

**LINCOLN BOARD OF SELECTMEN'S
MEETING MINUTES
OCTOBER 25, 2021 – 5:00PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH**

APPROVED

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

Staff Present: Fire Chief Ron Beard

Excused: Jane Leslie

Staff Present via Zoom: DPW Director, Nate Hadaway

Public Present via Zoom: Sam Kenney, Weston & Sampson Project Manager, Mark Bogosian (new owner of FC-LOON property at South Peak), Paul Beaudin, Dave Beaudin, and Ivan Strickon.

Public Present: Rodger Harrington, Debbie Celino and Jim Welsh

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 5:00 pm.

II. WESTON & SAMPSON WATER STORAGE TANK PROPOSAL

Chairman Robinson explained that the Selectmen changed tonight's meeting time to 5pm so that they could meet with Weston & Sampson (W&S) to discuss the water storage tank proposal dated August 23, 2021, specifically the sighting options available in the South Peak area. Robinson explained that the board had previously decided *not* to move forward with W&S's proposal *only* because the board had no clear indication at that time that the town would be able to obtain an easement across the CRVI land to access the water tank site that W&S was proposing up on US Forest Service land. Robinson continued to explain that the board was recently made aware that Mark Bogosian of Longfellow Builders recently purchased this area of land, and he is very interested in working collaboratively with the town to address the water issues up at South Peak. Robinson noted that the board is preparing to take the next step in this process which is the reason for tonight's discussion.

W&S Project Manager Sam Kenney addressed the board and explained that relative to the April 16, 2021 site evaluation nothing has changed, and it is their engineering opinion that locating the tank behind the South Peak Development up on the US Forest land is the optimal location. A discussion ensued on the scope of the project and getting this project formally on to the US Forest Services small projects meeting agenda. Kenney noted that the Forest Service just held their fall meeting on September 29th, and their next meeting is scheduled in the spring on March 16, 2022. Kenney explained that the scope of this project that W&S is presenting to the board tonight is very broad with a lot of questions that must be answered between now and the actual construction of the water tank.

Selectman Daly questioned whether or not Loon Mountain is responsible for obtaining the permitting for the National Forest Land, and if the town would have to get Loon Mountain involved in this process for placing the tank on their permitted land. Kenney replied that this is correct, and noted that during a meeting with the Forest Service in August, this was explained to Jay Scambio at that time (Loon Mountain would have to be in agreement with the tank location) and it is Kenney's understanding that Loon Mountain generally agrees with the scope of this project and the town's intent, and there is no major opposition to the location of the tank. Selectman Daly asked Mark Bogosian if he had spoken with Loon Mountain about this situation. Mark responded that he has a meeting scheduled this week with Jay Scambio, and he will be bringing this up and discussing ways to expedite the process collaboratively to get this tank placed on a higher elevation. Chairman Robinson thought that this was all terrific news, and explained that the town has been striving

to get to this point for a long time.

Robinson explained that the board is ready to proceed with the signing of the W&S contract agreement for the *Preliminary Design and Coordination* with a cost not to exceed \$15,245 only at this time. Kenney suggested that Robinson authorize and note on the contract that W&S is to only expend "Task One" of the contract at this time.

MOTION: "To enter into the agreement for engineering services with Weston & Sampson for the Preliminary Design and Coordination not to exceed \$15,245, and to authorize Chairman OJ Robinson to sign in lieu of the Town Manager."

Motion: Tamra Ham

Seconded: Jack Daly

All in favor

The board thanked Mr. Kenney for joining the meeting this evening.

The Board agreed to meet with Mark Bogosian on Friday (10/29/21) at 10:30am in an effort to keep this process moving forward to the next step.

DPW Director Hadaway joined the meeting at 5:23 p.m. Robinson updated Hadaway on the W&S discussion and explained that the board voted for the first step on the W&S contract which is for the Preliminary Design and Coordination (\$15,245). Robinson further explained that this scope of work for that portion of the contract should allow them to get onto the docket for the March, 2022 US Forest Service's small project meeting.

IV. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

The board postponed the approval of the meeting minutes until next week.

V. OLD/NEW BUSINESS

OLD BUSINESS:

West Street Road Repair Project:

Director Hadaway updated the board on West Street and explained that they are finishing up water service connections and sewer service extensions from the ditch over to the other side of the street, and they are preparing to put everyone on to the new water main and to eventually pave the road. Hadaway noted that they are on schedule and will be nearing substantial completion by mid-November.

Town Mask Mandate:

Selectman Daly explained that he was approached by several people regarding a mask mandate in town, and some of the concerns expressed had to do with children having to wear masks in school but the general public outside of the school does not. Daly noted that he doesn't want to see people die as a result of a decision that he either made or didn't make and asked the board for their thoughts.

Ivan Strickon commented that it has been reported recently in the newspaper and the media that there has been an uptick of COVID cases in Grafton County and the town needs to be vigilant due to the high number of out-of-state visitors. Ivan explained that because of his connections to the Linwood Ambulance Service he hears of many cases that are rising, and it is his belief that the Select Board and Town Administration have an obligation to protect our local citizens and taxpayers. Ivan further commented that it is his hope that the Select Board will strongly reconsider instituting mask mandates for the Town of Lincoln.

Jim Welsh questioned whether or not the Police Department could be called on those individuals refusing to wear a mask in the event the Selectmen did reinstitute a mask mandate.

Selectman Ham responded that the Town of Lincoln never had a town-wide mask mandate, it was the State of New Hampshire that had the statewide mandate. Ham noted that the reason the Town did not have the mandate was because it was *not* a legally enforceable offense. Ivan explained that he is aware it is not enforceable, however, he feels it would encourage the individual businesses to enforce their own mask mandates if they see that the Town is doing it.

Rodger Harrington commented that he wears his mask everywhere he goes, however, when he goes shopping, he is oftentimes the only person wearing a mask. Harrington feels people should do what they are comfortable with.

Robinson agreed with Ivan, however, he feels that this is going to be a magnet for opposition and finger pointing, and will bring a lot of negativities. Ivan thanked the board for listening and their time.

NEW BUSINESS:

Paving Town Roads:

DPW Director Hadaway updated the board on the paving of lower Black Mountain Road, and explained that GMI Paving is scheduled to be there on 10/28 & 10/29 (weather permitting). Hadaway noted that GMI will be working on paving the Transfer Station Road by next Monday (11/1) (weather permitting).

Stormwater Management Ordinance & Alteration of Terrain Permit (AoT):

Robinson updated the board on his discussion with Town Engineer Ray Korber concerning the towns' Stormwater Management Ordinance and the states AoT. Korber explained that the town's Stormwater Management Ordinance and the state's AoT permit are not totally redundant, although they each are seeking to achieve the same goal of the net-zero change in runoff from pre-development to post-development. Korber also noted that in general, the state and the local engineers collaboratively work together to achieve both goals of the AoT permit and the Stormwater Management Ordinance (with input from Ray Korber). Robinson noted that it is Ray Korber's recommendation that the town have developers go through both processes. Korber also pointed out that small lots on hillsides (single-family homes) do not need an AoT permit.

New Ownership of South Peak Resort:

Robinson noted that there is a new owner of the South Peak Resort Development (Mark Bogosian) who purchased FC-LOON and the lots from CRVI. Robinson explained that the Town has been involved in litigations with CRVI and FC-LOON and met last Thursday (10/21/21) with Mr. Bogosian who explained that he is prepared to resolve all of the issues that the town currently has had with South Peak as far as returning the high-pressure zone to the way it was designed, which has been a problem for many years. Mr. Bogosian is also prepared to work collaboratively with the town on building a larger water storage tank and installing it at a higher elevation.

New Town Manager Employment Agreement:

Robinson announced that the Board of Selectmen have signed an Employment Agreement with Carina Park on October 21, 2021. Robinson explained that Park could not be present during tonight's meeting because she is currently working as Campton's Town Administrator and had to attend their Board of Selectmen's meeting, however, she will begin her employment with Lincoln on December 13th. Robinson noted that they will be introducing Park at a future board meeting.

ARPA Funds:

Selectman Ham referenced an email she received concerning *Unanticipated Revenue v. Budget* that was sent out by NHMA Executive Director Margaret Byrnes recommending that municipalities hold a public hearing to accept the total grant amount for both tranches (payments). Robinson read the following statement from the email: “*Therefore, we recommend that any municipality that only accepted the first tranche of funds under RSA 31:95-b (rather than the entire amount) hold a new hearing and amend the vote of the governing body to accept the total grant amount for both tranches. We think this also makes sense since the funds are one grant, not two separate grants, even though they are received in two payments.*”

Robinson explained that the board only voted to accept the first tranche of ARPA funds, and this email is saying that the municipality should hold a new hearing and amend the vote to accept the full amount of the ARPA grant. Robinson suggested holding a public hearing on November 8th which will allow adequate time to post in the newspaper.

603: 10 Digit Dialing:

Selectman Daly asked if the Police Department could help get the word out that the public now has to use the area code when dialing all in-state calls. Ham suggested that this be put on the town’s website as well as the Police Department’s website.

Public Participation:

Rodger Harrington asked Selectman Ham if she found anything out about O’Brien Avenue and the parking signs. Ham responded that DPW Director Hadaway is going to order a No Parking sign and possibly put a yellow stripe down. Harrington also asked if anyone spoke to the Police Chief about an incident that he had with one of Lincoln’s Police Officers who responded to his call for assistance, and had commented to Mr. Harrington that “he was from Woodstock and didn’t know the laws in Lincoln.” Mr. Harrington continued to explain that this Officer then told his wife who was also present to speak with Fire Chief Beard because he was familiar with the laws. Mr. Harrington noted that he has discussed this matter with the Police Chief who was supposed to get back to him, however, he never followed up. Harrington commented that he would be willing to meet in person with the Police Chief, the Officer involved, his wife, and the Select Board to discuss this matter.

IV. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (c) 2 Separate Personnel Matters

MOTION: “To go into Non-public session pursuant to RSA 91-A:3 (III) (c) Personnel Issue.

Motion: OJ Robinson

Seconded: Tamra Ham

All in favor

The Board of Selectmen went into Non-public session at 6:22 p.m.

MOTION: “To re-enter public session.”

Motion: OJ Robinson

Seconded: Jack Daly

All in favor

The Board of Selectmen came out of Non-public session at 6:53 p.m.

VII. ADJOURNMENT

After reviewing the weekly payables and with no further business to attend to, the Board made the following motion:

MOTION: "To adjourn."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

The meeting adjourned at 6:55 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: November 1, 2021

Chairman O.J. Robinson



Tamra Ham



Jack Daly
