

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
MARCH 21, 2016
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

APPROVED

Board of Selectmen Present: O.J. Robinson, Jayne Ludwig and Tamra Ham.

Staff Present: Town Manager Burbank, and Recording Secretary Wendy Tanner.

Public Present: Pat Romprey, Paul Beaudin, Tammy Gionet Dutilly, Roger Harrington, Steve Noseworthy, Jim Welsh, Deborah M. Celino, David Beaudin, Police Chief Smith and Fire Chief Beard.

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 5:34 P.M.

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

Review of minutes from March 14, 2016

MOTION to approve the minutes of March 14, 2016 with changes as noted.

Motion: Tamra Ham **Second:** Jayne Ludwig **All in favor**

MOTION to approve the non-public minutes of March 14, 2016 as presented.

Motion: Tamra Ham **Second:** Jayne Ludwig **All in favor**

III. ZONING BOARD APPOINTMENTS Discussion

Currently all terms have expired except Paul Beaudin's (expires March 28, 2016). The ZBA only met twice last year. An email was sent out to all members to be sure they still wanted to serve on the ZBA (Zoning Board of Appeals). Only three members have gotten back to the Select Board saying they wish to continue to serve. The board should be comprised of 5 members as well as one or two alternates. We are still waiting to hear from one other member. Having an alternate was discussed and will be posted on the town web site to see if anyone in town would like to serve on the ZBA.

The length of terms was discussed and decided that Paul Beaudin and Don Landry will be appointed for three year terms. Jonathan Ham and James Martin (if he still wants to serve) will be appointed for 2 year terms. The ex officio member from the Select Board, Jayne Ludwig will be a one year term, and the new alternate will also be a one year term. All members will be reinstated for the full 3 terms when their term expires, except the Select Board member, who serves a one year term and is appointed each year by the Select Board.

There was a debate that questioned the statute for board members regarding *Conflict of Interest*. Pat Romprey felt that if a ZBA board member attended a Planning Board meeting and gave input to the meeting, and that same project were to come before the ZBA, the board member would then have to recuse himself. Paul Beaudin had the opinion that if a ZBA board member attended a Planning Board

meeting and then was faced with the same project on the ZBA, that he could explain to the applicant and the ZBA why he felt that he was in conflict, and the board could then vote whether or not to allow him to sit on the ZBA case. Town Manager Burbank is going to pull the statute and discuss with counsel to get a definitive answer on *Conflict of Interest* cases. The Select Board agreed to wait until their next meeting to appoint ZBA members, and to hear back from all of the members and will have a better understanding of the statute as it applies to conflicts of interest.

IV. OLD/NEW BUSINESS

□ Town Managers Report

Community Fest

A flyer was handed out showing the dates of July 22 – July 24 for the event. The Memorial Golf Tournament will be in memory of Joe McInnis, Bill Boyle, Butch Gagnon, Scott Mulleavey, KB and friends.

911 Street Numbering

Town Manager Burbank has a meeting scheduled with Police Chief Smith, Fire Chief Beard and Chief Wetherell to go over the Village at Loon 911 addresses to see what issues they have. 911 address assignments for other developments in town will also be reviewed at this meeting.

Route 3 Bicycle Corridor

Chief Smith explained that the State has painted bicycle emblems on both sides of Route 3 which are now old and faded. Chief Smith feels that the emblems should be painted closer together and have arrows directing bike traffic. From the Flume Gorge it is confusing to get to the bike path, and again when you get to Connector Road, as there is no clear signage directing bikes to downtown Lincoln. Town Manager Burbank and Police Chief Smith will talk to the DOT District 1 engineer for help from the State.

Department Head Revenues

Department heads have been notified and there will be a meeting on April 5, 2016 to pull the information together. Shortly after the April 5 meeting, there will be a meeting with the Select Board to go over the numbers.

Cross Street Stop Sign

Resident Tanya Patterson sent in a complaint about people not stopping at the end of Cross Street and Maple Street, and requested a stop sign be installed. Town Manager Burbank and Police Chief Smith looked at the area and did not think a stop sign was necessary at that intersection. Fire Chief Beard said that there is a lot of traffic at that intersection because people use Cross Street to loop around from Main Street. Town Manager Burbank will discuss with the Public Works Director.

Ice Castle Signs

The Ice Castle signs have all been taken down as well as the rebar and stakes that were on Connector Road and East Spur intersection.

Common Man Land

Chairman Robinson clarified that the land needs to be subdivided, and did not think the town needs to go through the formal subdivision process because the town has the lot characterized as a separate parcel. Jayne Ludwig would prefer to have the deed itself changed so that we do not run into any problems years down the road. The lot is correct on the maps, but the deed is what counsel has said would be the binding document and should reflect the correct information. It was suggested that the

lot be surveyed, and from that information the deed could be corrected. After the lot is surveyed and proper notice sent out, the town would need to go before the Planning Board.

Update on the Levee

Town Manager Burbank and others met with engineers from DuBois & King who are drawing the plans for 280 feet of the levee. This is an ongoing project. Chairman Robinson mentioned an agreement that has been reviewed by counsel and is waiting to be signed by all parties. Other parties are still in the review process. Chairman Robinson asked Town Manager Burbank to ask if there was an advantage to sign the document, or if the project could continue without the signatures. Town Manager Burbank will get back to the Select Board with answers.

Beechwood I

Town Manager Burbank is meeting with engineers tomorrow to review the plans. The agreement with Loon Mountain still needs to be finalized and signed by Rick Kelley. The project will be ready to go to bid around April 1, 2016. Town Manager Burbank thought that getting the bid out sooner would get a better response before contractors were busy for the summer.

Meeting with Joe Chenard

The Select Board discussed having a meeting with Joe Chenard and looked at next Monday if he is available.

☐ **Select Board Topics**

Black Mountain Road Bond

Chairman Robinson asked Town Manager Burbank if there were any answers yet on the research for the bond. Town Manager Burbank said he has not heard back from Tri-State yet.

Loon Pond Dam

Status update on the Loon Pond Dam is that it went out to bid and the engineers are reviewing the three bidders. Low bidder was Caulder Construction but they are doing their review and checking references. The contract was clear that the job would not be awarded until all permits were in place.

Driveway behind Lahout's

Public Works Director Hadaway is going to put up some new signs to get people to stop when coming out from behind Lahout's. They did not talk to the neighbors yet about the shrubs because they wanted to try signs first.

☐ **Public Participation**

Paul Beaudin

Paul Beaudin questioned if the Select Board had made appointments to the ZBA tonight. Chairman Robinson explained that they first wanted to get in touch with other members to see if they were interested in serving on the ZBA as well as putting a notice on the web site to advertise for an alternate. The Select Board also would like to look at the statute as far as participation on Boards and should be appointing members at next week's meeting.

Paul Beaudin asked if the town had received an estimate for the repair of the Black Mountain Road, and if Beechwood I homeowners would get a new road. Paul Beaudin thought that the road was in horrible condition especially in winter. The poor drainage on the road was causing most of the damage. Chairman Robinson explained that the town is seeking payment from the bond company for the amount of the bond, \$100,000. The town may be able to use those funds to do the project themselves.

Paul Beaudin asked if the town were going to contract out to do the “old” part of Beechwood (Beechwood I), why not have that same contractor pave Black Mountain Road. Chairman Robinson explained that the status of Black Mountain Road and the timing is undetermined. The state of the Black Mountain Road is part of the legal process with the Landing and could take some time. The town does not want to wait or stop the repair of Beechnut Road while the litigation is being determined on Black Mountain Road. A discussion ensued about Black Mountain Road, issues with water lines, sewer lines and the current litigation on the road. It was explained that many of the homeowners on Black Mountain Road have spoken with Town Manager Burbank and are aware of the litigation issues and how the town is trying to help.

Roger Harrington.

Roger Harrington asked about the Pines at Forest Ridge project and the retention ponds that were built incorrectly. Town Manager Burbank said that it should be repaired this spring to the correct plan, and that both the town engineer and the developer’s engineer will be reviewing the project to ensure that it is done to the Storm Water Pollution Prevention Plan (SWPPP) that was filed with DES.

Tammy Gionet Dutilly

Tammy Gionet Dutilly asked if non-public minutes were available for review by the public, or if they had been sealed. Chairman Robinson explained that some are sealed, many are not, but none are ever posted on the web site. The minutes from non-public sessions that are not sealed can be viewed by the public in the Town Hall.

Paul Beaudin

Paul Beaudin asked about the River Front Park. Town Manager Burbank explained that Roger Harrington and the environmental company walked the property. They are drafting the environmental report now, and when we receive that report it will be reviewed by the Selectmen and the River Front Park Committee. Any testing is waiting until all the snow is gone on the property.

Jayne Ludwig

Jayne Ludwig asked if the Electronic Policy would be reviewed again. Town Manager Burbank said that the current policy is being corrected for spelling issues, and one section on encryption was changed because we do not currently have encryption on the web site. The Town web site does not currently have the ability to fill out forms on the web site.

Wendy Tanner

Wendy Tanner suggested painting a white stop line at the end of Cross Street where vehicles have not been stopping at the end of the road. Town Manager Burbank thought that was a good idea. Chairman Robinson asked if we could find out where the right-of-way ends behind Lahout’s on School Street and possibly paint a white line there as well.

Roger Harrington

Roger Harrington asked about progress on the Pollard Road sidewalk. A survey is going to happen first, then there would be neighborhood meetings to discuss any issues.

MS123

The MS123 is a form listing all the elected officials in the town. There is a deadline to submit this form so the form will be submitted and then resubmitted once the official Zoning Board members are appointed.

V. NON PUBLIC SESSION Pursuant to RSA 91-A: 3II (a,c,e,d)

The Select Board did not go into non-public session.

VI. ADJOURNMENT

After reviewing the weekly accounts payable 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.

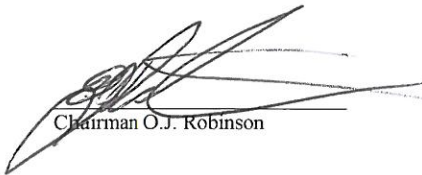
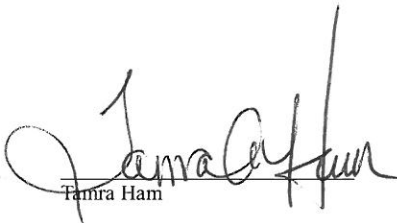
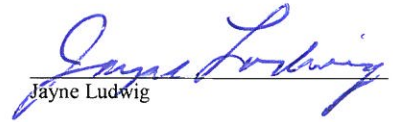
The meeting adjourned at 7:00 P.M.

Respectfully Submitted,



Wendy Tanner

Approval Date 3 / 28 / 16


Chairman O.J. Robinson
Tamra Ham
Jayne Ludwig