

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
DECEMBER 22, 2014
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

Board of Selectmen Present: O.J. Robinson and Tamra Ham.

Excused Absence: Patricia McTeague

Staff Present: Town Manager Burbank, Fire Chief Beard, Police Chief Smith, and Recording Secretary Brook Rose.

Public Present: Pat Romprey and Edmond Gionet.

I. CALL TO ORDER

O.J. Robinson called the meeting to order at 5:40pm.

II. MINUTES OF THE PREVIOUS MEETING

MOTION: "To approve the non-public minutes of the December 15, 2014 Board of Selectmen's meeting."

Motion: Tamra Ham **Second:** O.J. Robinson **All in favor.**

MOTION: "To approve the minutes of the December 15, 2014 Board of Selectmen's meeting as amended."

Motion: Tamra Ham **Second:** O.J. Robinson **All in favor.**

III. OLD / NEW BUSINESS

Chief Smith - New Officer Update

Chief Smith informed the Board that the new officer, Seth Arcieri recently passed his physical agility test. He will be attending the next meeting of the Board of Selectmen to be introduced to the Board.

Edmond Gionet

Mr. Gionet addressed the Board and questioned how the Town's work done on Beechwood One, a private road, compares with the situation on Plummer Hill Road. He added that Beechwood isn't up to Town standards and yet the Town has done work on it. O.J. explained that there is a deed registered with the County that says the Town owns the roadway surfaces in Beechwood One. Edmond stated that he disagrees with that. He then submitted a 91:A request for a complete list of all town employees and elected officials salaries/wages including all benefits. Town Manager Burbank replied that Town staff would provide this information to Edmond via an e-mail tomorrow.

Mr. Gionet also stated that he is having an issue with getting the Board of Selectmen's minutes on time. Pat Romprey questioned how many days Town staff has to provide the draft meeting minutes. Tamra Ham read the NH State Statute as follows:

Minutes of all such meetings, including names of members, persons appearing before the public bodies, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection not more than 5 business days after the meeting... For the purposes of this paragraph, a business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.

Tamra stated that the Town is not violating State Statute as the minutes are always prepared within 5 days. She stated that the draft minutes would be ready for Edmond to review on Mondays. At this time, Edmond left the meeting.

Pat Romprey – Beechwood One

Pat Romprey questioned at what time it came to light that the Town owns the roadway surfaces in Beechwood One. Town Manager Burbank replied that the Town had several legal opinions on file from over the course of the past 30 years; all of which state that the Town has a responsibility for the top 5 feet of roadway. This is declared by virtue of town meeting and by registered deed. Mr. Burbank explained that Loon Mountain is responsible for the water and sewer and that it is not clear as to who is responsible for drainage. However, it is in the interest of the Town to protect the road and thus address and resolve any drainage issues. There was a brief discussion updating Mr. Romprey on the history of the Town's ownership of the approximately one mile that is the Beechwood One Loop. O.J. stated that the Town is setting aside funds in the CIP to repair Beechwood One however the owners of Loon Mountain Resort and the homeowners are all at a standstill over further ownership and necessary repairs. One way to resolve these ownership issues to the satisfaction of all involved parties is via a court judgment. O.J. added that the Board is planning to plot out a course of action for this situation in early 2015.

Town Manager's Report

Stairs at Town Hall

The steel stairs have been installed and there is now access to the second floor.

Water Treatment Cell Update

Eight bids have been received for the new water treatment cell addition. The bids came in significantly under budget and ranged from \$524,800-\$630,000. The project estimate provided by the engineer was \$750,000 thus the Town will be able to finance this project without a bond which is excellent news. The new cell should be up and running by July. The apparent low bidder is Penta Corp. The bids are currently being reviewed by the project engineer and the bid should be awarded within the next week.

Loon Mountain Bridge

Construction trailers are now on site. Construction of the new bridge has begun!

Reuse Building at the Solid Waste Facility

Town Manager Burbank provided his written opinion as well as Solid Waste Facility Manager, Paul Beaudin's opinion on opening a re-use building (re-use of home goods in working order). Both agreed

that it is not the in the best interest of the Town to permit this use at the Facility. The Board agreed that this would not be in the best interest of the Town at this time.

Community Center Watershed Stormwater Assessment

The Forest Ridge Developers will be coming back before the Planning Board in January. O.J. stated that there have been two flooding events in this location and he would like to take the first step towards correction action as recommended in Ray Korber's assessment report. Tamra Ham mentioned installing a fence around the culvert on the south side of Pollard Road next to the Huot property. O.J. questioned whether the Town has the ability to build a retention pond on private land to address drainage issues on Town property. Town Manager Burbank replied that yes the Town is able to do this.

Update on Levee Warrant Article

Town Manager Burbank stated that the revised figure of 1.6 million has been received from the engineer for the levee. The Board has not yet decided but is considering a bond issue in March 2015 somewhere in the range of 1.3-1.6 million.

Update on Sign Violation Notices

Nail Salon

The business owners of the new nail salon are very cordial. Town Manager Burbank did have to ask them to turn off their flashing sign.

Other Businesses

Town Manager Burbank informed the Board that most of the businesses that are in violation of the sign ordinance are working with the Town. Those that are not, Nacho's and McKenzie's, have till December 29th before fines will be incurred. Town staff will send out a second notice making the business owners aware of the fees they will incur if they fail to communicate with the Town. The Town will work with the business owners to help them come into compliance but not if they make no efforts to communicate with the Town. O.J. stated that he noticed Nacho's blinking light was on this past weekend.

Over Expenditure of 2014 Operating Budget

The Town of Lincoln is requesting permission to over-expend the operating budget with monies from the Unreserved Fund Balance to cover unanticipated legal expenses. The amount requested to cover the expenses is \$75,000.

MOTION: "To file a request with NHDRA to over-expend the operating budget with monies from the Unreserved Fund Balance to cover unanticipated legal expenses. The amount requested to cover the expenses is \$75,000."

Motion: Tamra Ham

Second: O.J. Robinson

All in favor.

Equalization Municipal Assessment Data Certificate

MOTION: "To accept Town Assessor Phil Bodwell's study of the 201 Equalization Municipal Assessment Data Certificate for 2014."

Motion: Tamra Ham

Second: O.J. Robinson

All in favor.

IV. NON PUBLIC SESSION pursuant to RSA 91-A:3II(a,c,e)

MOTION: "To go into Non-Public Session pursuant to RSA 91-A:3II(a,c,e) legal and personnel."
Motion: Tamra Ham Second: O.J. Robinson Roll call vote was all in favor.

The Board went into non-public session at 6:35pm.

MOTION: "To enter back into public session."
Motion: Tamra Ham Second: O.J. Robinson Roll call vote was all in favor.

The Board came back into public session at 6:55pm.

V. OTHER BUSINESS AS PRESENTED

Budget Committee Meeting

The Board discussed the contents of the agenda for the first Budget Committee meeting. The meeting is scheduled for December 30, 2014.

VI. ADJOURNMENT

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

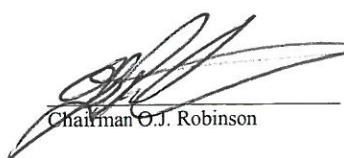
MOTION: "To adjourn."
Motion: O.J. Robinson Second: Tamra Ham All in favor.

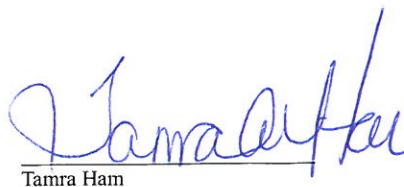
The meeting adjourned at 7:00pm.

Respectfully Submitted,


Brook Rose

Approval Date 12/29/14


Chairman O.J. Robinson


Tamra Ham