

**LINCOLN BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**JULY 7, 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, Fire Chief Ron Beard, and Recording Secretary Brook Rose.

**Public Present:** Paul Beaudin, Dave Beaudin, Rick Kelly, Kevin McNamara, Mike Donahue, Jim Donahue, Paul and Karen Bartlett, Taylor Beaudin, Pat Romprey, and Terry Ross.

## **I. CALL TO ORDER**

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

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

**MOTION: “To approve the minutes of the June 30, 2014 meeting as amended”**

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

*The amendment was to revise line 98 to include the wording “that the culvert downstream does not belong to the Town.”*

**MOTION: “To approve the non-public minutes of the June 30, 2014 meeting as presented”**

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

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## **III. TOWN PROPERTY LISTINGS AGREEMENT AND MARKETING STRATEGIES PRESENTED BY KEVIN McNAMARA**

Kevin McNamara attended the meeting to discuss the Town’s listing of the business park. The Town’s listing contract with ReMax in the White Mountains has expired. Kevin has sent the Town a new contract that includes a 20% price reduction. He also suggested reducing the price of the lots to the price that the one lot recently sold for. The Town may also want to consider some creative marketing techniques including tax incentives, financing, flexible terms, and even the possibility of merging some of the lots to create larger lots. The Board was in agreement that if creative marketing would bring in a good business to the park, they would be very interested in taking this approach. O.J. stated that the Town is more interested in job creation as well as getting these parcels of land on the tax role and not so much getting a high sale price.

Mike Donahue commented that the Town undersold the last lot. He does not see what the rush is to cut the price and sell the lots. The lots have been there since 1970. He would like to see the Town hold to their original agreement to sell the lots at their original assessment. Kevin McNamara replied that he is responding to the market as it is today. His job is to market the lots for the Town. He is not trying to undersell the lots. He added that the price of the lots could always be increased in the future. O.J. Robinson stated that he spoke with someone well versed in commercial real estate and was informed

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that if these same lots were located in Concord at that price, they would still be overpriced. The demand for these types of lots is not high. There are a lot of vacant units that already have water, sewer, and amenities in place and it is more cost effective right now for businesses to move in that direction. Tamra Ham questioned what Kevin thought about leasing the lots. Kevin replied that if the Town wanted to put buildings up and lease them, that might work but otherwise, the Town may not want to be in the real estate business.

Mike Donahue suggested perhaps changing the restrictions of what could be allowed in the park to possibly include housing. Kevin replied that the Town would be hard pressed to change the use of the park as there is already a business in the park now. The Town also has a stipulation in place that at least 3 jobs be created for a business to go into the park.

O.J. reviewed Kevin's proposed contract which has the lots listed as follows: lot 4 & 7 at \$71,900, lot 8 at \$79,900, lots 2, 5, & 9 at \$89,900.

**MOTION: "To go forward with listing the business park lot 4 & 7 at \$71,900, lot 8 at \$79,900, lots 2,5, & 9 at \$89,900 and to give Kevin McNamara approval to move forward with creative marketing of the lots. The Board will judge any offer based on its whole package of price, term and quality of the offer/business."**

**Motion: O.J. Robinson      Tamra Ham seconded      All in favor.**

### **Clearbrook Lots Listing**

The Board discussed the potential for listing the two lots owned by the Town on the Clearbrook property. Kevin informed the Board that there is a lot in Clearbrook that has been on the market for over 100 days. The lot is flat and is priced at \$50,000. O.J. stated that these lots are the worst ones at Clearbrook. They are on an extremely steep incline and only have a view of the road below it. Access to the lot is also questionable. Kevin replied that he will take a look at the property and let them know how he thinks the Town should proceed. The Board thanked Kevin for meeting with them.

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## **IV. PUBLIC PARTICIPATION**

### **Paul Beaudin Re: West Wood Homeowners**

Paul Beaudin addressed the Board by informing them that he was at the meeting on behalf of two homeowners that reside in West Wood development, Rob Colgin and Michael and Linda Frieze. He questioned whether the Town has any plans to fix their properties which were damaged from the overflow of the Loon Pond dam and culverts. He added that Linda Frieze has propane tanks that are on the verge of being no longer usable and also the exterior stairs on the property are now undermined.

Town Manager Burbank replied that the Town's insurance company, Primex, visited this area last Thursday. The company's initial indications are leaning towards the Town not being covered for the damages caused by this heavy rainfall event. The company is citing that this was an act of nature. However this was the representative's initial verbal assessment and not a written decision. He added that Loon Mountain Resort will be taking care of the erosion on the roads in that area. Mr. Burbank added that the Town did have to do some work on a private road so the Town could have access to the Water Treatment Plant. He added that the Town does not work on private roads (as per State Statute) however the Plant has to be accessible at all times to protect the Town's water. He stated that in

sensitivity to the property owners in this area, they did take the brunt of the overflow. Right now the Town is waiting on the written decision from the insurer. Paul questioned why the Town would use these resident's taxpayer dollars to repair a private road but would not use taxpayer dollars to repair their property. He added that the rain may be an act of God but the culvert was installed by the Town and the culvert failed. These losses are as a result of the Town's equipment failing. The damage to the Frieze's property is approximately \$5,000 and the damages to the Colgin's property are approximately \$2,000. Paul stated that if the homeowners decide to litigate this issue with the Town it will cost a lot of money for the Town and for the homeowners. He added that the taxpayers pay a lot of money out in taxes and don't get a lot of services from the Town.

Paul Bartlett added that Paul Beaudin is correct about three properties being damaged in West Wood to the tune of approximately \$20,000. He stated that his main concern is that the Town be aggressive with the insurance company. God did not make those dams, the Town did. Therefore, the Town is responsible to make sure that the water doesn't leave the dam. He added that there has to be a margin to protect the homeowners below the dam. Town Manager Burbank replied it takes at least 24 hours to drain even a few inches from the reservoir. He added that the lower dam is intact and that NHDES inspects the dam regularly. He added that what isn't large enough is the culvert. At this time, the Town needs to keep the reservoir full as the river intake water source is about to be shut down for repairs. Mr. Burbank further stated that he does not disagree with what the property owners are saying and is simply informing the Board and looking at this issue from a financial standpoint. The culvert wasn't plugged; it was just overwhelmed with water coming over the dam. Paul Bartlett stated that the Town needs to plan to keep the pond at a level where it can handle a large rainfall. Mr. Burbank replied that the Town has contracted an engineer to look at the culvert. He added that in all probability, the culvert isn't large enough to handle the weather patterns of today. O.J. Robinson stated that this is the case throughout the Town. Mr. Burbank stated that the Board knows there is a problem but finding the funds to pay for all of this is the dilemma. He added that he was firm with the insurance company and did advise them that this event was not an act of God but that the culvert is no longer sized properly.

Paul Beaudin commented that the homeowners are willing to finance some of the repairs but they are looking for the Town to pay for some of it also. Tamra Ham questioned whether the Town can appeal the decision of Primex if the company declines coverage. Mr. Burbank replied that the Town does have avenues for appeal and he recommends exhausting the appeal process offered by the insurer.

Mr. Burbank stated that this heavy rainfall incident will happen again and that the Town needs a firm position on how to handle the drainage on properties that the Town is adjacent to or owns. Paul Bartlett suggested the Town grant an abatement on the real estate taxes for a period of time to help cover some of the cost of the damages. There would be not out of pocket cost to the Town.

O.J. Robinson stated that the culvert and the pond have been cleaned out since the heavy rainfall though they had no blockage. The engineering firm has looked at the culvert as well as the culvert downstream though it is privately owned. O.J. asked that Mr. Burbank speak further with the town attorney on the matter of appealing the insurance company's decision should it be to not cover the damage.

## **Health Officer / Fire Chief Update**

### **Leclerc Property**

Ron Beard updated the Board on the proceedings at the Leclerc residence. He spoke with NHDES today. The sub-slab (basement floor) was drilled in three separate locations and they all came back negative for contaminants which implies that nothing is leaching into the home from the earth. The

NHDES believes that contaminants are not coming from the carwash or the gas station. The sewer system has been tested and everything is working satisfactorily. The contaminants found in the air are consistent with home renovations or reconstruction. Ron added that the homeowner has installed new countertops, carpet, paint etc. NHDES has exhausted the scope of their investigation. NHDES did make a recommendation to the homeowner of a company that may be able to further assist with the interior testing of the home.

### **Fire Department Training**

Five firefighters are taking the course for the Fire One certification. The class starts this Wednesday. Three other members recently attended a pumps class put on by the Fire Academy in Bethlehem. Ron is planning to send another three members to the next pumps class. O.J. thanked Ron for being flexible with the date change for the parade. Ron replied that even though he was unable to attend the parade, there was a great turnout from the department.

### **Taylor Beaudin Request**

Taylor Beaudin requested a copy of the newspaper ad regarding the Town's emergency call list. He stated that he searched the Littleton Courier's online archives and couldn't find the ad. Town Manager Burbank replied that he would have Town staff find the ad and forward it to him. Taylor questioned whether the Town has a total figure on what was spent on the washout repairs. Mr. Burbank replied that he did not have that figure yet. Taylor also questioned when the washouts on Black Mountain Road would be fixed. Mr. Burbank replied that the Town is still discussing this matter with Loon Mountain Resort. Taylor questioned whether that work would be placed out to bid. Mr. Burbank replied that most likely the cost to make the repairs would rise to the level of a job that has to be placed out to bid.

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

### **Town Manager's Report 2014 Utilities Assessment**

Town Manager Burbank contacted Mr. Sansoucy to contract with him to do the 2014 utility assessment update.

### **Pollard Road Reconstruction**

The Pollard Road reconstruction pre bid meeting was held this past Thursday. There were approximately seven interested contractors that attended. Those bids should be submitted to the Town within the next few weeks.

### **Common Man Lot Appraisal**

Town Manager Burbank sent another e-mail to Capital Assessment requesting the appraisal on the Common Man lot. He has yet to hear back.

### **Lady's Bathtub**

Primex is scheduled to visit the Lady's Bathtub to do an insurance assessment this Wednesday.

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## **NHDOT's Approval of Loon Mountain Bridge Project**

NHDOT has approved the final revised plan of the Loon Mountain Bridge project and the Town is authorized to move forward and put the project out to bid. Rick Kelly questioned how long the bid process would be. O.J. replied that it would be approximately a month from the pre bid meeting to when bids are due.

## **Update on Flooding Event**

H.E.B. Engineers will be looking at the drainage issue and culverts at the Community Center lot. H.E.B. is the third party review for the new development at Forest Ridge. They will take a look at the whole drainage situation in this area.

## **Skate Park Site Visit**

The Planning Board and Board of Selectmen will be visiting the site of the proposed skate park on August 13<sup>th</sup> at 6:00pm as part of the regularly scheduled Planning Board meeting. Town staff will notify all involved parties as well as post the meeting notice in several locations.

## **Holiday Festivities**

Tamra Ham informed the Board that the July 4<sup>th</sup> festivities were very successful. There were 63 participants in the parade which includes 16 fire apparatus from Lincoln, Woodstock, and, Campton/Thornton. There was a large crowd turnout for the parade. Prizes awarded were two tickets to the Polar Caves, two funky bike helmets, and \$600 cash, all of which were donated. Both of the local BBQ's also went well and all enjoyed the games!

## **Update on Town Website / New Police Department App**

Virtual Town Hall is working diligently to get the Town's new website functioning as soon as possible. The new Police Department app is also up and running.

## **Common Man Lot**

O.J. Robinson questioned whether the Common Man lot has been closed off and barricaded as the Board has still not heard back from Alex Ray concerning the lot. Mr. Ray has yet to address the issues as promised. Pat Romprey stated that Mr. Ray mentioned at the last Planning Board meeting that the Town could issue a cease & desist order if he did not address the issues with the lot in a timely manner. When asked if she had any input, Terry Ross stated that she is tired of having her property flooded. Town Manager Burbank added that a lot of the flooding Terry is referring to will be taken care of with the Pollard Road reconstruction project.

## **91-A Request**

Terry Ross proceeded to deliver a 91-A request for information to Mr. Burbank and then she left the meeting.

## VI. HOUSING AND COMMUNITY DEVELOPMENT PLAN

O.J. Robinson provided the Board with a Housing and Community Development Plan (HCDP) for the Town of Lincoln. He drafted the plan using the Town of Woodstock's HCDP as a template. Woodstock had applied for a Community Development Block Grant (CDBG) for their elderly housing project a few years ago. The Board reviewed the draft and had few revisions. Once the plan is adopted, the Town will be eligible to apply for CDBG grants in the future. The HCDP can be used as a planning tool to address workforce and public housing, economic development, and emergency funds. The Board asked that this HCDP be e-mailed out with the meeting minutes for the public to review. Town Manager explained that Dennis Ducharme, the developer for the Riverwalk Project has approached the Town to ask that the Town be the lead applicant for this CDBG grant. The Town is applying for \$500,000 from the Community Development Economic Council with funds to be administered by Grafton County Economic Development Council with North Country Council assisting the Town with the administration of the grant. One of the criteria required as part of the grant award is that approximately 31 full time year round jobs be created.

At this time, Rick Kelly and Paul Bartlett requested to be on the Town's e-mail distribution list.

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## VII. NON PUBLIC WORK SESSION *Pursuant to RSA 91-A:3II(a,c,e)*

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

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

The Board went into Non-Public Session at 6:58pm.

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

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

The Board came back into session at 8:15pm.

## VIII. ADJOURNMENT

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

**MOTION: "To adjourn."**

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

The meeting adjourned at 8:15pm.

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