

**LINCOLN BOARD OF SELECTMEN'S
MEETING MINUTES**

APPROVED

AUGUST 17, 2020 – 5:00PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

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

Staff Present: Town Manager, Butch Burbank, Fire Chief Ron Beard, Police Chief Chad Morris, and Administrative Assistant Jane Leslie

Public Present: Roger Harrington

Public Present via Zoom Video Conferencing: Al Poulin, Carol Riley, Dave Beaudin, Paul Beaudin, and State Representative, Jerry Stringham

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 5:16 pm. Robinson apologized for the delay and explained that the Selectmen were participating in a non-meeting conference call with Town Counsel.

II. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

MOTION: "To approve the BOS meeting minutes of August 3, 2020 as presented."

Motion: Tamra Ham **Second:** Jayne Ludwig **All in favor.**

MOTION: "To approve the Non-public BOS meeting minutes of August 3, 2020 as presented."

Motion: Tamra Ham **Second:** Jayne Ludwig **All in favor.**

MOTION: "To approve the BOS meeting minutes of August 10, 2020 as amended."

Motion: Tamra Ham **Second:** Jayne Ludwig **All in favor.**

MOTION: "To approve the Non-public BOS meeting minutes of August 10, 2020 as presented."

Motion: Tamra Ham **Second:** Jayne Ludwig **All in favor.**

III. OLD/NEW BUSINESS

NEW BUSINESS

GOFERR Funding Reimbursements (Governor's Office for Emergency Relief and Recover)

The Board reviewed the detailed summary of expenses that the Town will be submitting to the state for COVID-19 expense reimbursement through the CARES ACT Coronavirus Relief Funds. The Town is seeking reimbursement for expenses totaling \$5,515.18 representing costs from July 14th to August 17th (*this is the Town's second reimbursement request*).

MOTION: "To approve the request for the GOFERR funding (\$5,515.18) from the CARES ACT Coronavirus Relief Funds."

Motion: Tamra Ham **Second:** Jayne Ludwig **All in favor.**

Town Manager's Report

CRVI v. Town of Lincoln

Town Manager Burbank informed the Board that the jury trial for the court litigation, CRVI vs. Town of

Lincoln is scheduled for January, 2022.

Assistance to Firefighters Grant (AFG)

Town Manager Burbank informed the Board that the Lincoln Fire Department has been awarded a FEMA Funding Grant through the Department of Homeland Security in the amount of \$148,095.24. As a condition of this Federal Grant, the Town is required to contribute non-Federal funds equal to, or greater than 5.00% of the Federal funds awarded, or \$7,404.76 for a total approved budget of \$155,500.00. The purpose of the AFG Grant Program is to protect the health and safety of the public and firefighting personnel against fire, and fire-related hazards. Chief Beard gave kudos to Mike Weeden and Dave Tomaso for helping with the grant writing process.

MOTION: “To accept the Department of Homeland Security’s Firefighters Grant in the amount of \$148,095.24.”

Motion: Tamra Ham

Second: Jayne Ludwig

All in favor.

Burbank added that he has begun talks with Chief Beard about exploring the idea of manning the Fire Station with personnel. FEMA’s Assistance to Firefighter’s Grant (AFG) will be sponsoring grant rounds in the fall that will be 100% fully-funded for three (3) years (no matching funds). Burbank added there may also be money for a new Fire Department building, which is also something they can explore down the road. Selectman Ludwig questioned if this grant would also apply to the Police Department and the hiring of additional Police Officers, as the town is growing at a rapid rate and will definitely need additional law enforcement. Burbank responded that this grant would apply to Police and Fire. Chief Morris commented that the Police Department can barely accommodate his current staffing needs, particularly with having both male and female officers.

Govoni Property Update

Town Manager Burbank updated the Board on an issue that came up during a recent Planning Board meeting when Paul Beaudin questioned why there was a gate on Towle Road, which according to Beaudin is a town road (Peter Govoni is the sole resident living on this road). Burbank explained that Towle Road was originally a Town Class 6 road back in 1990, however, there had been a vote at Town Meeting to do away with the Class 6 status of Towle Road, and it is now a private road that leads to Peter Govoni’s home (there is a right-of-way to the gate).

Covid-19 Testing Site

The COVID Test Site that has been located at the Kanc Rec for the past several months has officially closed down, and has been thoroughly disinfected as of this day. The Recreation Department will be preparing to move back in and prepare the facility for the After-School program.

Finance/Planning Assistant

Town Manager Burbank informed the Board that Lisa Peluso, the Town’s new Finance/Planning Assistant began her first day of work today. The Board welcomed Lisa!

Lot-line Adjustment/Transfer of Town Land (Mike & Marian Marcoccio – 45 Beechnut Drive)

Chairman Robinson reminded the public that there will be two (2) public hearings scheduled (September 14th & September 28th) regarding a small section of land that the Town owns up on Beechnut Drive. Mike & Marian Marcoccio of 45 Beechnut Drive, Map 131, Lot 013 are seeking to obtain a lot-line adjustment along Beechnut Drive in front of their home.

Notice of Public Hearing – Town of Thornton

Chairman Robinson read an Abutters Notice received from the Town of Thornton (*see attached*) notifying

the Town of Lincoln of a proposed wireless communications tower being constructed on Upper Mad River Road. Robinson noted that he will not be able to sit on the committee when the proposed cell tower in Lincoln comes before the Planning Board and made the following motion:

MOTION: "That Selectman Ludwig represent the Board of Selectmen at all Planning Board meetings and hearings related to the cell tower proposal up on Route 3."

Motion: OJ Robinson

Second: Tamra Ham

All in favor.

NH Electric Coop Notice of a Special Meeting

Chairman Robinson reviewed a notice received from the NH Electric Coop (*see attached*) explaining that they will be holding a special virtual meeting to update their by-laws to accommodate the expansion of high-speed internet access throughout the North Country.

State Elections and CIP Meeting

Chairman Robinson explained that the State Election is scheduled for Tuesday, September 8th (day after Labor Day) and will be held in the Town Hall Conference Room. Robinson noted that the CIP Committee is also scheduled to meet on this same day. The Board agreed to meet in the front office of Town Hall so that Chairman Robinson can be onsite during the election process.

COVID-19 Enforcement

Town Manager Burbank informed the Board that the state has turned the enforcement of the Governor's Emergency Orders over to local Health Officers (Chief Beard). Up to this time, it was not clearly defined who would be responsible for the enforcement of the Governor's Emergency Orders.

Public Comment about Lincoln "Shutting Down"

Town Manager Burbank explained that there was a rumor going around that The Town of Lincoln was "shutting down". Burbank explained that he feels that this may have come from the recent discussions that the state has been having concerning the US Forest Service shutting down all trails and trailhead parking areas due to the amount of trash and disregard for the National Forest Land.

Town-Wide Mask Requirement

Robinson questioned if the Town could require businesses to post signage that state masks are required, however, noting that the business owners are not obligated to enforce the mask wearing. Burbank thought if the Town requires mask wearing, the onus of enforcement is taken off of the business owners. Chief Morris commented that the business does not need an ordinance to require their customers to wear masks. If a business owner asks a customer to leave who is not wearing a mask, and they refuse to put one on, they could then call the Police Department. Morris feels that there will be negative ripple effects if there is a mask ordinance, and could have the potential of getting contentious. Morris explained that his department of eleven officers are very busy 24- hours a day, 7-days a week, and they simply don't have the capacity to police who is, and is not wearing a mask.

OLD BUSINESS:

Levee O&M Manual

Selectman Ludwig asked if there was any news on the Levee's O&M Manual and when it will be completed. Burbank responded that the draft is in its final stages, and he is currently waiting for the Engineers to submit the final document to the US Army Corp of Engineers and DES.

West Street Litigation

Chairman Robinson explained that there was a mediation with Nelson Communications last week, and

they will be discussing the results tonight in Non-Public.

Labrecque Street Construction Site

Chief Beard explained that Ray Korber has not had a chance to visit the construction site on Labrecque Street to determine whether or not 50% of the land has been disturbed.

Residential Sprinkler Systems

Selectman Ludwig asked Chief Beard if residential sprinkler systems are installed up at The Landing, would they have to be connected to town water in order to operate? Beard explained that there would need to be a holding tank in the basement that would be filled with municipal water (approximately 300 gallons) and in the event of a sprinkler activation, the pump would pull the water from the tank to feed the sprinklers.

Riverfront Park

Selectman Ham asked if there were any updates on the Riverfront Park project. Town Manager Burbank responded that Town Engineer, Ray Korber has a draft of the parking lot that is ready to be sent to DES.

Community Choice Aggregation Program

Town Manager Burbank reminded the Board that Gilbert Brown of Freedom Energy Logistics will be meeting with the Board via Zoom next Monday night (8/27/20) to discuss next-steps in obtaining lower energy rates for the town. The Board asked that this be advertised on the Town's Website and Facebook page to inform the public that this meeting will be taking place next Monday at 5:00 pm.

Ad Hoc Water Committee

Chairman Robinson summarized the discussions from the August 13th Ad Hoc Water Committee Meeting. Robinson explained that the committee reviewed the Raftelis Water Report, and felt that this was one of the most productive meetings the committee has had thus far. Robinson explained that two (2) major points came out of this meeting: (1) the observation that Raftelis showed the different rate structure now, and how it would appear and affect different property types under their proposed rate structure (small family homes, large family homes, motel, restaurant, ski area etc.), and, (2) how it would look under a base rate charge that includes a set gallon amount per household. Robinson explained that the committee is generally supportive and in favor of water meters and billing for water usage, however, they would like to ensure that it will pass a Town Meeting vote. Robinson asked Town Manager Burbank if he recalls submitting water usage/meter reading reports from 15-years ago to Raftelis when they began their research for this report. Burbank did not recall, and said he would look into this and check with DPW Director Hadaway. Robinson explained that Paul Beaudin has requested seeing these meter reading reports as well.

Burbank commented that he spoke with a gentleman from Mansion Hill condos earlier today who wanted the town to know that they fully support water meters because the short-term rental units up at the condos are not concerned with water conservation, and he did not feel that this was fair to the full-time residents.

Water Storage Tank

Chairman Robinson asked if there were any updates from Weston and Sampson on the water storage tank. Burbank explained that he has not spoken to them recently, however, it is his understanding that Weston and Sampson have done some preliminary work and found that there may be more water available than the town originally thought. Robinson explained that he is concerned with the length of time that this is taking because of the time constraints with the grant process. Burbank explained that the town can get an extension if necessary. Robinson suggested asking Weston and Sampson to submit progress reports to the town every few weeks in an effort to keep the Board in the loop on the progress that they are making, and the expected time frame to get the work done.

CRVI Lawsuit

Chairman Robinson explained that he would like to discuss this case tonight in Non-Public.

Public Participation

Email received from Al Poulin

Could Main Street and all streets off of Main Street be swept on a weekly schedule to clean up all of the trash, cigarette butts, and masks that are littering up our beautiful town? Thank you"

The Board asked Town Manager Burbank to reach out to Avery's to get pricing for weekly and monthly street sweeping, and to follow-up with the Board.

Roger Harrington asked if there was any news on The Pines retention ponds. Town Manager Burbank responded that nothing has changed. Harrington asked if anyone can check with the state to see what the status is with the SWIP. Chief Beard added that he spoke with Rick Elliott recently who had commented that it is not that easy to get a bond, and he is still waiting. Robinson asked Chief Beard to send Mr. Elliott another email to confirm the status of the retention ponds and exactly where they are at.

V. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (c,e) Legal Update

MOTION: "To go into Non-public session pursuant to RSA 91-A:3 (III) (c,e)"

Motion: OJ Robinson

Second: Tamra Ham

All in favor.

The BOS went into Non-public session at 6:38 p.m.

MOTION: "To re-enter public session."

Motion: OJ Robinson

Second: Jayne Ludwig

All in favor.

The Board came back into public session at 7:35 p.m.

VI. ADJOURNMENT

After review of 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

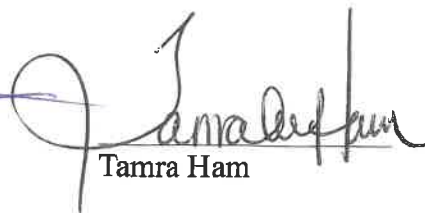
All in favor.

The meeting adjourned at 7:37 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: August 24, 2020


Chairman O.J. Robinson


Tamra Ham


Jayne Ludwig

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Michael Weden
LINCOLN FIRE DEPARTMENT
PO BOX 25
LINCOLN, NH 03251



FEMA

EMW-2019-FG-07674

Dear Michael Weden,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2019 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$148,095.24 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 5.00% of the Federal funds awarded, or \$7,404.76 for a total approved budget of \$155,500.00. Please see the FY 2019 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2019 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Logan".

Christopher Logan
Acting Assistant Administrator
Grant Programs Directorate

Summary Award Memo

Program: Fiscal Year 2019 Assistance to Firefighters Grant

Recipient: LINCOLN FIRE DEPARTMENT

DUNS number: 009373732

Award number: EMW-2019-FG-07674

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY2019 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

NOTICE OF MEETING / PUBLIC HEARING

**Monday, August 24, 2020
8:15 pm**

August 12, 2020

Town of Lincoln
Board of Selectmen
148 Main St.
PO Box 25
Lincoln, NH 03251

Dear Property Owner/Abutter:

According to NH Revised Statutes Annotated 676:4, I (d) and Town of Thornton Regulations, it is required that all abutters to land which is the subject of a Zoning Board of Adjustment (ZBA) application be notified of the proposal and have the opportunity to be heard.

You, as an owner/abutter, are hereby notified that property owners **SMA Realty Trust, Michael C. Sununu and James G. Sununu Trustees [Applicant: Vertex Tower Assets, LLC]**, have filed an application for **"VARIANCE"** as provided for in **Article VI Section 3, Article VI TABLE OF USES AND ARTICLE V.B** of the Thornton Zoning Ordinance: **Proposed construction of a wireless communication facility in the General Residential Zoning District, which will be 176' tall [182' to top of highest appurtenance] on Upper Mad River Road [Tax Map 17 Lot 5-21].**

The matter will be considered by the Zoning Board of Adjustment (ZBA) during a Public Hearing to be held at **8:15 pm on Monday, August 24, 2020** at the Thornton Town Office.

Also please note: In the event the Public Hearing is continued, no further Notice of Public Hearing will be sent to abutters as the specific date, time and location of the continued hearing will be made known at the Public Hearing on August 24, 2020.

The Thornton Town Hall is open to the public, and the public is allowed to attend. However, the public is encouraged to participate remotely through Zoom due to social distancing and limited capacity. Please review the meeting agenda located on the town's website for additional details www.thorntonnh.org.

Sincerely,

Joseph M. Monti
Joseph M. Monti, Chairman



Certified Mail Return Receipt Requested



OFFICIAL NOTICE

Meeting of New Hampshire Electric Cooperative, Inc. Members

10 A.M on Tuesday, October 20, 2020

New Hampshire Electric Cooperative's (NHEC) Board of Directors have called a special meeting of the members for the purpose of receiving the results of an upcoming member vote on proposed bylaw amendments.

The special meeting will be held at **10 A.M. on Tuesday, October 20, 2020**. Given the current restrictions imposed by the coronavirus pandemic, **this will be a virtual meeting with no physical location**. As was done with this year's annual meeting, the special meeting will be held via Zoom Webinar. Registration and login information for the meeting will be provided with the ballot and on NHEC's website.

Pursuant to NHEC's bylaws, ballots will be mailed to members in September. Members will vote by mail or electronic ballot on whether NHEC's bylaws should be amended to give the Co-op the ability to respond more quickly to emerging opportunities and also to give NHEC greater flexibility in the use of "controlled affiliates" in the exercise of its existing ability to facilitate or offer "other goods and services," including broadband and/or telephone services, to its members.

The text of the proposed bylaw amendments will be posted on NHEC's website on or before August 20, 2020 and will be included on the ballots and in ballot-related materials to be mailed to members in September.

No action will be taken at the meeting, other than the presentation of the voting results as required by the bylaws. The agenda will be:

1. Secretary's report of a quorum
2. Reading of the notice of meeting by the Secretary
3. Presentation of results of the vote
4. Adjournment

Brenda Boisvert, Secretary

August 4, 2020



To Our Valued Members,

NHEC has worked for the past several years to facilitate the expansion of broadband internet service to our members. Recently, the COVID-19 pandemic and member ballot petition brought additional urgency and focus to these efforts. As NHEC has explored various options to expand high speed internet access, it has become apparent that the Co-op's bylaws do not provide the flexibility required to quickly and efficiently take advantage of emerging opportunities.

In order for NHEC to take additional steps and meet our members' needs, a member vote is needed to update NHEC's bylaws to provide the Co-op with the flexibility needed to quickly and efficiently take advantage of available opportunities to ensure all members have access to high speed internet.

Earlier this year, NHEC held its annual election to fill vacancies in the Co-op's Board of Directors. As part of that election process, NHEC members petitioned to add a ballot question adding "facilitating access to broadband internet for members" as one of the purposes for which the Co-op was formed. This ballot question fell just short of achieving the two-thirds vote necessary for adoption, and NHEC's founding documents were not amended. The strong support this question received demonstrated member desire for NHEC to more aggressively pursue broadband. Although the Board of Directors did not support amending NHEC's founding document to change the organization's core purpose, the Board strongly supports amending the bylaws so the Co-op can continue to further our efforts to expand the availability of broadband service to NHEC's members.

NHEC has moved quickly to explore various options and opportunities to expand high speed internet access. These opportunities include applying for government grants, partnering with other organizations, creating an affiliate to provide broadband, or potentially owning and operating a broadband network. The proposed changes to the bylaws that members will vote on in September will allow for NHEC to pursue these opportunities with either a vote of the Board of Directors or its membership. This will give NHEC the flexibility needed to quickly evaluate and pursue opportunities and partnerships.

As we move forward with this special election, NHEC will provide additional information and communications through our website, newsletter, and via email. I hope you'll join me online on October 20, 2020 at 10:00 AM for the member meeting to receive the results of this vote. Due to the ongoing restrictions on social gatherings, this will be an online meeting. Registration and login information for the meeting will be provided with the ballot and on NHEC's website. In a member-owned, democratically-controlled cooperative, you can make your voice heard. I hope you'll take advantage of your opportunity.

Sincerely,

Steve Camerino President/CEO