

LINCOLN BOARD OF SELECTMEN'S

APPROVED

MEETING MINUTES

MONDAY, SEPTEMBER 12, 2022 – 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, Fire Chief Ron Beard, and Executive Assistant, Jane Leslie.

Public Present via Zoom: Paul Beaudin II and Al Poulin

Public Present: Debbie Celino, Jim Welsh and Elaine O'Rourke

I. CALL TO ORDER

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

II. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

MOTION: "To approve the BOS meeting minutes of August 22, 2022 as presented."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

MOTION: "To approve the Non-Public BOS meeting minutes of August 22, 2022 as presented."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

III. OLD/NEW BUSINESS

Town Managers Report:

PlanNH Housing Grants:

A letter has been submitted to the Planning Board in advance of their September 14th meeting, encouraging their participation in an InvestNH Grant Program (State of NH's one-time grant program aimed at addressing housing needs) to assist with updating the Town's *Land Use Ordinance* in an effort to better accommodate work-force housing (see attached). PlanNH is offering grants to hire consultants who will audit the town's *Land Use Regulations* and make recommendations for changes to promote community housing development.

RFP Sewer Lagoon Upgrades:

The RFP for the Sewer Lagoon Upgrade Project has been advertised in the Courier Newspaper and on the town's website (WWW.LincolnNH.Org) as well as several public locations. This project in part will consist of providing an aerator mixing system within the existing lagoons at the Wastewater Treatment Facility. The deadline for the submission of proposals is Friday, September 16th.

River Intake Pump:

The river intake pump failed last month, and upon closer examination of the disassembled pump, it was determined that it would *not* be cost-effective to rebuild. Weston & Sampson is compiling a quote for a new pump (approx. cost is \$100k). There was a brief discussion as to whether or not the funding was available in the CIP to cover this expense, and Chairman Robinson noted the value of having CIP funds is exactly for situations like this.

Wastewater Treatment Plant:

The influent screen at the Wastewater Treatment Plant has failed (used to remove objects such as paper, plastics, metals etc. to prevent damage and clogging of downstream equipment and piping), and it has been removed (screen was approx. 20 years old and repaired numerous times). This screen will be replaced with a new influent screen that will cost approximately \$78k. Carina noted that the Wastewater CIP has over \$1M in it.

Route 3 Water Infrastructure Improvements:

Carina spoke with DPW Director Hadaway about the aging water infrastructure up on Route 3, and Hadaway believes that it will require approximately one (1) mile of improvements from Boyce Brook to the Flume Pump Station. Weston & Sampson will be examining the system to come up with a scope of services for the improvement plan.

Chenard Site Cleanup:

Town Attorney, Jason Dennis has been in communication with Mr. Chenard's attorney to schedule a site visit to Mr. Chenard's property. Attorney Dennis noted that going forward it will be critical to document site inspections of this property as the Town moves into the penalty phase of this litigation. (Deadline was revised to September 1st).

New Town Employees:

The Town has hired two (2) new Public Works employees. Larry Vance Jr., who will primarily be working at the Solid Waste Facility in addition to assisting with winter plowing. Tyler Jones will be filling the vacancy at the Water Treatment Plant (Tyler currently holds a Grade One Water Operator License), as well as plowing snow in the winter.

Pollard Road Fencing:

The chain link fencing on Pollard Road that abuts I-93 near Debbie Celino's home has been repaired. Debbie thanked the Board of Selectmen and the Public Works Department for doing a wonderful job.

Coalition Communities 2.0:

Lincoln has been asked to re-enter into an MOU (Memorandum of Understanding) with the Coalition Communities regarding the SWEPT (Statewide Education Property Tax) legislation and efforts to revert to the "donor" town school funding model. The chief concern is a return to the education funding system that required excess SWEPT to be re-distributed from "donor" towns to "receiver" towns. Through their advocacy and educational efforts, Coalition Communities legislated for the abolishment of the donor/receiver education funding formula, and since 2006 communities have retained the "excess" SWEPT that they raised.

MOTION: "To enter into a Memorandum of Understanding for the Coalition Communities 2.0 and to authorize Town Manager Carina Park to represent the Town of Lincoln."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

NH Primary Elections:

The State Primary Elections will be held tomorrow in the Town Hall Conference Room from 8am to 7pm.

Riverfront Park Project Update-Nobis Report:

The Board of Selectmen will be meeting on Wednesday, September 14th at 11am with Town Engineer, Ray Korber and Representatives from Nobis Group (Geotechnical Engineering & Environmental Services) to discuss the results from their geotechnical study which evaluated pertinent soil conditions at the proposed Riverfront Municipal Park site.

NEW BUSINESS:

Budget Update - Emergency Management Budget:

Robinson commented that upon review of the year-to-date expenditures, he had noted that the Emergency Management Budget had expended very little money, and questioned why these expenses were down. Selectman Ham noted that she had briefly discussed Emergency Management with Chief Morris earlier in the summer to see if he had any plans, and he had explained that due to staffing shortages (and previously COVID) he simply did not have the appropriate staffing to do anything.

Legal Fees Expenditures:

Daly commented on the decrease in legal fee expenditures and noted that they are substantially lower than last year's legal expenses.

Town Hall AED (Automated External Defibrillator)

The Rotary Club received a grant to have AEDs installed outdoors to be accessible for public access in the event of an emergency situation (the AED inside Town Hall will be placed outdoors). The Rotary will be providing an all-weather cabinet for the AED to be attached to the exterior of the building, and it will be within the Town Hall security camera's view.

Cemetery Trustees:

The Town Clerk received a written request on behalf of the Cemetery Trustees from a second homeowner (for many years) inquiring about purchasing two 4-plots at Riverside Cemetery (8 total). This individual is not a resident, but a taxpayer who now resides in Florida (still owns her 2nd home), and she is requesting a "resident rate" versus a "non-resident rate" for the cemetery plots [Resident rate=\$800 for a four-person plot & Non-resident rate=\$2,400 for a four-person plot]. The Town Clerk explained what is required to be considered a "resident," and that she did not meet the criteria of a full-time *resident*. This individual has been requesting to speak with one of the Cemetery Trustees for well over a year now, as she prefers to speak directly to a Trustee and not the Town Clerk because she feels that she should be treated as a resident, however, no one has returned her call. Selectman Ham recommended that the Board of Selectmen ask the Town Manager to reach out to the Cemetery Trustees (on behalf of the BOS) to see if they could please respond verbally to the taxpayer requesting the cemetery plots at the resident rate.

Black Mountain Road:

The NH Electric Coop informed DPW Director Hadaway that they will not be able to move their utility lines that lie underneath Black Mountain Road until October, which will delay the paving project (utility lines need to be moved prior to road paving) and most likely the paving will not get done before winter (asphalt plants will be closing down).

RSA 91A Requests from Ted Smith:

Selectman Ham informed the Board that the Town has received three (3) additional 91-A Requests concerning "conflict of interest," "Town Personnel Manual," "department general order regarding outside employment," "policy regarding conflicts of interest," in addition to several other requests. Ham explained that town staff have spent over 4-hours and extensive legal costs associated with personnel issues/requests. There was also a request for information regarding Steven Bomba, which town staff had spent over 6-hours researching along with more legal fees (personnel matter). Ham noted that Ted Smith has every right to request public information of which he's entitled to, and the Town will continue to provide the information that is requested.

Trustee of the Trust Funds Investments:

Chairman Robinson read the following email regarding Lincoln's Trust Funds and Capital Reserves that was sent by Charles Mathews, Senior VP, Bank of New Hampshire:

Hi Jeanne:

I went ahead and ran investment performance for calendar year 2021 for each of the accounts. The trust funds were up +13.49% for the year with a balanced asset allocation as a result of strength in the stock market. Jenn is correct that the Cap reserves fund lost -0.97% on the year as the result of the increase in interest rates that occurred over the course of the year. With that said, this result must be placed in an appropriate perspective as this account will not be subject to any loss of principal over its investable horizon due to interest rate fluctuations for the following reasons:

The account holds only short to intermediate term individual bonds which have the payment of principal at maturity guaranteed by the issuer.

1. While interest rate fluctuations will impact the value of the bonds while they are held in the portfolio, once they reach approximately 18-24 months to maturity the bonds will gradually trade back to their maturity value eliminating any losses that have occurred on paper.
2. The increase in interest rates has improved the yield to maturity in the portfolio to +3.4% which reflects the expected total return over the average maturity of 2.4 years.

It's not clear from your email if the auditor's report reflected these important considerations. As a result, it may have portrayed this portfolio as being riskier than is the reality. Also, it is important to point out that both portfolios continue to be invested in a manner that reflects both the statutory mandates and the best practices indicated by the Director of Charitable Trusts. Let us know if you have any questions as you go along. Thanks, Charlie

This email was in response to a previous discussion that the Selectmen had during their August 22nd BOS meeting. The 2021 Auditor's Report had shown that the Trust Fund earnings reflected a -\$20k, and Chairman Robinson had questioned these negative earnings to get a better understand of what this meant. As a result, Trustee Beaudin (Trustee of the Trust Funds) forwarded the above email to the Board of Selectmen on behalf of the Senior VP of the Bank of NH, Charles Mathews.

Childhood Cancer Awareness Week – September 25th – October 1st, 2022

The Board of Selectmen received a request to make a proclamation recognizing September 25th through October 1st, 2022 as Childhood Cancer Awareness Week in Lincoln: [Preface] "Cancer is the leading cause of death by disease among children in our country today. This tragic disease is detected in more than 16,000 of our country's young people each and every year."

In Honor of Childhood Cancer Awareness Month – September 2022

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 16,000 of our country's young people each and every year; and

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers. An estimated 400,000 children and adolescents are diagnosed with cancer globally each year; and

WHEREAS, founded nearly thirty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetic family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. along with Lions Clubs International are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Children's Hospital at Dartmouth-Hitchcock Medical Center, Dartmouth-Hitchcock Norris Cotton Center in Lebanon, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor toy distributions, Laughternoon – Laughter is Healing, positive appearance programs, pet-assisted therapy, KCC Supercar Experience, educational programs and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

For these reasons and many more, Lincoln proclaims September 25th – October 1st, 2022 as Childhood Cancer Awareness Week in the Town of Lincoln.

Route 112 Bike Path:

Selectman Daly commented that he has received several complaints concerning the bike path signage (going from west to east on the Kancamagus Hwy) that has overgrown brush covering it, and it is blocking vehicular traffic from seeing pedestrians and bicyclists when they are crossing over Route 112. Daly is concerned that someone is going to get hurt, and asked Carina to follow up on this with DOT and/or the Public Works Department.

OLD BUSINESS:

Current Water Restrictions

Chairman Robinson spoke with DPW Director Hadaway concerning the need to continue with the current water ban. Hadaway feels that due to substantial recent rainfalls, he is comfortable with lifting the mandatory ban.

MOTION: "To lift the current water ban."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

Granicus Short-Term Rental Program:

Robinson asked if there was any progress on the Short-Term Rental Program. Carina responded that they have completed the User Acceptance Testing, and the next step is going to be in-house training (within the next 2-weeks). The Selectmen expressed an interest in attending the training to get a better operational understanding of the program.

Selectman Daly asked if Granicus has come up with a final count on how many people are operating short-term rentals in town. Carina has not seen a final number yet, but last count was approximately 607 identified units.

Old Hole Swimming Area and Easement:

Daly asked Carina how her meeting went with South Peak Owner, Mark Bogosian after the recent discussion and site visit (Robinson, Daly, Nate & Carina attended a site visit to the swimming hole) to the trail that leads down to the Old Hole. Carina responded that she did speak with Mark Bogosian and he was receptive to

the idea of relocating the easement, and noted that he does not have any immediate plans to develop this area at the present time. There was a brief discussion about potential parking areas for the Old Hole, and Carina noted that she was meeting with Loon Mountain, Chief Morris and possibly DOT on Wednesday, September 21st at 2pm to discuss Columbus Day traffic concerns.

Town Hall HVAC:

Robinson thanked Jane Leslie for providing the Town Hall HVAC Reports conducted by EEI (Energy Efficient Investment Inc.) last September 2021. Robinson feels that the town has begun to take proactive steps in addressing any HVAC needs that the Town Hall building may have. Tammy expressed her concerns about the heating system, in particular because last winter the furnace continually required manual restarts, and will eventually need to be replaced. A discussion ensued on the various findings from the EEI Report and their recommendations. Robinson suggested putting the funds into next year's budget for whatever scope of services they decide to do to the HVAC system.

Multi-Family Housing:

Daly commented that several people and employers have reached out to him concerning workforce housing development. Daly spoke with Kevin Sullivan, one of the Industrial Park property owners (Mike Donahue is the second property owner) who had commented that if the workforce housing concept should ever go through with the vacant land at the Business Park, he would consider selling his parcel to whomever was developing the housing, and they would be able to use his building for a maintenance shop or whatever need they may have for it.

Daly asked for the Board's support to convene an ad hoc committee/group to explore workforce housing initiatives, and suggested the following business owners: Alex Ray, Common Man Restaurant; Brian Norton, Loon Mountain, Scott Rice, Woodstock Station, Mark Bogosian, South Peak owner and developer, Dennis Ducharme, Riverwalk Resort, OJ Robinson, Whales Tale Water Park and Dave Rodgers, Rodgers Ski & Sport. Daly believes all of the aforementioned have a vested interest in workforce housing. Selectman Ham does not feel that they need a committee, but rather, the Selectmen need to make the decision and just do it. They need a warrant for Town Meeting to change the zoning so that it can be used for *Residential Use*; and ask AHEAD (Affordable Housing Education & Development) to come back to Lincoln and consider putting multifamily housing in on this land. Robinson agreed with Jack, and feels that they need both private investors and AHEAD to be part of this process and campaign to educate the community that this is not going to be low-income housing, but rather workforce housing, and to gain their support.

Jim Welsh asked the Board if there is any way that they can restrict this housing to only those who work in Lincoln and Woodstock communities. Daly commented that this could be established early on and part of the properties by-laws that only people working in either Lincoln or Woodstock would be a preference for rental housing in this particular development.

Elaine O'Rourke commented that her back yard is adjacent to the Days Inn (previously The Beacon) and feels that the property owner is either building or adding on to a current structure for the homeless population that is being transferred there from Tri-County Cap. Selectman Ham said she would see to it that someone looks into this (Chief Beard volunteered to look into this).

Donald & Charlotte Landry Landscaping Commendation

Selectman Daly met up with Mr. Landry after issuing the Commendation for his landscaping, and he was greatly appreciative of this honor. Daly felt it would be a good idea to also issue a Commendation to Delores Reid (Pollard Road) who also has the beautiful colorful "rainbow house" and landscaping. Selectman Ham feels that Mr. Landry actually does all of his landscaping, and works very hard from sunrise to sunset.

Public Participation

Debbie Celino publicly thanked the Board of Selectmen and the Public Works Department for repairing the chain-link fence adjacent to her property.

Email received:

Chairman Robinson read the following email received from Jodie Perry (School St. resident):

"The electricity bill here is set to double and unlike most municipalities elsewhere, we have an effective monopoly here with NHEC. Can the town of Lincoln consider installing community solar or some other method that would increase competition and lower rates?"

The Board briefly discussed that possible solar options and thanked Ms. Perry for reaching out.

Paul Beaudin commented that the Town's CIP has appropriated funds for solar energy at the Kanc Rec. Paul also commented that due to the drastic rate increases from NH Electric Coop (NHEC), the Planning Board should take a look at the ordinance and possibly loosen up on the restrictions to allow town residents to take advantage of NHEC incentives to install solar energy.

Paul commented on the Town's HVAC system, and feels that the Board should explore the various options available to increasing HVAC efficiency (i.e., Geothermal energy) and investing in the Town Hall Building, because it can save money in energy costs in the long run. OJ commented that the new police and fire building would be the place to install geothermal heating because this can be part of the building construction.

IV. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (e) Legal Update

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

Motion: OJ Robinson

Second: Tamra Ham

All in favor.

The BOS went into Non-public session at 7:10 p.m.

MOTION: "To re-enter public session."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

The Board reconvened public session at 7:30 p.m.

V. 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: Jack Daly

All in favor.

The meeting adjourned at 7:30 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: September 26, 2022

Lincoln Board of Selectmen:


Chairman O.J. Robinson

Tamra Ham


Jack Daly

[illegible]



TOWN OF LINCOLN

Selectmen's Office
148 Main Street - P.O. Box 25
Lincoln, New Hampshire 03251-0025

O.J. Robinson Tamra Ham Jack Daly

August 30, 2022

Jim Spanos, Chairman
Lincoln Planning Board

RE: InvestNH Housing Opportunity Planning Grant Program (HOP)

Dear Jim and Board Members,

The Board of Selectmen was recently made aware of a grant program administered by the State called InvestNH Housing Opportunity Planning Grant Program (HOP). This grant program is made available to municipalities for the purpose of hiring consultants to audit the municipality's land use regulations and make recommendations for changes to promote housing development. Each municipality may apply for up to \$50,000 to conduct a regulatory audit. The audits may be structured to do any of the following tasks: identify barriers to housing development that may exist in standards or processes; identify outdated regulatory schemes; specify changes to existing regulations; identify opportunities for new regulations; cross-reference different regulations to ensure that they are not in conflict.

As we know workforce housing is a critical issue in Lincoln, we strongly encourage the Planning Board to submit an application to the InvestNH program. If the Planning Board supports the project, I have offered to review the application criteria and help with its administration. The applications are accepted on a rolling basis and will be accepted until June 30, 2023, or when the funds are exhausted, however, if we would like to make changes for Town Meeting 2023, I suggest we act quickly.

Please feel free to let me or any of the Selectmen know if you have questions.

Best Regards,

Carina Park
Town Manager

Phone: (603)745-2757 - Fax: (603)745-6743 - Email: TownHall@LincolnNH.org

Town Hall

From: Jodie Perry via Lincoln NH <cmsmailer@civicplus.com>
Sent: Thursday, August 25, 2022 2:07 PM
To: Town Hall
Subject: Form submission from: Report a Issue

Submitted on Thursday, August 25, 2022 - 2:07pm

Submitted values are:

==Please provide the following information==

Name: Jodie Perry

Email Address: jodie7000@yahoo.com

Address: 18 School Street

City: Lincoln

State: New Hampshire

Zip: 01852

Phone: 781-363-4407

Details of Issue: The electricity bill here is set to double and unlike most municipalities elsewhere, we have an effective monopoly here with NHEC. Can the town of Lincoln consider installing community solar or some other method that would increase competition and lower rates?

The results of this submission may be viewed at:

<https://www.lincolnnh.org/node/12663/submission/5616>



TOWN OF LINCOLN

Selectmen's Office
148 Main Street - P.O. Box 25
Lincoln, New Hampshire 03251-0025

O.J. Robinson Tamra Ham Jack Daly

August 24, 2022

Donald & Charlotte Landry,
PO BOX 365
Lincoln, NH 03251

Dear Mr. And Mrs. Landry,

On behalf of the Board of Selectmen, we would like to commend you for your commitment to the beautification of your property and the Town of Lincoln. Your flower gardens draw the attention and admiration of all those that pass by your home. It's, for this reason, I present you with this letter of commendation.

We admire your dedication and appreciate the hard work it takes to nurture and preserve your landscape. It is said that beauty is one of the three most influential factors in community attachment. With your help, visitors and residents alike find loyalty to, and serenity in, our community.



Again, we sincerely thank you for your efforts to enhance our community.

Many thanks and admiration on behalf of the Board of Selectmen,

Carina Park
Town Manager

Phone: (603)745-2757 - Fax: (603)745-6743 - Email: TownHall@LincolnNH.org

