APPROVED

LINCOLN BOARD OF SELECTMEN'S MEETING MINUTES

NOVEMBER 8, 2021 - 5:30PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

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

Daly

Staff Present: Fire Chief Ron Beard, Police Chief Chad Morris, and Executive Assistant Jane Leslie Public Present via Zoom: Ivan Strickon, Mark Bogosian, Attorney Derek Lick, Ryan Fairbrother, Paul Beaudin and Mary Conn

Public Present: Erin Hennessey, State Senator, District 1, Debbie Celino, Jim Welsh, Dave Rodgers,

Helen Rodgers, Steve Lloyd and Jerry Stringham

I. CALL TO ORDER

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

II. ERIN HENNESSEY, STATE SENATOR, DISTRICT 1 (Thornton through Pittsburgh)

State Senator, Erin Hennessey (District 1) greeted the Board and provided a brief update on business legislation at the state level (see attached), as well as answered questions from the Selectmen. Hennessey discussed an upcoming (2023) \$100M statewide property tax reduction (SWEPT Funds) as well as increased Meals & Room tax distribution (from 17% to 30%) which will equate to approximately \$30K to \$40K for the Town of Lincoln.

The board thanked Senator Hennessey for attending their board meeting.

III. PUBLIC HEARING Pursuant to RSA 31:95-b Section III Unanticipated Acceptance of Funds more than \$10K

Chairman Robinson explained that the board previously accepted ARPA funds (American Rescue Plan Act) totaling \$184,254 that were being distributed in two (2) payments (1st payment received in August, 2021 and the 2nd payment will be received in June, 2022). Robinson explained that the board later received clarification from the state that they needed to accept each traunch payment separately (\$92,126.89 x 2) and state what the funds will be used for (water storage tank).

MOTION: "To open up the public hearing."

Motion: Tamra Ham Seconded: Jack Daly All in favor

Senator Hennessey commented that the town can also apply to the state's DES for funding for the water infrastructure project because a lot of the federal ARPA funding that the state received is being allocated to water and sewer projects statewide in hopes that municipalities will use their ARPA funds for the same, and the state will then match them.

MOTION: "To close the public hearing."

Motion: Tamra Ham Seconded: Jack All in favor

MOTION: "To accept the ARPA funds grant in the amount of \$92,126.89 with the intention on

spending it on water infrastructure."

Motion: Tamra Ham Seconded: Jack Daly All in favor

IV. SOUTH PEAK LLC Proposed Supplement to the South Peak Development Agreement

Robinson summarized the recent changes in ownership of the South Peak Development (now owned by Mark Bogosian, Longfellow Builders) and explained that they had reached an agreement during a non-public session with Mr. Bogosian on the proposed Supplement to the South Peak Development Agreement. Robinson explained that the Town has been involved in litigations with CRVI, and Mr. Bogosian is now prepared to resolve many 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.

Mr. Bogosian commented that he is excited to move forward and work with the Town, and hopefully get the water storage tank built sooner than later. Robinson noted that this Supplement is a public document and available to anyone who would like to read it.

MOTION: "To accept the Supplement to the South Peak Development Agreement for South Peak

LLC."

Motion: OJ Robinson Seconded: Jack Daly All in favor

Selectman Daly aske Mr. Bogosian if he planned on going before the Planning Board to discuss his plans for the South Peak Development. Bogosian responded that he plans on having a long-term relationship with the Town of Lincoln and all of the boards to work together in an effort to move this project along and make it a successful project for the development, the community, and the town in general.

V. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

MOTION: "To approve the BOS public meeting minutes of October 29, 2021 as presented."

Motion: Tamra Ham Seconded: Jack Daly All in favor

MOTION: "To approve the first set of BOS non-public meeting minutes of October 29, 2021 as

presented."

Motion: Tamra Ham Seconded: Jack Daly All in favor

MOTION: "To approve the second set of BOS non-public meeting minutes of October 29, 2021 as

presented."

Motion: Tamra Ham Seconded: Jack Daly All in favor

MOTION: "To approve the BOS public meeting minutes of November 1, 2021 as presented."

Motion: Tamra Ham Seconded: Jack Daly All in favor

Abstained: O.J Robinson

VI. TOWN-WIDE MASK MANDATE Discussion

The board discussed a request that they received asking the Selectmen to consider implementing a town-wide mask mandate, and to ask local businesses to require their customers to wear face masks. The board reviewed statistics on active COVID cases as of Friday, November 5th. A discussion ensued on the growing COVID cases and whether or not to support a town-wide mask mandate. Ivan Strickon commented that the State has become very lax with providing information on active cases or vaccination numbers,

however, all he is asking is that the board reach out to local businesses and ask them to post signage that reads "We would prefer that you wear a mask." Paul Beaudin commented that he is in agreement with Ivan, and would like the board to take a broader look at this situation.

Robinson commented that if the town mandates the wearing of face masks, it could potentially be an enforcement nightmare, however, if the town asks local businesses to post signage asking the public to please wear a face mask and stay 6-feet apart, most people will respect the business owner's request. Daly suggested that this would be a great project for the Interact Club. A discussion ensued on the proper language for signage that can be given to local businesses, and the following motion was made:

MOTION: "To print, hand-out, and/or mail flyers to all local businesses (also send by email) and a letter that talks about the CDC's Recommendations, and to come up with a suggestive sign that reads "Help us to continue to serve you, please wear a mask," and encourages business owners to post in their business in a timely manner."

Motion: Tamra Ham

Seconded: Jack Dalv

All in favor

The board thanked Ivan Strickon for bringing this matter to their attention. Robinson suggested a letter also be sent with the flyer.

VII. OLD/NEW BUSINESS

OLD BUSINESS:

25 School Street - Involuntary Lot Merger

The board reviewed paperwork received from Denise Heredeen to unmerge her lots (School Street & Pleasant Street) and made the following motion:

MOTION: "To restore the two involuntarily merged lots per RSA 674:39-aa Currently Map 113, Lot 102 (Involuntarily merged) – 25 School Street to revert to the two (2) tracts as described in the deed for that property."

Motion: OJ Robinson

Seconded: Tamra Ham

All in favor

Black Mountain Road:

Black Mountain Road has been paved (base course finish to be done in the spring of 2022).

Transfer Station Road:

The Transfer Station Road has been paved, and the job is complete. There was a discussion about the speed limit because vehicles are now driving faster down Recycle Road. Ham will speak with DPW Director Hadaway about posting a sign or two.

West Street Road Construction Project:

West Street was paved on 11/06. Selectman Daly shared that he received a phone call from a West Street resident whose vehicle was damaged last weekend when the road flooded, and Daly suggested that he reach out to his insurance agent and give them AJ Coleman's insurance company information.

NEW BUSINESS:

New Town Manager, Carina Park:

Robinson noted that the new Town Manager will be attending next Monday's Board meeting (11/15/21)

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either in-person or via Zoom. Robinson noted that Park cannot begin immediately because she is fulfilling her obligations to the Town of Campton as their Town Administrator.

EV Charging Infrastructure:

Robinson explained that the State of New Hampshire had sent the BOS a letter looking for suggestions for publicly accessible electric vehicle (EV) charging infrastructure to enable EV travel to and within New Hampshire by residents and visitors. Robinson explained that the White Mountain Visitors Center has been made aware of this request.

Riverfront Park Site Visit 11/04/2021:

Selectman Ham updated the board on the site visit last week and explained that this visit was required as part of the data collection process for the Brownfield Grant. Ham noted that Town Engineer Ray Korber was there as well as representatives from the EPA, DES, and NOBIS. Ham explained that upon completion of the data collection process, and providing everything goes well, a final report will be issued around the end of February 2022.

Fall Tax Bills:

The assessors will be mailing out reval notices to all property owners on Tuesday, 11/9, and the tax bills should be ready to be mailed out on/about 11/15/2021.

Captain Thomas F. O'Brien Commemoration Ceremony:

A commemoration ceremony will be held on Sunday, November 14th at 1pm at the intersection of Maple Street and O'Brien Way footpath. Robinson explained that resident Michael Dovholuk really stepped up to the plate and led this effort by researching Captain Thomas F. O'Brien's history, and working with the Rotary's Lincoln-Woodstock Interact Club to purchase a commemorative plaque. Ham added that the Public Works Department is also helping with the mounting of the plaque.

Short-Term Rental Ordinance:

The Board of Selectmen amended the Short-Term Rental Ordinance on October 4th, 2021 to increase the annual registration fee from \$50 to \$100, and were signing the amended ordinance tonight. Robinson explained that the only reason for the increase is so that the town can hire a third-party company to oversee the town's Short-Term Rental management, and this increase would cover the costs for their services.

Selectman Ham read a draft letter submitted to the board by Planning Assistant, Lisa Peluso to be mailed out to the town's currently registered short-term rentals (see attached). The board agreed this letter sounds good and can be mailed out.

The board reviewed the quote submitted by Granicus and discussed putting \$31,139.60 in the 2022 budget. Ham explained that if the 389 +/- short-term rentals re-register in 2022, this will completely pay for Granicus Services and not require any taxpayer funds.

MOTION: "To put \$31,139.60 in the budget for Granicus."
Motion: Tamra Ham Seconded: OJ Robinson

Selectman Daly commented that he is not in favor of this motion. Daly explained that he would rather see the town collect the approximately \$40K and put it in the tax coffers opposed to hiring an outside agency. Ham explained that the Planning Department is already overloaded with work and short-staffed, and barely has time to do their own work, let alone manage the short-term rental properties. Robinson agreed with Ham and noted that if they don't hire Granicus, they must come up with an alternative solution.

Robinson explained that current staff cannot manage all of this work, and they would then have to hire someone full-time, and it is his inclination to budget for the \$31,139.60 knowing that there is offsetting revenue for this. The board agreed to put this discussion off until they look at the whole budget, and then discuss further at that time.

Planning Department:

Selectman Daly addressed the overload in the Planning Department and shared an article that he cut out of the newspaper about the Bethlehem Planning Department receiving assistance from an independent Planning contractor, Tara Bamford who previously worked with the North Country Council, and was helping the Town of Bethlehem with their commercial planning backlog. Daly explained that he reached out to Bethlehem's Town Planner and she said that Ms. Bamford was amazing in helping them clear up their extensive backlog. Daly offered to reach out to Ms. Bamford to obtain more information on her services. Daly also noted that he was told that the developers are absorbing all costs/fees associated with Tara Bamford, and not the town or taxpayers. Robinson thought this is something they should look into in consultation with the town's Planner to help streamline the backlog of work.

Selectman Ham commented that there are some land use applications that have been taking a long time, however, a lot of these applications are returned because they are not complete and missing important information. Paul Beaudin commented that the Planning Board and Board of Selectmen have been having this discussion for over a year now, and it is time that they do something before it gets any busier with new development. Beaudin agrees with Daly and feels that by hiring a new person (Independent Contractor) to assist the Planning Department with streamlining the applications and billing the developer for their fees is something he can support.

Vachon Clukay Letter:

Chairman Robinson signed the representation letter for Vachon Clukay (Town's Auditors).

Unused Bond Proceeds:

Robinson reviewed the following unused bond proceeds:

- (1) <u>Beechwood Roads (2016)</u>: \$42,876.28 out of the original \$1.2M (US Bank) for this project. The board could vote this money back into Roads and Streets, or it can be used as offsetting revenue for CIP appropriations, or back towards the bond debt.
- (2) Pollard Road Sidewalk (2016): \$7,315.80 out of the original \$423,303 (Union Bank) for this project.
- (3) <u>Levee Project (2020)</u>: \$111,048.34 out of the original \$311,000 (Bank NH) for this project.

CIP 1st Planning Board Public Hearing:

The 1st CIP Public Hearing is scheduled for Tuesday, November 23rd at 6pm.

Skate Park Donations:

Ham updated the board on recent skate park donations. East Branch Builders donated \$10K a few weeks ago, and the Western White Mountain Chamber of Commerce donated \$10K towards the skate park. Ham also noted that the Art Party fundraiser is scheduled for Thursday, December 30th at 8pm.

Board of Selectmen appointment of Selectman Ham to sign Personnel Action Request Forms:

Selectman Ham explained that in the absence of the Town Manager, a signature is required on Personnel

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Action Request (PAR) forms so that an employee can get paid. Ham clarified that this is only for new employees, and anything other than a standard PAR, would be signed off on by all three (3) Selectmen until the Town Manager begins.

MOTION: "To appoint Selectman Ham to sign all Personnel Action Request forms until this vote

is rescinded."

Motion: OJ Robinson Seconded: Jack Daly All in favor

New Office Furniture:

Selectman Ham was able to purchase second-hand office furniture from a warehouse in Manchester, and bought two (2) desks, 10 Conference Room chairs, several chairs for Town Hall Building, an office chair, and a file cabinet.

Rules of Procedure for Conducting Remote Meetings (Zoom)

Ham explained that the State of NH has recommended that the governing boards establish rules of procedures for conducting remote meetings, and asked the board if they would like her to begin working on this. The board agreed.

Public Participation:

Rodgers Ski & Sport:

Helen Rodgers addressed the board and explained that it has been brought to her attention that the DOT is proposing to put a barrier in front of their parking lot due to the construction of the new medical center which would limit the parking to their business. Mrs. Rodgers continued to explain that over the course of the past 40-years, they have dealt with the Ice Castle which was a high traffic event all winter and no barriers needed to be installed for that. Dave Rodgers added that they also employ over 40 people, and this barrier would limit their employee parking substantially, and he and his wife were appealing to the Board of Selectmen to do whatever they can to prevent this barrier from being installed.

Mr. Rodgers noted that he has also submitted a letter to Governor Sununu and James McMahon of NH-DOT District 1 in Lancaster to work on a solution that is beneficial to all. Paul Beaudin commented that he had reviewed these plans as well, and he had noted a large access for fire trucks and large emergency vehicles, and by putting this barrier up, it will thwart the entrance to Dave's building, and he would hope the town would suggest leaving things the way they are until it shows that there is a problem and a need to add a barrier.

Dave and Helen Rodgers thanked the Board of Selectmen for listening to them, and for any help they can render in support of their efforts to save their business' parking area.

Senator Hennessey recommended that the Board of Selectmen write a letter to DOT, District 1 Engineer, Phil Beaulieu. Daly made the following motion:

MOTION: "To delete the traffic island from the proposed plan as it will negatively impact the local business and we do not see any major need for it per the Chief of Police and others."

Motion: Jack Daly

Seconded: Tamra Ham

All in favor

VIII. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (a,c,e,j) Personnel Matters and CRVI Litigation

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

Motion: OJ Robinson

Seconded: Tamra Ham

All in favor

The Board of Selectmen went into Non-public session at 7:24 p.m.

MOTION: "To re-enter public session."

Motion: OJ Robinson

Seconded: Tamra Ham

All in favor

The Board of Selectmen came out of Non-public session at 8:40 p.m.

IX. 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 8:40 p.m.

Respectfully Submitted,

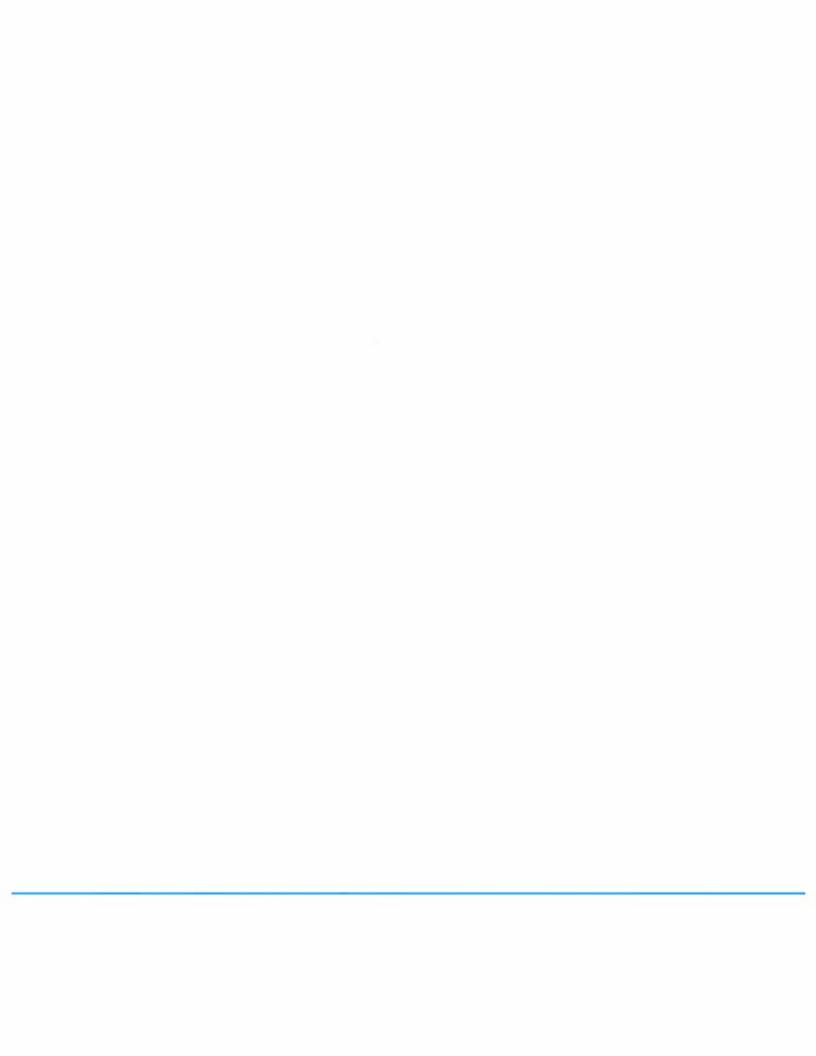
Jane Leslie

Approval Date: November 15, 2021

Chairman O.J. Robinson

Tamra Ham

Magk Daly



November 8, 2021 Board of Selectmen's Meeting Please PRINT Legibly

DAUD RODERS	
DAOD RODEUS (Print Name) Helew Rodgere	(Sign Name)
Jim Welsh	Sim Welsh
Deb Colino	Del Celino



TOWN OF LINCOLN, NEW HAMPSHIRE

Regulations Relative to Permits for Short Term Rentals Adopted July 13, 2020

Amended November 16, 2020 Amended October 4, 2021

The Town of Lincoln will allow Short Term rentals but wants to ensure the safety of occupants, minimize neighborhood disruption, and maintain fairness related to paying for Town services.

A "Short-Term Rental" or "Vacation Rental" unit is defined as any individually or collectively owned single family house or dwelling unit or any unit or group of units in a condominium, cooperative, or timeshare, or owner-occupied residential home, that is offered for a fee for less than 30 consecutive days per RSA 48-A:1.

The following are NOT considered "Short Term Rentals" and are NOT subject to the registration of Short-Term Rentals with the Town of Lincoln:

- 1. Any hotel or motel business where all units are owned and operated by the same entity.
- 2. Any condo-hotel that operates in a fashion similar to a hotel where all units that are made available for rent by the public are managed by an exclusive, on-site management company, with no units being offered to the public by individual unit owners.

Any hotel or motel that fits the above exclusions are asked to notify the Town in writing that they are not subject to the registration requirement.

On or before January 1, 2021, all Short-Term Rental units must be registered with the Town. A registration form is available online at www.lincolnnh.org or at the Town office. Upon registration, a Short Term Rental permit shall be issued.

There is a \$100 annual fee to register Short-Term Rental units per tax parcel.

The owner of any unregistered Short-Term Rental unit will be fined as follows starting April 1, 2021:

First offense from unit owner that was not sent a notice of this ordinance by the Town: written warning

First offense from unit owner that was sent a notice of this ordinance by the Town: \$100

Second offense, after allowing 10 days for registration since first offense: \$500

Additional offenses, after allowing 10 days for registration since second offense: \$1,000 each.

The Town has the right to revoke a permit for any Short-Term Rental unit that becomes a nuisance. This action will require a minimum of three incidents within one year, validated by the Lincoln Police Department or NH State Police, where the contact person was notified of problematic occupant actions. Any unit owner found to be operating as a Short Term Rental after revocation will be fined \$1,000 per 10-day period.

If a permit is revoked, the owner may appeal the decision to the Board of Selectmen within 30 days of the date of revocation, and the Selectmen shall hold a hearing on the appeal within 45 days and either affirm the revocation

The signers of this document agree that electronic signatures, faxed signatures, scanned signatures, and/or copied signatures have the same binding effect as original signatures. This document can be signed in multiple parts and be considered a single signed document.

or overturn the revocation. If the revocation is overturned, the Selectmen can impose conditions upon the reinstatement of the permit.

Any comments or complaints related to Short Term Rentals can be submitted online at www.lincolnnh.org or at the Town Office.

Approved by the Town of Lincoln Board of Selectmen on July 13th, 2020. Amended November 16, 2020 and October 4, 2021

ORDINANCE REVIEWED AND APPROVED ON THIS 8TH DAY OF NOVEMBER, 2021

By the Board of Selectmen of the Town of Lincoln, New Hampshire:

O.J. Robinson

amra Ham

Jack Daly



Town of Lincoln

Lincoln Town Hall 148 Main Street – PO Box 25 Lincoln, New Hampshire 03251-0025



Phone: 603-745-2757 ● Fax: 603-745-6743 ● E-mail: Townhall@lincolnnh.org ● Office Hours: Mon-Fri 8am-4pm

November 4, 2021

DRAFT

Dear Short Term Rental Operator:

Thank you for registering your short-term rental unit(s) with the Town of Lincoln for 2021.

This letter is to notify you that effective January, 2022 the registration fee for short-term rentals has been increased to \$100.00 per parcel and payment is due by ______.

All checks should be made payable to The Town of Lincoln and mailed to PO Box 25, Lincoln NH 03251.

The town is considering a third party to oversee and maintain all Short-Term Rentals in the future but for now we will continue to collect fees and register units.

Included with this letter are Regulations Relative to Permits for Short Term Rentals and the Short-Term Registration Form.

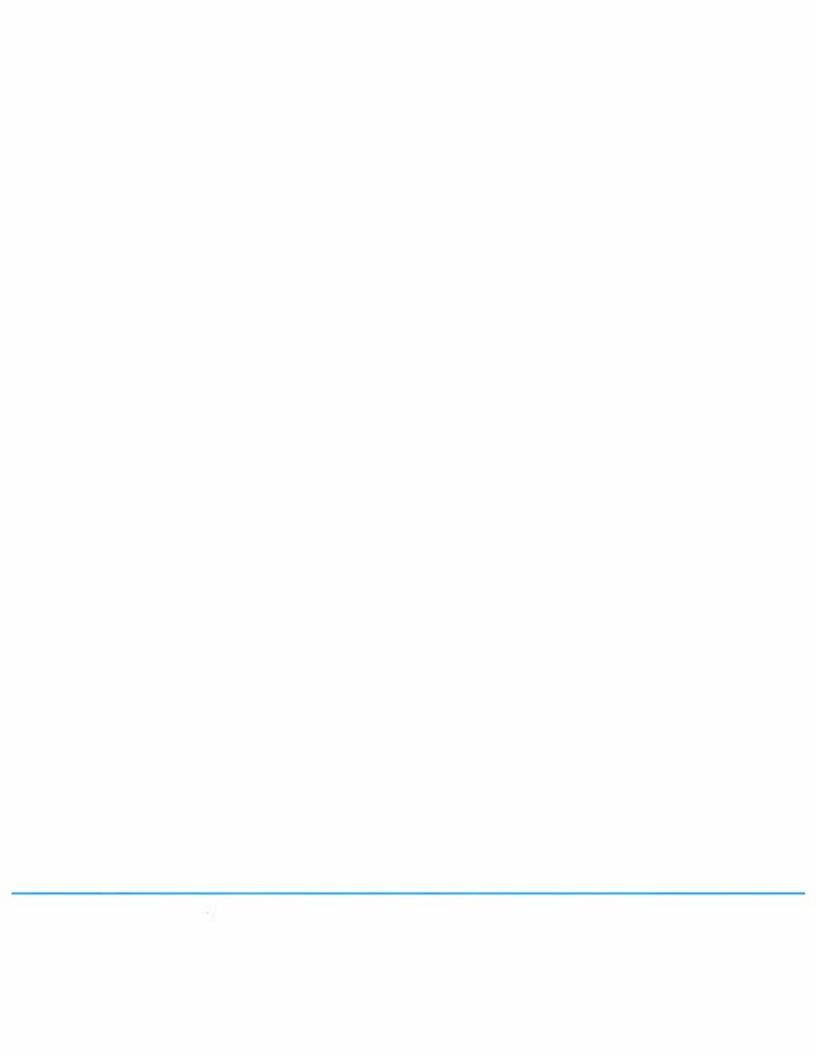
Short-Term rental owners must ensure that their guests are following ALL of the Town of Lincoln's Transfer Station and Recycling Facility regulations and all the other Town Ordinances.

On a side note, if you stop renting your unit as a short-term rental, or if you sell your unit, please notify us so that we can update our records with the status of the unit.

If you should have any questions, please feel free to reach out to Lincoln Town Hall at (603) 745-2757.

Warm regards,

Lisa Peluso



Property Tax Savings in New Hampshire Budget

County	Prope	erty Tax

\$29.1 million

School District Property Tax

Building Aid for new school construction projects
Relief Funding Plan targeted to districts in need
Reduction in Statewide Property Tax (2023)

\$30 million \$35 million \$100 million

Local Property Tax

State aid for local road and bridge projects
State aid grants for water projects
Increase in Meals & Rooms Tax revenue sharing
86% Decrease in Fire Fighter 1 Training
72% Decrease in Fire Fighter 2 Training

\$83.25 million \$15.6 million \$50+ million



The NH Budget- Supporting our Communities Distributions in Senate District 1

Meals and Rooms Revenue Sharing

TOWN	FY21	FY22	FY23	TOWN	FY21	FY22	FY23
BATH	\$56,371	\$75,784	\$78,324	LISBON	\$85,417	\$114,833	\$118,682
BENTON	\$19,077	\$25,647	\$26,507	LITTLETON	\$300,529	\$404,025	\$417,565
BERLIN	\$514,478	\$691,652	\$714,832	LYMAN	\$27,730	\$37,280	\$38,529
BETHLEHEM	\$131,112	\$176,264	\$182,171	MILAN	\$68,061	\$91,499	\$94,566
CAMBRIDGE	\$455	\$612		MILLSFIELD	\$1,366	\$1,837	\$1,898
CARROLL	\$41,393	\$55,648	\$57,513	MONROE	\$41,140	\$55,308	\$57,161
CLARKSVILLE	\$14,068	\$18,912	\$19,546	NORTHUMBERLAND	\$113,907	\$153,134	\$158,266
COLEBROOK	\$117,550	\$158,032	\$163,328	PITTSBURG	\$44,935	\$60,410	\$62,434
COLUMBIA	\$39,420	\$52,995	\$54,771	RANDOLPH	\$15,586	\$20,953	\$21,655
DALTON	\$50,653	\$68,097	\$70,379	SHELBURNE	\$19,178	\$25,783	\$26,647
DEXVILLE	\$152	\$204		STARK	\$28,995	\$38,981	\$40,287
DUMMER	\$15,383	\$20,681	\$21,374	STEWARTSTOWN	\$52,627	\$70,750	\$73,121
EASTON	\$13,764	\$18,504		STRATFORD	\$38,863	\$52,246	\$53,997
ERROL	\$14,978	\$20,137		SUGAR HILL	\$29,501	\$39,661	\$40,990
FRANCONIA	\$57,282	\$77,009	-	THORNTON	\$132,124	\$177,624	\$183,577
GORHAM	\$142,649	\$191,774	\$198,201	WENTWORTH'S	\$1,265	\$1,701	\$1,758
JEFFERSON	\$57,383	\$77,145	\$79,730	LOCATION			
LANCASTER	\$179,235	\$240,959	\$249,035	WHITEFIELD	\$120,384	\$161,841	\$167,265
LANDAFF	\$21,456	\$28,844	\$29,811	WOODSTOCK	\$69,832	\$93,880	\$97,027
LINCOLN	\$88,454	\$118,915	\$122,900	DISTRICT TOTAL	\$2,766,753	\$3,719,561	\$3,844,216
Total market 1 anie lating Bradent Applicant's Office Mary 27 200	Contractor A contractor	C CC WANT COST	23				

Estimates, Legislative Budget Assistant's Office, May 27, 2021

