

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
MONDAY, JULY 22, 2013 – 5:30PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH

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

Staff Present: Town Manager Butch Burbank, Fire Chief Ron Beard, and Administrative Assistant Brook Rose.

Public Present: Jim Marshall and Julius Nemeth.

I. CALL TO ORDER

O.J. Robinson called the meeting to order at 5:32pm.

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

MOTION: “To approve the meeting minutes of July 8, 2013 as amended.”

Motion: Tamra Ham Second: Patricia McTeague Motion carries

The following amendments were suggested:

1. Line 33 the word “hope” should be changed to “expectation.”
 2. Insert new paragraph after line 43 to indicate that the Board returned to Town Hall and resumed the meeting. Also shortly thereafter, Bill Conn joined the meeting.
 3. Lines 39-43 should clarify that this portion of the discussion was held during the site visit.
 4. Lines 45-46 should indicate that this portion of the discussion was held when the Board returned to the Town Hall.
 5. Line 77 should reflect that JORI Properties had an expired “corporate registration” rather than “business license.”
-

III. JIM MARSHALL & JULIUS NEMETH – NH DEPARTMENT OF TRANSPORTATION RE: I-93 ROAD RECONSTRUCTION

Jim Marshall and Julius “Joey” Nemeth from the NHDOT Bureau of Final Design attended the meeting to discuss a large maintenance project planned for a portion of I-93 in Lincoln. Mr. Marshall explained that this project will bring the highway to almost new condition. He added that NHDOT has done resurfacing along this route in the past however resurfacing only lasts approximately 10 years.

This maintenance being done to the road throughout this project will last a lot longer. Mr. Nemeth explained the project details. He informed the Board that all of the existing pavement is being removed and replaced. 38,000 linear feet of guardrail will also be replaced. This project is similar to the road reconstruction currently being done north of Franconia Notch. Mr. Nemeth stated that the exit 33 entrance ramp will be detoured for approximately 2 ½ months. The ramp will be shut down during the spring of 2015. It will be reopened before Memorial Day. This reconstruction project will commence in spring 2014 and will run seasonally through 2015. A portion of Route 3 is also being repaved as part of this project. The cost of the project is approximately 13-14 million dollars with 90% federally funded

and 10% state funded. Jim presented a municipal work zone agreement which spells out the fact that NHDOT has control of determining the traffic control including overseeing officers and flaggers. The Board reviewed and signed the agreement. The Board thanked NHDOT for informing them about the project.

IV. OLD/NEW BUSINESS

Public Participation – Fire Department Update

Chief Ron Beard informed the Board that this past Friday he and the State Fire Marshall as well as the President of the Penguin Ski Club and the Club's Safety Manager conducted an inspection of the Penguin Ski Club. The Club rents out the facility during the summer to the North Country Center for the Arts. The Club does not have a Place of Assembly permit which they need for any building housing over 50 people. Chief Beard informed the Board that there were several serious hazards that were found during the inspection. The Fire Marshall will follow up the inspection with a certified letter to the Club outlining what must be done to bring the building up to code. Typically a property owner has 30 days to respond with a plan of action for compliance.

Chief Beard informed the Board that morale in the Department is improving and that several new applications for the Fire Department have been received.

As there were several small issues with people setting off fireworks over the July 4th holiday, Town Manager Burbank and Chief Beard plan to draft a fireworks ordinance to give the Town some enforcement capability.

2014 Fireworks

The Board was happy with the July 4th fireworks display put on by the towns of Lincoln and Woodstock and would like to contract with the same company for 2014. Brook Rose will contact the Town of Woodstock to inform them and to find out what the consensus of their Board is.

Town Manager's Report –Fire Station Update

Town Manager Burbank informed the Board that the work on the Fire Station will commence on August 1st.

Northern Pass

The Northern Pass Project has submitted new plans available at the Town Offices for review.

Loon Mountain Bridge Update

NHDOT has approved the first phase of the project. After a recent meeting with NHDES, it was determined that there were no major environmental issues with the proposed project.

Public Works Projects Update

Surveying for the Hanson Farm Road project is underway. The Board discussed the logistics of the project. The project on Pollard Road is complete.

Update on Black Mountain Road

Town Manager Burbank has a meeting scheduled with Loon Mountain President Rick Kelley tomorrow to discuss Black Mountain Road. Town Manager Burbank recently found that at the 1976 Town Meeting, the Town voted to take over Beechwood (one) provided the road be brought up to TRA specifications. However, the road was never brought up to these standards thus the Board of Selectmen did not vote to take over the road until the mid-eighties. Mr. Burbank then found that the Town never recorded the new ownership with the Grafton County Registry of Deeds. It is unclear as to why this was not done. The only road the Town holds the deed to is Black Mountain Road (to a five foot depth) up to The Landing. Mr. Burbank will be obtaining a definitive legal opinion on this matter. He added that this matter has been up in the air for many years and needs to be settled once and for all. The Board agreed.

Update on Legal Budget

As of the end of June, the Town has approximately 41% of the legal budget remaining for the rest of the year.

ZBA Vacancy

There has been some interest expressed in the ZBA vacancy but no formal letter of interest has been submitted at this time.

Review of Special Event Permits

The Board reviewed two special event permits for cycling related events. Planning and Zoning Assistant Carole Bont as well as Fire Chief Beard have both reviewed the applications. Chief Smith has also reviewed the applications.

MOTION: “To approve the special event permit for the White Mountain Gran Fondo Cycling Event as requested by City Year New Hampshire for a Bike-A-Thon on August 23-August 24, 2013.”

Motion: O.J. Robinson

Second: Tamra Ham

All in favor.

MOTION: “To approve the special event permit for the Three Notch Century – Bike Event on September 6-September 7, 2013.”

Motion: O.J. Robinson

Second: Tamra Ham

All in favor.

Inventory of Federal and State Forest Land

The Board signed the NHDRA Application for Reimbursement to Towns and Cities in which Federal and State Forest Land is Situated. The inventory of lands remained unchanged from last year.

Abatement

The Town’s Assessor recommended denying the abatement request of AMBA Hotels, LLC. AMBA’s

taxpayer representative indicates value should be the purchase price of \$3,783,330 of 9/11/12. A basic income and expense statement was provided, as well as some hotel sale comparables. A more detailed income and expense statement as well as an appraisal was requested by the Town but neither was provided. Two mortgages were taken out totaling \$4,462,500 which is substantially higher than the sale price. The bank had to have done an appraisal and would not likely loan more than the appraised value of the real estate. No change to the assessment is recommended.

MOTION: “To deny the abatement request of AMBA Hotels, LLC for the Comfort Inn property at 21 Railroad Street.”

Motion: Patricia McTeague Second: Tamra Ham O.J. Robinson abstained citing a conflict of interest.

V. NON PUBLIC SESSION per RSA 91-A:3:II(a,c)

MOTION: “To enter Non-Public Session pursuant to RSA 91-A:3:II(a,c).”

Motion: O.J. Robinson Second: Tamra Ham All in favor.

The Board entered Non Public Session at 7:35pm.

MOTION: “To re-enter Public Session.”

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

The Board came out of Non-Public Session at 7:55pm.

VI. ADJOURNMENT

After reviewing the weekly payables and with no further business to attend to, the Board made the following motion.

MOTION: “To adjourn.”

Motion: O.J. Robinson Second: Tamra Ham All in favor.

The meeting adjourned at 7:56pm.

Respectfully Submitted,

Brook Rose

Approval Date ____/____/____

Chairman O.J. Robinson

Patricia McTeague

Tamra Ham
