

LINCOLN BOARD OF SELECTMEN
MEETING MINUTES
MARCH 17, 2014 – 5:30PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH

Board of Selectmen Present: Patricia McTeague, Tamra Ham, Chairman Robinson arrived at 5:36 pm

Staff Present: Town Manager, Alfred Burbank, Administrative Assistant, Jane Leslie and Nikki Donahue, Trainee.

Public Present: Paul Beaudin, Dave Beaudin

I. CALL TO ORDER

Patricia McTeague 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 March 10, 2014 as presented.”

Motion: Tamra Ham Second: Patricia McTeague Motion carried unanimously

III. LINCOLN-WOODSTOCK SOLID WASTE FACILITY BRUSH DISPOSAL OPTIONS

Town Manager Burbank addressed the Board regarding a memorandum he recently submitted to Woodstock Board of Selectmen dated March 13, 2014, concerning the practice of burning brush at the Solid Waste Facility. In light of excessive complaints from residents and business owners primarily in Lincoln, Town Manager Burbank recommends a joint session with Woodstock Board of Selectmen to discuss an alternative approach to burning brush.

IV. TOWN OWNED PROPERTY DISCUSSION: CLEARBROOK & KANC REC PARCELS

Town Manager Burbank discussed his findings with the Board after researching two (2) town owned parcels acquired in either 1983 or 1984. Clearbrook #2E (M/L 126-062000-00-00000) and Clearbrook #2W (M/L 129-061000-00-00000) is land in which the Town of Lincoln holds the deed, although Town Manager Burbank is not certain how the Town acquired the property. Chairman Robinson suggested the Board of Selectmen take a road trip to the property for visual clarity on the actual size and location of the lots in early May, once the snow has melted.

Paul Beaudin discussed his thoughts on placing these parcels on the market, and stated he agrees to the process if it is done in a fair, consistent matter. Chairman Robinson stated his inclination is not to do anything with the Kanc Rec property at this time. The selectmen will also plan to view other unused town properties after the snow has melted and the weather is more conducive to a physical walk-through with the Board members.

V. LEVEE DISCUSSION – AFTER THE VOTE

Town Manager Burbank updated the Board on the current status of the levee, subsequent to Article 3’s failure to pass at Town Meeting. Town Manager Burbank has submitted an e-mail to the Department of Environmental Services (DES), Army Corp of Engineers (ACE), Town Attorney Malia and South Mountain Partners informing them of the outcome of the Town Meeting vote, and that there will be no

further action at this juncture concerning the levee until further notice.

VI. OLD/NEW BUSINESS

Public Participation

Paul Beaudin asked the Board if there is any way the Town can approach the Attorney General's Office to verify who legally owns the land in regards to the levee, and pursue available options versus just "dropping it." Town Manager Burbank reiterated the Town of Lincoln does not own the land, only the levee structure that stands on it. Chairman Robinson requested Town Manager Burbank contact legal counsel and request a fiscal estimate on what it would cost the town to get a declaratory judgment from the State over the ownership of the levee.

Paul Beaudin also feels the town should take a look at current assets for an inexpensive alternative to going out to bid on the bond for the Water Intake Project. Mr. Beaudin feels the town may have borrowing options within the realm of CIP funding, or in essence, the ability to borrow money out of our own capital reserve, so that the Town could save money. Chairman Robinson suggested we investigate through NH Municipal Association if the Town would be allowed to borrow from "itself" versus the bank.

Request for Information – Bill Conn

Chairman Robinson stated that the Board received a letter from Mr. Bill Conn. This letter was not read as it contained confidential information about Town personnel which made it inappropriate for public review.

School Board Funding Formula

The Board discussed the various funding scenarios that may arise if the school funding formula vote passes favorable to Woodstock residents. Selectman Ham was also concerned that the public was not aware the voting polls changed from the Elementary School Multi-purpose room to the High School.

Common Man Restaurant

Town Manager Burbank discussed Alex Ray's previous commitment to repair drainage issues emanating from his parking lot at Common Man Restaurant, and has emailed Mr. Ray several times stating the Town of Lincoln will not be renewing his lease until he completes all necessary road repairs. At this point, Mr. Ray has failed to respond to the requests of the Town.

Additionally, Town Manager Burbank stated he has had discussions with local residents at Town Meeting, and feels that Mr. Ray is not paying fair market value for said premises, and proposes the Board re-calculate Common Man's monthly rental fee in accordance with fair market values of commercial real estate. Selectman Ham agrees with Town Manager Burbank stating Mr. Ray must be held accountable and liable for repairs previously agreed upon, however, does not feel a rental increase is warranted. Selectman McTeague disagrees, and feels the town should increase monthly rent as does Chairman Robinson, and does not feel the Town should subsidize an established business.

Water Intake Structure Project

Chairman Robinson has requested the Town go out to bid on the bond beyond the New Hampshire Bond Bank, due to the significantly low bond amount and in an effort to keep associated bond fees low. Town Manager Burbank stated Helen Jones, Finance Administrator is currently reaching out to local banks and lending institutions and awaiting a response. Chairman Robinson also recommended the Board review the Town's entire investment portfolio and evaluates options available

Town Board of Selectmen Appointments

MOTION: "To make the following appointments:"

O.J. Robinson: Chairman of the Board of Selectmen
Selectmen's Representative to the Planning Board
Selectmen's Representative to the Capital Improvements Plan Committee

Motion: O.J. Robinson Seconded: Patricia McTeague Roll call vote was all in favor

Patricia McTeague: Vice-Chair of the Board of Selectmen
Selectmen's Representative to the Joint Loss Management Committee
Selectmen's Representative to Zoning Board of Adjustment

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

Tamra Ham: Selectmen's Representative to the Budget Committee
Joint Solid Waste District Co-Administrator
Selectmen's Representative to the Ambulance Board

Motion: Patricia McTeague Seconded: O.J. Robinson Roll call vote was all in favor

Town Manager Burbank will follow up with the write-in candidates to see if they are interested in serving on the Budget Committee, Library Trustee and Trustee of Trust Funds committee. Appointments will be discussed further at the next meeting

Town Managers Report

Town Hall Meeting Minute Recorder

Town Manager Burbank introduced Nikki Donahue to the Board, and explained Nikki has been hired for the position of Meeting Minute Recorder for the Board of Selectmen meetings as well as Planning & Zoning meetings. Town Manager Burbank expressed his anticipation, with Nikki fulfilling this responsibility, both Carole Bont and Jane Leslie; current meeting recorders, will be able to re-focus their attention and efforts on daily Town business.

Verizon Wireless Telecommunications Facility Application for Site Plan Review

Town Manager Burbank explained to the Board, Verizon Wireless has submitted an application for Site Plan Review to the Planning Board to install a Telecommunications Tower on top of Loon Mountain and is currently fulfilling land use requirements prior to the scheduled Planning Board meeting on April 9, 2014.

HB 1591 Right-to-Know Law Amendment

Town Manager Burbank distributed to the Board, the NH Municipal Association Legislative Bulletin, which discusses **HB1591** amendment which would require the posting of notice *and an agenda* at least 72 hours in advance of any meeting of a public body, except in an emergency. Current law requires 24 hours' notice, and does not require an agenda. The Board discussed the various ramifications affecting the town in the event this bill passes, which goes to the House floor for vote on March 19, 2014.

Lincoln-Woodstock Eagle Scout Proclamation

The Board has agreed to issue a Proclamation for Lincoln-Woodstock Troop 224's newest Eagle Scout, Jonathan G. Rich who is being recognized by the Eagle Scout Court of Honor on Sunday, March 30, 2014.

MOTION: "To make a Proclamation for Eagle Scout Jonathan G. Rich"

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

MS 2

The Board of Selectmen signed the MS-2

Town of Lincoln Personnel Policies

To Manager Burbank proposed a two prong approach to the process of reviewing and revising current Town Personnel Policy, which has not been amended since April, 2007. Town Manager Burbank recommends appointing a committee of Department Heads to review and advise on suggested revisions as well as a full scale review by the Board of Selectmen and Town Manager.

VII. NON PUBLIC SESSION *Pursuant to RSA 91-A:3:II(c)*

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 7:10 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 7:30 pm

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 7:40 pm.

Respectfully Submitted,
Jane Leslie

Approval Date __03__ / __24__ / __2014__

Chairman O.J. Robinson

Patricia McTeague

Tamra Ham