voter to sign any petitions and not just a resident.

Commeford Neider Perkins (CNP)

The Board reviewed the CNP contract for the Town's assessing services including a town wide revaluation. The contract amount is \$75,000. Town Manager Burbank will look into placing the revaluation out to bid.

Burning Incident

Paul Beaudin stated that if the Town is spending thousands of dollars to chip brush, everyone should have to chip their brush rather than burn it. Mr. Burbank replied that state law permits the burning of brush and that the developer who was burning brush did have permission from the Fire Department.

VI. NON PUBLIC SESSION Pursuant to RSA 91-A: 3II (a, e) Legal , Personnel

MOTION: To go into Non-Public Work Session at 6:50pm.

Motion: Ludwig Second: McTeague Roll call vote all in favor.

MOTION: To go back into public session at 7:15pm.

Motion: Ludwig Second: McTeague Roll call vote all in favor.

VII. ADJOURNMENT

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

MOTION: "To adjourn."

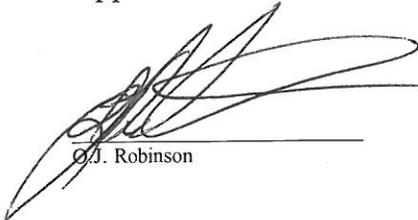
Motion: Robinson Second: Ludwig All in favor.

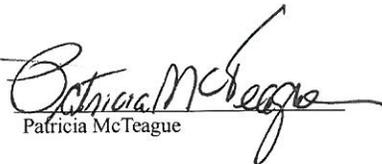
The meeting was adjourned at 7:20pm.

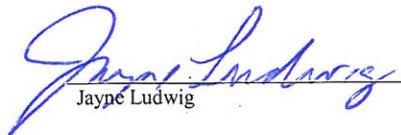
Respectfully Submitted,

Brook Rose

Approval Date 2/1 /16


O.J. Robinson


Patricia McTeague


Jayne Ludwig