

**LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
FEBRUARY 3, 2014 – 5:30PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

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

Staff Present: Town Manager, Alfred Burbank, Administrative Assistant, Jane Leslie.

Public Present: Town Assessor, Phil Bodwell, Ray D'Amante, Dennis Ducharme, Ron Beard and Dave Beaudin

I. CALL TO ORDER

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

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

MOTION: “To approve the meeting minutes of January 27, 2014 as amended.”

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

MOTION: “To approve the Non-Public meeting minutes of January 27, 2014 as presented.”

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

III. RIVERWALK TAX ASSESSMENT WITH PHIL BODWELL, COMERFORD *NEIDER * PERKINS, LLC.

Ray D'Amante addressed and summarized issues of concern to the Board on the future taxation process of the proposed Riverwalk Condominium Project. Units will either be sold as a single unit or in fractional shares as low as one-sixth share per unit. Mr. D'Amante discussed his responsibility to project expenses for public offering statement purposes, to the Attorney General's Office, as well as to perspective buyers, what the property taxes will be. Mr. D'Amante discussed RSA 356-B:3 Condominium Act, for purposes of assessing a condominium, each unit that has sharing interests shall be valued for purposes of real property taxation as if the unit were owned by a single taxpayer. Cumulative purchase price paid for the time sharing units, and any such units shall not be determinative of that units assessed price. Riverwalk will also have separate commercial units for sale or rent, which will be taxed individually and stand alone. Parties agreed that the selling price of the time shares include numerous non-real estate components, and therefore the selling price will not necessarily be indicative of the assessed value.

Phil Bodwell questioned Mr. D'Amante about RSA 356-B:4, Separate Titles and Taxations, “No taxes shall be assessed against the original owner of a time-sharing interest, but shall be assessed against the record owner of such unit, the owner's association...” and how this will fit in with the Riverwalk plans. Mr. D'Amante explained, the assessment will be reflected in the value of the unit and go along with how the Town chooses to assess the units, either by fractional unit or whole unit, and incorporate that into the condominium documents. Subsequently, there will be one tax bill per 100% ownership units, and fractured units will be billed through the condo association who will subsequently remit payment to the Town.

IV. OLD/NEW BUSINESS

Public Participation – Review of Mr. Bill Conn’s E-mail Requests

At the request of Mr. Bill Conn, O.J. Robinson read the following e-mail into the meeting minutes:

On January 13th's BOS meeting I asked the question on Black Mt. Road, who was the engineer, how much was the engineering contract, who authorized the work and what budget did it come out of? I was talking about the drainage that was put in during Hurricane Irene that the Town of Lincoln thought needed to be changed. The work I'm talking about is right in front of the Drew residence where the road splits and goes to Beechwood I and Beechwood II.

On the sewer contract you sent me, they were pretty vague. I'd like to see the part of the contract that shows the responsibilities of the Town of Lincoln and the Contractor - Utilities Partners, such as electrical, chemical, maintenance, etc.

In response to the email you sent me on 1/28/14, which I've attached a copy of, in respect to the Connector Road pump station please clarify, has there been no report of spillage since 1990 or has there been no spillage since 1990?

I would like this to be read into tonight's, 2/3/14 BOS meeting and minutes.

Thank you,

O.J. Robinson responded to Mr. Conn’s inquiries as follows:

Town Manager Burbank stated per Public Works Director, Bill Willey, there has been no spillage since 1990 at the Connector Road pump station. The original question raised in Mr. Conn’s previous email, concerning the drainage that was installed during Hurricane Irene was not worded properly; therefore, the Board was unable to respond appropriately. Town Manager Burbank to research the drainage input at the intersections of Beechwood 1 and Beechwood II and follow up accordingly, as well as to further evaluate the contractual responsibilities of the sewer agreement.

Town Managers Report

NH Electrical Co-op Appeal Court Case

Town Manager Burbank submitted a letter dated January 22, 2014 to the Board for review, received from George E. Sansoucy Engineers & Appraisers in reference to the 2013 Project Update and Billing Report for NH Electrical Co-op appeal court cases now pending. The Board to review letter and discuss further at the next scheduled Selectmen’s Meeting.

Water In-take project

Town Manager Burbank informed the Board the project is moving forward with the engineering almost complete, and hopefully will have a bid amount by Town Meeting.

Town land sale

The Board discussed putting Map 116 Lot 043, on a warrant article to decide the future use of this portion of land, and whether the Town should move forward with selling the piece of property.

NH Electrical Co-op Energy Efficiency Grant for Municipal Buildings

NHEC will be compiling information on our street light audit, and scheduling a discussion to review upcoming energy saving projects for the town.

Update on the Levee

Town Manager Burbank is continuing discussion with Bob Durfee and the Dam Bureau of the DES who has claimed jurisdiction as the sole regulatory agency overseeing the dam, and currently reviewing engineering reports.

Snow Mobile Club Permit Application

The Town received notification from the State DES that the Snow Mobile Club has been approved for a Wetlands Permit to expand the snow mobile trail system in the National Forest.

Collective Bargaining Agreement

After a brief discussion in Non Public session, the Board has decided to make the following motion:

MOTION: “To accept the Lincoln Police Department’s Collective Bargaining Agreement as negotiated.”

Motion: O.J. Robinson

Seconded: Tamra Ham

Roll call vote all in favor

V. NON PUBLIC SESSION *Pursuant to RSA 91-A:3:II(a,c)* personnel

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

Motion: O.J. Robinson

Seconded: Tamra Ham

Roll call vote was all in favor

The Board went into Non-Public session at 7:00 pm

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 8:10 pm

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: Patricia McTeague

All in favor.

The meeting adjourned at 8:30 pm.

Respectfully Submitted,
Jane Leslie

Approval Date ____/____/____

Chairman O.J. Robinson

Patricia McTeague

Tamra Ham