

**Town of Lincoln**  
**Board of Selectmen Meeting Minutes**  
October 15, 2012

**Board of Selectmen Present:** O.J. Robinson, Tamra Ham, and Patricia McTeague.

**Staff Present:** Finance Administrator Helen Jones, Police Chief Smith, Fire Chief Dennis Rosolen, Shawn Woods, Ed Peterson, and Kristen Peterson.

**Public Present:** Mike Donahue, Jim Donahue, and A.J. Sousa.

## **I. CALL TO ORDER**

Chairman O.J. Robinson called the meeting to order at 5:30PM.

## **II. PUBLIC HEARING Pursuant to RSA 41:14-a *Acquisition or Sale of Land***

O.J. Robinson explained that the Town has received an offer on lot 6 in the Industrial Park. He added that according to statute, the Board is required to bring this offer to the Planning Board, which was done a few weeks ago, and to hold two public hearings. This is the second hearing.

O.J. Robinson opened up the hearing for public comment.

Mike Donahue stated that he has several comments. First, he stated that he was not unhappy with the transaction as was stated in a memo from Peter Joseph to the Board dated September 11, 2012. He stated that he is not a naysayer and is in favor of progress at the industrial park. However, he stated that he believes the Board is underselling the lot. He added that in this market, it is being sold at the going rate however he does not believe the Town is the position to have to sell the lots. Patricia McTeague stated that she did vote against the sale for this reason however, the decision of the Board was to get someone in the Industrial Park to get the ball rolling. O.J. Robinson stated that he did not want to wait five years for the market to go up to sell a lot in the park and bring business to the Town. The sale is based on comparable sales. Chester Kahn added that the comparable sales were \$49,000, \$63,000 and \$75,000 and that once a building is constructed on this lot, it will raise the tax roll and thus the value of the other lots. Tamra Ham stated that the Board has no intention to sell the other lots for a low price. Once this business is established, the market rate will go up for the other lots. The Board agreed. Mike Donahue questioned who is paying the transfer tax. O.J. Robinson replied that the cost is being split 50/50 between the buyer and seller just as in any other real estate transaction. Mr. Donahue replied that when he bought the lots he had to pay 100% of the transfer tax. The Board agreed that that did not seem fair. Patricia McTeague stated that it wasn't intentional and that the Board has no complaints in doing business with him.

Mike Donahue stated that he has an agreement with the Town in hand from November 2005 stating that the construction of a building shall be done within 18 months of site plan approval. He hasn't yet applied for site plan as the economy hasn't facilitated him being able to construct a building. The agreement also states that within one year of receiving the deed from the Town, he has to go through site plan review and within 18 months from that time, a building shall be constructed. Prior Town Manager Ted Sutton had told him not to worry about this as Mr. Donahue has always had every intention of constructing a building. He added that per the agreement, he has rights of first refusal on the first two lots. He stated that he would not exercise his rights but that he probably should because in his opinion, the Town is giving the lot away. Town Attorney Peter Malia had sent Mike a letter a year or so ago stating that Mike, in not seeing construction through to fruition, gave up his rights of first

refusal. He added that this letter really means nothing to him as it is simply a letter and does not void the agreement he has with the Town. Chester Kahn stated that there is nothing pertaining to this recorded at the Registry of Deeds and Peter Joseph had told him there was no right of first refusal. As far as the Board was concerned, Mr. Donahue still holds the rights of first refusal.

As there were no more public comments, O.J. Robinson called the public comment period regarding the sale of the lot to a close.

### **Discussion on Electricity to the Industrial Park**

Mike Donahue stated that he has a letter from NHEC that called for the specific size vaults which were installed at the park. NHEC is now stating that they need bigger vaults. No party is really at fault as things change. Mr. Donahue met with NHEC today and they are going to add the extra vaults. O.J. Robinson stated that the Town is purchasing the vaults which are approximately \$2,000 each including installation. Mr. Donahue will grant NHEC easements across his land. The Town is responsible for the conduit which will cost approximately \$23,000. Helen Jones stated that there is money in contingency to cover these costs. Once the Town receives the \$68,000 in unanticipated revenue, it will drive the tax rate down. Tamra Ham mentioned that the Board should compare the cost of the Public Works Department doing the work to excavate for the vault installation and having the Town's current contractor, Lincoln Trucking and Excavating do the work.

Mr. Donahue also stated that he gave the Town money to put in escrow for four streetlights in the park. Helen Jones confirmed that there is approximately \$3800 in escrow for the streetlights. Mr. Donahue wants to be sure they get installed. There was some further discussion on the electricity in the park. The closing is scheduled for this Friday. The Board thanked Mr. Donahue for his comments and the easements to install the bigger vaults.

**MOTION: "To grant final approval of the sale of lot 6 in the Town's Industrial Park and to give Chairman O.J. Robinson the authority to sign the closing documents on behalf of the Board."**

**Motion: Tamra Ham          Second: Patricia McTeague          All in favor.**

Chester Kahn thanked the Board.

### **III. MINUTES OF THE PREVIOUS MEETING**

**MOTION: "To approve the meeting minutes of October 9, 2012 as presented."**

**Motion: Tamra Ham          Second: Patricia McTeague          All in favor.**

### **IV. 2013 BUDGET REVIEW**

The Board met with Police Chief Smith and Fire Chief Rosolen to review the Police, Fire, and Emergency Management proposed budgets for 2013. The Board extensively discussed each of the budgets. The Fire Department presented a budget increase of approximately \$37,000. The Board understood that the Fire Department is playing catch up. The roof at the station has leaked for a long time, years even. Old outdated equipment, including breathing apparatus must be replaced. Regular maintenance on the building hasn't been done. Chief Rosolen stated that he is monitoring the sinking and cracking in the foundation as well as other work that needs to be done at the station.

## **V. OLD / NEW BUSINESS**

### **Columbus Day Weekend Traffic Complaints**

O.J. Robinson mentioned to Chief Smith that he received complaints about the traffic during Columbus Day weekend being much worse than in prior years. Chief Smith replied that the traffic is horrendous every Columbus Day weekend and this year was the same as every other year. The only time he has witnessed a lower volume of traffic is when there has been extremely bad weather throughout the holiday weekend. He added that fortunately the Department did not have to respond to any emergencies on the Kancamagus Highway as emergency vehicles would not have been able to get through the traffic.

### **Letter of Support for NH Rural Education Collaborative Race To The Top District Grant**

The Board has been asked by SAU 68 to review the NH Rural Education Collaborative Race To The Top District Grant application and to comment on it if they so desire. This is a national grant that is part of the No Child Left Behind Act. There are 11 SAU's that are involved in this grant application. Each SAU would divide the funds if the grant were awarded. This grant would benefit the Town and the community and the Board enthusiastically supports the application. The Board will write a letter of support for the application on behalf of the Town.

## **VI. NON-PUBLIC SESSION**

**MOTION: "To enter into non public session pursuant to RSA 91-A:3II(a)(c)(e)."**

**Motion: Tamra Ham            Second: Patricia McTeague**

**Roll Call Vote: Tamra Ham in favor  
Patricia McTeague in favor  
O.J. Robinson in favor.**

The Board entered Non-Public Session at 7:45pm.

**MOTION: "To come out of Non-Public Session."**

**Motion: Tamra Ham            Second: Patricia McTeague**

**Roll Call Vote: Tamra Ham in favor  
Patricia McTeague in favor  
O.J. Robinson in favor.**

The Board re-entered public session at 8:30pm.

## **VII. OTHER BUSINESS**

### **Streetlights**

O.J. Robinson informed the other Board members that the State has given the Town a detailed list of streetlights they intend to shut down. This is a cost saving measure from the State. Most of the lights are located by the interstate. However they are shutting the one at the intersection of Main Street and Connector Road down. The Board will see if this light is vital to the intersection as there are other lights on Main Street that are located in the same area that the Town pays to keep on. Tamra Ham will also discuss this with Chief Smith.

## **Town Hall Floors**

Brook Rose questioned whether it was alright to proceed with waxing the floors and cleaning the carpets at the Town Hall and Police Department. The quote she received was \$1500 from Clean & Green Enterprises to do the work. The former Town Manager had already approved this expenditure but she didn't want to move forward without the approval of the Board. O.J. Robinson questioned when the last time was that the carpets were cleaned. Brook replied that to her knowledge, they have never been cleaned. The Board gave her the approval to schedule the cleaning.

## **VIII. ADJOURNMENT**

With no further business to attend to, the Board made the following motion:

**MOTION: "To adjourn."**

**Motion: Tamra Ham Second: Patricia McTeague All in favor.**

The meeting adjourned at 8:45pm.

Respectfully Submitted,

Brook Rose

Approval Date \_\_\_\_/\_\_\_\_/\_\_\_\_

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Chairman O. J. Robinson

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Vice Chair Patricia McTeague

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Tamra Ham