

**LINCOLN BOARD OF SELECTMEN'S  
MEETING MINUTES  
MONDAY, SEPTEMBER 26, 2022 – 5:30PM  
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH  
(THE RECORDING OF THIS MEETING CAN BE FOUND ON YOUTUBE)**

**APPROVED**

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

**Staff Present:** Executive Assistant, Jane Leslie.

**Public Present via Zoom:** Town Manager, Carina Park, Mark Cappadona, Colonial Power Group, Gilbert Brown, Freedom Energy Logistics, Stuart Ormsbee, VP Colonial Power Group, and Paul Beaudin II

**Public Present:** Debbie Celino, Jim Welsh, Roberta & Brad LePore

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

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

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

*The approval of the meeting minutes was postponed until later on in the meeting.*

**MOTION: “To approve the BOS meeting minutes of September 14, 2022 as presented.”**

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

**MOTION: “To approve the BOS meeting minutes of September 12, 2022 as amended.”**

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

**MOTION: “To approve the Non-Public BOS meeting minutes of September 12, 2022 as presented.”**

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

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### **III. COMMUNITY CHOICE AGGREGATION**

Gilbert Brown, Senior Energy Advisor (Freedom Energy Logistics) introduced Mark Cappadonna (Colonial Power Group) and Stuart Ormsbee (Colonial Power Group) to the Board of Selectmen, and provided a brief summary of the work that they have done with Lincoln to date. In 2020 there was a warrant article that was voted on at the March 10, 2020 Town Meeting to authorize the Board of Selectmen to commence a Community Choice Aggregation (CCA) program and contract for electricity supply as authorized under RSA 53-E:1-8 to offer residents and businesses a possible opportunity for lower electricity rates, and from a variety of sources other than those currently offered by the NH Electric Coop.

Stuart Ormsbee, explained that his organization, Colonial Power Group currently administers over 80 programs in Massachusetts, and has branched out to New Hampshire. In August 2022, the NH Public Utilities Commission (PUC) approved the initial set of rules that formalize the operational details that will allow Community Choice Aggregation (CCA) to move forward. The PUC’s approval was a critical step toward what many believe will be a transformative advancement of customer choice for residential and small business electricity consumers in the state. Ormsbee further explained that the CCA will transform the state’s electricity supply market by enabling communities to select their supplier and resource mix directly, which turns the return of decision-making over to local control so that the Lincoln residents have a voice to directly express what they want as an electricity customer.

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## Community Choice Aggregation (CCA):

- CCA is an optional buying group organized by a municipality or group of municipalities to benefit electric customers.
- The Program enters into an electricity supply contract for all residential and business customers currently receiving utility default service within a given municipality.
- Customers are automatically enrolled, unless they opt-out.

Chairman Robinson clarified that the next steps for the Board will be to await Freedom Energy to evaluate the town's plan and make any modifications necessary, and then to come back to the Board to proceed to the next phase of the CCA. Gilbert Brown will be updating the Town's agreement with Freedom Energy and submitting to the Board of Selectmen in the coming weeks.

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## OLD/NEW BUSINESS

### NEW BUSINESS:

#### **Cemetery Trustees:**

Roberta Lepore (Lincoln taxpayer) addressed the Board of Selectmen explaining that she has been trying to reach out to the Cemetery Trustees (via the Town Clerk's office) since last year regarding the purchase of (2) four-plot burial sites at the Riverside Cemetery for the "resident" rate [Resident Rate=\$800 per 4-person lot & Non-Resident Rate=\$2,400 per 4-person lot]. Ms. Lepore explained that she is a taxpayer, and although she is *not* a full-time resident, she has been a second homeowner for the past ten (10) years and feels that she should be able to purchase cemetery plots at the "resident" rate. Ms. Lepore further explained that she had requested that the Trustees (Peter Govoni, William "Bill" Conn, and Mike Conn) call her directly to discuss this matter, however, she has yet to receive a phone call from any of the Trustees. Ms. Lepore also noted that she would attend a Cemetery Trustee meeting if she knew when they met, however, she was unable to find information about Trustee meetings on the town's website. Brad Lapore asked the Board if they knew when the Trustees would be meeting again. Chairman Robinson explained that unlike the Board of Selectmen who meet on a regular basis (Monday nights @ 5:30pm), the Cemetery Trustees meet on an "as-need" basis, however, they are still required to post an agenda (24-hours' notice) and meeting minutes.

Selectmen Ham read an email response dated September 21, 2022 from Cemetery Trustee William "Bill" Conn to the Town Clerk, Kristyn Brophy regarding the purchase of lots at Riverside Cemetery (see attached) and Mrs. Lapore's request as follows:

#### *Lot sale for Ms. Lapore:*

1. *Resident or non-resident can only purchase one (1) lot.*
2. *She does not qualify for a resident lot.*
3. *You cannot swap lots.*
4. *If at anytime you decide you don't want your lot, it has to be returned to the Town at the price you purchased it for.*
5. *We have developed a plot plan for the East side. We don't know when we will build it. It will probably be a way out. We may do it in phases. -Bill Conn*

Selectman Ham reiterated that Ms. Lapore is welcome to purchase the four (4) plots (non-residents cannot purchase more than 4 gravesites), but due to her *not* being a full-time resident, it would have to be at the *non-resident rate (\$2,400)*. Paul Beaudin commented that the Cemetery Trustees, as an elected board have to hold meetings, provide minutes from the meetings as well as post notice to the public when they are

scheduled to meet (date, time, location etc.). Ms. Lapore thanked the Select Board for their time and departed the meeting.

Jim Welsh commented that if the Cemetery Trustees were to make this allowance for the Lapore's, they would have to do the same for every taxpayer, and there would not be enough land to bury everyone. Robinson clarified that a non-resident is allowed to purchase up to four (4) burial plots, however, they would need to pay at the *non-resident rate*.

#### **Town of Lincoln Lawsuit:**

Chairman Robinson shared that the *Town of Lincoln* has been named in a new civil action concerning Jeannine Wood (this is the 2<sup>nd</sup> lawsuit currently pending with Jeannine Wood). The Board will discuss this matter further in Non-Public session.

#### **Town Managers Report:**

##### **Wastewater Treatment Facility Upgrade Project:**

The bid opening was held on Monday, September 19<sup>th</sup> and the one and only bidder for this project was Ixom Watercare who came in at \$226k. NHDES has awarded the Town of Lincoln \$215k, and the remainder of the costs (\$11k) will come from NH Electric Coop rebates.

##### **Route 112 Bicycle/Pedestrian Crossing:**

According to DPW Director Hadaway, the State had taken down the Bike crossing sign when they were cutting vegetation and trees along Rt. 112. Nate will order and erect a new sign to make the path more identifiable.

##### **Columbus Day Weekend Traffic:**

Chief Morris, Brian Norton (Loon Mt.), Michael O'Donnell (NHDOT) all met with Carina to discuss a traffic plan for Columbus Day weekend. Additional signage will be placed both on east and westerly directions of the Kancamagus Hwy. notifying motorists of expected delays. Loon Mt. and the Police Dept. will also have additional signage in town to help alleviate some of the high-volume traffic at the Adams Memorial Bridge. There will also be an additional detail Officer scheduled to monitor traffic control.

There was a brief discussion about the painted lines on the center left-turning lanes on Main Street that have faded so much, that it creates a backup of traffic travelling both east & west of the Kancamagus Hwy (State Road). Robinson suggested that Carina speak with the State DOT to see if they can schedule their Main Street (Rt. 112) line-painting more frequently rather than every few years.

Paul Beaudin commented about the RRFB's (Rectangular Rapid Flashing Beacon) at the crosswalks in town, and has noticed that vehicles driving up/down Main Street are not stopping when the lights are flashing and pedestrians are crossing. Paul suggested the town add signage to make the public aware that people are crossing at the crosswalk when the lights are flashing. Jack commented that he has observed people on several occasions crossing the street and *not* using the RRFB's.

##### **Highland Games Parking at the Kanc Rec:**

During the Highland Games weekend, the town was able to accommodate Loon Mt. employees with twice as many parking spaces than in previous years (approx. 80 spots) as a result of the new expanded Kanc Rec parking lot area. Kudos to Director Hadaway and the Public Works crew who were able to complete this project in-house for approximately \$2,500, and less than 2-weeks of man hours.

**Hanson Farm Road:**

The material has been purchased for the fencing on Hanson Farm Road, and Public Works has begun the installation work and should be completed soon.

**Pollard Road Speed Radar Signs:**

The location(s) for the new speed radar signs on Pollard Road have been established, and DPW will be installing them shortly.

**Route 3 Water Infrastructure Improvements:**

Weston & Sampson (W&S) has submitted a proposal and scope of services (\$12k) for the proposed Route 3 water main project, and noted that an optional add-on would be to conduct a subsurface investigation with borings to determine the presence of subsurface rock; and then determine the feasibility of the water main installation via horizontal directional drilling (\$4,770). \*This will be a DOT requirement to conduct this work prior to the actual start of the project. Should the town opt in for the add-on, total project costs will be \$16,770.

Selectman Ham questioned if they were to do the horizontal drilling now, but not begin the actual water main project for a year or two, would the Town be required to conduct this drilling again at a later date? Are there any time restrictions with the drilling? Carina will check with Nate and Sam Kenney (W&S) to get more definitive answers to these questions. Robinson questioned the amount of time this project will take, and how long it would be until they receive the results. Carina will also follow-up with W&S and obtain this information.

**South Peak Development - Code Enforcement:**

Development up on South Peak is beginning to pick-up, and 10 new land use permits have been submitted. There appears to be a trend emerging with “the area of disturbance” which is coming in just under the 55% threshold (e.g., 54.9% & 54.8%) suggesting that the developers are communicating the same with their contractors. The town must continue to monitor and make pre-construction site visits (approx. 20 projects are being monitored at the present time).

Selectman Daly received a phone call from a Westwood homeowner who shared some of their concerns with the amount of heavy construction vehicles that are traveling through the Westwood area to get in/out of South Peak. This individual shared their concerns for children that are playing outdoors, and that it is disturbing to the neighborhood, and they plan on speaking with the President of the Homeowners Association about seeking an injunction. Daly questioned why the construction vehicles are not utilizing the Cooper Memorial Bridge, which would be the quickest route to the homes that are now being constructed. Paul Beaudin commented that the Developer, Mark Bogosian will be coming before the Planning Board this Wednesday (September 28<sup>th</sup>) night, and he believes that this will be part of the Planning Board’s discussion.

**Riverfront Park Update & Next Steps:**

Nobis is finalizing their report/discussions with DES/EPA and will be developing the scope, schedule and fees to complete the additional site assessment required by the EPA & DES. The town expects to have an agreement for the site assessment work (town funded) by 10/14/22, and pending approval of this agreement, they expect to begin field work no later than 10/24/22 with an expected completion date by the end of January, 2023. KV Partners and Nobis will be meeting and coordinating with various DES agencies over the next several weeks, and once a mutually agreeable understanding is achieved, KV Partners will restart the preliminary design phase.

## **OLD BUSINESS:**

### **91-A Requests:**

The Board of Selectmen has received a letter of complaint along with two (2) additional 91-A Requests from Ted Smith. Chairman Robinson commented that the previous court proceedings have been settled and signed by both litigants (Ted Smith & the Town) and this matter has been resolved and the Selectmen have no further comment.

### **Public Participation**

*There was no public participation*

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## **V. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (e) Legal updates**

**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 6:40 p.m.

**MOTION: "To re-enter public session."**

**Motion: OJ Robinson                      Second: Jack Daly                      All in favor.**

The Board reconvened public session at 7:10 p.m.

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## **VI. 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.**

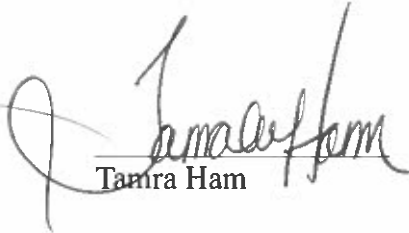
The meeting adjourned at 7:10 p.m.

  
Respectfully Submitted,  
Jane Leslie

Approval Date: October 3, 2022

**Lincoln Board of Selectmen:**

  
Chairman O.J. Robinson

  
Tamra Ham

  
Jack Daly



**September 26, 2022**  
**Board of Selectmen's Meeting**  
**Please PRINT Legibly**

Debbie Celino  
(Print Name)

Jim Welsh

Robert + Brad Lepore

Debbie Celino  
(Sign Name)

Jim Welsh

Robert + Brad Lepore





## **OBLIGATIONS OF THE TOWN OF LINCOLN AND PURCHASERS OF LOTS AT RIVERSIDE CEMETERY**

### **Purchase of Sites:**

Any resident of Lincoln, New Hampshire, may purchase up to four (4) gravesites at any time. The Cemetery Trustees must approve the purchase of additional gravesites.

Any non-resident of Lincoln, New Hampshire, may purchase up to four (4) gravesites at any time.

Purchases of cemetery lots may be made through the Town Clerk's Office. A deed will be issued by the Town Clerk's Office upon receipt of the full purchase price. If recording at the Registry of Deeds is desired, the purchaser is responsible for all costs and other requirements. Burials will not be allowed until the full amount due has been received.

All lots, plots and burial spaces conveyed shall be presumed to be the sole and separate property of the person or persons named as grantee in the instrument of conveyance; any provided, however that the husband or wife shall have a vested right of interment of his or her body in any burial plot conveyed to the other, which right shall continue as long as he or she shall remain the husband or wife of the plot owner or shall be his or her wife or husband at the time of such plot owner's demise. No conveyance or other action without the joinder therein or by written consent attached thereto, shall divest such husband or wife of such vested right of interment unless it conveys to two or more persons as joint tenants each joint tenant shall have a vested right of interment provided, however, a final decree of divorce between them shall terminate such vested right of interment unless it conveys to two or more persons as joint tenants each joint tenant shall have a vested right of interment of his or her remains in the plot so conveyed. Upon the death of a joint tenant, the title to the burial heretofore held in joint tenancy immediately vests in the survivor or survivors, subject to the vested right of interment as in this rule provided may be waived and shall be terminated upon the interment elsewhere of the remains of a person entitled thereto.

### **Resale of Sites:**

The purchaser of gravesites may not resell the sites, except to the Town of Lincoln.

**Rate Schedule for purchase of lots:**

<u>Number of Grave Sites</u>	<u>Resident Price</u>	<u>Non-Resident Price</u>	<u>Amount to perpetual care</u>
1	\$200*	\$600*	\$133/\$400
2	\$400*	\$1200*	\$266/\$800
4	\$800*	\$2400*	\$533/\$1600

\* Every lot purchased is subject to a onetime fee of \$250.00 for a vertical stone footer.

**Perpetual Care for all Newly Sold Lots:**

By conveyance of the lot, the Town agrees to provide care for the lot and cemetery within the limits of available funds. Purchaser agrees that any interest accruing on perpetual care funds may be used to defray common expenses in the cemetery to the extent not required for the care of the lot.

**Rights and Privileges of Lot Owners:**

Owners of burial lots acquired simply the right and privilege of burial of the dead and for placing of suitable memorials, subject to the conditions, rules and regulations now in force or which may enacted hereafter.

**Concrete Vaults or Liners Required:**

Every earth interment shall be made enclosed in an outer container or receptacle of concrete, the structural design and installation of which shall meet the specifications of the cemetery trustees.

**Interments:**

The interment fee for weekdays/nonholidays will be \$350 for a full burial or \$100 for an urn. For a full burial on a Saturday, Sunday or holiday the fee will be \$500 or \$150 for an urn. Every lot purchased prior to January 1, 2016 (that does not yet have a headstone in place) is subject to a onetime fee of \$250.00 for a vertical stone footer. This fee will be due at the time of the first burial in the lot. If possible, burial of urns will be allowed to have (3) three per single lot and (2) two urns over a full burial when existing vault is deep enough to bury urn at proper

depth. When urn is buried, it is required to have a foot marker over the exact location. Interment fees will be deposited into the Cemetery Trust Fund.

When instructions regarding the location on an interment space in a lot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, the Public Works Superintendent may, in his discretion, open it in such location in the lot as he deems best and proper, so as not delay the funeral; and the Town shall not be liable in damages for any error so made.

Detailed written instructions are desired by the Superintendent and the Town shall not be responsible for any order given verbally or by telephone, or for any mistake occurring from the want of precise and proper instructions as to the particular space, size and location in a plot where interment, disinterment or removal is required.

The Town reserves, and shall have, the right to correct any errors that may be made by it either in making interments, disinterment or removals, or in the description of transfer or conveyance of any interment property either by canceling such conveyance and substituting and conveying in lieu thereof, other interment property of equal value and similar location as far as possible or as may be selected by the Town, or, in the sole discretion of the Town, by refunding the amount of money paid on account of such purchase. In the event such error shall involve interment of the remains of any person in such property the Town reserves and shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

The Town shall in no way be liable for any delay in the interment of a body where a protest to the interment has been made, or when the regulations have not been complied with; and further, said Town reserves the right, under such circumstance, to place the body in a receiving vault until the full rights of the parties recognize any protests of interment unless they be in writing and filed in the office of the Superintendent.

The utmost care will be exercised in making a removal, when necessary, but the Town shall assume no liability for damage to any casket, burial case, or urn incurred in making a removal.

Effective Date: October 1, 1990

Revised: October 2, 1991

Revised: April 26, 2006

Revised: Effective January 1, 2016



Cemetery Trustee



Cemetery Trustee



Cemetery Trustee

\_\_\_\_\_

Town Clerk

\_\_\_\_\_

Purchaser

\_\_\_\_\_

Date

# RIVERFRONT PARK LINCOLN NH

## PROJECT SCHEDULE

				SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC												
TASK	START	END	DURATION	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4								
Preliminary Design																															
Project Initiation	9/19/22	9/30/22	11			Restart design development for project completion																									
Regulatory Coordination	9/26/22	11/14/22	49							Coordinate findings and project requirements with NHDES Bureaus. Schedule subject to agencies.																					
Field Investigations & Site Assessments	10/24/22	1/31/23	99																	Geotechnical/Environmental field work. Schedule subject to availability of driller contractors.											
Preliminary Design Development	11/1/22	1/31/23	91																	Schedule subject to regulatory coordination and field investigations.											
Site Assessment Report	1/23/23	2/28/23	36																	Codify site assessments											
Preliminary Plans	2/1/23	2/28/23	27																	Codify preliminary design											
Regulatory Review and Concept Approval	3/1/23	3/14/23	13																	Schedule subject to agencies.											
Town Review and Design Approval	3/1/23	3/14/23	13																	Schedule subject to town.											
Final Design																															
Final Design Development	3/15/23	4/7/23	23																	Final design revisions											
Permits & Regulatory Review	4/10/23	7/14/23	95																	AOT Permit											
Final Plans, Specifications and Estimate	5/1/23	7/21/23	81																	90% complete											
Town Review and Approval To Bid	7/24/23	8/7/23	14																	Schedule subject to town.											
Final Contract Documents	8/8/23	8/21/23	13																	100% complete											
Bid Phase																															
Bid Advertisement, Opening and Evaluation	8/22/23	10/6/23	45																	Bid period: 30 days											
Bid Award	10/9/23	10/20/23	11																												
Construction Phase																															
Contract Forms and Notice to Proceed	10/23/23	11/6/23	14																												
Preconstruction Conference	11/7/23	11/7/23																													
Construction	TBD																														

- Notes:**
1. The project schedule is an estimate for completion through the design and bid phases. The construction schedule is to be determined.
  2. The project schedule is subject to regulatory and client review and approval timelines.



Date: September 19, 2022

## FOR IMMEDIATE RELEASE

Contact: David Jeffers/Matt Rose  
Lakes Region Planning Commission  
(603) 279-8171

### **“Pemi River Corridor Plan Update”**

The Pemigewasset River Local Advisory Committee (PRLAC) will be updating the Pemi River Corridor Management Plan. The process begins with a Kick-Off meeting on September 27 at 7:00 PM at the Pease Public Library in Plymouth. All are encouraged to attend, learn about the update process, and find out how to provide input.

Rivers and their supporting landscape change over time. The Pemi is no different. That is why it is imperative to keep the rivers corridor management plan up to date. The plan is a tool used to help manage the protection of the river's characteristics most valued by corridor communities. This documents natural resources along the river, existing protections, along with local concerns and recommendations. The Pemi River Corridor Management Plan was developed under New Hampshire's Rivers Management and Protection Program (RMPP) in 2001 and updated in 2013. It is due for a new update.

We want you to be a part of this! If you live, work, or play along the Pemigewasset River, your involvement matters for this update. We invite you to join us at our Kickoff meeting on September 27, 2022 which starts our update of the corridor management plan. This meeting will be held at 7:00 PM at the Pease Public Library (downstairs) at 1 Russell St., Plymouth. There will be a presentation/discussion of the current plan, the update process, along with opportunities to provide input. We hope to see you there!

For a copy of the current Pemi River Corridor Management Plan, go to <https://www.lakesrpc.org/PRLAC/files/PemiCorrMgmentPlan2013.final.pdf>. For more information PRLAC, visit the PRLAC website <https://www.lakesrpc.org/prlac/prlacindex.asp> or call the Lakes Region Planning Commission at 603.279.8171.

