

**LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
DECEMBER 9, 2013 – 5:30PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

Board of Selectmen Present: O.J. Robinson and Tamra Ham.

Excused Absense: Patricia McTeague.

Planning Board Present: Paula Strickon and John Hettinger.

Staff Present: Town Manager Alfred Burbank, Police Chief Ted Smith, Recreation Director Tara Tower, and Administrative Assistant Brook Rose.

Public Present: Tom Adams, Marcus Corey, Jason LaFontaine, and Kevin Bell.

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 December 2, 2013 as amended.”

Motion: Tamra Ham Second: O.J. Robinson Motion carries.

Amendment was to add the following text to line 107, “...control construction expenses and...” to read as follows, “O.J. Robinson stated that the Town strives to control construction expenses and to be forthright with putting jobs out to bid to all of the local contractors.”

MOTION: “To approve the non-public meeting minutes of December 2, 2013.”

Motion: Tamra Ham Second: O.J. Robinson Motion carries.

There was a question as to why these non-public meeting minutes were not sealed. O.J. Robinson clarified that it was under the advisement of the Town’s attorney that they were not sealed.

III. OTHER BUSINESS

Abatement Request

MOTION: “To sign the BTLA Settlement Agreement request as recommended by the Town’s Assessor to Edmond & Mildred Gionet for parcel 113-063 which will result in a refund of \$94.48 plus interest for the 2012 and 2013 tax years.”

Motion: O.J. Robinson Second: Tamra Ham Motion carries.

NHDOT Approval of Final Design – Loon Mountain Bridge

The Town received approval of the final design scope and fee schedule for the Loon Mountain Bridge

from the NHDOT.

NH The Beautiful Grant

The NH the Beautiful Committee awarded the Towns of Lincoln and Woodstock \$1200 towards the purchase of an aluminum 40 yard open top roll off container. Tamra Ham gave kudos to Paul Beaudin for applying for and receiving the grant.

Solid Waste Facility Update

O.J. Robinson questioned how the facility is running now that Town Manager Burbank is overseeing the solid waste department. Mr. Burbank replied that everything has continued to run smoothly. He recently signed off on all of the personnel evaluations for the department. Mr. Burbank has asked Mr. Beaudin to provide him with all of the options for managing brush from doing nothing at all to the most elite of options just so the Town can put this matter to rest once and for all.

Bankruptcies

Town Manager Burbank would like the Board's opinion on whether they would like to hire Counsel to track and manage bankruptcies on behalf of the Tax Collector. The Town could glean a significant amount of money in doing so. The Board advised Mr. Burbank to inquire of Town Counsel as to what the standard procedure is as well as what the cost benefit ratio would be for managing bankruptcies.

Ongoing Projects

Town Manager Burbank provided the Board with an ongoing project list which he will keep updated for their review periodically.

Report on Dog Complaint

Town Manager Burbank received a complaint from a taxpayer at the Nordic Inn regarding a neighboring dog's incessant barking. He explained that the Town needs to adopt the relevant state statute as part of the Town's dog ordinance. Chief Smith explained that he has met with all parties involved and the issue has not been resolved. He added that if the Town adopts the statute, it provides a greater level of enforcement capabilities to the Animal Control Officer. The Board agreed to adopt the statute. A public hearing will be scheduled and this matter will then have to be placed on the Town Meeting ballot. Further discussion of this matter was tabled until next week.

Junkyard Violation Complaint

Mr. Edward Peterson has filed a written complaint with the Town regarding the junkyard condition of the property owned by Daryl Lavigne. O.J. Robinson questioned Mr. Burbank as to whether Mr. Peterson mentioned whether or not he had addressed his own violations of the ordinance at the time he was filing the complaint. Mr. Burbank explained that Mr. Peterson did comment that he is within the terms of his lease on the property. Mr. Burbank will follow up on both the Peterson violation as well as the Lavigne complaint.

IV. PRESENTATION ON THE PROPOSED SKATEBOARD PARK

Jason LaFontaine and Kevin Bell residents of the Town and advocates for developing and building a skate park gave a presentation on the park on behalf of the LinWood Skateboard Committee. The Committee formed a non-profit under the LinWood Friends of Recreation. They stated that their goal is to build an outdoor public skate park to create a positive recreational environment for youth and families in the Lincoln and Woodstock communities. Kevin explained that the park would provide a valuable local amenity to residents of the community as well as neighboring towns, and tourists. The park would be a beginner to intermediate park. Jason LaFontaine stated that a survey was conducted over a three week period last August. Out of 47 responses, all 47 were in support. The location of the park would be on Town property somewhere in the vicinity of the river walk path. Tom Adams, Landscape Architect and author of the Village Center Plan stated that the plan for a skate park is in the Village Center Plan. He provided a copy of the conceptual diagram for the park and welcomes a skate park in this area.

Kevin stated that the LinWood Skateboard Committee is advocating for a concrete park because of its durability and the fact that it is much quieter than wood or steel. The annual maintenance for such a park is minimal. Price estimates for a 1500 square foot park (just for features, not landscaping) is \$70,000. The Committee has reached out to a few local concrete workers to do the park's flat concrete work in order to save money. The design of the park was done by a large company that designs such parks all over the United States. Park rules have already been established to protect municipalities. Liability has already been determined by litigation in other parks. The park rules make recommendations such as using safety gear however making requirements for use of the park poses a greater liability and would require staffing. O.J. Robinson questioned whether the park would be fenced in. Kevin replied that it would not need to be depending on the area and the design. Town Manager Burbank added that fencing it in could pose a greater liability. Planning Board member Paula Strickon expressed concern over the liability of the park. She stated that the Town where she resided on Long Island had two ten million dollar lawsuits within the first two months of opening a skate park. Recreation Director Tara Tower replied that as long as the safety recommendations are properly posted, there would not be an increase to the Town in the cost of insurance as skateboard parks are becoming a common amenity in many communities.

Town Manager Burbank questioned whether bathrooms are being proposed as part of the project. Tara Tower stated that the proposed location of the skate park is perfect for connectivity to eventually provide access to the river, snowmobile trails, and the river walk trail and that bathrooms would be ideal for the area. She added that a skate park would be a great way to kick off the development of a town multiuse park.

Tom Adams stated that 15 years ago at Town Meeting, the Village Center Plan was approved. The plan is for the 18 acres of land in this area to be used as an open spaced multiuse park rather than designated ball fields or such. Part of the plan for the park was to tie this space into the history of the Town, reflecting its mill town past. Tom stated that he has worked on skateboard park designs for California and places out west. He understands the demand for skateboard parks especially as it allows snowboarders to work on their sport in the off season.

Town Manager Burbank stated that he is in favor of the park but questioned why the Town has to be involved in the management of the park rather than have the non-profit manage it with the Town simply donating the land. Jason replied that there is already a mechanism in place for maintaining the land with the Town's public works department. Tara expressed concern that if the Town was not to take it over, the park wouldn't have to remain a public park.

The Board agreed that this park would be an asset to the community.

Jason stated that the Committee is planning to raise the \$70,000 to build the park. The construction timeline is two or three years. He added that the site recommended as part of the Village Plan would be ideal for the skate park. Town Manager Burbank added that there is a major developer interested in this piece of property and has a vested interest in drawing tourists to this particular area. Thus, the Town really needs to consider where a concrete park would be located. Planning Board member John Hettinger pointed out that an 80 car parking lot was proposed as part of the Village Plan and that the parking area could also be used for parking snowmobile trailers to attract snowmobilers into Town. The location of the park was discussed in depth. The Board and the Committee will conduct a site visit in the near future.

Police Chief Smith stated that he is also an advocate of the park. He would like to work closely with the Committee. He suggested the installation of dispatch monitored cameras at the park in the event that an accident did occur in the park. Marcus Corey stated that Loon Mountain Ministry is also in favor of the park.

O.J. Robinson concluded the meeting by saying that the Board is supportive of this project and that the Committee has a truly positive environment in which to work on the development of this park. Jason stated that the Committee really needs a commitment from the Town for the land in order to move forward with fundraising. O.J. stated that the Board fully supports the park for this general area of Town land. Mr. Burbank encouraged the Committee to stay very involved in the planning process as the park will eventually have to go before the voters at Town Meeting. The Board thanked Kevin and Jason for spearheading the effort.

V. OLD/NEW BUSINESS

CNP Annual Contract

MOTION: “To renew the annual contract with Commerford Nieder Perkins, LLC for the Town’s assessing services.”

Motion: Tamra Ham

Second: O.J. Robinson

Motion carries.

Town Manager’s Report

Water Plant Operation Contract

In light of the Public Works Director’s plans to retire in the next few years, Town Manager Burbank is researching the feasibility of contracting out the operations of the water plant. This has worked very well for the Town’s wastewater treatment plant.

Loon Mountain Bridge Update

The target for going out to bid on this project is February 2014.

Transfer of Tax Agreement with JORI Properties

Town Manager Burbank informed the Board that there is a potential new partnership in the ownership of JORI Properties. The new owners would like to know if the Town would be willing to transfer the agreement for the payment of the outstanding taxes to the new partner. The Board agreed that they would be willing to work with the news owners and transfer the agreement.

MOTION: “To authorize Town Manager Burbank to negotiate on the Town’s behalf with the potential new partners of JORI Properties for the transfer of the tax payment agreement.

MOTION: O.J. Robinson

Second: Tamra Ham

Motion carries.

Chenard Property Update

Town Manager Burbank informed the Board that Mr. Chenard was in the office today. He is still slowly working on cleaning up his property. There has been minimal progress. Tamra Ham inquired as to the settlement date with Mr. Chenard. Mr. Burbank will follow up.

Rotary Signage

There has been some discussion as to the ownership of the property where the downed stop sign was located. Mr. Bartlett believes it is on Dennis Ducharme’s property. Mr. Burbank is waiting to hear from Mr. Ducharme to find out about replacing the stop sign as well as having some signage preceding the rotary installed.

Town Vehicle Placed for Bid

The 2003 Ford Explorer will be going out to bid next week.

Ice Castle at Loon Mountain

Loon Mountain Resort has asked to use the Town’s water to build their ice castle. Public Works Director Bill Willey would not allow them to do so as the 5 million gallons of water it will take to build the castle far exceeds the capacity of the Town’s pumps and treatment plant. The Town would have liked to accommodate Loon’s request however this far exceeds what the town’s system can handle.

VI. NON PUBLIC 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: O.J. Robinson

Second: Tamra Ham

Role call vote was all in favor.

The Board went into non-public session at 7:30pm.

MOTION: “To re-enter public session.”

Motion: O.J. Robinson

Second: Tamra Ham

Roll call vote was all in favor.

The Board came back into public session at 8:05pm.

VII. 2014 BUDGET REVIEW

The Board conducted a final review of the proposed 2014 budget. After their review, they approved it and agreed to forward it to the Budget Committee.

VIII. 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 8:45pm.

Respectfully Submitted,

Brook Rose

Approval Date ____/____/____

Chairman O.J. Robinson

Tamra Ham