

**LINCOLN BOARD OF SELECTMEN**

**APPROVED**

**MEETING MINUTES**

**APRIL 1, 2019 – 5:30PM**

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

**(MEETING VIDEO AVAILABLE AT [WWW.LINCOLNNH.ORG](http://WWW.LINCOLNNH.ORG))**

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

**Staff Present:** Town Manager Burbank, & Administrative Assistant, Jane Leslie.

**Public Present:** Roger Harrington, Chief Ron Beard, and State Representative Jerry Stringham

**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**

**MOTION: "To approve the meeting minutes of March 18, 2019 as amended."**

**Motion:** Tamra Ham

**Second:** Jayne Ludwig

**Motion carries.**

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

**Motion:** Tamra Ham

**Second:** Jayne Ludwig

**Motion carries.**

**MOTION: "To approve the Non-public meeting minutes (session 1) of March 25, 2019 as presented."**

**Motion:** Tamra Ham

**Second:** Jayne Ludwig

**Motion carries**

**MOTION: "To approve the Non-public meeting minutes (session 2) of March 25, 2019 as presented."**

**Motion:** Tamra Ham

**Second:** Jayne Ludwig

**Motion carries**

**III. BOARD APPOINTMENTS**

The Board received a letter of resignation from Lutz Wallem who sits on the Budget Committee and the Trustees of Trust Fund Committee. The Board took a moment to recognize Mr. Wallem's many years of service in both of those positions and regretfully accepts his resignation. Chairman Robinson made the following motion:

**MOTION: "To accept Mr. Lutz Wallem's resignation from the Budget Committee and the Trustees of Trust Funds Committee."**

**Motion:** OJ Robinson

**Second:** Tamra Ham

**Motion carries**

Chairman Robinson explained that the Board has the authority to appoint a replacement for the remainder of Mr. Wallem's term (2021) for the Trust Fund Committee. Robinson explained that two (2) names have been suggested to the Board: (1) resident Jeanne Beaudin who has a wealth of Trust Fund and Municipal knowledge and experience, and, (2) Trustee Herb Gardner recommended resident Jack Daly who is a current Budget Committee member who also has municipal experience. Robinson said the question was asked if the Board was going to publicly post this vacancy notice, however, Robinson feels that we just completed an election cycle and no one had expressed an interest in running for this seat (other than the incumbents) so there is no need to publicly post. Robinson feels that both candidates are

equally qualified to sit on this committee, and Mrs. Beaudin has expressed an interest in committing to the remainder of Mr. Wallem's term (Robinson noted that he has not discussed this matter with Jack Daly). Selectman Ham made the following motion:

**MOTION: "To appoint Jeanne Beaudin to the Trustees of Trust Funds Committee for the remainder of Trustee Wallem's term ending in 2021."**

**Motion: Tamra Ham**

**Second: Jayne Ludwig**

**Motion carries**

Robinson added that Trustee Bev Hall had also submitted a recommendation to the Board for Jon Ham to fill this seat. Selectman Ham explained that she discussed this with Mr. Ham and he did not have the time to commit to the Trust Fund Committee.

Selectman Ludwig asked to discuss the recent email that was received from Trustee Bev Hall. Town Manager Burbank explained that Trustee Hall wanted the Board to know that the Trustees are in the process of negotiating with a Financial Wealth Management group to take over the investing and bookkeeping responsibilities for the committee.

#### **Planning Board and ZBA Vacancies**

Selectman Ham explained that now that the Planning and Zoning Boards are fully elected Boards, they are responsible for appointing their *alternate* seats. At this time, there is one (1) vacant Planning Board *alternate* seat (Paula Strickon resigned on March 27<sup>th</sup>) and Paul Beaudin was appointed on March 27<sup>th</sup> as a Planning Board *alternate*, (Deanne Chrystal has agreed to stay on as a Planning Board *alternate*). Paul Beaudin is also a current elected member of the Zoning Board (ZBA) and there is one (1) vacant Zoning Board seat, and two (2) vacant *alternate* Zoning Board seats. Robinson questioned if Mr. Beaudin can legally sit on both the Planning Board and Zoning Boards concurrently? Town Manager Burbank explained that legally he can sit on both Boards, however, it is not recommended because one Board may essentially have to become a "jury" for the other Board in the event of a contested decision. This could open the door to costly legal litigation.

Robinson feels that Town Planner Carole Bont should make sure that both Boards are aware of how the RSA reads, and that Mr. Beaudin understands that there is a potential major conflict of interest if he sits on both Boards (this will be Mr. Beaudin's decision). The Board also recommended that Carole reach out to each of the Chairmen (Planning Board & ZBA) to determine whether or not they want the vacancies posted on the town website and social media outlets.

---

#### **IV. OLD/NEW BUSINESS**

##### **Treasurers Deposit Delegation of Authority**

The Board reviewed the *Treasurers Deposit Delegation of Authority* form which allows the Treasurer to delegate the deposit function authority to the Lincoln Town Clerk/Tax Collector and their respective Deputy of the funds collected in their role, and made the following motion:

**MOTION: "To sign the Town Treasurers Delegation for Deposit Form in accordance with RSA 41:29 and appoint Lisa-Jane Philbrick, Town Clerk/Tax Collector and her respective Deputy with the function of deposit authority on behalf of the Town Treasurer."**

**Motion: OJ Robinson**

**Second: Tamra Ham**

**Motion carries**

##### **Municipal Agent to the Department of Motor Vehicles Appointment**

The Board signed a letter to approve the appointment of Lisa-Jane Philbrick as a Municipal Agent to the Division of Motor Vehicles for the Town of Lincoln pursuant to SAF-C 519.02.

**MOTION: “To appoint Lisa-Jane Philbrick as the Municipal Agent to the Department of Motor Vehicles.”**

**Motion: OJ Robinson**

**Second: Jayne Ludwig**

**Motion carries**

## **Town Managers Report**

### **Community Center Roof**

DPW Hadaway has reached out to the contractor who installed the Community Center roof and will be meeting with him soon to look at the leaking issue to determine if it is covered under a warrantee.

### **Update on The Landing Lawsuit**

An offer has been made on The Landing, and anyone interested in further details can go to the US District Courts website (Bankruptcy Division).

### **Northern Border Regional Commission**

Town Manager Burbank has submitted a *Letter of Intent* for the *Economic and Infrastructure Development Investment Program*, and he is currently seeking a grant writer that will assist with the writing of this grant. Chairman Robinson said he would reach out to Jeanne Beaudin who has a lead on a grant writer out of the Conway area and he would try to get their contact information from her.

**MOTION: “To authorize Town Manager Burbank to apply for the Northern Border Regional Commission grant for the town’s water infrastructure.”**

**Motion: OJ Robinson**

**Second: Tamra Ham**

**All in favor.**

### **Fireworks Ordinance Update**

Chief Beard and Chief Morris are reviewing the current Fireworks Ordinance and will submit their final recommendations for an updated ordinance as soon as possible. Chief Beard explained that he has submitted a draft ordinance to Chris Wyman of the NH State Fire Marshall’s Office for his review and comment. After Chief Beard hears back from Mr. Wyman, he will meet with Chief Morris to draft a final version of a revised Fireworks Ordinance for the Board to review and adopt. The Board feels it is important to get a draft ordinance publicized as soon as possible and then to possibly hold a public hearing to promote transparency and knowledge of any changes.

### **White Mountain Snowmobile Club**

Town Manager Burbank met with Rick Caston (White Mountain Snowmobile Club President) and discussed the much-needed siding repairs to the “Old” Salt Shed. Burbank proposed to Mr. Caston that the town purchase the material for the building repairs, and in lieu of rent, Caston and any volunteers he may have can repair the building within an agreed amount of time. DPW Hadaway will be obtaining pricing for materials which may be something that can be taken out of the CIP.

### **Sewer Lagoon Repair Project**

Hiltz Construction has completed the Sewer Lagoon Levee Repair Project and they have moved their equipment out. The last item on their list is to plant shrubs and they will be done. The Board discussed where the funding will come from for this project (either the CIP or Sewer Tap Fees)

### **Opportunity Zone**

The White House Office of Intergovernmental Affairs has reached out to NHMA (NH Municipal Association) seeking one or two municipal officials from New Hampshire to attend a conference at the White House (Washington, DC) on April 17 relative to Opportunity Zones. The Town of Lincoln has been designated as having one or more Opportunity Zones (**NH has 27 designated Opportunity Zones**), and Town Manager Burbank asked if any of the Selectmen were interested in attending (or he could

attend as a Lincoln Representative) if the Board was interested in participating in this event. Governor Sununu nominated 27 low-income areas around the state to be designated as Opportunity Zones as part of a federal program that encourages economic growth and development. The Board fully supported Lincoln's participation (in the event a Lincoln Representative is selected by NHMA to attend).

### **Hoyle, Tanner Associates Proposal for Phase 2 Water Study**

The Board received a proposal from Hoyle, Tanner for Engineering Services for Phase 2 of a Water System Fire Flow Capital Improvement water study (Hoyle, Tanner conducted Phase 1). Hoyle, Tanner feels that the town must look at their entire infrastructure prior to focusing on anything specific (e.g., South Peak tank) so that the town does not solve one problem and create another. Phase 2 would be the development of a long-term Capital Improvement Plan (CIP) to address the deficiencies that were identified in Phase 1 (*Fire Flow Assessment Report*). Robinson retracted his previous statements on this matter, and now feels that the town should look at the big picture and get this study done to determine the next steps. Selectmen Ham's only hesitation is that the town has contracted numerous water studies over the years and questions if this study will only lead to potentially another "needed" water study. Selectman Ludwig asked if Hoyle, Tanner would be willing to attend the next Town Meeting to explain to the taxpayers exactly what is needed to get the water issues resolved. Robinson explained that Hoyle, Tanner's proposal states that they are willing to present this proposal at a public meeting(s) as requested (up to the \$4,000 proposed budgeted amount). Robinson recommended they invite Hoyle, Tanner to an initial Board meeting that includes the Planning Board, and they will make sure that it is well publicized so that the public is able to attend. A discussion ensued on the town's history with water studies and the results they have yielded, and Chairman Robinson made the following motion:

**MOTION: "To accept the Hoyle, Tanner Professional Engineering Services Proposal for Phase 2 – Water System Fire Flow Capital Improvement Planning."**

**Motion: Tamra Ham**

**Second: Jayne Ludwig**

**Motion carries.**

### **Riverfront Park**

The Board discussed the upcoming schedule for Phase 1 of the Riverfront Park Project (parking lot, playground, skatepark, utilities, and possibly 1/3 of the hiking trails). Selectman Ludwig asked if this should be part of the joint Board of Selectmen's meeting with Woodstock on April 15<sup>th</sup>. Burbank responded that this is a Town of Lincoln project even though the management will be under the purview of the Lincoln-Woodstock Recreation Department. Ludwig explained that she was told that Woodstock would be included in the operation of the park. Chairman Robinson explained that at this point in time the Recreation Department does not have any viable role in the construction (operation) of the park, however, if the Recreation Department eventually has a role in the managing of the park, he could see where Woodstock may have a role. Ludwig went on to further comment that a few years ago when there was a public hearing on the proposed skatepark (and a vote was taken), people from a variety of neighboring towns (including Woodstock) had attended, and Ludwig believes that that collaborative effort should continue today and include Woodstock. Selectman Ham explained that the park is a Town of Lincoln *owned* project on Lincoln *owned* property that the Lincoln-Woodstock Recreation Department will operate in a manner similar to that of the Kanc Recreation Area (Lincoln owns it and is responsible 100% for all capital). Robinson asked Ludwig how she envisions Woodstock contributing to the Riverfront Park Project. Ludwig responded that Woodstock could help with funding for the maintenance, operation, and upkeep of the park.

### **Chenard Junkyard Litigation**

Selectman Ludwig asked if there was any updates or definitive court date scheduled for the Chenard Litigation. Town Manager Burbank explained that there is a tentative date scheduled for May 5<sup>th</sup> for a



Mediation, however, Town Council is hopeful that a settlement may be reached prior to the May 5<sup>th</sup> Mediation date.

### **Kanc Ski Area**

Saturday, March 30<sup>th</sup> was the last day of operations for the Kanc Ski area, and the Slush Pool Party was a great success! Selectman Ham explained that the groomer had a malfunction (fuel line) late Friday afternoon and DPW Hadaway came back into town at 9:00 pm that evening to repair it so that the groomer could operate and complete the last day of preparation for the Kanc Ski Area's Slush Pool Party. Ham wanted to express her sincere thanks to DPW Nate Hadaway, and could not say enough about how fortunate the Town is to have him and Ryan Smith, who have both done an outstanding job this year grooming the Kanc Ski Area.

### **Loon Mountain Methodology Event**

Selectman Ham attended a Methodology Event yesterday up at Loon Mountain put on by Professional Snowboarder Pat Moore, Kevin Bell, and Brian Angelone. There were over 100 participants for this event, and 100% of the proceeds went directly to the Lin-Wood Skateboard Park Project (raised approximately \$13,000). At this point in time, the Skateboard Park fundraising efforts have raised approximately \$84,000 (includes in-kind donations).

### **Police Department**

Officer Conor Davis will be leaving Lincoln PD to work for the NH State Police. His last day of work will be Monday, April 8, 2019. The Board wished Officer Davis the best of luck and thanked him for his service to the Town of Lincoln. Conor's brother, Rees Davis is presently at the Police Academy and will be joining the Lincoln Police Department upon graduation.

### **Fire Department**

The Fire Department has received one (1) new application, and is currently waiting for the NH State Police Background Check to come back.

### **Prioritizing of Selectmen's Goals/Issues**

The Board reviewed their current list of goals and pending issues and recommended the following prioritization (not all goals were prioritized at a previous meeting):

- Water Meters & Water Rates (High)
- Make a decision regarding a water rate study (High)
- Sewer Issues (capacity & growth) sewer upgrades and funding (Medium)
- Crosswalks (crosswalk at Clark's is on hold; crosswalk at Gordy's needs a light, crosswalk at the Gypsy Café (work continues to progress with the state) (High)
- Public Parking/Riverfront Parking (High)
- Kanc Recreation Area parking (Medium)
- Workforce Housing (Low)
- The Pines at Forest Ridge Retention Pond (water going into/coming out of it) (High)
- Generate viable candidates for Town Elections (Low)

### **Public Participation**

State Representative Jerry Stringham (Grafton County District 05) introduced himself to the Board and audience and explained his goals with the current state legislation, as well as work with the school funding formula and efforts to keep property taxes down. Stringham is concerned that over the last nine (9) years local property taxes have increased by \$900M statewide (36% increase in local property taxes) yet overall property values have only risen approximately 6%. Stringham discussed the utility valuations and statewide town challenges (fair market values) and current lawsuits. Stringham added he

has also checked on the Transportation Long-Term Project Log and there is a project that has been approved and is currently pending (4-years out) for a sound partition (barrier) that will go along I-93 and Connector Road. Chairman Robinson welcomed and encouraged State Rep. Stringham to reach out to the Town in advance of attending future Selectmen's meetings to get on the agenda so that he does not have to wait until the end of the Board meeting (Public Participation) to speak.

Roger Harrington asked if anyone has heard from Rick Elliot of The Pines Development. Chief Beard explained that he spoke with Mr. Elliott this day and Elliott said that he cannot schedule an engineer to do any testing until the snow has completely melted. Harrington also asked if anyone has confirmed whether or not there was a warrantee on the new roof at the Community Center. Town Manager Burbank explained that there is a warrantee and the contractor will be meeting with DPW Hadaway to look at the leaking section of the roof that is causing the problems.

#### **April 8, 2019 Public Hearing**

The second of two (2) required public hearings for the proposed purchase of town-owned land will take place on Monday, April 8, 2019. Selectman Ham will be unable to attend this hearing due to personal business matters and requested the Board hold off on making any decisions (votes) until the next scheduled Board of Selectmen's meeting (April 15, 2019).

#### **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 7:10 p.m.

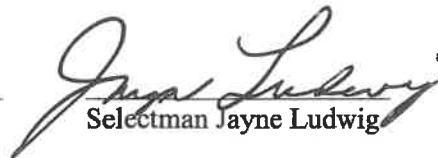


Respectfully Submitted,  
Jane Leslie

Approval Date 4 /08 / 2019

  
Chairman OJ Robinson

\_\_\_\_\_  
Selectman Tamra Ham

  
Selectman Jayne Ludwig