

LINCOLN BOARD OF SELECTMEN'S  
MEETING MINUTES

**APPROVED**

**MARCH 14, 2022 – 5:30PM**

**LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH**

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

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

**Staff Present:** Town Manager Carina Park, Executive Assistant, Jane Leslie and Fire Chief, Ron Beard

**Public Present:** Bernice Fairbrother, Debbie Celino and Jim Welsh

**Public Present via Zoom Video Conferencing:** Ryan Fairbrother, Paul Beaudin II

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### **I. CALL TO ORDER**

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

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### **II. BOARD OF SELECTMEN COMMITTEE APPOINTMENTS**

The Board voted on the following Selectboard Committee appointments:

**MOTION: “To nominate OJ Robinson as Chairman of the Board of Selectmen.”**

**Motion: Jack Daly**

**Second: Tamra Ham**

**All in favor.**

Board of Selectmen’s Vice Chair: **Tamra Ham**

Planning Board Selectmen’s Rep: **OJ Robinson**

Budget Committee Selectmen’s Rep: **Tamra Ham**

Joint Loss Management Committee Selectmen’s Rep: **Tamra Ham**

Building Committee Selectmen’s Rep: **Tamra Ham**

Capital Investment Planning (CIP) Selectmen’s Rep: **Jack Daly**

Emergency Operations Planning (EOP) Selectmen’s Rep: **Selectmen will rotate this seat**

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### **III. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING**

**MOTION: “To approve the BOS meeting minutes of March 7, 2022 as presented.”**

**Motion: Tamra Ham**

**Second: Jack Daly**

**All in favor.**

**MOTION: “To approve the Non-public BOS meeting minutes of March 7, 2022 as presented.”**

**Motion: Tamra Ham**

**Second: Jack Daly**

**All in favor.**

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### **IV. ONE LOVE BREWERY SPECIAL EVENT REQUEST**

One Love Brewery has submitted a Special Event application to hold concerts at the Town’s Gazebo on Thursday evenings from 6pm-8pm beginning May 26<sup>th</sup> through Columbus Day weekend (weather permitting). One Love is also asking for a “permanent approval.” A brief discussion ensued and the board agreed NOT make this a *permanent approval* but rather an application that must be filed annually. Robinson does not want to make a commitment that impedes future Board of Selectmen’s decision making. Selectman Daly asked that the Town be named as “an insured” entity on One Love’s Property Liability Insurance and provide proof of the same to protect the Town from any possibly liabilities.

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**MOTION: “To approve One Love Brewery’s Special Event application to have Thursday night music in the Gazebo throughout the 2022 summer season (once \$100 application fee is paid) and to add the Town of Lincoln to One Love Brewery’s Property Liability Insurance.”**

**Motion: Tamra Ham**

**Second: Jack Daly**

**All in favor.**

**Seasonal Outdoor Dining (now that Governors Emergency Orders lifted):**

Town Manager Park asked to discuss future requests received from local businesses that may come in to Town Hall relative to summer outdoor dining now that the State’s Emergency Orders have been lifted, and how the Board would like to proceed with the same. Selectman Ham suggested reaching out to the previous businesses that requested outdoor seating over the past two (2) years and asking them if they wish to continue serving customers outdoors, and if so, they will need to come before the Planning Board. Ham explained that the Board of Selectmen no longer have the authority to extend the outdoor seating now that the Governor’s orders are no longer in affect.

Chief Beard read the following approved motion from the July 24, 2019 Planning Board Site Plan Review application (One Love Brewery) as follows:

- 1) Review of the original lease by the town attorney and subsequent approval by the Board of Selectmen; and,
- 2) There be no additional service seating; and,
- 3) The fence will be removed during the Castleberry Fair Craft Fairs; and,
- 4) The area will remain grassed (no impervious surface)

Selectman Ham noted that if One Love wants to request additional seating, they will have to go before the Planning Board again based on the previously approved site plan review motion.

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**V. OLD/NEW BUSINESS**

**Town Manager’s Report**

**Commerford Neider Perkins (CNP) Assessing Contract:**

Carina spoke with Cindy Perkins who has agreed to amend the Assessing Contract to reflect the following late penalties: 1-14 days @ \$100 per day; and, 15+ days @ \$250 per day. Carina noted that as a reminder, the two proposed penalties are 2 to 5 times greater than any previous contract that the Town has had with CNP in the past. After a brief discussion, the following motion was made:

**MOTION: “To approve and sign the amended CNP Assessing Contract.”**

**Motion: Jack Daly**

**Second: Tamra Ham**

**All in favor.**

**Common Law Marriage and Tax Exemptions:**

Carina reached out to the NH Municipal Association (NHMA) regarding a question posed by a voter during the recent Town Meeting as to whether or not common law marriage was eligible for tax exemptions. New Hampshire does *not* recognize common law marriages except in very specific circumstances noted in RSA 457:39 which does *not* recognize the existence of what would be considered “common law marriage” until after one of the parties dies. Therefore, for tax purposes there would *not* be a common law marriage.

**Eversource Vegetation (Tree Cutting) Management Work:**

Eversource will be conducting its rotational trimming this spring along the transmission lines that pass-through Lincoln (all trimming is within the state right-of-way).

**Rooms and Meals Tax Suspension:**

Governor Sununu is suggesting that the Meals & Rooms (M&R) tax be suspended this summer to help promote tourism and combat the rising gas prices. Due to the change in HB-2 last year, municipal distribution is based on actual tax revenues collected. This means that a suspension of the M&R tax would directly affect the municipal distribution. Each December 1<sup>st</sup> distribution is based on June 30<sup>th</sup> actuals, so depending on when the suspension took place, it would affect the municipal distribution this December or the distribution the following December. [NHMA is 100% against this recommendation]. NHMA clarified that most towns consider this revenue that the towns receive to be utilized to offset taxes, and any reductions in the M&R tax would be significant for the state's communities. (Lincoln received \$128k from 2021 M&R tax).

The Board agreed that Lincoln is *opposed* to suspending the M&R tax, and Selectman Ham suggested Carina reach out to the State Representative, Bonnie Ham to make Concord aware that the Town of Lincoln opposes this measure.

**MOTION: "The Town of Lincoln is opposed to the Governor's proposal to suspend the Meals & Rooms Tax."****Motion: Jack Daly****Second: Tamra Ham****All in favor.****Joint Lincoln-Woodstock Board of Selectmen's meeting:**

A joint Board of Selectmen's meeting is scheduled for next **Monday, March 21<sup>st</sup> at 5pm** to be held at Lincoln Town Hall with Woodstock Board of Selectmen.

**DES Wastewater Treatment Energy Improvement Grant:**

Carina informed the Board that although Lincoln did *not* receive the DES Energy Improvement Grant for the Water Treatment Plant, DPW Hadaway recently found out that the Town did in fact receive the DES grant in the amount of \$215k for facility energy improvements at the *Wastewater Treatment Plant* which includes a \$40k incentive from the NH Electric Coop. (Total: \$255k)

**OLD BUSINESS:****Short-Term Rental (STR) Management Company:**

Selectman Ham noted that now that Town Meeting is over, she would like to proceed with hiring a third-party vendor to oversee the town's STR program. The Board agreed to hear from any other companies that may be interested in pitching their STR programs to the town. Selectman Daly suggested also considering hiring an individual in town to oversee this program on a part-time basis that will be paid with the funds received through the registration process and keep the money local.

**School District Meeting:**

Selectman Ham reminded everyone that the School's Annual District Meeting is scheduled for Thursday, March 24<sup>th</sup> at 7pm in the Middle/High School Gymnasium (**voting is from 2pm-6pm in Middle/High School Multi-Purpose Room**) due to the postponement for public hearings.

**NEW BUSINESS:****MS-232 (Summary of Town Meeting Votes)**

The Board reviewed and signed the MS-232.

**Police Department Body Camera Grant:**

Chief Morris was awarded a \$20k grant for the purchase and upgrade of new body cameras for the Police Department.

**US Forest Service (USFS) Meeting:**

Carina updated the Board that there is no news yet on a future meeting date with the USFS, however, they have all of the documentation needed and it is just a matter of scheduling a date to meet.

**Police Department Cruiser:**

The Police Department had submitted their order for a new police cruiser around October/November 2021, and if the article did not pass at Town Meeting, the cruiser order would have been canceled. Chief Morris was recently informed that Lincoln would not be able to receive a new cruiser until 2023 due to the chip shortage, therefore, Chief Morris requested approval to order a pickup truck instead which was going to be a new vehicle purchase in 2023. Robinson asked if this would be a visible Police Department vehicle (not unmarked) that would be fully visible to the public? Ham responded that it will be a fully marked vehicle.

**Local Equipment Purchase Program for Police/Fire Purchase:**

The Police and Fire Departments have both agreed to use the \$50k grant money to purchase new police/fire radio equipment.

**2022 Spring Road Bans (6-ton limit):**

The following seasonal road bans are in affect:

- Beechnut Drive
- Bog Brook Road
- Brookway Drive
- Church Street
- Dodge Place
- Eagle Cliff Road
- Liberty Road
- Lower Black Mountain Road
- Maltais Farm Road
- Maple Street
- Pollard Road
- School Street

**Town Hall Conference Room Carpeting and Flooring:**

Selectman Ham would like to move forward with ordering the Conference Room carpet and hallway flooring now that the budget has passed. Ham noted that it was previously agreed to pay for this out of the CIP, and she would like to get on Steve Martin's spring jobs list.

**Public Participation:**

Bernice Fairbrother (School Street resident) greeted the Board and shared her thoughts on the Meals & Rooms Tax discussion that the Board had earlier tonight, and commented that the money that the Town receives should be used for services that benefit the "local" residents opposed to the tourists. Robinson explained the M&R tax and how it works and offsets town expenses (Public Library, Kanc Rec Ski Area etc.) which are a benefit to all local residents.

Ms. Fairbrother also addressed the Board about something she had discussed during a previous BOS meeting in October, 2021 concerning a narrow roadway behind her house/garage that has a pot hole that is continuing to get bigger and bigger. Ms. Fairbrother further explained that the through-traffic is cutting across her property to avoid the pothole and she does not want to lose her land. Ms. Fairbrother is asking the town for a second time to do something with this pothole before she loses any more of her property.

Selectman Ham explained that she did follow-up with Public Works Director Hadaway about this situation after October's meeting, and Public Works had temporarily filled the hole to get through the winter months, and this project is on their spring project list to mitigate this situation. Ham noted that Director Hadaway will be speaking with Ms. Fairbrother once he determines a fix to seek her approval as well.

Paul Beaudin commended the Board of Selectmen on how they presented the budget at Town Meeting. Beaudin acknowledged he has presented amendments to the budget in the past that had not been spoken to, however, he feels that the Board did a very good job this year. The Selectmen thanked Paul for his comment.

Paul commented that now that summer is coming, he was wondering if the Board had any thoughts on river access for swimming this summer. Paul noted that there were issues last summer about how and where the public would gain access to the river. Jack Daly responded that he had spoken with someone up at Loon Mountain about this recently, and was told that this is on their radar. Daly noted that Brian Norton has been named the new General Manager up at Loon Mountain and is aware of this situation, and suggested possibly scheduling a meeting to meet with Mr. Norton to discuss matter further. Paul discussed several possible river access points that could be utilized, and noted that there is a pull off at the bottom of the Ladies Bathtub hill that may be town-owned land that could be expanded to accommodate a public swimming access (Ham noted that there is a state right-away there). A discussion ensued on possible swimming access options and summer road projects, and Robinson noted that DPW Hadaway has the town's deeded access trail work to the Old Hole swimming area on his sighted project list (Rt. 112 down behind the substation), however, the Kanc Rec Ski Area's expanded parking takes priority over this project.

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#### **VI. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III)**

*There was no Non-Public Session*

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#### **VII. 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: Tamra Ham**

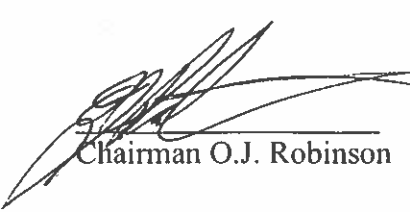
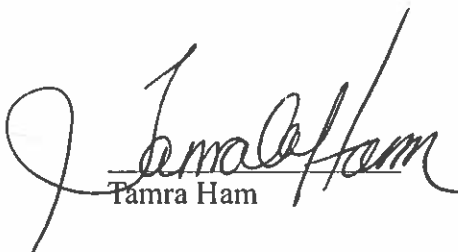

**Second: Jack Daly**

**All in favor.**

The meeting adjourned at 6:33 p.m.

  
Respectfully Submitted,  
Jane Leslie

Approval Date: March 21, 2022

 Chairman O.J. Robinson       Tamra Ham       Jack Daly



**March 14, 2022**  
**Board of Selectmen's Meeting**  
**Please PRINT Legibly**

Jim Welsh  
(Print Name)

Deby Celine

Jim Welsh  
(Sign Name)

Deby Celine



# *Town of Lincoln*

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## **NOTICE**

### **2022 Spring Road Bans** **6-Ton Limit Posted 3/10/22**

**Beechnut Drive**

**Bog Brook Road**

**Brookway Drive**

**Church Street**

**Dodge Place**

**Eagle Cliff Road**

**Hanson Farm Road**

**Liberty Road**

**Lower Black Mountain Road**

**Maltais Farm Road**

**Maple Street**

**Pollard Road**

**School Street**

Nate Hadaway  
Director of Public Works