

**LINCOLN BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**JUNE 23, 2014 – 5:30PM**  
**LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

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

**Staff Present:** Town Manager Alfred Burbank, Police Chief Ted Smith, Finance Officer Helen Jones, Administrative Assistant Jane Leslie, and Recording Secretary Brook Rose.

**Public Present:** Dave Beaudin, Jim Welsh, and Jane McCarthy.

## **I. CALL TO ORDER**

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

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## **II. JORI PROPERTIES TAX ABATEMENT DISCUSSION**

O.J. Robinson explained that in 2007 & 2008 tax bills were sent to Forest Ridge NH LLC (owned by Rick Elliot). In 2009 the tax bill was mailed directly to Rick Elliot's home address with the name Forest Ridge NH LLC. Sometime during those three years the name of the company changed although at least one of the principal owners (Rick Elliot) still remained the same. What is currently in dispute are the tax bills from 2006-2009. The entity that was assessed the taxes was not technically the entity that owned the property though it was the same person. The taxes for the years 2010-2013 are paid in full. Mr. Elliot's attorney is now demanding that those taxes not be assessed as according to NH state law; if the wrong person is assessed taxes, the bill cannot be assessed to the correct person unless it is within the same year. The attorney is alleging that the Town should have caught the change in ownership via the deed sent to the Town in 2006/2007. Helen Jones stated that she has searched repeatedly for the deed with no results. O.J. Robinson stated that when Rick Elliot recently signed the agreement with the Town for the payment of back taxes, this issue did not come to light. No mail was returned to the Town so bills were accepted at the address they were mailed to. The Board asked Town Manager Burbank to address a letter to Mr. Elliot's attorney requesting that the firm produce a copy of the deed as the Town cannot verify the implications in the letter.

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## **III. CHIEF SMITH NEW LINCOLN POLICE "APP" DEMONSTRATION**

Chief Smith displayed a new police application ("app") which is very user friendly and is available for any mobile device. The app has options to file police reports as well as upload accompanying photos. Officer commendations can be submitted and push notifications for various events or emergencies are available. The app will be ready next week. Chief Smith will be distributing flyers to alert local businesses, the school, resorts etc. to this new feature available to them.

Chief Smith also informed the Board that he would be working with students involved in the local channel 3 TV station to create and broadcast a local news program. The students are really excited about the opportunity. Any programming on channel 3 will be linked to this new app via YouTube.

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#### **IV. TOWN WEBSITE DESIGN AND IMPLEMENTATION DISCUSSION**

Administrative Assistant Jane Leslie updated the Board on her progress with the new website for the Town. She explained that the Town has contracted with Virtual Town Hall to design a new website. The website is extremely user friendly to both town staff and site users. Both Tara Tower and Jane met with Virtual Town Hall and were extremely impressed. The company works with over 400 municipalities. The website should be ready within a couple of weeks. The Board thanked Jane for her work on the website.

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#### **V. PUBLIC PARTICIPATION**

##### **Land Purchase**

Jim Walsh and Jane McCarthy attended the meeting to discuss their proposal to purchase land that abuts their property which belongs to the Town of Lincoln. Jim provided the Board with three similar land purchase comparisons and estimates. The Board reviewed the documentation provided. O.J. Robinson clarified that the request to purchase land from the Town would be adding square footage onto four lots which include Jim's two lots, Jane's lot, and Mike Harrington's lot. O.J. Robinson stated that the revised appraisal with the three similar comparisons is very helpful. He added that his goal is to get this property back on the tax role and thus the Town will be further compensated accordingly through future taxes. The Board was in favor of this land sale and will take this matter to the next Planning Board meeting. Two public hearings will then have to be held. The hearings will be scheduled for July 14 and July 28<sup>th</sup>.

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#### **VI. PUBLIC HEARING – PROPOSED AGREEMENT TO EXCHANGE LAND WITH CLP LOON MOUNTAIN, LLC (*Second Hearing*)**

O.J. Robinson opened the second public hearing in the matter of the Town's proposed agreement to exchange land between the Town of Lincoln and CLP Loon Mountain, LLC. He explained that the exchange of land is necessary for the placement of the new Loon Mountain Bridge. There was no public comment. O.J. Robinson closed the public hearing.

**MOTION: “To approve the agreement for the exchange of land between the Town of Lincoln and CLP Loon Mountain, LLC, the owner of the Loon Mountain Ski Area, to allow for the replacement of the Loon Mountain Bridge from the NH Route 112- the Kancamagus Highway- across the East Branch of the Pemigewasset River to the Loon Mountain Ski Area to include map 126, lot 001 and lot 020 as well as map 127, lot 306, 307, and 308.”**

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

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#### **VII. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING**

**MOTION: “To accept the minutes of the June 9, 2014 meeting as presented”**

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

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**MOTION: “To accept the minutes of the June 16, 2014 meeting as amended”**

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

*Amendments are to add the following:*

*“As a result of this tour, the Board had the following action items to be addressed:*

- 1. To investigate the water sewer easement on the Connector Road property, map 110 lot 21.*
- 2. Speak with Kevin McNamara regarding getting a broker’s opinion on the two Clearbook sites as well as discussing creative ways to attract a buyer.*
- 3. Speak with Public Works Director Bill Willey regarding alterations to the Common Man parking lot.*
- 4. Research the Town’s right of way across the Conn property off of Connector Road.*
- 5. Discuss insurance issues with Primex related to Lady’s Bathtub swimming hole.”*

*An additional amendment is to reflect that the tax settlement on the property at Loon Mountain Resort is for a 1/4 share of a condominium.*

**MOTION: “To accept the Non-Public minutes of the June 16, 2014 meeting as presented.”**

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

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## **VIII. OLD/NEW BUSINESS**

### **Town Manager’s Report**

#### **Police Cruiser - Center Console Replacement**

Mr. Burbank informed the Board that the seemingly expensive cup holder for the police cruiser that the Board had questioned while reviewing invoices at their last meeting was a legitimate expense. The cup holder is actually a console which has to be wired into the cruiser.

#### **Sign Ordinance Violation Letters**

Town Manager Burbank has spoken with several businesses in town regarding their use of temporary signs. The amount of temporary signage has gotten out of hand and it will take a great deal of staff time to oversee bringing businesses into compliance. The Town does not have available personnel to take on such a project at this time. O.J. Robinson suggested a public meeting inviting local businesses to come meet with the Board to discuss the ordinance but also to get input from local businesses. The Board was in favor of accepting Paula Strickon’s offer to hand deliver a courtesy letter to businesses that are currently violating the ordinance. Town Manager Burbank will work on the letter and will have the Board sign it. The letter will include an invitation to the meeting on September 8, 2014 at 6:00pm.

#### **Connector Road, Map 110, Lot 21**

Town Manager Burbank explained that he and Public Works Director Bill Willey went to look at the Connector Road site. Water and sewer do run through this piece of property. Bill mentioned that in the past, there was discussion about building a storage building for the police department on this property. The property is a buildable lot. Mr. Burbank will have Kevin McNamara look at this lot.

### **Pump Station Right of Way through Conn Property**

Town Manager Burbank will have the deed to this property researched to see if the Town has a legal right of way to the pump station in place.

### **Common Man Leased Lot**

Mr. Burbank informed the Board that the Common Man parking lot has been filled without Planning Board approval. The area is not wetlands. The appraisal on the property is expected before the end of the week. This lot needs to be fixed prior to the commencement of the construction work on Kanc Rec Road and Pollard Road.

### **Ladies Bathtub Swimming Hole**

A representative from the Town's insurance company, Primex, is scheduled to visit the town swimming hole known as Ladies Bathtub to assess from an insurance standpoint, how the Town can limit liability.

### **Town Owned Land /16 Acre Lot Between Riverfront and Loon Mountain**

Town Attorney Malia will be researching the deeds and easements on this property to determine ownership and restrictions.

### **PSNH- Northern Pass**

Donna Keeley, the liaison for Northern Pass Project stopped in the office to speak with Mr. Burbank. She is aware of the Town's position on the project but would like to keep the Town apprised of the project proceedings.

### **Update on Loon Mountain Bridge**

FEMA and NHDOT have both received the final plans for the Loon Mountain Bridge. FEMA has informed the Town that that final review would be an expedited process. Both FEMA and NHDOT have to give final approval before the engineers can move forward and put this project out to bid.

### **NHDES Deficiency Letter**

There has been an inquiry as to when NHDES is expected to send out the deficiency letter on the riverbank stabilization project. Town Manager Burbank does not expect it to be delivered for a month or two from the date of the project inspection.

### **Connector Road Bridge Lights**

This project has commenced and will be completed by the Town's 250<sup>th</sup> Anniversary Celebration.

### **Beechwood Road Update**

Attorney Peter Malia is working on a letter on behalf of the Town for the betterment assessment. He will have this completed very soon.

## **Legal Budget Update**

Helen Jones drafted a breakdown of legal expenses for the Board. The Town has spent approximately half of the legal budget.

## **Planning and Zoning Update**

Carole Bont has at least 15 involved land use permits to be processed. She is also overseeing several large projects. O.J. Robinson suggested reviewing the current work load and how it will be distributed in the upcoming budget. He added that the Town Manager needs to reassess the work load and staffing needs of the Town especially because there is a resurgence of building activity in the Town from private homes to remodels making the office extremely busy.

## **Personnel Update**

Wendy Tanner has accepted the position of Recording Secretary for the Planning and Zoning Boards. Two applications have been received for the part time Town Clerk /Tax Collector position. Town Manager Burbank is hoping to receive a few more.

## **Community Center**

The remodeling project at the Community Center is progressing nicely. The countertops have been installed and the kitchen should be done this week.

## **River Intake Project**

The river intake project is underway. Dave Beaudin explained that the Town will have to use water from Loon Pond when the construction is underway in the river.

## **250<sup>th</sup> Anniversary Update**

Tamra Ham informed the Board that O.J. Robinson will be conducting the opening and closing ceremonies for the Town's 250<sup>th</sup> anniversary. He will also be one of the judges for the parade. Tickets for the various weekend events are going fast. Tickets for the play production can be purchased through the North Country Center for the Arts. Tickets for the banquet at Indian Head can be purchased from the Recreation Department and tickets for the Lobster Bake can be purchased through the LinWood Alumni Association.

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## **IX. NON PUBLIC WORK SESSION *Pursuant to RSA 91-A:3II(e)***

**MOTION: "To go into Non-Public Session pursuant to RSA 91-A:3II(e)"**

**Motion: O.J. Robinson      Seconded: Tamra Ham      Roll call vote was all in favor.**

The Board went into Non-Public Session at 7:25pm

**MOTION: "To re-enter public session"**

**Motion: Patricia McTeague      Seconded: Tamra Ham      Roll call vote was all in favor.**

The Board came back into session at 7:40pm

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## **X. 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 7:42pm.

Respectfully Submitted,

Brook Rose

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

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Chairman O.J. Robinson

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Patricia McTeague

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Tamra Ham