

**LINCOLN BOARD OF SELECTMEN
REGULAR MEETING MINUTES
SEPTEMBER 30, 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 Burbank and Administrative Assistant Brook Rose.
Public Present: Jim Spanos, Jon Ham, Paul Beaudin, and Pat Romprey.

I. CALL TO ORDER

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

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

MOTION: “To approve the meeting minutes of September 23, 2013.”

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

MOTION: “To approve the non-public meeting minutes of September 23, 2013.”

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

O.J. Robinson made a statement that at last week’s meeting there was a non-public session held with the Town of Woodstock Board of Selectmen. The Board held the non-public session under legal matters according to RSA 91-A:3II(e) as they were reviewing a contract proposed by the Town Attorney. Legal Counsel has since advised that the discussion should have been held in public session as they did not have the Attorney either at the meeting physically or via conference call. This was an unintentional decision of the Board. O.J. went on to say that the draft contract document is a public document if anyone wishes to view it.

III. OLD/NEW BUSINESS

Northern Pass

Patricia McTeague stated that she was at the public hearing on the Northern Pass project in Plymouth this past week. She stated that one of the speakers was Representative Edmond Gionet who publically stated that his constituents are in favor of the Northern Pass project. This is not the case. The Town of Lincoln has never been in favor of this project and voted in opposition to the project at the 2011 Town Meeting. The Board asked that Mr. Burbank send a letter to Mr. Gionet reminding him that the Town of Lincoln is not in favor of the project. The Town Meeting minutes should be included in the letter.

Solid Waste Agreement

Town Manager Burbank informed the Board that the revised draft Solid Waste Agreement is being looked over by the Town Attorney. Mr. Burbank will provide the Town of Woodstock with the revised agreement ASAP.

Memorandum of Understanding – Plowing of School Lots

O.J. Robinson stated that a revised Memorandum of Understanding was presented to him by the Lincoln-Woodstock Cooperative School District. The Memorandum is an agreement between the Towns of Lincoln, Woodstock, and the School. O.J. explained that the agreement is in line with what has been done in the past for plowing of the school lots.

MOTION: “To sign the Memorandum of Understanding with the Lincoln Woodstock Cooperative School District .”

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

Public Participation

Pat Romprey addressed the Board and stated that as a taxpayer and citizen of the Town, he would like to know why a local towing company in Town is a permitted to be on the Police Department’s on call list when they are in violation of the Town’s Land Use Plan Ordinance (LUPO). Tamra Ham questioned what company Mr. Romprey was referring to. He replied that Speed Bear Towing has been issued a violation letter followed by a cease and desist letter because their use of the property is outside of the of the site plan approval for the property and the way they are using the property constitutes a junkyard. These letters were actually sent to the owners of the property, the Goodbouts several months ago. The property houses way more junk cars than is allowed according to the LUPO. The business has been completely unresponsive to these letters which were passed on to them by the owners. Mr. Romprey stated that several years ago the property owners approached the Planning Board for approval of their business. At the time they were approved for 10 cars and the property was approved for a specific use which was a snowmobile shop.

Town Manager Burbank informed the Board that he has been made aware that Speed Bear Towing has filed a complaint with Senator Ayotte’s office, the Attorney General, and the FBI stating that the Town of Lincoln Planning Board, Board of Selectmen, and Police Department are corrupt. Police Chief Smith had a conversation with an agent of the FBI. He relayed to the agent several incidents he has had with the family that runs Speed Bear Towing. The Chief has informed Town Manager Burbank that if there is one more incident with this business, he will pull them off of the on call list which the Department runs as a courtesy to the Town’s towing businesses.

O.J. Robinson stated that the Town needs to be consistent in how citizens and local businesses are treated. Other businesses have recently received the same violation notices and have had no problem coming into compliance. He added that as Speed Bear Towing is in violation of the LUPO and has made no effort to respond to the Town’s requests, he would like to remove them from the on call list. At the time that they contact the Board of Selectmen or the Planning Board, the Board will reconsider putting them back on the list.

Upcoming Meeting on School Funding

Mr. Jon Ham informed the Board that at a recent School Board meeting he found out that the Department of Education (DOE) will be at the School on October 29th at 6:30pm. The DOE will give an educational presentation on the funding formula.

Discussion of Water/Sewer/Bedroom Tax Fees

Town Manager Burbank informed the Board that Planning and Zoning Administrator Carole Bont recently brought it to his attention that the Town's water, sewer, and bedroom tax fees are extremely low. She conducted an unofficial review of other municipalities within the State. The Town has not revised their fees in decades. Mr. Burbank suggested that the Board may want to review their fees especially in light of the potential for a large amount of development in the Town.

O.J. Robinson stated that this issue came to light at the CIP meetings. Mr. Burbank added that the Town is currently underfunded. There are several multi-million dollar projects the Town will have to accomplish over the next few years. Projects include the river intake, the filtering fabric that needs to be replaced at the water treatment plant, and the Loon Pond Dam replacement. These projects are required by the State to be done. O.J. stated that with the development of Riverwalk and South Mountain the Town will reach the limit of the sewer treatment plant and at some point the State will no longer allow the treatment of wastewater through an open sewer lagoon system. The installation of a new treatment system as well as filling in the lagoons will cost a minimum of seven million dollars. In light of these major projects and upcoming large scale development, the Town really needs to put some serious thought into increasing these fees. Jim Spanos questioned whether these fees are considered impact fees. O.J. Robinson replied that the water and sewer tap fees are hookup fees and the bedroom tax is an impact fee.

The Board asked that Mr. Burbank and Carole Bont provide the Board with the Town's current rate structure compared with towns of comparable size. O.J. Robinson also mentioned speaking with a few large developers to see what they expect to pay municipalities for development in other communities. Tamra Ham applauded Carole for bringing this matter to the Board's attention.

Town Manager's Report

Update on Levee

Mr. Burbank informed the Board that he spoke with the Army Corp of Engineers today. They have completed their review of Dubois & King's study. They have responded to Dubois & King with over a page of questions most of which is related to the Town's emergency plan. The Corp informed Mr. Burbank that they are prepared to reactivate the levee if the Town meets their criteria.

Loon Mountain Bridge

HEB Engineering is meeting with Town Attorney Peter Malia to review easements needed for the project. The project is progressing nicely.

2014 Budget

Mr. Burbank informed the Board that he is starting the 2014 budget. He has asked that department heads submit their budgets to him by October 9th.

Abatement

MOTION: “To grant an abatement to TFG Lincoln Properties LLC for parcel 118-002 .”

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

This abatement is a result of the 2013 spring tax bill being billed twice due to a software error.

Flu shots for Town Employees

Tamra Ham stated that there will be a flu shot clinic available to Town employees and board members on October 10th. The cost for those without insurance is \$25.00.

IV. NON PUBLIC WORK SESSION pursuant to RSA 91-A:3II(a,e)

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

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

The Board went into non-public session at 6:35pm.

MOTION: “To enter back into public session.”

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

The Board came back into public session at 6:55pm.

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

The meeting adjourned at 7:00pm.

Respectfully Submitted,

Brook Rose

Approval Date ____/____/____

Chairman O.J. Robinson

Vice Chair Patricia McTeague

Tamra Ham
