

LINCOLN BOARD OF SELECTMEN'S

MEETING MINUTES

NOVEMBER 30, 2020 – 5:00PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

(THE RECORDING OF THIS MEETING CAN BE FOUND ON YOUTUBE)

APPROVED

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

Staff Present via Zoom: Town Manager Burbank, Fire Chief, Ron Beard, Recreation Director, Tara Tower, and Administrative Assistant Jane Leslie.

Public Present via Zoom Video Conferencing: Paul Beaudin, Susan Chenard, Dave Beaudin, and Town Engineer Ray Korber.

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 5:05 pm.

II. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

The approval of the meeting minutes was postponed until next week (12/07).

III. OLD/NEW BUSINESS

Town Manager's Report

Town Treasurer

Town Manager Burbank explained that today is Susan Chenard's last day working in the capacity as the Town Treasurer. Burbank explained that he has reached out to the town's legal counsel as well as NHMA (NH Municipal Association), and was informed that because the Treasurer is an elected position, it has to be filled by an appointee by the Board of Selectmen, however, Burbank explained that it is proving to be a challenge to find someone that is interested and also a resident. Burbank further explained that he questioned NHMA legal counsel if the appointee could be a non-resident and was told to direct this question to the Secretary of State's Office. Burbank noted that there has been some discussion about Susan Chenard and Julie Rolando (previous Town Treasurer) teaming up in the interim to keep the work flowing, however, this too must be run by the Secretary of State's Office.

Riverfront Park

Town Manager Burbank explained to the board that the Nobis's Soil Analytical Results have come in from the Riverfront Park site, and the results appear to show that there is soil contamination (Brownfields) throughout the proposed park site (*see attached*). Burbank explained that one of the recommendations is that the town put this project on hold and seek funding through the *Brownfields Program* which is an Environmental Protection Agency (EPA) program that provides grant money and technical assistance to communities to assess; safely clean-up, and sustainably reuse contaminated properties. Burbank explained that the Brownfields funding for 2020 has been expended, and the town would have to wait until 2021 to apply for these funds. Selectman Ham questioned how much money this is going to cost to clean up, and asked to see something definitive in writing so that they have a better understanding of what mitigation costs will be. There was an in-depth discussion on the future of the Riverfront Park Project, and Chairman Robinson commented that in his opinion, the board had presented this concept to the towns people, which a majority of them collectively voted on to move forward in collaboration with the Skate Park promoters, and to bring this project to fruition. Robinson noted that the town also received matching grant funds for this project, in addition to funds that have been raised by the Skate Park group.

Selectman Ham explained that it could take the town many years to obtain grant funding through the Brownfields Program, and the town risks losing \$200K in matching grant funds that they currently hold, and she does not feel that they should wait to mitigate this problem. Robinson questioned whether or not they would be allowed to put a parking lot *over* the Brownfield area? Burbank responded that they could do this. Robinson thought it may be less expensive and more acceptable to bring several yards of hard-packed fill (gravel) and put it over the site where they want to build the Skate Park and parking lot.

Town Manager Burbank explained that once the board gives him the go-ahead to move forward, Nobis will be writing a formal report of their findings, and forwarding it to DES for guidance on next-steps.

Town Engineer Ray Korber joined the meeting via a conference call at 5:30 pm.

Chairman Robinson asked Korber if DES would allow the town to put a parking lot *on top* of the ground that has the reported contaminants (rather than digging the ground up) as well as a skate park on the surface of the area without digging anything up? Korber responded that there is a high probability that DES would in fact allow the town to proceed with this plan as long as the town addresses the issues that have been identified. Korber explained that town would have to, (1) present the contaminant findings to DES, and, (2) define the scope of work for a broader comprehensive site assessment to make a determination of exactly what the town is dealing with. Korber feels that there are two (2) options: (1) isolate the material and cover it up so that there is no human contact with it, or, (2) remove the contaminants.

Robinson asked if there was any downside to having this conversation with DES? Korber did not think it would trigger anything particular, but he could not guarantee that. Korber explained that the town has to recognize that this is a Brownfield site that may require the remediation of the contaminants which could potentially be a liability if they did not. Robinson asked if the town could bring in fill to cover the area, or would it have to be dug up and removed? Korber responded that the area could be covered up with a determinable amount of fill based on the grade of the park, and some of the material may have to be removed for the skate park, playground, and some of the trails, but not for the parking lot. A discussion ensued on the scope of the perceived work to cover-up and remove the contaminants, as well as cost-effective measures to help pay for the remediation of the clean-up.

Selectman Ham asked what elements the matching grant covered for the park. Korber responded that the grant covers the kayak launch and river access, small temporary parking area at the river access, parking lot, main walking/biking trail, skate park, and playground. Korber suggested the town go back to the grant funding agency and have a conversation about redefining the elements of the \$400K grant, and just focusing on the river access and the parking lot in order to meet the grant requirements and deadlines. Director Tower explained to the board that she has reached out to the Land & Water Conservation Fund (LWCF) asking what the town's options are in light of the current circumstances (e.g., extension of existing grant) and is awaiting a response. Ray Korber added that the town should also ask LWCF if the town can redefine the scope of work as well, because based on his reading of the grant application there is a provision concerning the modification of the terms of the grant application.

Town Manager Burbank asked Korber where things stand at the present time. Korber responded that everything is on hold right now, and they are awaiting the "green light" from the board to proceed with the project. The next step would then be to reach out to DES and have a conversation about what the scope of work should be for a site assessment, so that a determination can be made about what to do with the contaminated material that is onsite, and then put together a protocol for mitigating the contamination. There was a brief discussion on defining the town's next steps, and Selectman Ham commented that she was in favor of taking the next steps with DES and obtaining a determination of what will be necessary to proceed with this project. Selectman Ludwig commented that she would like to also see what DES has to

say about this, and at the least, put in the skate park and parking lot, however, Ludwig was not in support of a kayak launch and playground. Robinson noted that all three Selectmen are in agreement with reaching out to DES and suggested that Korber schedule a meeting with DES to see what will be required to put in the parking lot and skate park only. *(Ray Korber departed the meeting at 6pm)*

Joint meeting with Woodstock BOS & Budget Committee

Town Manager Burbank explained to the board that Woodstock would like to schedule a joint BOS/Budget Committee meeting for January 13th at 5:30 pm. Selectman Ham noted that there is also a School Board Budget meeting scheduled for January 13th (Selectman Ham is on the School Board) which she is required to attend. Robinson suggested that if this date works for Woodstock, they should go ahead and schedule this meeting and notify the Lincoln Budget Committee as soon as possible.

NEW BUSINESS

BOS Budget Review Process

Selectman Ham asked if the board would like to schedule budget reviews over the course of the coming weeks, and begin their weekly board meeting as a *work session* at 5pm, and then go right into their Selectmen's meeting at 5:30 pm. Chairman Robinson suggested they begin reviewing the budget at the start of the next Selectmen's meeting (12/7) at 5pm. Town Manager Burbank commented that he would like to begin with the Police Department budget, and then the Public Works Department, and Fire Department. Robinson explained that if their work session takes more than hour, they will then begin their Selectmen's meeting shortly thereafter. Robinson noted that he would like to do this same format for the December 14th board meeting beginning at 5pm, and determine which budgets they will review on the 7th. Selectman Ludwig commented that the Budget Committee has scheduled their first meeting for Tuesday, December 8th at 5:30pm. Robinson responded that the board will not have an approved budget for the Budget Committee by December 8th and suggested they email the Budget Committee explaining the Selectmen's review process, and that they can expect to receive the Selectmen's approved budget after December 14th. Paul Beaudin commented that the Budget Committee wanted to initially begin with the simpler budgets (Cemetery, Library etc.) so that the Selectmen had time to conduct their review process.

OLD BUSINESS:

Town Hall Spectrum Internet

Chairman Robinson asked what the status was for the Town Hall WIFI. Town Manager Burbank responded that the change is scheduled to be implemented during the month of December, and it will be up and running by January 1st (the town's phone system and fiber optic internet service will be bundled).

Raftelis Follow-Up Rate Structure Report

Town Manager Burbank informed the board that Dave Fox (Raftelis) needed additional information concerning the different scenarios that the board had requested information on. Robinson explained that the board had asked Dave Fox if he could work up three (3) scenarios: (1) flat rate, (2) variable rate, and, (3) usage allowance included with a fixed charge to see how this will impact the customer base. Fox was going to put a work-up together based on the specific assessing data on the various housing types in the community. Robinson explained that he would like to have something for the Water Committee to review to determine whether or not they want to proceed with the water meters, and have this in time for the Budget Committee to review.

Level of Service -Water Storage Tank

Chairman Robinson explained that they have a grant for a water storage tank project, and they had been

discussing the various elevations for each of the pressure zones because a single elevation would not work for Lincoln. Robinson explained that they need to decide what they are going to do about the water storage tank so that they do not risk losing the matching grant money (Northern Borders Regional Commission), and they need to focus their efforts on a definitive location and direction for this project. Robinson added that he would also like to follow up on Town Manager Burbank's memo date 10/16/20 concerning next steps:

(Next Step #2) Retain Weston & Sampson to better define the type and location of interconnections between the Main Pressure Zone and the Loon Village Pressure Zone, and to enhance the level of service in the Main Pressure Zone." Robinson explained he would like to find out from Weston & Sampson if this could be done (what are the fees and costs) and if this is something that could come out of the water tap fees or CIP, or is this going to be a major project?

Robinson added that also noted in the memo *(Next Step #4) Retain Weston and Sampson to complete a site assessment to determine the preferred locations of a tank in the Indian Head Pressure Zone and/or provide alternative means for fire protection. Also, if required (pending the completion of Item 3 above), complete a site assessment to determine the preferred locations of a tank in the Loon Village Pressure Zone.* Town Manager Burbank noted he would follow-up on this matter this week.

Riverwalk Driveway/Street Light

Chairman Robinson asked if there were any updates on the Riverwalk driveway discussion. Town Manager Burbank explained that there had been a recent discussion about whether or not a street light was going to be required at the intersection of Linwood School and the entrance to the Riverwalk Hotel. Burbank explained that DOT is looking into whether or not the data supports the implementing of a street light at this intersection which will subsequently determine whether or not Dennis Ducharme will proceed with the second phase of his proposed project (DOT estimated that a street light will cost upwards of \$250K to install). Burbank noted that there is an ongoing study on this issue, and there have been no conclusive decisions made at this time.

25 School Street Easement

Selectman Ham commented that DPW Director Hadaway had submitted an email to the board stating what he has determined to be an acceptable curb-cut for Denise Heredeem's proposed Pleasant Street driveway, and the Board must now decide what documentation Ms. Heredeem will need to bring to the School District for her request for a right-of-way to be put on their warrant. Ham explained that the letter should state that the Town has no objection to Ms. Heredeem putting a driveway in on Pleasant Street into the town's turn-around. Chairman Robinson responded that if all three Selectmen are in agreement, they should send a letter to Ms. Heredeem and the SAU (including the drawing that Director Hadaway presented) and the following motion was made:

MOTION: "To allow a curb cut as presented in DPW Director Hadaway's drawing for Denise Heredeem, Map 016, Lot 110 provided Ms. Heredeem obtains an easement from the 2021 School District Meeting."

Motion: OJ Robinson

Second: Tamra Ham

All in favor.

Public Participation

Riverfront Park Project:

Paul Beaudin commented on the Riverfront Park project and urged the board to be cautious when approaching DES because in the past there were issues when the town was dealing with DES over the levee, and he does not want to see the taxpayers bare any financial burdens without the facts being presented first. Beaudin noted that the town had previously conveyed property over to Jeans Playhouse,

and there were Brownfields issues that they were required to clean up. Beaudin does not want the town to create a public perception that the community's recreational park has contaminants that have been covered up (capped with contaminants beneath it). Beaudin feels that the town should completely clean up the Riverfront Park with the Brownfield grant money if they in fact plan on moving forward with the recreational park project.

VI. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (c,e) Personnel Issues and the CRVI Lawsuit

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 6:47 p.m.

MOTION: "To re-enter public session."

Motion: Jayne Ludwig

Second: Tamra Ham

All in favor.

The Board came back into public session at 7:40 p.m.

VII. ADJOURNMENT

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 7:41: p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: December 7, 2020


Chairman O.J. Robinson


Tamra Ham


Jayne Ludwig



Notes:

1. Results in RED exceed applicable SRS. Results in YELLOW indicate one or more compounds were present at concentrations below applicable SRS.
2. Locations of site features depicted hereon are approximate and given for illustrative purposes only.

Legend

- D Test Pit Location
- Parcel Boundaries



FIGURE 2



nobis
Mobis Group - 18 Channel Drive
Concord, NH 03301 - (603) 224-4182
www.nobis-group.com

SITE PLAN RIVERFRONT PARK LINCOLN, NEW HAMPSHIRE	
PREPARED BY: JRS	CHECKED BY: JA
PROJECT NO. 97030.00	DATE: NOVEMBER 2020

TABLE 1
SUMMARY OF SOIL ANALYTICAL RESULTS - VOCs
 Riverfront Park
 Lincoln, New Hampshire
 Project No. 97030.00

Soil Remediation Standards		Parameters																		
		Env-Or 600 Table 600-2	Benzene	Toluene	Ethylbenzene	Xylenes (Total)	Isopropylbenzene	Methyl tertiary-Butyl Ether (MtBE)	Naphthalene	n-Butylbenzene	n-Propylbenzene	sec-Butylbenzene	tert-Butylbenzene	p-Isopropyltoluene	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	Trichloroethene (TCE)	Tetrachloroethene (PCE)	cis-1,2-Dichloroethene	Other 8260 VOCs
Location		Date	Laboratory Analytical Results																	
PAM TP-4	10/29/20	<0.1	0.27	<0.1	<0.2	<0.1	<0.2	<0.2	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	..
PAM TP-5	10/29/20	<0.09	0.13	<0.09	0.259	<0.09	<0.09	<0.2	<0.2	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	..
PAM TP-6	11/02/20	<0.09	<0.09	<0.09	<0.18	<0.09	<0.09	<0.2	<0.2	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	..
PAM TP-7	11/02/20	<0.09	<0.09	<0.09	<0.18	<0.09	<0.09	<0.2	<0.2	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	<0.09	..

- Notes:**
1. All samples were collected by Nobis on the dates indicated.
 2. All concentrations are reported in mg/kg, equivalent to parts per million (ppm), except where indicated.
 3. "<X" indicates that the parameter was not present above the reporting limit X. **Bold** values indicate detection above the reporting limit. **Bold and Shaded** indicate exceedances of applicable standard. "ns" indicates that no standard is established. "NA" indicates the parameter was not analyzed.
 4. The analyses were performed by Eastern Analytical, Inc. of Concord, New Hampshire by EPA Method 8260C for VOCs.
 5. Env-Or 600 Soil Remediation Standards are referenced in New Hampshire Code of Administrative Rules Part Env-Or 600, revised May 2020.

TABLE 2
SUMMARY OF SOIL ANALYTICAL RESULTS - SVOCs
Riverfront Park
Lincoln, New Hampshire
Project 97030.00

Soil Remediation Standards	Laboratory Analytical Reports																								
	Location		Date																						
	Env-Or-600	Table 600-2	28	340	490	77	ns	1,000	ns	720	1	120	1	12	1	0.7	ns	1	0.7	ns	ns	960	ns	ns	96
</																									

Notes:

1. All samples were collected by Nobis Group on the dates indicated.
2. All concentrations reported in parts per million (ppm), equivalent to mg/Kg, except where indicated.
3. "<" indicates that the parameter was not detected at the specified reporting limit, "x". Results in **Bold** indicate a detection. **Bold and Shaded** indicate exceedances of applicable SRS.
4. "ns" indicates that no standard is established.
5. The analyses were performed by Eastern Analytical, Inc. of Concord, New Hampshire by EPA Method 8270D for SVOCs.
5. Env-Or 600 Soil Remediation Standards are referenced in New Hampshire Code of Administrative Rules Part Env-Or 600, revised September 1, 2018.

TABLE 3
SUMMARY OF SOIL ANALYTICAL RESULTS- PCBs
Riverfront Park
Lincoln, New Hampshire
Project 97030.00

Soil Remediation Standards		PCB-1016	PCB-1221	PCB-1232	PCB-1242	PCB-1248	PCB-1254	PCB-1260	PCB-1262	PCB-1268	Total Polychlorinated Biphenyls
Env-Or 600 Table 600-2		ns	ns	ns	ns	ns	ns	ns	ns	ns	1
RCMP Category S-3		ns	ns	ns	ns	ns	ns	ns	ns	ns	25
Sample	Date	Laboratory Analytical Results									
PAM TP-4	10/29/2020	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.18
PAM TP-5	10/29/2020	<0.02	<0.02	<0.02	<0.02	<0.02	0.031	<0.02	<0.02	<0.02	0.031
PAM TP-6	10/2/2020	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.18
PAM TP-7	11/2/2020	<0.02	<0.02	<0.02	<0.02	<0.02	0.054	<0.02	<0.02	<0.02	0.054

Notes:

1. All samples were collected by Nobis Group on the dates indicated.
2. All concentrations reported in parts per million (ppm), equivalent to mg/kg, except where indicated.
3. "<" indicates that the parameter was not detected at the specified reporting limit, "x". Results in **Bold** indicate a detection, **Bold and Shaded** indicate exceedances of applicable SRS.
4. The analyses were performed by Eastern Analytical, Inc. of Concord, New Hampshire by EPA Method 8082A for PCBs.
5. Env-Or 600 Soil Remediation Standards are referenced in New Hampshire Code of Administrative Rules Part Env-Or 600, revised September 1,

TABLE 4
SUMMARY OF SOIL ANALYTICAL RESULTS- PCBs
Riverfront Park
Lincoln, New Hampshire
Project 97030.00

Soil Remediation Standards		Antimony		Arsenic		Barium		Beryllium		Cadmium		Chromium		Copper		Lead		Mercury		Nickel		Selenium		Silver		Thallium		Zinc	
		Sample	Date	9	11	1,000	12	33	1,000	65	400	7	400	180	89	10	1,000												
Env-Cr 600 Table 600-2		PAM TP-4	--	5.9	450	--	<0.5	10.0	180	420	0.29	--	<0.5	<0.5	--	--													
		PAM TP-5	--	13	63	--	<0.5	9.2	21	27	<0.1	--	<0.5	<0.5	--	--													
		PAM TP-6	--	8.0	1300	--	1.0	15	630	690	1.1	--	<0.5	<0.5	--	--													
		PAM TP-7	--	3.4	1500	--	0.86	13	1000	1500	1.3	--	<0.5	0.59	--	--													

Notes:
1. All samples were collected by Noble Group on the dates indicated.
2. All concentrations reported in parts per million (ppm), equivalent to mg/kg, except where indicated.
3. "<" Indicates that the parameter was not detected at the specified reporting limit. "x" Results in Bold indicate a detection, Bold and Shaded indicate exceedances of applicable SRS.
4. The analyses were performed by Eastern Analytical, Inc. of Concord, New Hampshire by EPA Method 6020 for metals.
5. Env-Cr 600 Soil Remediation Standards are referenced in New Hampshire Code of Administrative Rules Part Env-Cr 600, revised September 1, 2018.

