

LINCOLN BOARD OF SELECTMEN'S

APPROVED

MEETING MINUTES

MARCH 22, 2021 – 5:30PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

(THE RECORDING OF THIS MEETING CAN BE FOUND ON YOUTUBE)

Board of Selectmen Present via Zoom: Chairman OJ Robinson, Vice Chair, Tamra Ham, and Selectman Jack Daly

Staff Present via Zoom: Town Manager Burbank, Fire Chief, Ron Beard, Police Chief, Chad Morris, Finance Director, Johnna Hart, and Administrative Assistant Jane Leslie.

Public Present via Zoom Video Conferencing: Ivan Strickon, Linwood Ambulance Chief, Dave Tauber, Dave Beaudin, and Paul Beaudin

I. CALL TO ORDER

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

II. BUDGET WORK SESSION

Chairman Robinson opened up the work session explaining that the board will be looking at ways tonight to reduce the budget by \$200k as voted on at March 9th Town Meeting. Robinson presented his recommendations for reductions along with Town Manager Burbank's suggestions. Selectman Ham had offered recommendations during last week's board meeting (March 15th), and a concerted discussion ensued on proposed line-item cuts.

The following line-item budget cuts were agreed upon by all Selectmen:

Executive Budget: \$15,550 (\$13,050 iPads; \$2,500 Holiday Party)

Library Budget: \$8k (off of bottom line)

Welfare Budget: \$4,200

Water Dept. Budget: \$10k (equipment)

Town Building Budget: \$10k (one AC unit)

Recreation Budget: \$10k (van rental & winter wages)

Planning Budget: \$8k (iPads)

Legal Budget: \$70k (General Legal)

Fire Dept. Budget: \$14k (\$2k wages; \$6,400 training wages, \$4,600 bunker gear, \$1k boots)

Personnel Budget: \$6k (anticipated Health Insurance rate decrease)

Police Dept. Budget: \$44,250 (\$19k personnel; \$25,250 wages)

Chairman Robinson explained that there are three (3) items in particular that Paul Beaudin had brought to the board's attention: (1) new Fire Dept./Code Enforcement/Public Works employee; (2) 3% employee wage increase, and, (3) suggested cut to Ambulance Budget. Paul Beaudin had emailed the Board of Selectmen stating that these three (3) items were a major concern to some of the residents in the community, and these were the suggested cuts that the residents were proposing. Robinson asked the board if they would like to take up action on any of the three (3) proposed cuts? Robinson explained that he wanted to have this discussion to show that the Board of Selectmen had heard these concerns and are intentionally choosing to take no action on these cuts because he was personally against all three of these cuts. Selectman Ham clarified that it was not her intention to cut the ambulance, but rather she was going on the premise of reducing the entire Health Appropriations budget by 10%. Town Manager Burbank also noted that Library Director, Carol Riley informed him that the Library Trustees were fully supportive of

the \$8k reduction to their budget. Upon conclusion of the budget discussion, the following motion was made:

MOTION: “To approve the following Operating Budget reductions: Executive Budget: \$15,550 (\$13,050 iPads; \$2,500 Holiday Party), Library Budget: \$8k (off of bottom line), Welfare Budget: \$4,200, Water Dept. Budget: \$10k (equipment), Town Building Budget: \$10k (one AC unit), Recreation Budget: \$10k (van rental & winter wages), Planning Budget: \$8k (iPads), Legal Budget: \$70k (General Legal), Fire Dept. Budget: \$14k (\$2k wages; \$6,400 training wages, \$4,600 bunker gear, \$1k boots), Personnel Budget: \$6k (anticipated Health Insurance rate decrease), Police Dept. Budget: \$44,250 (\$19k personnel; \$25,250 wages).”

Motion: OJ Robinson

Second: Tamra Ham

All in favor.

III. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

MOTION: “To approve the BOS meeting minutes of March 15, 2021 as presented.”

Motion: Jack Daly

Second: Tamra Ham

All in favor.

IV. 2021 BOARD OF SELECTMEN’S GOALS

2021 Board of Selectmen’s Goals:

The Board reviewed the following goals established in 2020, and updated their status as follows:

- **Water Meters & Water Rates** – The board agreed to leave this item on the goals list.
- **Sewer Issues (capacity & town growth) sewer upgrades and funding** – The board agreed to keep this item on the goals list.
- **Village at Loon water pipe to the tank feeding Coolidge Falls & Clearbrook** – The board agreed to keep this item on the goals list.
- **Work on obtaining written agreements (defining responsibilities) for PORS (privately owned redistribution systems).** The board was not certain if any progress had been made, but agreed to keep it on the goals list.
- **Process and timeline to resolve water pressure issues, adding addition to the South Peak tank, additional tank at new location** – the board acknowledged that they have made good progress on this item and to wanted to keep it on the goals list.
- **Main Street Crosswalks:** Town Manager Burbank explained that two (2) more RRFB’s (Rectangular Rapid Flashing Beacon) are going to be installed in crosswalks this summer. Robinson explained that there was a total of 7 RRFB’s that needed to be installed (3 already in place) and there are four (4) remaining crosswalks on Main Street that need to be lighted.
- **Public parking/Riverfront parking** – progress is being made with the Riverfront Park Area/public parking. This will remain on the goals list.

- **Kanc Recreation Area parking** – Robinson explained that the board had been discussing paving the Kanc parking lot as well as expanding the parking lot onto town land. This will remain on the goals list, and the board agreed to put this on the April 12th BOS agenda.
- **Workforce Housing** – This item will remain on the goals list.
- **Obtaining viable members to join town committees** – this goal will remain on the list. Robinson noted that there is one (1) vacant seat on the Trustee of the Trust Fund Committee, and he would encourage anyone interested to consider joining the newly formed Building Committee.
- **Short-term Rentals** – This item will remain on the list.

***The Pines at Forest Ridge retention pond (removed from goals list)** – Chairman Robinson explained that the retention ponds have been repaired and built according to the new approved design (according to DES and the Planning Board) however, it has not been finalized yet due to some outstanding issues (seeding, roadside guard railing). Chief Beard added that it appears that the ponds are draining properly and have performed well this winter, and he will keep an eye on them to see what happens this spring. Robinson suggested removing it off the goals list now that the problem has been resolved, and Code Enforcement can do the follow-up.

ZBA Committee

Selectman Daly explained to the board that he spoke with his attorney concerning his recent election to the Board of Selectmen and the ZBA Committee, and whether or not he could sit on both boards. Daly explained that upon conclusion of his attorney's research on this matter, it was determined that there was no RSA prohibiting Daly from participating on both boards concurrently. Selectman Ham commented that she recalls that when she had been the Selectmen's Rep. for the ZBA several years ago, LGC (now known as NHMA) had advised that a Selectman should *not* be a participating member of the ZBA. Daly responded that he has a legal opinion dated March 16, 2021 from Natch Greyes, NH Municipal Association's legal counsel on this matter, and he would forward it to the board.

V. OLD/NEW BUSINESS

Town Manager's Report

Granicus Update (Short-term Rentals)

Town Manager Burbank explained that he spoke with Samantha White of Granicus and confirmed that Granicus structures their service fees on the total amount of identified short-term rentals in Lincoln. Burbank also noted that Ms. White offered a 20% discount on the list price to the town (from \$38,924.50 to \$31,139.60) along with 120-day delayed billing (Ms. White is willing to attend a Selectmen's meeting to answer any questions that the board may have). Selectman Daly commented that he spoke with the school's principle recently and was wondering if the board would consider hiring a "whiz kid" from the school who may be interested in working for the town locating and identifying Lincoln's short-term rental community for a nominal amount of money (\$1k-\$2k) compared to what Granicus is charging. Robinson thought this was an interesting alternative and commented that in light of the recent budget cuts, he does not know where the board could cut another \$30k to pay Granicus because funds were not appropriated for this purpose. Burbank responded that the short-term rental registration process could generate enough revenue to pay for this service, but the board would have to increase the registration fee to a higher amount than the current \$50 fee. Burbank commented that town staff will do the best they can in the meantime to

keep up with the short-term rentals, and if Selectman Daly is able to find a student from Linwood School willing to research the town's short-term rentals, that would be fine. Robinson thought the board should follow up on Daly's idea, and feels it will be easier to find an additional \$1k-\$2k in the budget to pay a student than \$25k-\$30k to pay Granicus.

Federal Stimulus Funding

Town Manager Burbank informed the board that NHMA has established a website that will be tracking the administration's stimulus funding for local governments. Burbank explained that during a Zoom meeting with Senator Shaheen last week, it was noted that there will be funding available nationwide for water and sewer infrastructure upgrades and repairs in the near future.

Weston & Sampson Water Tank Study Update

Town Manager Burbank explained that as of today, he has given Weston & Sampson (W&S) permission to speak with the US Forest Service and DES regarding questions that they had concerning procedures for the placement of the water tanks on the proposed sites. Burbank noted that W&S is also on schedule to get the Phase 2 Report off to the town as outlined in their agreement. Burbank explained that he spoke with David Yager last week concerning the South Peak Utilities (pressure reducing valves (PRV) changeover and pump station) and they are progressing well and quickly with this project. Burbank noted that the developer for the proposed Hampton Inn Hotel (near Rite Aid) has also reached out to him to let the town know that he will be re-submitting a new set of plans within a month.

Kanc Ski Area Closed for the Season

Town Manager Burbank informed the board that the Kanc Ski Area closed down on Sunday, March 21st for the season. Recreation Director Tower said it was a great season and everyone was thankful that the Kanc was open this winter.

OLD BUSINESS

Sewer Capacity Study

Chairman Robinson asked if there were any updates on the sewer capacity study. Town Manager Burbank responded that the town has not received its NPDES Permit yet (*National Pollutant Discharge Elimination System*), and nothing will happen until this is received (Burbank to follow up with Town Engineer Ray Korber on the status). Robinson commented that they had previously discussed the importance of the town (and boards) being aware of the status of the sewer capacity to (1) take into account the amount of sewer currently running through the pipes, and, (2) the vested projects, and whether or not the town should be approving new construction plans. Burbank will obtain clarification from Ray Korber and discuss further at next week's meeting. Robinson asked that this be an agenda item next week (3/29).

Levee

Chairman Robinson commented that it appears that the town has received clarification from FEMA on the free board elevations, and the shortage of free board is restricted entirely to the section of the levee that is *not* under the control of the town or the 1960 US Army Corp. Agreement. Robinson feels that it would only be fair to pass this information along to the homeowners that abut the levee so that they have an opportunity to mitigate any potential flood issues that may occur in the future. Robinson feels that as a courtesy, the town should forward the homeowners the engineers' elevations along with the FEMA correspondence so that if they wish to do anything about their 100' of levee, they will have the necessary information to contact FEMA and begin the accreditation process. The board was in agreement that Town Manager Burbank forward all of the necessary levee and FEMA information to the private homeowners

and condo associations.

Public Participation

Paul Beaudin commented that the zoom information and meeting agenda were not listing the same log-in information. Town Manager Burbank said he would check into this.

ZBA

Paul Beaudin explained to the board that now that Jack Daly is a member of the ZBA, they have two (2) alternate seats available, and there may be two applicants interested in filling these seats so there will not be a need at this time to advertise these ZBA vacancies (full board).

Levee

Paul Beaudin asked for clarification on the USACE (Army Corp. of Engineers) role with the levee versus FEMA's role. Chairman Robinson responded that it tends to be confusing, however, the Army Corp. oversees the levee being restored to the 1960 Army Corp. Standards, and if there is a *qualifying event*, it will be the Army Corp. that will come in and repair it (the levee *only*). Currently, the agreement between the Town and the Army Corp. is now *Active*, which means they will be involved with the annual inspection of the levee as well as participating with any damages.

FEMA, a completely separate entity, deals with flood events and flood control and doesn't recognize the entire levy (i.e., irrelevant) because the last 100' does not have enough free board according to FEMA's models (because its lacking in one area, the entire levee is not relevant). FEMA has *nothing* to do with repairing the levee, but rather deals with any flood damage from property's that are in the flood insurance program that obtain damages as a result of a flood event. Paul Beaudin explained that he brought this up because it seems that there are two governmental agencies that are in conflict with each other (one accepting it, and the other does not). Beaudin feels that the town will be paying a lot of money now and in the future for the inspection and maintenance of the levee, and he cannot understand why because the town doesn't even own the levee. Town Manager Burbank responded that the town is bound by an agreement that was signed by the Board of Selectmen in 1958 when there was a thriving paper mill in town, and unless the town can get Congress to reverse this, it will be Lincoln's responsibility in perpetuity. Paul Beaudin asked the Selectmen if they feel that the Town of Lincoln is protected enough at this point from expensive future costs. Robinson responded that back in 1960, the town made a decision that was very beneficial and favorable to the town because it relied heavily on the paper mill, however, there were aspects to the agreement that were loosely interpreted over the decades since then. Robinson explained that when you read the 1960 Operating Agreement, there were obligations that the town had not completely fulfilled, and today the obligations are essentially not new, but rather a stricter compliance, regulation, and oversight to the original obligations that were not always fulfilled or closely monitored. Paul questioned whether or not the town should develop a new zoning classification specific to the "levee land area" with restrictions on what can and cannot be done in an effort to prevent further degradation to the levee land by any future home owners.

Dave Beaudin commented that he is in disagreement with the budget cuts that the board made earlier tonight. Beaudin explained that he spoke with DPW Director Hadaway who had said that both he and Chief Beard agreed that they could do without the new hire that would be shared between their departments (Fire/Code Compliance/Public Works) for at least another year. Beaudin noted that the last time the town experienced a similar budget cut, a town employee's position was eliminated, and the town appears to have managed well without this position. Beaudin feels that if the board eliminated this one new hire, it would have far less impact on the community than the total cuts that the board agreed upon tonight. Beaudin added that during the recent budget hearing it had come up that *new employees* should

be a separate warrant article, and if it had, Beaudin feels that the outcome would have been different, and the board would not have been tasked with making all of these budget cuts. Beaudin expressed his concerns over the qualifications of the new hire, and feels if departments are that busy and behind in work, the town will not have time to train someone new so that they know what they are doing. Beaudin also expressed concerns over hiring an "on-call" Fire Department employee for this position because they will no longer be "on-call" when they are toned out, and if a call comes in at night, they will now have to be paid overtime which may not be in the budget.

IV. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (c,e) CRVI Assessment Case, Y-Birch Mediation, and two (2) personnel issues

MOTION: "To go into Non-public session pursuant to RSA 91-A:3 (III) (c,e)"

Motion: OJ Robinson

Second: Tamra Ham

All in favor.

The BOS went into Non-public session at 7:40 p.m.

MOTION: "To re-enter public session."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

The Board reconvened public session at 8:54 p.m.

VII. ADJOURNMENT

With no further business to attend to, the Board made the following motion:


MOTION: "To adjourn."

Motion: OJ Robinson

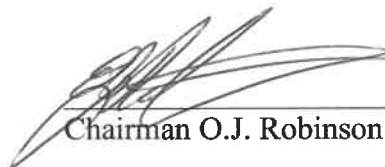
Second: Tamra Ham

All in favor.

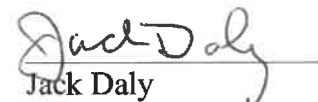
The meeting adjourned at 8:55 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: March 29, 2021


Chairman O.J. Robinson


Tamra Ham


Jack Daly