

**LINCOLN BOARD OF SELECTMEN'S
MEETING MINUTES**

APPROVED

MONDAY, MARCH 11, 2024 – 5:30PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

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

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

Staff Present: Town Manager, Carina Park

Excused: Executive Assistant, Jane Leslie

Public Present via Zoom: Paul Beaudin II and an unidentified *Samsung Galaxy* phone

Public Present: Wayne Baltzer

I. CALL TO ORDER

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

II. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

MOTION: "To approve the BOS meeting minutes of February 20, 2024 as amended."

Motion: Tamra Ham **Second:** Jack Daly **All in favor**

MOTION: "To approve the BOS meeting minutes of February 26, 2024 as amended."

Motion: Tamra Ham **Second:** Jack Daly **All in favor**

MOTION: "To approve the BOS Non-Public meeting minutes of February 26, 2024 as presented."

Motion: Tamra Ham **Second:** Jack Daly **All in favor**

III. TREASURERS DEPOSIT DELEGATION

OJ read the following statement (see attached):

"Pursuant to the provisions of RSA 41:29, II, the Town Treasurer has the responsibility to deposit all such monies received by the Town of Lincoln in appropriate financial institutions as outlined in the statute.

RSA 41:29, VI allows the Treasurer to delegate deposit or other financial functions to other town officials or employees provided such delegation is in writing and includes written procedure acceptable to the Board of Selectmen. Such delegation may only be to a town official or employee bonded in accordance with RSA 41:6.

The Lincoln Town Treasurer hereby delegates deposit function authority to the Lincoln Town Clerk and/or Tax Collector and their respective Deputy of the funds collected in the role. These deposits shall be made on a weekly basis or daily, whenever receipts total \$1500 or more.

In making these deposits, the Lincoln Town Clerk and/or Tax Collector and their respective Deputy shall provide the Lincoln Town Treasurer with the deposit slip from the Town's general fund financial institution, in addition to a detailed back up report documenting the receipt of monies comprising the deposit made.

This authority shall remain in effect until rescinded by written notice of the Lincoln Town Treasurer."

MOTION: "To delegate deposit authority to the Town Clerk, Tax Collector and their deputies."

Motion: OJ Robinson **Second:** Tamra Ham **All in favor**

IV. YIELD TAX CERTIFICATION & BUSINESS PARK DEED RESTRICTIONS

The Board reviewed and signed the Warrant - Yield Tax Levy for timber cuts for Mark Bogosian d/b/a South Peak LLC (Map/Lot 118-039) in the amount of \$397.27.

Agreement to Modify Covenants and Restrictions:

The Board signed the Agreement to Modify Deed Restrictions for parcels located in the Business Park; two (2) lots owned by Michael & Bobbi Donahue, and one (1) lot owned by Sully & Sons Holdings LLC (Kevin Sullivan).

2024 Updated Hazard Mitigation Plan:

The Board reviewed the 2024 Updated Hazard Mitigation Plan.

V. VERMONT RAIL – USE OF RECYCLE ROAD

The Board reviewed an email and map received from Jesse Richards of Vermont Rail (see attached). At this point, the access would be strictly for the movement of inbound logs. The funding for the project will come from the Vermont Rail System, the customer, or a combination of the both. Any driveways needed to navigate around the facility would be gravel. There was a discussion about a shortage of “logs” in the White Mountain area which is causing a slowdown in the supply and demand chain for local White Mountain businesses. The Representative(s) explained that they would like to use *their* land that they own which abuts Riverfront Park property as a loading/unloading station so that they can take logs off of the railway cars, and load them onto trucks to be delivered to local White Mountain businesses. As this would be a new process, the logistics are purely conceptual at this point, however, they are being proposed as follows:

- Logs would move in a 5-railcar block. Each railcar carries approximately 2.5 truckloads of material, for a total of 12.5 trucks.
- Cars would show up in Lincoln twice a month, and products would have to be removed from the cars within 48-hours.
- Trucks would enter into the facility on Recycle Road, loop around the building, and then enter the railyard in the northwest corner of the property (where the masonry dump is currently located).
- Trucks would park parallel to railcars and load directly from railcar to truck.
- Trucks would exit the rail yard on the upper side of the facility and out Recycle Road.

Tammy expressed concerns that both Lincoln and Woodstock have spent taxpayer dollars on paving Recycle Road not long ago, and mechanisms need to be put in place to protect the integrity of the roadway (e.g., Road Maintenance Agreement). Jack shared Tammy’s concerns regarding the wear and tear of Recycle Road from the trucks entering/leaving the facility, and questioned the background of the organization(s) making this request (how long have they been in business, are they insured?). Jack also suggested that the Town obtain a road bond or Letter of Credit to ensure that any damages to the roadway or town property are covered. OJ and Carina provided Jack with some background information on Vermont Rail Systems, and agreed that they should obtain some type of Road Maintenance Agreement. Jack also expressed concerns over vehicles entering town property on Wednesdays when the Transfer Station is closed, and feels it is a tremendous liability. Carina commented that this organization is amenable to the town’s concerns and willing to work together to make this happen. OJ noted that he would like to get Public Works Director, Nate Hadaway and Solid Waste Facility Supervisor, John Mackay involved to see what types of problems (if any) this would cause, and what the solutions would be.

VI. NHEC – OLD HOLE PARKING EASEMENT

The town received an email from NH Electric Coop (NHEC) explaining that the first step for the town (prior to obtaining an easement from NHEC) would be to hire an engineer to determine a way to protect NHEC’s underground conduit (electric cable) from being underneath a parking lot, as it was not designed to be under anything but grass. This will be a requirement of the town prior to receiving an easement from NHEC.

Note: The Town currently has an easement from NHEC that allows the public to park on the grassy area of land; NHEC has an easement for the buried conduit on the land that the town cannot “crush or damage”.

OJ noted that an engineer (c.g., Ray Korber) would have to obtain and view the plans from NHEC for this area of land to determine the exact location of the underground pipe. There was a brief discussion about looking into Recreational River Access Grants to assist with costs for this project.

VII. OLD/NEW BUSINESS

Loon Mountain Sprung Structures:

Loon has two (2) Sprung Structures that were purchased during the pandemic and are no longer in use. Brian Norton (General Manager) has reached out to the town to see if the town would be interested in purchasing the structures for potential use at the Kanc Rec Area (see attached plans).



(Sample sprung structure)

Recreation Director, Tara Tower had previously considered purchasing the Sprung Structures from Loon for the Kanc Rec, however, the cost exceeded the amount of money she wanted to spend. A brief discussion ensued regarding whether or not this would be a feasible structure for the Kanc, and Tammy suggested that Primex (Town's Property Liability Insurer) be consulted to see if they would insure a structure of this type. The Board felt that this would be a great idea, and asked Carina to consult with Primex about liability issues, and to find out how much money Loon is asking for the Sprung Structures.

Short-Term Rental Update:

There are currently 327 registered short-term rentals (on 1/17/24 there were 109). There are approximately 40 non-compliant properties that have received letters within the last 30-days, and approximately 30 properties that are identified, but haven't had a documented stay in 121-365 days.

OJ commented on an excerpt from the 2023 Planning Board's Annual Report:

"In 2023, 716 STRs were identified by Granicus as listed on Short Term Rental digital platforms, but only 245 of those were registered; 471 STRs listed on Short Term Rental digital platforms were *not* registered."

Carina responded that this was not an accurate statement. OJ explained that this statement makes it sound like the town is not following up, or doing anything about 471 short-term rental units that failed to register. OJ clarified for the record that this is misleading, and a number of the 716 short-term rentals do not have to register because they are hotels, motels etc.; and some of the short-term rentals have also changed over to "seasonal rentals".

Department Head MTS Account Access:

The Department Heads met last week to receive training from Municipal Resources Inc. on the new software which will allow them access to their budgets in real time ("Read Only Access").

Chenard Court Conference:

The court date regarding the Chenard Order to Pay is scheduled for 10:00am on Thursday, May 9th, 2024 at Plymouth District Court.

NEW BUSINESS:

Petition Warrant Article: Paper Ballot/Hand Counting All Ballots in Future Elections

"Shall the following provisions pertaining to elections be adopted: All voting shall be by paper ballot, and all ballots shall be hand-counted only, rather than by use of optical scanning or any other types of

programmable electronic counting devices.” This shall constitute a return to hand-counting ballots and the immediate discontinuance of all electronic voting machines and electronic devices authorized for use by trial in RSA 656:40. Shall this article be passed; it shall be enacted by the Town of Lincoln immediately.”

OJ commented that it is important for the public to be aware that every single ballot is touched by hands and manually counted to ensure that the number of ballots the machine counts is equivalent to the hand-counted ballots. Tammy added that it is also important to note that the ballot machines are not connected to WIFI or the internet.

March 12th Town Meeting:

The Board discussed a few items in preparation for Town Meeting. OJ commented on some post Town Meeting topics that he would like to discuss, such as following up on the Selectmen’s Goals (from 2023); signage entering the Citizens Bank parking lot (entrance only), and the Community Choice Aggregation Program (what is the status).

School District Meeting:

Tammy noted that the School District meeting is scheduled for March 19th.

The Landing Parking Concerns (from February 26th BOS Meeting):

Tammy was unable to attend the February 26th BOS meeting where there was a discussion regarding a letter of concern received from Loon Landing Development LLC (Joe Lynch) regarding illegally parked vehicles on the Landing’ private property. Tammy commented that she recently watched the recorded meeting on YouTube, and noted that NH RSA 262:40-a states:

“The owner or person in lawful possession of any private property or the manager of a state-owned park and ride facility on which a vehicle is parked without permission, or is apparently abandoned may: a) Cause the removal of the vehicle in a reasonable manner provided he/she gives notice of such removal to a peace officer as soon as reasonably possible...”

Tammy explained that this means that the owners/residents of The Landing can call a tow company and request an illegally parked vehicle be towed as long as there is signage stating the same (illegally parked vehicles will be towed at the owner’s expense), and then notify the Police Department that they had this vehicle towed (provide make/model of vehicle). Carina commented that they are aware of this, and does not think that they want vehicles towed at The Landing, but rather ticketed.

OLD BUSINESS:

New Police Department Facility Grant:

Congresswoman Annie Kuster personally notified the Town of Lincoln that she has secured the funding for 15 projects in New Hampshire in the FY24 government funding agreement, which includes \$1M for the Lincoln Police and Emergency Operations Center Construction.

Public Participation:

Paul Beaudin asked OJ if he was able to discuss new information he had regarding Campers World property (OJ wanted to discuss with fellow board members first) which he had mentioned during the previous Planning Board meeting, and if he was prepared to share this publicly tonight. OJ responded that he disseminated this information via email to his fellow board members, and they would be discussing this tonight during non-public session (Pursuant to RSA 91-A:3 II (d)... *“Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interest are averse to those of the general community”*.)

Paul took exception to this because the taxpayers are going to be paying for the Campers World property (if it passes), and feels that the board is not being transparent.

OJ responded that he will definitely be discussing the Campers World property during Town Meeting, however, at this point in time, the board needs to collectively discuss it amongst themselves.

Paul asked how old Loon's Sprung Structures were (Loon purchased them in 2020 and they were used for 2-years). Paul noted that these structures do deteriorate with time, however, they are wind capable and require a lot of care/maintenance. Paul feels that unless the town gets a really good deal (cost), he would encourage the board to pursue the building structure that is currently being considered.

Paul commented on the Vermont Rail logging request that would be crossing over the Solid Waste Facility property, and would like to see the Planning Board be involved in this decision as well as DOT (if required). Carina responded that DOT is involved and has granted permission to Vermont Rails for the proposed use.

Paul commented on The Landing towing discussion and explained that the reason they wanted the Police Department to ticket (not tow) vehicles is because it generates revenue for the town, and, its much easier for an individual to come in to discuss a ticket versus trying to locate their vehicle.

V. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (c,d) Legal Update & Real Estate

MOTION: "To go into Non-public session pursuant to RSA 91-A:3 (III) (c,d)" Legal Update, Campers World Proposal

Motion: OJ Robinson Second: Tamra Ham All in favor.

The BOS went into Non-public session at 6:45 p.m.

MOTION: "To re-enter public session."

Motion: OJ Robinson Second: Tamra Ham All in favor.

The Board reconvened public session at 7:36 p.m.

VIII. ADJOURNMENT

After review of the weekly payables and 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 7:38 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: April 22, 2024

 Chairman O.J. Robinson  Tamra Ham  Jack Daly



Town of Lincoln

Selectmen's Office

148 Main Street – P.O. Box 25
Lincoln, New Hampshire 03251

O.J. Robinson Tamra Ham Jack Daly

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Janet C. Peltier
Lincoln Town Treasurer

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