

**LINCOLN-WOODSTOCK JOINT
BOARD OF SELECTMEN'S & PUBLIC HEARING
MEETING MINUTES
SEPTEMBER 9, 2019 – 5:30PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH**

APPROVED

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

Staff Present: Town Manger Burbank, Fire Chief Ron Beard, Police Chief Chad Morris, & Administrative Assistant, Jane Leslie.

Public Present: Roger Harrington, Dave Beaudin, Debbie Celino, Jim Welsh, Dennis Ducharme, Kelly & Lisa Philbrick, Paul Beaudin, and Delia Sullivan.

I. CALL TO ORDER

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

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

MOTION: “To approve the meeting minutes of August 26, 2019 as presented.”

Motion: Tamra Ham

Second: Jayne Ludwig

Motion carries.

Abstained: OJ Robinson

III. WATER AND SEWER TAP FEES SCHEDULE *Discussion continued from 8/12/19*

The Board began their discussion reviewing indoor/outdoor swimming pools; irrigation (residential and commercial), and commercial car washes. Chairman Robinson was reviewing the impact assessment form and questioned what makes a hotel bathroom different from a condo bathroom? Robinson suggested that a “bathroom” whether in a hotel, condo, or house, be assessed at a straight six (6) points across the board. The Board also reviewed the bedroom points and discussed the differences between condo bedrooms and hotel rooms, as well as timeshare units. Dennis Ducharme joined the discussion and explained his experience with impact fees associated with the various properties he has been affiliated with over the years. The Board agreed to rate both bedrooms and hotel rooms at 5 points.

Robinson noted one of the goals of this discussion and review of the current impact fee structure is to (1) make it fair regardless of what class/type of structure is being built, and that it aligns with the impact that it has on the town’s infrastructure, and, (2) in the long term ensure that it will fund what the town needs to the extent that it is funded through the impact fees.

The Board began an in-depth discussion on swimming pools and agreed to make all swimming pools (indoor/outdoor over 25k gallons) the same (10 points sewer and 20 points water). The Board added that a single-family residential swimming pool (up to 25k gallons) will be (5 points sewer and 15 points water).

The Board continued their review and discussion of commercial/residential irrigation, commercial car washes and commercial/residential jacuzzi/hot tubs.

IV. AIR B&B – SHORT TERM RENTALS *Discussion cont'd from 8/26/19*

Selectman Ludwig feels that there should be an application process for short term rental properties that would begin with the Planning Department. Town Manager Burbank suggested the Board adopt an ordinance regulating short-term rentals that addresses safety; illegal parking, increase in noise, fire code, trash removal, water/sewer tap fees, and disorderly conduct etc. Chief Beard added that many of the homes

that have converted to short-term rentals advertise their rentals with more bedrooms and bathrooms than originally reported to the town (this adds up to impact fees that the town is losing revenue on).

Selectman Ham read the following RSA's:

RSA 48-A, the housing standards statute, defines "short-term rental" or "vacation rental" as "any collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative, or timeshare, or owner occupied residential home, that is offered for a fee and for less than thirty (30) consecutive days." See RSA48-A:1, V.

RSA 78-A, the meals and rooms tax statute define "short-term rental" as "the rental of one or more rooms in a residential unit for occupancy for tourist or transient use for less than 185 consecutive days." See RSA 78-A:3, XX.

Town Manager Burbank explained that he does not feel the town should interfere or try to stop short-term rentals, but rather regulate or control the process so that the town is aware of what is going on. Robinson feels if the town is going to come up with any regulations, the major issues of focus should be safety/maximum occupancy; fire code issues, neighborhood impact (parking, noise), zoning, and fairness issues for paying impact fees for bedrooms and bathrooms that have been added to homes without the proper permitting. (Selectman Ham noted that she came across information on short-term rentals on the NH Municipal Association (NHMA) website that offers a wealth of information on short-term rentals.) [www.nhmunicipal.org]

Paul Beaudin agrees with the Board, however, suggested they obtain public support and input by holding either a public hearing or site plan review process to get the various opinions from the town's residents. Chairman Robinson does not feel the Selectmen should get involved in zoning issues (unless the Selectmen are specifically asked for an opinion) but rather focus on the regulations that the Selectmen have jurisdiction over (safety, noise, garbage etc.).

V. OLD/NEW BUSINESS

Town Managers Report

Solid Waste Scale

Town Manager Burbank explained that the Transfer Station scale will be up and running soon and he and DPW Director Hadaway need guidance on setting fees and minimum costs associated with the disposal of waste. Burbank recommended that the Board schedule a joint meeting with Woodstock to have this discussion and determine an appropriate fee structure. The Selectmen proposed that DPW Director Hadaway create a draft fee proposal based on what other transfer station's in NH are charging as a starting point for the joint discussion. Woodstock is welcome to do the same, and when both boards meet, they can discuss this further at that time. Robinson feels that the basis for the fee schedule should be formed on what the cost per pound is for the town(s) to dispose of the debris. Burbank also noted that Jim Conn has been doing research on his own and will be part of this discussion as well.

North Country Council Annual Meeting

Town Manager Burbank explained that the North Country Council will be holding their Annual Meeting on Thursday, October 24th at the Town and Country in Shelburne, and Town Planner Carole Bont will be attending on behalf of the town. Burbank feels that the North Country Council has been very helpful with our recent Northern Border Regional Commission grant and welcomes any Board members who may be interested in attending. Selectman Ludwig also expressed interest in attending.

Utility Partners (Contracted Sewer Lagoon Operators)

Representatives from Utility Partners will be attending the September 16th Board of Selectmen's meeting at 5:30 pm to discuss the issues surrounding the sewer lagoons as well as answer any questions the Board and public may have.

Town Hall Flu Clinic

Town Hall has scheduled their annual Flu Clinic for Wednesday, October 16th at 10:00 am. This clinic is available to all Town Hall staff and Board/Committee members.

Chenard Property Walk Through

Town Attorney, Peter Malia, Fire Chief Ron Beard and Mr. Chenard's attorney met on Friday, September 6th and toured Mr. Chenard's property up on Route 3 as ordered by the court to assess the status of the court mandated clean-up. The town is now awaiting a formal report as a result of the walk-through.

Union Bank Vault

Town Hall staff (with the help of the Public Works Dept.) has begun moving the town's historical documents over to the leased vault at Union Bank. When time permits, the townhall staff will continue the process of reviewing stored files and transferring them over to the Union Bank vault.

Main Street Paving Project

The bases for the two (2) crosswalks were poured today for the crosswalk lights (the actual lights are at the Public Works Garage) and Nate will be coordinating with State DOT on a date/time to install the actual lights (DOT requests one of their representatives be present during the installation of the crosswalk lights). Selectman Ludwig asked if there is a schedule for the state to come back in and paint the center lines in the roadway. Burbank explained that as far as he knows, the street painting will be completed before the ground freezes.

Nordic Inn Sidewalk

Town Manager Burbank explained to the board that there was a potential accident involving a resident that was walking on the sidewalk near the Nordic Inn and a vehicle that was distracted while driving (talking on their cellphone) and literally drove up on the sidewalk. Burbank feels that it is a matter of time before we have a tragedy on this section of sidewalk and recommends Town Engineer Ray Korber and DOT have a discussion on raising the sidewalk and curbing. Burbank explained that the sidewalk is lower than the road and the town must coordinate with the state to either put in guardrails or some other alternative that makes it safe for pedestrians to walk on that sidewalk (at the town's expense). Burbank also noted that Chief Morris is receiving a grant for hands-free enforcement (distracted drivers) that will help with funding for stricter distracted driver enforcement in the town (grant funds will be available October 1st).

Department of Transportation (DOT) meeting on crosswalk study (survey)

Town Manager Burbank met with representatives from DOT to discuss an upcoming survey that will be conducted by an agency out of Virginia during Lincoln's high-volume tourist season (Foliage) to assess how well visiting vehicles and pedestrians adhere to different crosswalk signage, and will issue a report of their findings to the town at no cost.

Levee

The contractors and drillers are back in working and providing the weather holds out (no hurricanes) the job should be completed shortly.

Riverfront Park

Selectman Ludwig asked what the status was if the Riverfront Park. Town Manager Burbank explained that they are presently seeking local contractors to do the clearing of the land for Phase I of the park project, and a surveyor to layout where the parking lot will be going. Burbank would like to see one contractor do both the clearing and the surveying as well as getting the utilities into the site.

Water Quality Testing

Selectman Ludwig asked when the town's next water test was scheduled. Dave Beaudin explained that he tests the water monthly (disinfection byproduct) and quarterly and this is an ongoing process (the town has passed the previous two (2) water tests) and Hoyle Tanner is still analyzing the test results as they become available.

South Peak Pump Station

Town Manager Burbank updated the Board on Hoyle Tanner's progress regarding the fire flow in the main pressure zone and explained that Hoyle Tanner was running into complications with removing Crooked Mountain Road from the main pressure zone. The original recommendation (based on the 2018 Fire Flow Assessment) was to isolate Crooked Mountain Road and serve it from the South Peak pumping station as originally intended, in addition to adding a new tank at Boyce Brook which would increase the estimated available fire flow to 3100 gpm (Boyce Brook could also be operational during a fire event). The new tank would also address the inadequate fire flow issue in Route 3 and, with the addition of a fire pump and controls, the usable storage deficiency in the Indian Head Pressure Zone. In summary, with no changes to Crooked Mountain Road, under current maximum-day demand conditions, the system can provide an estimated available fire flow of 2600 gpm in the Main Street commercial area with three (3) hours of available fire storage in the Forest Ridge Tank. By adding a new tank at Boyce Brook, the estimated available fire flow would increase to 3100 gpm. A new tank at Boyce Brook would need to be about 80' high, but if moved higher (i.e., further north on Route 3) and piped back to Boyce Brook (or if the Boyce Brook BPS were relocated to the new tank site), the tank would be much lower. Burbank further explained that the South Peak property owners were also reluctant to spend the money to change their pump station over with no guarantee that it will remedy their issues within the pressure zone and asked that the town enter into an agreement with them stating that if they make the changes the development within the main pressure zone will continue (Burbank is *not* in favor of signing an agreement).

Burbank went on to explain that the Northern Borders Regional Infrastructure Grant that the town was awarded (matching grant of \$500k = \$1M total with the town's portion) provides a potential solution and means for the town to resolve all of its water pressure issues. A discussion ensued on various land options (deeded rights) and elevations for the placement of a new storage tank.

Ad Hoc Water Committee

Chairman Robinson explained that he would like to resume the Ad Hoc Water Committee meetings with three (3) goals in mind: (1) review the final version of the Selectmen's proposed water and sewer tap fee assessment form, (2) revisit the water meter discussion and get a recommendation (do we put this as a bond article on the 2020 warrant? Discuss whether or not committee supports water meters, and what type of rate structure), and, (3) review the Hoyle Tanner Fire Flow Assessment report. The Board was all in agreement to resume the Ad Hoc Water Committee meetings for the purpose of the previously stated goals, and recommended October 2nd at 3:30 pm (providing this works for all committee members).

Grease Trap Letters

Chairman Robinson asked Town Manager Burbank if there was any follow-up to the discussion on drafting a notice to local food establishments informing them that they are responsible for hiring a certified inspector to conduct their grease trap inspections (twice a year) and provide copies of the report to the

town (per the amended Sewer Use Ordinance). Robinson explained that during the Board's review of the Sewer Ordinance they felt it should be the business owner's responsibility to hire a certified grease trap inspector twice a year which could be done in conjunction with the business owner's back-flow prevention testing (the town could initiate this process by sending a letter reminding the business owners that they need to check their backflow and grease traps semi-annually).

Solid Waste Facility Security Camera System

Chairman Robinson asked if the town currently has a working security system at the Solid Waste Facility. Town Manager Burbank explained that at one time there was a surveillance system at the facility, but it is no longer active. Robinson asked that the town look into re-establishing that system either with the current operation budget or put into next years budget. Burbank explained that there have been discussions on linking the camera feed to the police dispatch center to monitor on a round-the-clock basis.

Acceptance of National Night Out Funds

Chairman Robinson explained that the Board of Selectmen must accept the funds raised for the National Night Out event, and the following motion was made:

MOTION: "We the Board of Selectman for the Town of Lincoln at our September 9th, 2019 meeting accepted four thousand, one hundred ninety-three dollars and forty cents (\$4,193.40) from funds raised for National Night Out. These funds are to be used for expenses incurred for National Night Out with any balance left to be non-lapsing."

Motion: OJ Robinson

Second: Jayne Ludwig

Motion carries.

Public Participation

Jim Welsh commented that the town should consider putting a rumble strip in the area of roadway near the Nordic Inn sidewalk. Town Manager Burbank responded that he would rather see curbing or fencing be installed, particularly with the speed limit increasing to 40 mph in this area.

VII. NON-PUBLIC SESSION *Pursuant to RSA 91-A: 3:II (a,c,d,e). (2) Litigation issues, employee issue, and potential litigation*

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

Motion: OJ Robinson

Second: Tamra Ham

Motion carries.

The Board went into non-public session at 7:55 pm.

MOTION: "To re-enter public session."

Motion: Tamra Ham

Second: Jayne Ludwig

Motion Carries.

The Board came back into public session at 8:30 p.m.

VIII. 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

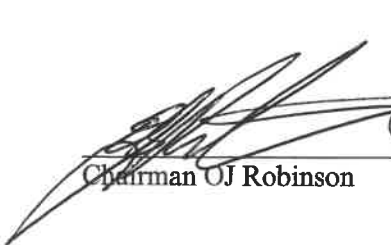
Second: Jayne Ludwig

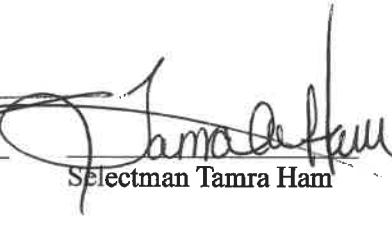
Motion Carries.

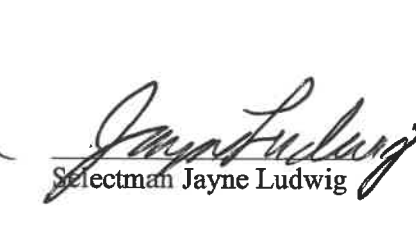
The meeting adjourned at 8:30 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date 9 / 16 / 2019


Chairman OJ Robinson


Selectman Tamra Ham


Selectman Jayne Ludwig

September 9, 2019
Board of Selectmen's Meeting
Please PRINT Legibly

Roger Harrington
(Print Name)

Jim Welsh

Debbie Celino

Veronica McNamee

Debra Sullivan

Roger Harrington
(Sign Name)

Jim Welsh

Debbie Celino

Debra Sullivan

