

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
SEPTEMBER 14, 2015
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

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

Staff Present: Town Manager Alfred Burbank, Fire Chief Ron Beard, and Recording Secretary Brook Rose.

Public Present: Tamra Ham, Edmond Gionet, Paul Beaudin, Peter Malia Esq., Roger Harrington, Susan Clark, David Beaudin, Steve Noseworthy, Tim Churchill, Cindy Rineer, and Rosemary Dutilly.

I. CALL TO ORDER

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

II. NOISE COMPLAINT DECISION

Patricia McTeague stated that the majority of the Board conducted a site visit prior to the meeting to look at the ramp in question. The Board then discussed the situation with Attorney Malia. She stated that O.J. Robinson was not present during this time.

At this time, O.J. Robinson recused himself from the Board.

MOTION: “For enforcement action: First, informal enforcement (Town Manager working with Alpine Adventures to apply to the Planning Board for site plan approval for the inner tube attraction) and second, if necessary, formal enforcement action (which would be a violation notice).

Motion: Ludwig Motion fails for lack of a second.

Patricia McTeague stated that Alpine Adventures came in for site plan review in 2011 and was issued a valid permit for the ramp. In hindsight the Town should have had a public hearing. However, the Town cannot go back four years to reverse their decision.

The Town will not be taking enforcement action against Alpine Adventures. Both Selectmen feel quite sorry for the abutters in this situation. Patricia stated that it is the Board’s hope that business owners will work with the property owners to mitigate this situation.

At this time, O.J. came back on the Board.

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

MOTION: To go into Non-Public Work Session at 5:40pm.

Motion: Robinson Seconded: McTeague Roll call vote all in favor.

MOTION: To go back into public session at 6:30pm.

Motion: Robinson Seconded: Ludwig Roll call vote all in favor.

IV. MINUTES OF THE PREVIOUS MEETING

MOTION: "To approve the minutes of the August 24, 2015 Board of Selectmen's meeting as amended."

Motion: McTeague Second: Ludwig Motion carries.

MOTION: "To approve the non-public minutes of the August 24, 2015 Board of Selectmen's meeting as presented."

Motion: McTeague Second: Ludwig Motion carries.

MOTION: "To approve the minutes of the September 2, 2015 Board of Selectmen's meeting as amended."

Motion: McTeague Second: Ludwig Motion carries.

V. OLD/NEW BUSINESS

Lincoln Woodstock Solid Waste Management Agreement

Town Manager Burbank updated the Board on the missing agreement with Waste Management. All attempts to locate the signed document have been unsuccessful. The Town of Lincoln does not have a copy. The Town of Woodstock does not have a copy. It was not in the records at the Solid Waste Facility and Waste Management couldn't produce a signed copy. Town Manager Burbank will work with the Town of Woodstock to determine how they wish to proceed.

Recent Petitions

In light of the recently submitted petitions and requests from residents to withdraw their signature from said petitions, Attorney Malia advised that those residents do have the right to make such requests. Attorney Malia suggested they make the request in writing. O.J. stated that the Town will have their names removed from the petitions once the written request has been made.

Riverfront Park Planning Committee Formation Discussion

O.J. Robinson stated that as the Town gets more involved with the skate park, the Board would like to ensure that proper planning for the Riverfront Park is in place. The Board discussed forming a committee to spearhead the planning process. The Board agreed to get the word out about the formation of this committee and seek out representatives from a variety of interested parties including local businesses and residents alike. A member of the Planning Board and Board of Selectmen will also serve

on the committee. Jayne Ludwig volunteered to be on the committee. Rick Kelly and Dennis Ducharme have also volunteered. Anyone else interested in serving on this committee should submit a letter of interest to the Board.

NHDES Letter of Response Re: Levee

Town Manager Burbank informed the Board that NHDES is aware that the Town is working on a response to their letter.

Town Managers Report

Community Center Siding Project

The siding project has been completed and came out looking great.

Loon Bridge Lighting

Town Manager Burbank informed the Board that Rick Kelly consulted with him and would like to contribute funds to have the conduit installed for future lighting of the bridge. Both parties agreed to split the project costs 50/50. The estimated total project cost is \$18,000-\$20,000 with the Town portion being half of that. The project engineers are currently getting approval from the State.

School Sewer Re-alignment Project

Work commenced on this project on Thursday, September 10th. The project should be complete within a few weeks.

Loon Pond Dam

Another historical review of the Loon Pond Dam project has been completed. The area is not subject to the historical register. The project is progressing slowly. O.J. Robinson added that the Town received an invoice for the NHDES environmental impact study. The invoice was in the amount of \$21,005.50 which is only for part of the study. There is still a considerable amount of work that has to be done as part of the study which the Town will be charged for.

Community Center Drainage Control

The Public Works Department began clearing brush along Pollard Road as part of the Town's attempt to gain better flood control in this area.

Junk Yard Litigation

A motion for contempt has been filed in Superior Court. Mr. Chenard has requested a continuance until January 2016, due to his attorney traveling out of the country until December. However, Mr. Chenard's continuance was not filed properly in court and thus the Town is planning to meet him in court on September 28th.

Public Participation

Roger Harrington

Roger Harrington questioned what the white pipe that is lying in the lagoon up at Forest Ridge is. Mr. Burbank replied that he did not know however he did visit the site with the Town's engineer. Currently, Forest Ridge is in compliance. As Mr. Harrington has concerns, the Board asked that the Town's engineer go back up to Forest Ridge to inspect the pipe and to write a written report back to the Board with photos attached.

Edmond Gionet

Mr. Gionet stated that he met with the consulting engineer for the Town over at the culverts. Further he stated that he spoke to a well-known mason that can fix the problem over there. For the record, Mr. Gionet wanted it known that it could be fixed for under \$1,000 and one day's work. O.J. requested that the Town's engineer provide the Board with his analysis of the area in writing.

Mr. Gionet stated that someone told him that they came into the Town offices to register a car and that Town staff asked this person to sign the petition to keep the town manager form of government. He stated that Mr. Burbank was standing right there. He added that this is an inappropriate way to do business. Mr. Burbank replied that this is completely inaccurate. Town staff has been specifically instructed not to get involved.

Rosemary Dutilly

Rosemary Dutilly stated that she is a resident at Lincoln Green and would like something done about the cyclists that continually use the sidewalk rather than the bike lane to ride their bikes. She informed the Board about a situation she encountered when a family was riding on the sidewalk and one of the children hit her cat. She requested additional newer and more simplistic signage for the sidewalk. After a brief discussion, the Board decided to look into writing an ordinance to enforce the State law restricting bicycles to the roadways only. Mr. Burbank will also follow up with Chief Smith to see what the Police Department can do to assist.

Paul Beaudin

Paul Beaudin requested an update on the Inter-Municipal Agreement. Town Manager Burbank replied that the Attorney General's office has approved it and the Town of Woodstock has the agreement to sign it and at which time they will forward the document to the Town of Lincoln.

Mr. Beaudin then questioned whether the Town is charging for brush as is indicated on the Town's website. Mr. Burbank replied that the Town is not charging for brush deposited at the Solid Waste Facility.

Paul went on to say that the Board should look at whether signatures for the aforesaid petition were solicited at the Town offices. He also heard that from someone else that they were solicited at the Town offices too. Tim Churchill stated that it could not be as bad as Mr. Gionet getting signatures from a mentally challenged person. Tim questioned why Mr. Gionet even initiated the petition in the first place. Mr. Gionet replied that Mr. Burbank has a lot more authority than he deserves. Paul questioned who wrote the petition to keep the current form of government. Tim replied that he drafted that petition by altering one word in Mr. Gionet's petition. O.J. put an end to the conversation stating that this was not a

Board issue. The Board was presented with a legal petition and will act on it accordingly. If residents feel strongly about the issue they should vote on Town Meeting Day in March.

Mr. Burbank added that he recently met with all Town staff and made it clear that their job is to manage the workflow of the Town departments and not to in any way interject in Town politics. Further, he stated that the staff did not solicit signatures.

Other Business As Presented

Jayne Ludwig commented that when the Board has a public hearing, she would like to be aware of and part of any Board statements. She was not sure what to expect at the hearing on the skate park and did not know that O.J. had planned to make a statement on behalf of the Board. O.J. replied that Jayne is always welcome to speak and make a statement at any meeting at any time she wishes. This is her role as a member of the Board of Selectmen.

General Assistance Letter of Thanks

O.J. Robinson read the attached letter of thanks to Welfare Administrator Jane Leslie from a recent client. The Board stated that they are very proud of Jane's work and everything she does for the Town.

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

MOTION: To go into Non-Public Work Session at 7:20pm.

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

MOTION: To go back into public session at 7:50pm.

Motion: McTeague Seconded: Ludwig 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 7:56pm.

Respectfully Submitted,

Brook Rose

Approval Date 9/21/15

O.J. Robinson

Patricia McTeague

Jayne Ludwig

Catherine P. McDowell
56 High Acres Road
Randolph, N.H. 03593

September 9, 2015

To The Selectmen Town of Lincoln

Dear Selectmen,

Yesterday I was stranded without gas, money or a cell phone in your town at 7:45 in the morning. I had left my purse at home (now an hour away) and had almost no gas. The gas station clerk sent me to the Police Station where a very kind dispatcher sent me to Jane at the Town Hall. Jane was kind, professional and wonderful to a very distraught stranger who arrived on her doorstep out of the blue. Jane arranged for me to have a \$25.00 gas voucher so that I could get to my meeting in Concord. But beyond that Jane made me feel comfortable and well taken care of. She is a credit to your town. I will always think of Lincoln as the kind of town that really cares about people.

You have clearly set a welcoming and positive tone for your town and Jane has embodied that message. Thank you to Jane and the Town of Lincoln.

Gratefully, *Cathy*
Cathy McDowell

I am returning the \$25.00 and have included an additional \$25.00 to help others who may land on your doorstep.

Cathy McDowell