

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
MARCH 4, 2019 – 5:30PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

APPROVED

Board of Selectmen Present: Chairman OJ Robinson, Tamra Ham & Jayne Ludwig
Staff Present: Town Manager Burbank, & Administrative Assistant, Jane Leslie.
Public Present: Moderator Robert Wetherell, Roger Harrington, Debbie Celino, James Welsh, Kurt O'Connell, Jay Scambio & Mary Conn

I. CALL TO ORDER

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

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING(S)

MOTION: "To approve the meeting minutes of February 04, 2019 as presented."

Motion: Tamra Ham Second: Jayne Ludwig Motion carries.

Abstained: OJ Robinson

MOTION: "To approve the meeting minutes of February 11, 2019 as amended."

Motion: Tamra Ham Second: OJ Robinson Motion carries.

Abstained: Jayne Ludwig

MOTION: "To approve and seal the Non-public meeting minutes of February 11, 2019 as presented."

Motion: Tamra Ham Second: OJ Robinson Motion carries

Abstained: Jayne Ludwig

MOTION: "To approve the meeting minutes of February 25, 2019 as amended."

Motion: OJ Robinson Second: Jayne Ludwig Motion carries

Abstained: Tamra Ham

MOTION: "To approve the Non-public meeting minutes of February 25, 2019 as presented."

Motion: Jayne Ludwig Second: OJ Robinson Motion carries

Abstained: Tamra Ham

III. REVIEW OF BUDGET AND WARRANT ARTICLES WITH TOWN MODERATOR ROBERT WETHERELL

The Board reviewed Articles Four (4) through twenty-eight (28) in preparation for Town Meeting on Tuesday, March 12th. Robinson explained that he anticipates a petition for a secret ballot vote on **Article 4**, and suggested Moderator Wetherell be prepared for the same. There was a question about the wording in **Article 4. Fire Department Per Diem Wages/Equipment** whereas Selectman Ludwig noted that it was brought to her attention by a community member that the article is vague and does not denote that the per diem wages represent a six (6) month period of time. Ludwig feels that the article lacks transparency and misrepresents the articles intent to the voters. Moderator Wetherell explained that the speakers will have the floor to explain any additional details and answer questions.

Article 5. Additional Water Sources. Robinson asked Wetherell if it was possible to change one word in this article (the word “sources” to “infrastructure”) or to add the word “infrastructure.” Wetherell recommended the Board check with town counsel as this is a gray area. The Selectmen continued their review of the remaining articles with Moderator Wetherell.

Selectman Ludwig noted that she spoke with Attorney Margaret Byrnes (NHMA) about whether or not the Planning Board table should be in the same area as the Ballot Clerks table at Town Meeting. Attorney Byrnes explained to Ludwig that the Planning Board table should not be in the same vicinity as the voting booths (Ludwig wants to ensure we are conducting Town Meeting operations correctly). Moderator Wetherell clarified that Carole Bont is available to the voters for informational purposes only and not voicing any opinion on matters that have to do with voting. Chairman Robinson explained that there is an RSA that specifically states you can be in the same room for informational purposes only, but you cannot be within the guardrail area.

Moderator Wetherell departed the meeting at 5:47 pm

IV. NONPUBLIC SESSION *Pursuant to RSA 91-A: 3:II (c) Real Estate*

**MOTION: “To go into Non-Public Session pursuant to RSA 91-A: 3II (c) Real Estate Transaction
Motion: O.J. Robinson Second: Tamra Ham Motion carries.**

The Board went into non-public session at 5:48 pm.

MOTION: “To re-enter public session.”

Motion: Jayne Ludwig Second: Tamra Ham Motion Carries.

The Board came back into public session at 6:05 p.m. and made the following motion:

**MOTION: “The Board will extend a *Right of First Notification* to Kurt O’Connell regarding Lot No. 2 in the Industrial Business Park, and the Board of Selectmen will notify Mr. O’Connell of any additional offers the Town receives on said Lot No. 2. Mr. O’Connell will have 45-days to negotiate a deal with the Town prior to the Town negotiating with any other potential buyers.”
Motion: OJ Robinson Second: Tamra Ham Motion carries.**

V. WATER AND SEWER TAP FEE/TRANSFER STATION FEE *DISCUSSION*

Transfer Station Fee Schedule

The Board reviewed the proposed rate increases that DPW Hadaway and Transfer Station Supervisor Jim Conn recommended as follows:

Mattress/Box Spring: increase from \$5 to \$20 each

Sofa & Chair: increase from \$10 to \$20

Sheetrock & Asphalt Shingles: S-10 Pickup increase from \$35 to \$55; ½ ton pickup from \$55 to \$110, ¾ ton pickup will remain at \$110, and 1-ton pickup will remain at \$220

Construction Debris: S-10 Pickup from \$15 to \$35; ½ ton pickup from \$25 to \$55, ¾ ton pickup will remain at \$55, and 1-ton pickup will remain at \$110.

These proposed rate increases are a direct result of the expense the town(s) incur to dispose of these items as well as the market rates of other towns. Robinson explained that the town over-expended the Contracted Services line item in the Solid Waste Budget this year by \$20-\$30k.

MOTION: “To approve the proposed changes and forward to Woodstock Board of Selectmen.”

Motion: OJ Robinson

Second: Jayne Ludwig

Motion carries

Upon approval from the Woodstock Board of Selectmen, the Board agreed to implement these changes immediately.

Water and Sewer Tap Fees

The Board reviewed the current water/sewer tap point system, and Robinson explained that during a recent Selectmen’s discussion when several developers were present, they had expressed an understanding of why the town is looking to increase these costs, however, cautioned that this money should not fund the historical lack of planning for the towns water and sewer infrastructure. A lengthy discussion ensued on water and sewer tap fees and Ham questioned if it would be feasible to have two (2) fee schedules (one residential, one commercial). The Board discussed what delineates a residential unit versus a commercial unit (time-share, condo, long-term, short-term rentals etc.) Robinson explained that the Ad Hoc Water Committee proposed hiring a company to come and look at the town’s water and sewer infrastructure; current and past rate structures, water meter rates (if we decide to implement them), flat-fee rates (if we don’t get water meters), both water and sewer tap fees (one-time charges), cost of making water, cost of treating sewer, and the town’s infrastructure costs. Ray Korber is currently speaking with engineers and companies that do this type of work and will be obtaining pricing for conducting this in-depth study.

The Board agreed that the first step is to wait to hear back from Ray Korber.

DES Workshop

Chairman Robinson informed the Board that DES will be conducting a daylong workshop in Pembroke on April 9th titled, *Setting the right rates for your system*” which he plans on attending. There is another workshop on April 19th on the *State Revolving Loan Fund and Drinking Water and Groundwater Trust Fund*. Town Manager Burbank will be attending this workshop.

V. OLD/NEW BUSINESS

Town Managers Report

White Mountain Snowmobile Club Contract

The White Mountain Snowmobile Club has a contract with the Town of Lincoln to lease the “old salt shed” property up on Route 3 (Tax Map 19 Lot 48) which is due to expire on July 1, 2019. At the February 25th Selectmen’s meeting, Chairman Robinson recommended they request a public hearing with the Planning Board to see if the Board of Selectmen can make a lease agreement for greater than one (1) year without a Town Meeting vote. Based on Town Planner Carol Bont’s initial research, the Board of Selectmen *cannot* make a lease agreement for greater than one (1) year without a Town Meeting vote (authorizing the Board to do so). The Planning Board does not have a role to play under the language of the statute. The requirements are different if the Selectmen were contemplating a sale of municipal property. The following are suggestions for the Selectmen:

1. Sign a lease agreement with the White Mountain Snowmobile Club for one (1) year.
2. Put two (2) articles on the warrant for the 2020 Town meeting (I) to see if the Town will vote to authorize the Board of Selectmen to sign a five (5) year lease with the Snowmobile Club, or, (II) to see if the Town will vote to authorize the Board of Selectmen to rent or lease municipal property for a term of up to five (5) years without further vote or ratification of the legislative body of the Town (based on the Selectmen's discretion). It is recommended that both articles be included on the warrant.

Selectman Ham spoke with Jarret Ham who informed her that the salt shed needs siding and was wondering if in lieu of paying the \$1200 annual lease fee, the Snowmobile Club could replace the siding or work out an arrangement to pay for a portion of the siding. Robinson would rather they repair/replace the siding in lieu of rent, and Town Manager Burbank will have DPW Hadaway go inspect the shed to see exactly what work needs to be done.

In the interim, the Board agreed to extend the White Mountain Snowmobile Club's lease for a term of one (1) year.

Public Hearing on sale of town-owned land

The Selectmen agreed to ask the Planning Board to schedule a public hearing for the sale of town-owned land at Industrial Park on March 27th.

Frank and Jean Bill Tax Appeal

Mediation for the tax appeal has been scheduled for May 8, 2019, and Town Manager Burbank will attend (if the Selectmen feel it is necessary). Robinson said he would like to discuss further during tonight's Non-public session.

Meeting with Westec – Water Treatment Plant Processing

Town Manager Burbank, DPW Hadaway, and Water Plant Operator Dave Beaudin will be meeting with a representative of Westec on Wednesday, March 6, 2019 at 9:30 a.m.

Abatement Request

The Board reviewed an abatement request for property located at 8-10 Liberty Road, Tax Map #107-068-000-00-00000 for Spring Issue of 2018 Property Tax Bill.

BOS Goal Review

The Board agreed to review their goals from 2018 and discuss at March 18th Selectmen's meeting.

Town Reports

The Public Works Department will be hand delivering the reports to as many residents as possible. The report is available on the Town Website at <https://www.lincolnnh.org/>.

Public Participation

Roger Harrington asked if the West Street Road Reconstruction Project would be going back out to bid (and when) and questioned if the town was doing anything to get compensated for damages resulting from the Contractor's inability to complete the project. Chairman Robinson explained that due to this matter being under litigation he is unable to comment at this time.

IV. NONPUBLIC SESSION Pursuant to RSA 91-A: 3:II(a,c,e) South Peak Resort Development Agreement, CRVI Abatement Application, NHEC lawsuit/mediation, Abatement Request.

MOTION: "To go into Non-Public Session pursuant to RSA 91-A: 3II (a,c,e)

Motion: O.J. Robinson Second: Tamra Ham Motion carries.

The Board went into non-public session at 7:00 pm.

MOTION: "To re-enter public session."

Motion: OJ Robinson Second: Jayne Ludwig Motion Carries.

The Board came back into public session at 7:35 p.m. and made the following motion(s):

MOTION: "To sign a revised amendment to the South Peak Resort Development Agreement with the only change being the effective date."

Motion: OJ Robinson Second: Tamra Ham Motion Carries.

MOTION: "To grant an abatement for interest charges due to incorrect owner address in the amount of eighty-four dollars and one cent (\$84.01) for tax map 107-068-000-00-00000."

Motion: OJ Robinson Second: Jayne Ludwig Motion Carries.

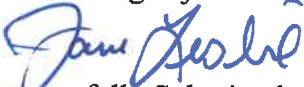
V. ADJOURNMENT

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


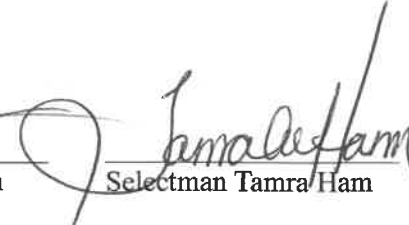

MOTION: "To adjourn."

Motion: OJ Robinson Second: Tamra Ham Motion Carries.

The meeting adjourned at 7:45 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date 3 / 11 / 2019

 Chairman OJ Robinson  Selectman Tamra Ham  Selectman Jayne Ludwig