

**LINCOLN BOARD OF SELECTMEN**

**APPROVED**

**MEETING MINUTES**

**MARCH 5, 2018 – 5:30PM**

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

**Board of Selectmen Present:** Chairman OJ Robinson, Tamra Ham and Jayne Ludwig

**Staff Present:** Town Manager Burbank, Chief Ron Beard, Chief Ted Smith, & Administrative Assistant, Jane Leslie.

**Public Present:** Moderator Robert Wetherell, Roger Harrington, Andrew Formalarie James Welsh, Debbie Celino and Paul Beaudin

**I. CALL TO ORDER**

Chairman Robinson called the meeting to order at 5:38 pm.

**II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING**

The Board postponed the review and approval of the February 26, 2018 meeting minutes to the next scheduled Board of Selectmen's meeting on March 12, 2018.

**III. Warrant Article Review with *Moderator Robert Wetherell***

The Board reviewed the warrant articles with Town Moderator, Robert Wetherell and discussed which Selectmen would be addressing the various warrant articles in the event questions arise. Articles one (1) through six (6) will be voted on during the day (Planning), and all relevant literature will be available as well as Office Assistant, Mary Pelchat who will be sitting in for Carole Bont (Town Planner) who will not be in attendance due to a family member having surgery. Chairman Robinson also noted a correction to the Vitals page in the Town Report (name spelled incorrect) and asked Moderator Wetherell to verbally correct this at Town Meeting.

*Upon conclusion of the discussion, Moderator Wetherell departed the meeting at 6:10 p.m.*

**IV. OLD/NEW BUSINESS**

**Town Manager's Report**

**Water flow testing for Lahout's Plaza and the new proposed hotel (across from Franklin Street)**

Engineers hired by Lahout's Plaza and the proprietors of the new proposed hotel across from Franklin Street will be conducting water flow testing tomorrow (March 6<sup>th</sup>). Lahout's Plaza needs an entirely new sprinkler system and is required to know the amount of water available to design the system accordingly.

Chief Beard was toned to the Lodge at Lincoln Station this past weekend and noted that residents are leaving their faucets running full tilt in an effort to deter their pipes from freezing. Beard also noted that the condo unit has detailed written instructions for the occupants to leave both the hot and cold water running during the winter months, as well as to turn off the hot water breaker so they don't waste electricity. Town Manager Burbank said this is another example of why it would be in the best interest of the town to meter the water usage and track the consumption of household's town wide.

### **Sale of Tower Fire Truck**

The town has received the electronic payment for \$5,000 for the sale of the old tower truck. The truck was sold to Manassas, Virginia Fire Department who will be coming to pick the truck up.

### **Coffee with a Cop**

Chief Smith will be meeting with resident voters at 6:00 p.m. prior to Town Meeting to discuss whatever is on their minds and introduce the new officers to the residents.

### **Hoyle & Tanner**

Town Manager Burbank has spoken with Chris Mulleavey and they will be coordinating a date and time to meet with the Select Board. Dubois & King will also be scheduling a day to come in and meet with the Board as well.

### **Clearbrook Lots**

Selectman Ham asked what the town was doing with the two (2) lots the town now owns as a result of tax lien. Chairman Robinson was not certain as the lots were located on steep frontage with no practical access and questioned whether or not they were buildable. Selectman Ham felt that even if we sold them below market price, this would at least put the lots back on the tax role and create revenue. Chairman Robinson suggested that after Town Meeting the Board review the Board of Selectmen goals for 2017 and update them for the current year, and they will add the Clearbrook lots to the list.

### **Public Participation**

#### **Recreation Grant for Riverfront Park**

Paul Beaudin asked the Board how large the parcel of land is pertaining to the portion of the Riverfront Park grant, and if the matching grant program that the town is applying for covers the entire Riverfront Park lot, or just a portion of the lot. Selectman Ham explained that the grant covers Phase I of the project (parking, multi-use trail, playground, restroom facility, storm water, Skate Park, and canoe launch). Beaudin added that according to the stipulations of the grant, elements of the park that pertain to the grant must be held in perpetuity for recreation purposes and the town would not be able to utilize the land for any other reasons. Mr. Beaudin felt this was important information for the Board prior to committing the entire parcel of land as stipulated by the grant criteria. Burbank added that the grant covers Phase I and not the entire parcel of land and was not certain if we have even assigned acreage to it. Burbank also noted that since the town has applied for the grant, DES has stepped in and required the town to remediate what is left of the sewage in the depression which cannot just be covered over as originally thought. Another DES issue is that they want assurance that there are no residual heavy metals in the ground (left over from Burndy) which will require further testing.

Beaudin asked if the town would still be requesting \$200K in the event they do not receive the award for the matching grant program. Chairman Robinson explained that the warrant article wording states that \$400K is to be appropriated, however, limits the town's appropriation to \$200K and then to be able to expend the grant up to another \$200K. This will allow the town to prep for the Skate Board Park and parking lot (and possibly water and sewer).

#### **Levee**

Paul Beaudin asked if the town has made any progress with the engineering firm contracted to work on the levee in sharing with the \$400k storm damage costs. Chairman Robinson explained that the engineers have agreed to meet with the Board (although they are denying liability), however, a date has not been established.

Roger Harrington asked who decided where to begin the construction work on the levee. Burbank noted

he was told it was all about “means and methods” and the town could not dictate how the job should be done. Paul Beaudin also asked if the contract with the engineers stated that they had to carry liability insurance. Burbank explained that he would have to research this because the contract was signed in 2011 before he began working for the town.

Roger Harrington also asked about Forest Ridge and if there was any progress up at *The Pines*. Burbank explained that he has met with Rick Elliot and the town’s attorney, and Horizons Engineering has reviewed the designs. The Elliot’s have agreed to bring in Horizons Engineering (when the snow melts) to determine if the ponds were built as designed and according to Planning Board approval. Burbank noted one thing that did come out of the meeting is that the ponds were not meant to retain water, and only one (1) of the ponds was meant to hold a small amount of water. Paul Beaudin asked if bonds were posted for the project. Burbank explained that on-road and off-road bonds were provided to the town but not on the infrastructure.

#### **Pollard Road Sidewalk**

Roger Harrington asked Town Manager Burbank when his tree was going to be planted (suggested the spring or fall). Burbank said he would speak with Taylor Beaudin and make arrangements to plant the tree whenever Roger would like.

Selectman Ham mentioned that she had been approached by two (2) residents wondering if donated benches could be installed along the walkway on Pollard Road. Ham asked Burbank to speak with Town Engineer Ray Korber to find out where he would suggest placing benches (and how many could be placed) on Pollard Road and then address this in the near future.

#### **Town Clerk’s Motor Vehicle Revenue Report through February 2018**

Total year-to-date is \$63,593.48. The month of February is up by \$1,859.64 from February, 2017. The year-to-date is up \$10,227.48.

#### **Road Ban Signs**

James Welsh asked why certain roadways and streets in town were not posted with weight restriction signs. Burbank said he would speak with Public Works Director, Nate Hadaway.

#### **Trust Fund Transfers**

The Board signed transfers for the Trust Funds.

#### **Land Use Permits for the Pines**

The Board reviewed four (4) *Land Use Permits*.

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### **IV. NONPUBLIC SESSION *Pursuant to RSA 91-A:3:II(a) Real Estate, Litigation***

**MOTION: “To go into Non-Public Session pursuant to RSA 91-A: 3II (d,e)**

**Motion: Tamra Ham                      Second: Jayne Ludwig                      Motion carries.**

The Board went into non-public session at 6:26 pm.

**MOTION: “To re-enter public session.”**

**Motion: OJ Robinson                      Second: Tamra Ham                      Motion Carries.**

The Board came back into public session at 7:28 p.m.

## V. 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**


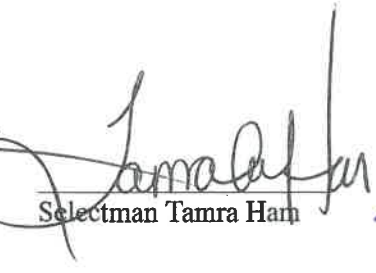
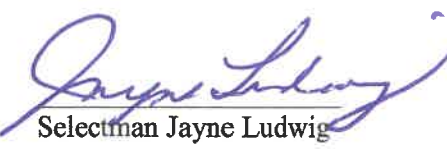
**Second: Jayne Ludwig**

**Motion Carries.**

The meeting adjourned at 7:30 p.m.

  
Respectfully Submitted,  
Jane Leslie

Approval Date 3 / 12 / 2018

 Chairman OJ Robinson  
 Selectman Tamra Ham  
 Selectman Jayne Ludwig

**March 5, 2018**  
**Board of Selectmen's Meeting**  
**Please PRINT Legibly**

Andrew Formalaric

(Print Name)

Roger Harrington

Robert Wetherell

Debbie Celino

Jim Welsh



(Sign Name)

Roger Harrington

Robert J. Wetherell

Debbie Celino

Jim Welsh

Town of Lincoln  
New Hampshire  
Warrant  
2018

To the inhabitants of the Town of Lincoln, in the County of Grafton, and state of New Hampshire, who are qualified to vote in Town affairs: You are hereby notified to meet at the Lin-Wood Public School, in said Lincoln on Tuesday, the thirtieth (13) day of March, 2018 at 10:00 AM until 6:00 PM for the casting of ballots: and at 6:30 PM on the same day to act upon the following articles: (The polls will not close earlier than 6:00 PM)

**ARTICLES ONE (1) THROUGH SIX (6) WILL APPEAR ON THE OFFICAL BALLOT AND WILL BE VOTED ON FROM 10:00 AM TO 6:00 PM. ATRICLE SEVEN (7) THROUGH THIRTY THREE (33) WILL BE TAKEN UP DURING THE BUSINESS MEETING BEGINNNG AT 6:30 PM.**

**Article 01: Election of Town Officers**

To choose all necessary Town Officers for the year ensuing as follows: Selectman, Budget Committee Members, Library Trustee, Cemetery Trustee, Trustee of Trust Funds, Moderator, Planning Board, Zoning Board, and Supervisor of Checklist.

☐ Yes      ☐ No

**Article 02: Planning - District & District Regulations**

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Town's Land Use Plan Ordinance to amend Article VI District and District Regulations, Section B District Regulations, Paragraph 7 Height Requirements, to add Subsection C to exempt uninhabitable structures that are part of a tourist attraction from the height requirements and leave the height limitation to the discretion of the Planning Board as part of the Site Plan Review process. This exemption applies to ski lift towers, amusement rides and amusement towers. The Planning Board may increase the setback requirements for these higher structures as part of the Site Plan Review process.

(Full text of proposed amendments is available on file for full review at the Town Clerk's Office prior to March 13, 2018, and at the polling place on voting day.) Recommended by the Planning Board.

☐ Yes      ☐ No

**Article 03: Planning - Solar Energy Systems**

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Town's Land Use Plan Ordinance to add Article VI, Section H, Solar Energy Systems to:

1. Require Land Use Authorization Permits for the installation of Solar Energy Systems capable of producing less than or equal to twenty-five kilowatts (25 kW) of electricity per dwelling unit for residential purposes (single family home or duplex).
2. Require Land Use Authorization Permits and Site Plan Review approval for the installation of Solar Energy Systems capable of producing greater than twenty-five kilowatts (25 kW) of electricity per dwelling unit and less than one Megawatt (1MW) of electricity for vacant land, land with non-residential, commercial or industrial buildings or multi-family housing.
3. Require Land Use Authorization Permits and Site Plan Review approval for the installation of Solar Energy Systems capable of producing equal to or greater than one Megawatt (1 MW) of electricity on vacant land, land with residential and non-residential, commercial or industrial buildings or multi-family housing; a Solar Energy System that

is capable of producing equal to or greater than one Megawatt (1 MW) of electricity is a utility-scale Solar Energy System, and first has to be approved by the State of New Hampshire.

(Full text of proposed amendments is available on file for full review at the Town Clerk's Office prior to March 13, 2018, and at the polling place on voting day.) Recommended by the Planning Board.

☐ Yes ☐ No

#### **Article 04: Planning - Lincoln Sign Regulations**

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Town's Land Use Plan Ordinance to amend Article VI-B Lincoln Sign Regulations, Section E Permit Requirements and Review Procedure, Paragraph 10 Sign Classification and Standards, Subparagraph s Portable Sign, Sub-subparagraph ii Standards, Sub-sub-subparagraph (d), to no longer require all portable signs (also known as "A-frame signs" or sandwich board signs) to be removed from public view when the business is not open, but instead require all portable signs be removed from public view prior to the business being closed for a period of fourteen (14) consecutive days or more.

(Full text of proposed amendments is available on file for full review at the Town Clerk's Office prior to March 13, 2018, and at the polling place on voting day.) Recommended by the Planning Board.

☐ Yes ☐ No

#### **Article 05: Planning - Administration**

Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board for the Town's Land Use Plan Ordinance to amend Article VII Administration, Section B, by adding Paragraph 2, indicating that every applicant for a permit or approval is deemed to have consented to an inspection of the property related to the application as is necessary for the Town to acquire information appropriate to make an informed decision about the application and to determine compliance with the permit, approved plans, conditions of approval, and requirements of the Ordinance. An applicant's refusal to consent to such inspection constitutes grounds for disapproval of the application or for refusal by the Town to issue any Land Use Authorization Permit and Land Use Compliance Certificate relative to the permit or application.

(Full text of proposed amendments is available on file for full review at the Town Clerk's Office prior to March 13, 2018, and at the polling place on voting day.) Recommended by the Planning Board.

☐ Yes ☐ No

#### **Article 06: Planning - Board of Adjustment**

Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board for the Town's Land Use Plan Ordinance to amend Article VIII Board of Adjustment, Section A Board of Adjustment, Paragraph 5 by authorizing the Zoning Board of Adjustment to consider several new specific criteria in addition to the original four (4) general criteria when determining whether or not to grant a Special Exception, including several specific criteria relative to whether the site is suitable for the proposed development, whether the development is appropriate for the site, whether the proposed use will have a negative impact on the immediate neighborhood, whether the proposed use will be well suited to the availability of public services and facilities.

(Full text of proposed amendments is available on file for full review at the Town Clerk's Office prior to March 13, 2018, and at the polling place on voting day.) Recommended by the Planning Board.

☐ Yes ☐ No

#### **Article 07: Bond Additional Funding Levee**

To see if the Town will vote to raise and appropriate the sum of four hundred ten thousand dollars (\$410,000) for additional funds needed to rebuild the East Branch Pemigewasset River Granite Block Levee that was approved at the 2016 Town Meeting, and to authorize the issuance of not more than four hundred thousand dollars (\$400,000) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); to authorize the Selectmen to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof; to authorize the Selectmen to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project and to comply with all laws applicable to said project; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. The balance of the appropriation of ten thousand dollars (\$10,000) is to be raised by taxation to be used for bond costs and legal costs. The Selectmen and the Budget Committee recommend this appropriation. (2/3 ballot vote required).

☐ Yes      ☐ No

#### **Article 08: Levee Additional Funding by Taxation**

In the event that Article 7 is defeated, shall the Town vote to raise and appropriate the sum of four hundred thousand dollars (\$400,000) for additional funds needed to rebuild the East Branch Pemigewasset River Granite Block Levee that were approved at the 2016 Town Meeting; to authorize the Selectmen to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project. The said sum of four hundred thousand dollars (\$400,000), less any federal or state funds received for this purpose, to come from taxation. If Article 7 passes, this article will be null and void. The Selectmen and the Budget Committee recommend this appropriation. (majority vote required)

☐ Yes      ☐ No

#### **Article 09: Riverfront Park**

To see if the Town will vote to raise and appropriate the sum of four hundred thousand dollars (\$400,000) for phase one of the Riverfront Park with two hundred thousand dollars (\$200,000) to be received from a grant and the balance of two hundred thousand dollars (\$200,000) to come from taxation. The Selectmen and the Budget Committee recommend this appropriation. (majority vote required)

☐ Yes      ☐ No

#### **Article 10: Operating Budget**

To see if the Town will vote to raise and appropriate the sum of five million nine hundred five thousand fifty one dollars (\$5,905,051) for the purposes of General Government; Public Safety; Highways; Sanitation; Water Treatment; Health, Welfare, Culture and Recreation; and Long and Short Term Debt including Interest, for the ensuing year, exclusive of all special and individual warrant articles. The Budget Committee and Selectmen recommend this appropriation. (Majority vote required)

☐ Yes      ☐ No

#### **Article 11: CR-Engineering & Planning**

To see if the Town will vote to raise and appropriate twenty six thousand dollars (\$26,000) to be placed in the Engineering & Planning Capital Reserve Fund (created in 1997). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes      ☐ No



### Article 12: CR-Community Building

To see if the Town will vote to raise and appropriate ten thousand dollars (\$10,000) to be placed in the Community Building Expendable Trust Fund (created 2005). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes ☐ No

### Article 13: CR-Public Works Vehicle & Equipment

To see if the Town will vote to raise and appropriate ninety six thousand dollars (\$96,000) to be placed in the Public Works Vehicle and Equipment Capital Reserve Fund (created in 1990, amended in 2008.) The Selectmen and Budget Committee recommend this appropriation.

☐ Yes ☐ No

### Article 14: CR-Revaluation

To see if the Town will vote to raise and appropriate twenty five thousand dollars (\$25,000) to be placed in the Revaluation Capital Reserve Fund (created in 1984, amended in 2008.) The Selectmen and Budget Committee recommend this appropriation.

☐ Yes ☐ No

### Article 15: CR-Police Department Equipment

To see if the Town will vote to raise and appropriate thirty thousand dollars (\$30,000) to be placed in the Police Department Equipment Capital Reserve Fund (created in 1995.) The Selectmen and Budget Committee recommend this appropriation.

☐ Yes ☐ No

### Article 16: CR-Sewer System Rehabilitation

To see if the Town will vote to raise and appropriate two hundred thirty one thousand dollars (\$231,000) to be placed in the Sewer System Rehabilitation Capital Reserve Fund (created in 1995). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes ☐ No

### Article 17: CR-Water System Rehabilitation

To see if the Town will vote to raise and appropriate one hundred fifty five thousand dollars (\$155,000) to be placed in the Water System Rehabilitation Capital Reserve Fund (created in 1995). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes ☐ No

### Article 18: CR-Roads & Streets Reconstruction

To see if the Town will vote to raise and appropriate two hundred fourteen thousand five hundred dollars (\$214,500) to be placed in the Road and Street Reconstruction Capital Reserve Fund (created in 1994). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes ☐ No

**Article 19: CR-Kanc Rec Area Equipment**

To see if the Town will vote to raise and appropriate twenty thousand dollars (\$20,000) to be placed in the Kancmagus Recreational Area Equipment Capital Reserve Fund (created in 2005). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes      ☐ No

**Article 20: CR-Cemetery Maintenance Expendable Trust**

To see if the Town will vote to raise and appropriate sixty thousand dollars (\$60,000) to be placed in the Town Cemetery Maintenance Expendable Trust Fund (created in 2006). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes      ☐ No

**Article 21: CR-Property & Building Maintenance**

To see if the Town will vote to raise and appropriate thirty thousand dollars (\$30,000) to be placed in the Property and Building Maintenance Expendable Trust (created in 2007). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes      ☐ No

**Article 22: CR-Fire Truck**

To see if the Town will vote to raise and appropriate ten thousand dollars (\$10,000) to be placed in the Fire Truck and Equipment Capital Reserve Fund (created in 1989.) The Selectmen and Budget Committee recommend this appropriation.

☐ Yes      ☐ No

**Article 23: CR-Employee Separation**

To see if the Town will vote to raise and appropriate forty thousand dollars (\$40,000) to be placed in the Employee Separation Expendable Trust Fund (created in 2010). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes      ☐ No

**Article 24: CR-Library Technology**

To see if the Town will vote to raise and appropriate two thousand dollars (\$2,000) to be placed in the Library Technology Capital Reserve Fund (created in 1997). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes      ☐ No

**Article 25: CR-Library Building**

To see if the Town will vote to raise and appropriate eighteen thousand five hundred dollars (\$18,500) to be placed in the Library Building Capital Reserve Fund (created in 1991). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes      ☐ No

#### Article 26: CR-Solid Waste

To see if the Town will vote to raise and appropriate thirty thousand dollars (\$30,000) to be placed in the Solid Waste Facility Improvements (created 1999). The Selectmen and Budget Committee recommend this appropriation.

☐ Yes ☐ No

#### Article 27: CR-Cemetery Expendable Trust Fund

To see if the Town will vote to raise and appropriate one hundred thirty four dollars (\$134) to be placed in the Town Cemetery Expendable trust Fund (created in 2006). Said sum to come from 2017 unassigned fund balance. This represents the amount paid to the Town for the sale of cemetery lots during Fiscal Year 2017. No amount to be raised from taxation. The Selectman and Budget Committee recommend this appropriation.

☐ Yes ☐ No

#### Article 28: CR-Cemetery Trust Fund

To see if the Town will vote to raise and appropriate two hundred sixty six dollars (\$266) to be placed in the Town Cemetery Trust Fund (created not known). Said sum to come from 2017 unassigned fund balance. This represents the amount paid to the Town for the sale of cemetery lots during Fiscal Year 2017. No amount to be raised from taxation. The Selectman and Budget Committee recommend this appropriation.

☐ Yes ☐ No

#### Article 29: Collective Bargaining Agreement

To see if the Town will vote to approve the cost items included in the collective bargaining agreement reached between the Board of Selectmen and the International Brotherhood of Teamsters, Local #633, which calls for the following increases in salaries and benefits at the current staffing level:

Fiscal Year (or portion thereof) Estimated Increase per fiscal year

2017 \$ 0.00 (9 months)

2018 \$21,180.00

2019 \$27,851.00

2020 \$ 8,832.00 (3 months)

and further to raise and appropriate the sum of twenty one thousand one hundred eighty dollars (\$21,180.00) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels in accordance with the most recent collective bargaining agreement.

This appropriation is not included in the operating budget. The Board of Selectmen and Budget Committee recommend this appropriation. (Majority vote required)

☐ Yes ☐ No

#### Article 30: Special Meeting

Shall the town, if Article #29 is defeated, authorize the governing body to call one special meeting, at its option, to address Article #29 cost items only? (Majority vote)

☐ Yes ☐ No

#### Article 31: Highway Block Grant Program

To see if the Town will vote to raise and appropriate twenty eight thousand dollars (\$28,000) for purposes allowed under the State of New Hampshire Highway Block Grant Program. This appropriation is to be offset by revenue from the State of New Hampshire Highway Block Grant Program to the extent that it is available. The Selectmen and Budget Committee recommend this appropriation.

☐ Yes ☐ No

**Article 32: To allow KENO in Town**

To see if the town will vote to allow the operation of KENO within the town pursuant to the provisions of NH RSA 284:41 through 51.

☐ Yes ☐ No



**Article 33: Transact any other business**

To transact any other business that may legally come before the meeting.

☐ Yes ☐ No

**Given under our hands, February 12, 2018**

We certify and attest that on or before February 26, 2018, we posted a true and attested copy of the within Warrant at the place of meeting, and like copies at Town Hall, Lincoln Post Office, Town of Lincoln Library, Town of Lincoln Website, and delivered the original to the Town Clerk.

Printed Name	Position	Signature
OJ Robinson	Selectman-Chairman	
Tamra Ham	Selectman	
Jayne Ludwig	Selectman	