

LINCOLN BOARD OF SELECTMEN

FINAL

MEETING MINUTES

FEBRUARY 12, 2018 – 5:30PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

Board of Selectmen Present: Chairman OJ Robinson, Tamra Ham and Jayne Ludwig
Staff Present: Chief Ron Beard, Chief Ted Smith, & Administrative Assistant Jane Leslie.
Staff Excused: Town Manager Burbank
Public Present: Roger Harrington, Brian Angelone, Dave Beaudin and Mary Conn

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 5:38 pm.

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

MOTION: “To approve the meeting minutes of January 29, 2018 as amended.”

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

MOTION: “To approve the Non-public meeting minutes of January 29, 2017 as presented.”

Motion: Tamra Ham **Second:** OJ Robinson **Motion carries.**

MOTION: “To approve the meeting minutes of February 5, 2018 as amended.”

Motion: Jayne Ludwig **Second:** OJ Robinson **Motion carries.**

Abstained: Tamra Ham

III. OLD/NEW BUSINESS

REVIEW & APPROVAL OF WARRANT FOR TOWN MEETING BOND HEARING

The Board reviewed the budget and warrant. Articles one (1) through six (6) should be voted on during the day, and the remaining Articles, seven [7] through thirty-three [33] would be voted on in the evening. Selectman Ham also wanted to discuss Article ten (10) *Operating Budget*, as the Budget Committee reduced the Town Welfare budget from \$7,520 to \$5,500, and the SelectBoard felt it appropriate that this be discussed with Welfare Officer, Jane Leslie and the full Board (Selectman Ham was not present at the previous meeting) so that there is a unified consensus between the Board of Selectmen and the Budget Committee. Leslie stated it is difficult to anticipate the amount of requests for assistance that will come in to the town as this varies greatly from year-to-year, however, she does her best to be mindful of her budget while abiding by NH Law – Title XII, Public Safety and Welfare RSA 165:1. Selectman Ludwig explained that part of the thought process behind the Budget Committee’s decision to decrease this budget was due to the newly formed *Bridge Project*, which is a local *resource* agency (non-monetary) for the Lincoln-Woodstock communities and run by Life Coach, Tracy Shamberger, as well as the previous year’s expenditures. Selectman Ham noted that this is a moot point, as the cut has been made and this money cannot be put back. Leslie reiterated that she will be mindful and do the very best she can to keep within her budget. Selectman Ham feels that unified support for the budget shows Selectmen and Budget Committee members share equal support, and the better the chances are of passing as written at Town Meeting. Chairman Robinson feels that this is a useless reduction and does not agree with the Budget Committee because Town Welfare will have to expend the money required to be spent according to the number of requests received because state law dictates how the town spends the money,

not the budget. Either way, Robinson stated he will agree with his co-selectmen on whether or not to recommend this cut. With no further discussion, Chairman Robinson made the following motion:

MOTION: "To change the Welfare Budget to fifty-five hundred dollars (\$5,500)."

Motion: OJ Robinson Second: Tamra Ham All in favor

The Board was in agreement that they were fine with the wording on the rest of the warrant articles and changed the sequence of Articles 31 & 32. Selectman Ludwig asked if the wording in Article 9 *Riverfront Park* should be worded so that it clearly defines what the funds will be used for (clearing of the Skateboard Park, some infrastructure, and parking lot) so that it is clear that this money is not representative of the entire project.

Chairman Robinson read the following: **Article 9: Riverfront Park** *"To see if the Town will vote to raise and appropriate the sum of four hundred thousand dollars (\$400,000) for phase one of the Riverfront Park, with two hundred thousand dollars (\$200,000) to be received from a grant, and the balance of two hundred thousand dollars (\$200,000) to come from taxation. The Selectmen and the Budget Committee recommend this appropriation." (Majority vote required).*

Brian Angelone also noted that he does not want the public to think that the town is paying for the construction of the Skateboard Park because this part of the project is privately funded. Chairman Robinson explained that the article states that this is part of Phase I, and the Board will explain further at town meeting that in addition to the \$200k potential grant, another \$100k is being invested by the Skateboard Park committee. With no further discussion, Chairman Robinson made the following motion:

MOTION: "To accept the draft warrant as written with the exception that the sequential order of Article 31 & Article 32 be swapped."

Motion: OJ Robinson Second: Tamra Ham All in favor

Riverfront Park Town Report

Chairman Robinson confirmed that Recreation Director, Tara Tower and Kevin Bell submitted information for the town report on the Skateboard Park project.

Lin-Wood Ambulance Follow-up

Robinson asked Chief Beard if he has had a chance to meet with the Ambulance Board yet. Chief Beard explained that the Board does not meet until February 21st, however, he has spoken to Chief Wetherell who informed him that they currently have seven (7) applicants for consideration for his position. Robinson asked that when Chief Beard does meet with the Board that the Selectmen would like to have an explanation or discussion to better understand what the increase represents, as well as what their five (5) year outlook consists of (any future increases) so that he is better prepared for any questions that may arise at town meeting.

Letter received from Forest Ridge

Chairman Robinson informed the public that a letter was received from Harold Schofield, President of the Board of Directors of Forest Ridge Property Owners Association (see attached). Chairman Robinson explained that the letter was in reference to Mr. Schofield's continued concern with the hazardous design and inadequate control of runoff resulting from the drainage ponds installed in connection with the development of *"The Pines."* The Board of Selectmen and Planning Board have stated that construction at *The Pines* should not proceed until the problems with the drainage system are corrected (Note: The Board(s) do not have an opinion on who is at fault). Chairman Robinson added that Town Engineer Ray Korber is working on this and in correspondence with DES as well as *The Pines*, and a meeting has been scheduled between Ray Korber and Horizons Engineering (firm that designed the retention ponds).

Mary Conn asked if this problem affects the downtown area or strictly Forest Ridge. Robinson explained that the detention ponds are at Forest Ridge, the functioning of the detention ponds affects the brook that runs behind the Community Center and then crosses under Pollard Road near Tammy Gionet's home. Robinson also noted that as a condition of the approval of the subdivision was that once the detention ponds were built, they would become the responsibility of the Master Association. The Master Association is stating that they will not take responsibility for the detention ponds in their current state and wants them fully functioning when that happens.

Dave Beaudin asked if the Planning Board was aware that there is to be no further development until this issue has been taken care of. Robinson was not certain if this letter went to the Planning Board or not, however, at this point this is an enforcement issue more than a Planning Board concern, but would make sure the Planning Board is aware.

PUBLIC BOND HEARING AND KENO WARRANT ARTICLE

Chairman Robinson opened up the hearing at 6:09 p.m. and read the following Article 07: *To see if the Town will vote to raise and appropriate the sum of four hundred ten thousand dollars (\$410,000) for additional funds needed to rebuild the East Branch Pemigewasset River Granite Block Levee that was approved at the 2016 Town Meeting, and to authorize the issuance of not more than four hundred thousand dollars (\$400,000) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); to authorize the Selectmen to issue, negotiate, sell, and deliver such bonds or notes to determine the rate of interest thereon and the maturity and other terms thereof; to authorize the Selectmen to apply for, obtain and accept federal, state, or other aid, if any, which may be available for said project and to comply with all laws applicable to said project; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. The balance of the appropriation of ten thousand dollars (\$10,000) is to be raised by taxation to be used for bond costs and legal costs. The Selectmen and the Budget Committee recommend this appropriation. (2/3 ballot vote required).*

Chairman Robinson summarized exactly what this was for and explained the contract between the town and Coleman Construction Company was for a specific scope of work based on the engineering plans and the plans of the 1960's. There were two (2) issues: (1) the bedrock that was being keystoned was originally thought to be 4-5 feet deep which is what the company bid on (and if it was more, there would be additional costs) and it ended up being twelve (12) feet deep (Old Hole) which was unknown until the river was diverted and the granite blocks were moved, and, (2) the design and contract had to be changed and approved by ACE (Army Corp. of Engineers) and DES which subsequently resulted in a substantial increase in repair costs. Also, during this time, the work that had previously been done to the levee sustained extensive damage as a result of the rain event in late October, 2017. The Town may be eligible, and is applying for financial relief from FEMA to assist with the repair costs associated with the storm damages. The Town has submitted an application and is currently waiting to hear back from FEMA which will not be until after Town Meeting (the redesign and building it deeper has nothing to do with FEMA).

Robinson noted that this was recommended by the Budget Committee who strongly felt it should be bonded, and explained that the article following this bond, **Article 08: Levee Additional Funding by Taxation (in the event Article 07 fails)** would essentially raise the money through taxation all in one (1) year and would have tremendous impact on the tax rate.

At this time, Chairman Robinson opened the hearing up to the public:

Selectman Ludwig asked if we knew what the interest rate was going to be. Robinson explained that at this point in time, we do not know.

Roger Harrington asked if the town was going to receive any help from the state or the ACE with these additional costs. Robinson responded that it appears the town is on its own, and has challenged the engineers, but it does not look like anything is going to come of it. Harrington also questioned how the town derived the \$400,000 figure. Robinson explained that this is an estimate based on the engineer and Coleman Construction.

Mary Conn asked if the project had been on schedule or behind at the time of the storm. Robinson explained they were on, or close to schedule and getting ready to finish by the *in-river* deadline. Mary asked what happens if FEMA pays \$200k, and the town has \$400k from the bond, would the \$200k from FEMA be paid directly back to the bond issuer, or would the money go back into the General Fund (and the town continue to pay interest on the full amount). Robinson said it is difficult to determine at this point because the timing of various approvals (FEMA, DES) will determine how much money the town will have to borrow. The Board continued to discuss the various funding options (Bond bank, local bank etc.) and what is in the best interest of the taxpayer. Mary asked the Board if it would be best to go with a local bank (due to more flexibility) even if it meant paying a higher interest rate, and questioned how the Board will handle this issue at Town Meeting if they do not know what the interest rate will be. The discussion continued on the many variables involved with this process, and Robinson suggested that once it is clear what the actual repair costs to the levee will be, and how much money FEMA will/will not be providing, the town will be better informed on exactly how much to borrow, and how long the term will be.

Dave Beaudin noted that he does not feel that the town should have to pay additional monies for design/engineering costs since it was their original design, however, Robinson explained that the *Clerk of the Works* who is onsite throughout the construction process (hired by engineers to oversee Coleman's work) is an ongoing necessary engineering cost. As for the design work, that phase is complete and approved by DES and FEMA. The next step with the ACE is for them to come and approve the work completed thus far. The discussion continued about how often (if at all) the ACE visits the levee and inspects the ongoing work, and if upon completion of the project they would be inspecting the levee.

Chairman Robinson closed the Bond Hearing at 6:30 p.m. and opened up the KENO Hearing.

KENO Warrant Article

Chairman Robinson opened up the discussion concerning SB 191, which Governor Sununu signed into law this past summer which establishes KENO as a revenue source to fund full-day kindergarten in the State of New Hampshire. The law was written to give municipalities the option to allow KENO in their communities by putting it on city election ballots, or as a warrant article for consideration by citizens at the annual town meeting. Robinson explained that if the town does allow KENO, any revenues generated will go back into the State Keno Fund which is divided up into all communities whether they allow KENO or don't to assist with the funding of full-day Kindergarten. The Lin-Wood School system *will* receive a benefit of this funding regardless of whether or not Lincoln and Woodstock allow KENO. Therefore, the funding is not contingent upon whether or not the towns allow KENO. The lottery game KENO 603 will be played exclusively in taverns and restaurants that have an active liquor pouring license. This Board did not take an active opinion on whether or not this should, or should not be allowed, but rather feel that this is a decision that should be made by the town voters and not the Board of Selectmen. Therefore, this item will be on the warrant for the voter to vote on in the evening so that voters can discuss and share their opinions in an open forum discussion.

199 Selectmen Ham read the following information from Chapter 229, page 5, line 17 I.(a) *For fiscal year*
200 *2019, in addition to any funds received pursuant to RSA 198:40-a, in the first year that a school district*
201 *or chartered public school that operates an approved full-day kindergarten program, the commissioner*
202 *of the Department of Education shall calculate and distribute a grant of \$1,100 per kindergarten pupil-*
203 *based on the enrollment number of eligible full-day kindergarten pupils on the first day of the school*
204 *year.* Chairman Robinson noted that the town reached out to the NH Lottery Commission to see if a
205 representative was available to address the public, but was unable to do so. Ludwig questioned if the Bill
206 was to help school districts create full-time kindergarten, or to help sustain those that already do have it.
207 Robinson responded that this funding is for all school districts that currently have full-time kindergarten.
208

209 Brian Angelone said that this may be incentive to those schools that do not currently offer full-time
210 kindergarten due to fiscal constraints, and may find this appealing. Robinson noted the question comes
211 down to whether or not we want KENO active in this town as a means of creating revenue for full-time
212 kindergarten.
213

214 Chief Smith said he has been checking around with other communities to see if there were any
215 incidences happening on a criminal level as a result of this game, and he was unable to find anything.
216 Smith also noted that Lebanon and Portsmouth both turned it down, and he would be reaching out to
217 those towns to find out why.
218

219 *With no further discussion, Chairman Robinson closed the Public Hearing on KENO at 6:38 p.m.*
220

221 **Town Manager's Report**

222
223 *Town Manager Burbank was not present, and his report was read by Chairman Robinson:*
224

225 **Business after Hours**

226 There will be a Business after Hours hosted by the Town of Lincoln/Lincoln Library on Wednesday,
227 March 14th, 2018 from 5:00 pm – 6:30 pm
228

229 **Eldest Resident**

230 Due to the passing of Esther Huot, the next resident in line for the honor of the Town of Lincoln's Eldest
231 Resident will be notified and given the opportunity to accept this honor and decide if they would like a
232 cane or plaque.
233

234 **Town Office Closed**

235 Offices will be closed in honor of the Presidents Day holiday on Monday, February 19th. There will not
236 be a Board of Selectmen meeting until Monday, February 26th.
237

238 **National Night Out**

239 Selectman Ludwig asked Chief Smith if he has heard any further information about a Woodstock event
240 possibly taking place around the same time as the joint National Night Out (NNO) event this year. Smith
241 has been in contact with Woodstock Police Chief who was only aware of a *Woodstock Home Day* event
242 possibly being scheduled the week before the NNO.
243

244 **Lincoln-Woodstock Interact Club**

245 Selectman Ham informed the Board that the Lincoln-Woodstock Rotary's Interact Club would be
246 holding their 5th Annual Lincoln-Woodstock Public Safety Services Dinner to honor the Police, Fire, and
247 Ambulance Services from both towns at the Woodstock Station on March 30th at 5:30 p.m. Anyone can
248 attend and the tickets are priced at \$30 per person.

249 **HB 1802 Update**

250 This bill is beginning to gain support and is currently in the Ways & Means Committee. If passed this
251 bill would require municipalities to remit any excess statewide education property tax to the state for
252 deposit into the General Fund. Robinson noted this will increase Lincoln's taxes to \$1.2M every year for
253 as long as this goes on.

254
255 **Letter of Thanks to Chief Ron Beard**

256 Fire Chief Ron Beard responded to a call on December 26, 2017 and aided a stranded motorist. In
257 response to this incident, the town received the following letter and donation from the stranded motorist:

258
259 *Lincoln Fire Department,*

260 *Please accept this donation check in the amount of \$100 (for Lincoln Fire Auxiliary) as a small token of*
261 *appreciation for your assistance and service when we encountered a small accident on Rout 93 North*
262 *back on December 26th, 2017. It's great to know there are great people like Chief Ron Beard there to*
263 *help when unfortunate accidents like that happen.*

264
265 *Sincerely, Tony Jordon*

266
267 **Public Participation**

268
269 **Genealogy Event at the Lincoln Library**

270 Chief Smith will be hosting an event at the Library on March 8th providing information and assistance to
271 anyone conducting their own family research. He has been doing this for over twenty (20) years and
272 enjoys it thoroughly.

273
274 **IV. NON-PUBLIC SESSION Pursuant to RSA 91-A:3: II(a)**

275
276 The Board discussed going into Non-public and was hesitant because Town Manager Burbank was not
277 available and preferred this matter wait until he returned next week (personnel issue). Selectman Ludwig
278 did not think it should wait due to next Monday, February, 19th being a holiday and no Selectmen's
279 meeting is scheduled. Robinson said they could at least go into the Non-public to discuss the issue, and
280 discuss further at the following Board of Selectmen meeting on February 26th.

281
282 Mary Conn addressed the Board and referenced the Budget Hearing that she attended last week where
283 the Board was all present and she made a comment about the Sewer Department which turned into a
284 personnel matter, and she would like to know if the Board of Selectmen were planning on addressing
285 this issue. Robinson responded that it was his intention to discuss this matter as he was present and
286 heard this comment which he feels was irrelevant to the conversation. Ms. Conn felt it very important
287 that the Board understand she conducts all of her own research and she is pleased that this matter will be
288 followed-up on with the employee.

289
290
291 **MOTION: "To go into Non-Public Session pursuant to RSA 91-A: 3II (a) Personnel**

292 **Motion: Tamra Ham Second: Jayne Ludwig Motion carries.**

293
294 The Board went into non-public session at 6:47 pm.

295
296 **MOTION: "To re-enter public session."**

297 **Motion: Tamra Ham Second: Jayne Ludwig Motion Carries.**

The Board came back into public session at 7:00 p.m.

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 7:05 p.m.

Respectfully Submitted,
Jane Leslie

Approval Date 2 / 26 / 2018

		
Chairman OJ Robinson	Selectman Tamra Ham	Selectman Jayne Ludwig

