

**LINCOLN BOARD OF SELECTMEN**

**MEETING MINUTES**

**NOVEMBER 04, 2019 – 5:30PM**

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

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

**APPROVED**

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

**Excused:** OJ Robinson

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

**Public Present:** Gloria Morin, Patti-Jo Ouellette, Sue Ledger, Patrick DeSimone, Roger Harrington, Norman Bartlett, Tanya Patterson, Guy Hoover, Mary J. Levitsky, Jeanne Cristiano, and Mark Ehrman.

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**I. CALL TO ORDER**

Vice Chair Ham called the meeting to order at 5:35 p.m.

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

**MOTION: “To approve the Board of Selectmen meeting minutes of October 28, 2019 as presented.”**

**Motion: Tamra Ham**

**Second: Jayne Ludwig**

**Motion carries.**

**MOTION: “To approve the Board of Selectmen Non-public meeting minutes of October 28, 2019 as presented.”**

**Motion: Tamra Ham**

**Second: Jayne Ludwig**

**Motion carries.**

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**III. OLD/NEW BUSINESS**

**Town Managers Report**

**Joint Board of Selectmen’s Meeting**

There will be a joint Lincoln-Woodstock Board of Selectmen’s meeting on Monday, November 18<sup>th</sup> at Lincoln Town Hall at 5:30 pm. Woodstock was not certain if they would have a quorum for this meeting, so in the event they are unable to attend, the meeting will be rescheduled for a later date. Selectman Ludwig explained that she was supposed to meet with Selectman Bourassa to review the Solid Waste Regulations as well as the Intermunicipal Agreement, and has yet to do so. Ludwig asked if these items could be reviewed and discussed during the joint meeting on Monday.

**Shuttle Bus Service and Town Roads Discussion**

Town Manager Burbank informed the Board that he has reached out to Jay Scambio, General Manager, Loon Mountain Recreation Corp. to schedule a work session that will be open to the public to discuss the shuttle bus service that transports riders to Loon Mountain. Mr. Scambio is currently away on vacation and will coordinate a date and time with Town Manager Burbank upon return.

**Energy Committee**

Selectman Ham asked if a notice has been posted seeking interested members for a new Energy Committee that will explore and evaluate alternative energy suppliers for a Community Choice Aggregation Program for the town. The Community Choice Aggregation Program entails combining the electricity usage of the

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residences and small/large businesses within the Town of Lincoln, and offering fixed energy options for electricity. A fixed price energy supply product enables the town to lock in a set rate on the supply portion of the town's energy bill. Town Manager Burbank said the notices will be posted on social media, the town website, and public spaces within the town.

### **Short-term Rental Ordinance**

Selectman Ludwig asked when the draft short-term rental ordinance is going to be given to the Planning Board for review. Town Manager Burbank responded that it was his understanding that Chairman Robinson (Planning Board Selectmen's Rep.) would be presenting the updated draft ordinance to the Planning Board for their review and to put on an upcoming Planning Board agenda.

### **Tax Collector's Warrant – State of New Hampshire**

Vice Chair, Tamra Ham read the Tax Collector's Tax Warrant to collect taxes in the amount of \$6,418,513.00 (*see attached*) and made the following motion:

**MOTION: "To accept the Tax Collector's Warrant as presented."**

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

### **Municipal Sidewalk Agreement**

Vice Chair Ham explained that the Board is signing an agreement with NH Department of Transportation (NH-DOT) to permit the construction of a sidewalk along a portion of US-3 (Clarks Trading Post). By signing this agreement, the Town agrees that upon completion of the sidewalk construction, the Town will assume ownership of the sidewalks as well as winter maintenance (winter snow and ice removal). The Board of Selectmen read and signed an agreement for the sidewalk/crosswalk reconstruction project up at 110 Daniel Webster Highway and made the following motion:

**MOTION: "To accept the municipal sidewalk agreement between NH-DOT and the Town of Lincoln."**

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

### **Public Participation**

Maple Street resident, Tanya Patterson addressed the Board and explained that on September 23<sup>rd</sup> she had initially asked the Selectmen if Loon Mountain presents their winter shuttle bus schedule to any town boards in advance of the upcoming winter ski season, or did they just run their normal bus routes. Patterson went on to further comment that Chairman Robinson responded at that time that Loon Mountain does not present their bus schedule to any Boards, and simply runs their bus routes on the town's public roadways. Patterson provided the Board with a synopsis of conversations that had taken place since the initial September 23<sup>rd</sup> Board of Selectmen's meeting when she initially brought her concerns to the Board's attention, as well as discussions she has had with Town Manager Burbank between the time period of September 24<sup>th</sup> and October 6<sup>th</sup>. Ms. Patterson proceeded to read a portion of a transcript she compiled from the October 28<sup>th</sup> Board of Selectmen's meeting (*Transcript not available*). Patterson went on to further explain that she reached out to as many of her Maple Street neighbors as possible to see if they were willing, or able to attend tonight's meeting so that they could participate in this discussion. Patterson read five (5) letters she had received from Maple Street residents (*see attached*) and then requested that the attendees each be able to address the Board concerning the Loon Mountain shuttle bus service that drives up/down Maple Street during the winter months.

Gloria Morin addressed the Board and explained that she has lived on Maple Street for her entire life, and that street has always been a narrow roadway and often difficult to navigate during the winter months due

to the large snow banks. Ms. Morin feels it creates a dangerous atmosphere for the residents of Maple Street who are entering and leaving their homes.

Patti-Joe Ouellette asked the Board why Loon Mountain was not present this evening, and why a special meeting has to be scheduled for Loon Mountain to come in and participate. Town Manager Burbank responded that Mr. Scambio was not available this evening and this item was not on tonight's agenda. Selectman Ham went on to further explain that when this issue first came to light and there was a discussion about scheduling a meeting with Loon Mountain, Ms. Patterson, Mr. Scambio, Selectman Ludwig, and Town Manager Burbank, Ms. Patterson had declined to participate. Ham explained that now that the Board is aware of the extended public interest in this discussion, a date will be established for Loon Mountain to come in and it will be put on the agenda and publicized. Selectman Ludwig added that it is the Board's goal to come to a resolution that is amenable to all of the parties involved.

Patti-Jo Ouellette made several comments concerning town sidewalks: (1) the sidewalk outside of the Nordic Inn where the speed limit sign posts the change of speed from 40 mph to 30 mph is blocked by tree limbs in front of the Nordic, and, (2) certain crosswalks are lit up; however, other crosswalks are very dark and dangerous and should have something reflective that will alert on-coming traffic that a crosswalk is ahead. Selectman Ham explained that the town is putting in RRFB (Rectangular Rapid Flashing Beacon) lighting at the crosswalks, however, this particular crosswalk lighting is very expensive and will be installed on all major crosswalks over time.

Sue Ledger asked if it was possible to put a **Stop Sign** on the corner of Maple Street and Pollard Road. Town Manager Burbank explained that the stop signs are too clumped together in that particular area, however, the Public Works Department made an effort towards the end of last winter to cut the snowbanks back to ensure that the sign was visible to all vehicle traffic, and will do the same this year.

Guy Hoover commented that it takes the town a substantial amount of time to clear the sidewalks on Maple Street after a heavy snowfall, and he takes issue with this. Town Manager Burbank responded that the town has a snow removal policy, and sidewalks are a lower priority for the Department of Public Works whose main focus is clearing town roads. The process of clearing all of the town's sidewalks can be very time-consuming, and can take upwards of a full 8-hour work day to clear, particularly after several back-to-back snowfalls. Patti-Jo Ouellette commented that Maple Street has a lot of senior citizens and children that live there and feels this can be dangerous to their safety and well-being. Town Manager Burbank said he will look into this with Public Works Director Hadaway; however, it is important for the public to understand, it is impossible to clear all of the town's sidewalk at the same time. A discussion ensued concerning all of the issues mentioned this evening, and the Board agreed to make this a future agenda item to be discussed further.

Tanya Patterson commented that she felt her original complaint about the shuttle bus was being pushed out of the spotlight because she was the only person raising this issue, and now that other residents have come forward from Maple Street, she still feels the zoning is a critical issue. Patterson went on to read notes she had transcribed from the October 7<sup>th</sup> Board of Selectmen's meeting (*Transcript not available*) which stated Mr. Jay Scambio was not sure *what the problem was*, however, Patterson feels that tonight's meeting has made it quite clear what the problems are on Maple Street. Patterson continued reading notes she had transcribed from previous discussions (*Transcript not available*) concerning the shuttle bus service, Selectmen's comments, Town Manager Burbank's comments, as well as verbiage from the Land Use Planning Ordinance (LUPO - March 13, 2018).

Selectman Ludwig commented that she understands and concurs with Ms. Patterson and the Maple Street residents' concerns, and agrees that the town must begin enforcing their ordinances and regulations, and

feels that the town has been negligent thus far in doing so. Patterson wants the Board to understand that this is a major issue and she and her neighbors expect a resolution to this problem. Selectman Ham would like the town counsel to review this evening's recorded meeting video and assess Ms. Patterson's concerns, and then provide the Board of Selectmen with an opinion and direction moving forward.

### **The Pines Retention Ponds**

Roger Harrington asked if there was any news concerning the retention ponds up at the Pines Development. Chief Beard responded that he recently participated in a site visit of The Pines Development with representatives from DES (Department of Environmental Services) who determined that there were several violations and they are in the process of compiling a special report detailing the same (the town has not received the report yet). Town Manager Burbank added that the town's attorney is currently reviewing whether or not the town can force The Pines Development to come back in before the Planning Board to determine whether or not they are in violation of their original Site Plan Review (for the Pines Development in Forest Ridge).

### **Rescheduling of Halloween**

Gloria Morin commented to the Board that she was very disappointed that the Police Department re-scheduled the Halloween trick-or-treating from October 31<sup>st</sup> to November 1<sup>st</sup>. Ms. Morin feels this created a big problem and inconvenience to the residents living on the streets that were blocked off for the event. Selectman Ham explained that Halloween was not cancelled, but rather the trick-or-treating was postponed due to the inclement weather. Ham went on to further explain that she heard a variety of comments from the public both in support of postponing the event, as well as feedback from disappointed residents.

### **Short-term Rental Discussion**

Mark Ehrman commented to the Board that he feels there should be an application fee attached to the short-term rental application/policy. Selectman Ham responded that Mr. Ehrman, as an active Planning Board member will have the opportunity to voice his opinion when the Planning Board takes this matter up in the near future.

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## **IV. NONPUBLIC SESSION Pursuant to RSA 91-A: 3: II**

*There was no Non-public session this evening.*

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## **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 7:00 p.m.

 Respectfully Submitted,  
Jane Leslie

Approval Date 11 / 11 / 2019

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Chairman OJ Robinson

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

  
\_\_\_\_\_  
Selectman Jayne Ludwig



**November 4, 2019**  
**Board of Selectmen's Meeting**  
**Please PRINT Legibly**

Gloria J Moran  
(Print Name)

Patti Jo Ouellette

Sue Ledger

Patrick DeSimone

Roger Harrington

Norman Bartlett

Janya Patterson

Guy Hoover

Mary J Levitsky

Jeanne Cristofani



(Sign Name)  
Patti Jo Ouellette

Sue Ledger

Patrick DeSimone

Roger Harrington

Norman Bartlett

Janya Patterson

Guy Hoover

Mary J Levitsky

Jeanne Cristofani

TAX COLLECTOR'S WARRANT – STATE OF NEW HAMPSHIRE

GRAFTON, SS.

To Lisa Philbrick, Collector of Taxes for the Town of Lincoln in said County:

In the name of said state you are directed to collect the taxes in the list herewith committed to you amounting in all to the sum of:

\$ 6,418,513.00

With interest at 8% per annum from the 6th day of December, 2019 next on all sums not paid on or before that day.

The tax collector shall remit all money collected to the town treasurer, or to the town treasurer's designee as provided by RSA 41:29, VI, at least on a weekly basis, or daily whenever tax receipts total \$1,500 or more.

The list on the following pages is a correct list of the assessment of the County, Town, and School taxes for the Fall bill of the 2019 tax year upon the ratable estates in said Lincoln and of those taxes assessed on the real estate in said town of persons and corporations not residents therein as made by us, the Selectmen of said Lincoln.

We the selectmen and assessors of Lincoln, certify under the penalty of perjury that in making the inventory for the purpose of assessing the foregoing taxes, all taxable property was appraised to the best of our knowledge and belief at its full value, in accordance with state appraisal standards.

Given under our hands and seal at Lincoln this 4<sup>th</sup> day of November in the year 2019.

OJ Robinson

Selectmen of Lincoln, NH

Tamra Ham

Jayne Ludwig

The Selectmen of the Town of Lincoln give notice that they have delivered to Lisa Philbrick, Collector of Taxes, a correct list of the taxes, together with a warrant in due form of law for collecting the same.

County of Grafton, State of New Hampshire  
On this 4<sup>th</sup> day of November, 2019

Known to me or proven to be the instrument subscriber, personally, appeared before me and acknowledged that he/she executed the foregoing instrument.

OJ Robinson

November 4, 2019  
Selectmen of Lincoln, NH

Tamra Ham

Jayne Ludwig

4 Nov 2019

Selectman,

I'm All for making the  
Ski Bus Shuttle go for another  
Street. We've got kids on Maple  
Street, plus these Buses Don't go  
45 mph more like 40.

Maple Street is small, have  
them go on Church Street where  
as it more wider & less congested

Thank you

DORNA DeSimon,  
Maple St

PS, Plus it's not a great thing  
to <sup>be</sup> waken up by these Buses

Nov. 4<sup>th</sup> 2019

To Whom it may concern,

My name is Mark Rosier

I reside at 37 Maple St. Lincoln, Ill.

It has been my residence since

1990 and for the time the shuttle  
busses have operated on my street,  
it has been a disruption to my sleep  
as I work at night, and try to have  
undisturbed sleep in the mornings/days.

To have these busses operate on  
another route would be of  
considerable relief to me.

Sincerely,

Mark Rosier



From: "Sloan Smith" <sloansmith84@gmail.com>  
To: "tanyapatterson@roadrunner.com" <tanyapatterson@roadrunner.com>  
Cc:  
Bcc:  
Priority: Normal  
Date: Sunday November 3 2019 7:55:30PM

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Having lived on maple street for 10 years, I have come to appreciate all that it offers. The benefit of being right in town, yet the calm of being a (mostly) quiet neighborhood. However when winter comes around, you have to give some of that quiet up to the buses that frequent our road. There is a distinct tumble that you unfortunately grow accustomed to. Aside from the sound that infiltrates your day, you must also be aware of the danger. It's always a guessing game when the snow piles up and you try to get out of your driveway. Not to mention pulling in or out of maple street via Main Street. There is barely enough room for two cars, let alone bus vs. car. It doesn't seem fair that the residents of maple street have had to put up with this for so many years. Hopefully a impartial third party can help find a solution for all.

Sloan smith

To: The Town of Lincoln, NH Board of Selectmen and/or whom it may concern,

I own a home at 30 Maple St. in Lincoln, NH. I am asking that the board please consider rerouting the Loon Mt. buses that come through our quiet street.

As they do not have a pickup on our road this should not pose a hardship for them and should be seen as a reasonable request.

I am asking for this consideration for several reasons, our road is very narrow and there is a huge snow removal problem, last year you probably remember that the snow banks were approximately seven ft. high which made it all the more dangerous to see pedestrians and other vehicles. These buses fly down our road and would have a difficult time stopping in an emergent situation, therefore I see this as a safety issue.

Also, I am a night shift RN, I must sleep during the day, the buses, as you can imagine are very loud, my home is close to the road which makes sleeping quit difficult at times, not only does the noise wake me and or keep me awake, the fumes from the buses seep into my home, as you may know, these houses were built in the 1900's and are not very air tight which allows for these toxic fumes to enter my home.

Through very extensive allergy testing I was found to be allergic to diesel fumes so as you can imagine, this poses an additional health risk where I am concerned.

Thank you for your consideration,  
Christine celella

## Board of Selectmen

We the residents of Maple STREET no longer want the loon MOUNTAIN BUSES ON OUR street they are annoying they go up and down our Street all day we can't even get out of our driveway without waiting for them to go by.

Judith G. Germain  
Beverly J. Chase  
Wayne Wilkins

ALL day long alls you hear is the rumbling and if you are sick forget about it.