

**LINCOLN PLANNING BOARD
REGULAR MEETING MINUTES
WEDNESDAY, NOVEMBER 25, 2014 – 6:00PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

APPROVED

Present: Chair R. Patrick Romprey, Vice-Chairman Jim Spanos, Clerk John Hettinger, OJ Robinson, Selectmen's Representative, Paula Strickon, Callum Grant (Alternate), Taylor Beaudin (Alternate), Norman Belanger (Alternate)

Members Excused: None

Members Absent: None

Staff Present: Planning and Zoning Administrator Carole Bont, Town Manager/Town Planner Alfred "Butch" Burbank, Wendy Tanner (recorder)

Guests:

- Ron Beard, Lincoln Fire Chief, Town of Lincoln, P.O. Box 25, Lincoln, NH 03251-0025
- David Beaudin, Lincoln Water Plan Operator and resident of 10 Louis Lane, Town of Lincoln
- Paul J. Beaudin II, Manager of Lincoln-Woodstock Solid Waste Facility, Chair of Zoning Board of Adjustment and resident of 2 Louis Lane, Lincoln, NH 03251
- Susan (Sue) Clark, resident of 11 Plummer Hill Drive, PO Box 21, Lincoln, NH 03251-0021
- William (Bill) Conn, Owner and Operator of Lincoln Trucking and Excavating and resident of 177 Connector Road, Lincoln, NH 03251
- Edmond Gionet – NH Representative (r) for Towns of Lincoln and Woodstock and resident of 233 Pollard Road, PO Box 414, Lincoln, NH 03251-0414
- Roger Harrington, resident of 131 & 133 Pollard Rod, PO Box 386, Lincoln, NH 03251-0386
- Rickey (Rick) F. Kelley – President and General Manager of Loon Recreation Corporation at Loon Mountain and resident of 26 Conn Drive, Lincoln, NH 03251
- Cindy Lloyd, resident of 45 West Branch Road #6, Lincoln Budget Committee Member and Budget Committee's representative on Capital Improvement Plan Committee

I. CALL TO ORDER by the Chairman of Planning Board; announcement of excused absences, if any, and seating of alternates(s), if necessary.

II. CONSIDERATION of meeting minutes from:

- November 12, 2014

Motion to approve the minutes from November 12, 2014

Motion: Jim Spanos Second: John Hettinger

All in Favor: (4-0)

III. NEW BUSINESS

- A. PROPOSED ZONING CHANGE:** Chair Romprey stated the Planning Board received a letter from Bill Conn requesting that his property at Tax Map 110 Lot 015 on 177 Connector Road be restored from General Residential (GR) District to General Use (GU) District. Chair Romprey thought the lot was previously in the General Use (GU) District before it was changed to the General Residential (GR) District.

Bont explained the maps to the Planning Board noting the difference between what lots were located in the General Residential (GR) District, the General Use (GU) District and the Rural Residential (RR) District on the tax maps for the Connector Road area. Bont further explained that the lots on two sides of the Conn property are in the Rural Residential (RR) District and the lots on the third side are in the General Use (GU) District.

Town Manager Burbank stated that Bill Conn is currently building a garage on the property that will be used for residential purposes. If the garage is going to be used for business purposes in the future, the zoning district will need to be changed. Town Manager Burbank stated that he was not sure how the zoning was changed from the General Use (GU) District to the General Residential (GR) District but that it would require a vote at Town Meeting to change it back.

Chair Romprey noted that several years ago there were other parcels in town whose designated zoning districts had been changed and the owners wanted them restored back to their original zoning district designation. Some of the changes to the districts went through the Town Meeting process and others went through the Zoning Board of Appeals, but it was his recollection that all parcels were changed back to how they had been previously zoned. Chair Romprey stated that he saw no reason why Conn's lot should be any different.

Chair Romprey questioned the Planning Board if anyone had any further questions about the rezoning of this lot. Chair Romprey stated he would like to put an article on the Town Warrant supporting the zone change on Conn's lot (Map 110 Lot 015) from the General Residential (GR) District to General Use (GU) District.

Bont stated that it would be voted on again after a public hearing when the Planning Board votes to recommend the Selectmen put the article on the Town Warrant for Town Meeting.

Motion to submit a warrant of zoning change from General Residential to General Use for the lot owned by Bill Conn (Map 110 Lot 015).

Motion: Jim Spanos

Second: John Hettinger

All in favor: (4-0)

Bill Conn asked when it would be decided. Chair Romprey stated that the vote was to put it on the warrant and it would be voted on in the Town Meeting in March.

Bont asked if the Planning Board meant to change the zoning district designation for only the one lot owned by William and Cynthia Conn or should rezoning be on the warrant and apply to all three adjacent lots designated on the tax maps as being in the General Residential (GR) District.

- Tax Map 110, Lots 007 [40 Towle Road] owned by Carol C. & Peter F. Govoni
- Tax Map 110, Lot 014 [LO Connector Road] owned by Peter F. Govoni and Carol C. Govoni as Co-Trustees of the Carol C. Govoni Revocable Trust;
- Tax Map 110, Lot 015 [177 Connector Road] owned by William Conn and Cynthia A. Conn

Chair Romprey stated that Peter Govoni had not approached the Planning Board about a zoning change and Govoni owns the other two lots.

Town Manager Burbank stated that there would need to be clarity for the wording on the warrant of exactly which lots would be rezoned.

Chair Romprey stated that as of tonight, the warrant should reflect only Bill Conn's property. Chair Romprey stated that if Peter Govoni wanted to do the same zoning change to his property, it would need to be handled the same way. Chair Romprey said that the pond on Peter Govoni's property (M110 L007) is used for snow making for Loon Mountain and was listed as being in the General Residential (GR) District, but should not be.

Robinson asked if the Planning Board could make an inquiry to Peter Govoni regarding the zoning status of his property. Robinson felt that if the zoning was going to change for one neighbor, that if others wanted the change as well, it should be done at the same time.

Town Manager Burbank offered to contact the Govonis who are the owners of the other two lots to see if they were all were in favor of changing the zoning back to General Use (GU). The ownership of the three lots is as follows:

- Map110, Lot 007 is owned by Carol C. and Peter F. Govoni
- Map 110, Lot 014 is owned by Peter F. and Carol C. Govoni Co-Trustees of the Carol C. Govoni Revocable Trust and
- Map 110, Lot 015 is owned by William and Cynthia A. Conn.

B. 6:00 PM – CAPITAL IMPROVEMENT PLAN (CIP) FOR 2015-2020 –Public Hearing to Adopt the 2015-2020 Capital Improvements Program. The purpose of the hearing is receive public input and to consider the updated 2015-2020 Capital Improvements Program (CIP) for adoption.

Motion to Open the Public Hearing

Motion: John Hettinger

Second: OJ Robinson

All in Favor: (4-0)

Robinson stated to the public that he could go through the highlights of the changes to make it easier to see what is changing. Robinson stated there were some new items on the CIP list and others that were eliminated since last year.

Bill Conn asked for an explanation of the CIP process.

Robinson stated there is a \$15,000 minimum for a capital expenditure to appear on the CIP. Robinson stated that any expenditure over the \$15,000 limit is included on the CIP list for long term planning. There are ongoing projects like Sewer Line Jetting where some is done every year and the budgeted amount may be less than \$15,000 dollars per year, because some years less than \$15,000 may be spent, however, other years more than \$15,000 could be spent on Sewer Line Jetting. By including it in the CIP helps the town to keep track of the funds for that

particular project. If \$15,000 is budgeted for this year and we only spend \$5,000, the \$10,000 not used stays in the CIP account for that project because next year we might spend \$20,000.

Conn asked whether “jetting” was considered to be a project or a maintenance issue. Conn said that he thought that the CIP was being used as a “slush fund”. In his opinion, the department heads were not being held accountable for their budgets and half of their budget was in the CIP. Conn asked who does the Sewer Jetting. Robinson stated it was Sewer Line Jetting.

Conn stated that if sewer jetting is a maintenance issue then the department head should know how much is used every year to do the sewer line jetting. Conn felt that funds included in the CIP get lost or hidden. Conn stated he had no support for a CIP because he thought money included in the CIP was being used for a “slush fund”. Conn stated that he didn’t think that town departments that were spending the money were accountable for what they were spending because it did not show up in any department budget. Conn stated that \$15,000 was thrown away every day. Conn stated that the Town of Lincoln goes way back and they always had capital funds and paid a lot out of their pocket, but now it seems like funds are “hidden” everywhere.

Hettinger asked Conn what he means by hidden. Conn stated that the funds are hidden because half the people in the town do not understand the CIP.

Hettinger stated that any member of the public can receive a copy of the CIP for the town.

Conn stated they could argue however they wanted to argue.

Hettinger stated that he was not arguing, but only trying to understand what Conn was trying to say.

Conn stated that he was only saying how he feels. He feels that department heads are using the money put in the CIP like a checking account whenever they need another \$15,000 or \$20,000 here and there. Conn feels these expenses should be shown in the department’s operating budgets and listed under “maintenance”, so the town will know what was being spent on maintenance. Conn thought that doors for a garage should be considered to be “maintenance” and should not be listed in a CIP budget.

Hettinger stated that he was not sure what the public actually sees on the general operating budget, but that this year the CIP Committee made sure that on the CIP budget each CIP main account was correlated with the account on the General Operating Budget. For example, Hettinger explained that number 1 on the CIP budget was #1310-305. If you go to Finance Manager Helen Jones’ report for account #1310-305, you will see each project listed under that number and also in the General Operating Budget under the same number. Hettinger stated that the Budget Committee goes over every project every year.

Robinson stated that the basic philosophy is that the town has a set of infrastructure that needs renovating, replacement or basic maintenance over a course of time. The theory is that each

year we pay a fair percentage of the cost of maintaining the infrastructure. As an example Robinson said that “This year, even though we are not tearing up and replacing the sewer line on West Street, there is still a cost to have a sewer line on West Street and we are paying a little portion of that this year and we add that up through the whole town of all the projects that we are doing.”

Paul Beaudin stated that was not true. P. Beaudin stated that Robinson had said that “Current residents pay for current infrastructure.” P. Beaudin stated that that was not what a CIP was for. P. Beaudin stated that CIP was paying for present infrastructure as well as future infrastructure leaning more toward future infrastructure. P. Beaudin stated he has been paying for future infrastructure for years and is still paying for future infrastructure now. P. Beaudin said “Why should I have to pay for something that is 50 years down the road? When we build a road that is going to last 75 years, why should I have to pay for something that is going to last 75 years? This whole CIP premise is a guiding tool for the town manager and selectmen to use and it is a broken tool. It is broken for a lot of reasons. It is done by a committee appointed by the Board of Selectmen. There is no one on that committee, with the exception of you (Robinson) that is a voted member that is an unbiased member that can speak their piece and not have to worry about being taken off the committee.” P. Beaudin felt that the CIP committee should be a voted committee.

Robinson asked if he could get the subject back on CIP projects and not the process.

P. Beaudin stated that this is the only meeting that public can give input to the CIP process. There is no other way for the public to voice its opinion about CIP. P. Beaudin said that he has written letters to the town asking them to have some of their CIP meetings at night so that regular taxpayers could attend. P. Beaudin states he was refused. P. Beaudin said that the only time CIP meets is during the day so that the public cannot show up at the meetings. So this meeting now is the only meeting that taxpayers have the opportunity to voice an opinion about the CIP process and projects. P. Beaudin stated that since this is the only meeting to voice an opinion or ask questions, he hopes that the Planning Board does not shut anyone out.

Chair Romprey stated that P. Beaudin was correct and that if he really did want to change the process he could put in a warrant article at Town Meeting in March.

P. Beaudin stated that the purpose behind having the CIP is to get public support.

Hettinger stated that the other purpose is to balance out the budget for the next 4 or 5 years. Hettinger stated that the purpose of the CIP committee is to help foresee projects down the road so that over the next 4 or 5 years, as projects arise, CIP has been saving for them and the money is there to do the project. Hettinger said that one year you could have 10% more spending and the idea is to smooth out expenditures to keep the tax rate fairly constant.

P. Beaudin stated that he understood that, but when money is put in for replacement of equipment the equipment is replaced even though it could continue in service for a longer period. For instance, a backhoe was replaced; although the backhoe was 14 years old it only had 4000 hours on it. A 2007 Chevy diesel was replaced with only 53,000 miles on it. P.

Beaudin stated that there was no accountability for what happens. P. Beaudin said that when the amount of money needed for a CIP item is met, the CIP item is then replaced. There is no accountability for how long the equipment lasts or how much maintenance the equipment has on it. In another example, P. Beaudin said that the town just built a section of Pollard Road. P. Beaudin said that the most recent section of road was built like an interstate with curbing. P. Beaudin stated that none of the earlier projects for repaving parts of Pollard Road had any curbing on it. The Town Manager and the Public Works Superintendent both dislike curbing. P. Beaudin did not understand why curbing was done on that end of Pollard Road. P. Beaudin states there are no accountability and no set standards being followed.

Robinson stated even if hypothetically he agreed, P. Beaudin's concern still has nothing to do with how money is saved and budgeted. The CIP does not have anything to do with whether or not curbing is put on a road. Robinson stated that when we get approval to do a project we do it. Robinson stated that the people in charge (the Selectmen, Town Manager and the town-hired Engineer, who had a lot of input on the project on that end of Pollard Road) made the decisions. Robinson stated that if that project had been bonded instead of putting money aside in a Capital Reserve Fund, or if the town had funded the entire project through taxes in one year, the project would have been carried out the same way. The process would be the same. Robinson's point was that even if the project was done differently, (i.e. no curbing) it would not have affected the CIP process that we are talking about tonight.

P. Beaudin stating that if the money saved through the CIP was \$300,000, but the town only needed to spend \$200,000 to do the project if it had been done the same way as the earlier parts of Pollard Road (with no curbing), then the savings of \$100,000 could have been used on another project.

Hettinger stated that he was trying to understand P. Beaudin. Hettinger asked P. Beaudin if he thought that the entire CIP process should not be used at all.

P. Beaudin said that was not what he was saying.

Hettinger stated that he could not see the voters in town wanting to proceed without something they could see, such as the CIP process.

P. Beaudin stated that the taxpayers do not see the CIP process.

Hettinger stated that P. Beaudin was present at this particular meeting because he saw a notice for it and Bill Conn was here because he saw the notice too.

P. Beaudin stated that he was there because he read through the CIP draft and when he took a look at the March Town Meeting and he saw a warrant article that states "to raise and appropriate X amount of dollars to the Water Department Capital Reserve Fund, or the Highway Department Capital Reserve Fund", all the detailed items do not show. P. Beaudin stated that the taxpayers at the Town Meeting in March will only see the Fund title and not all the detail of what the actual reserve dollars are being saved for. P. Beaudin stated that he would rather see Capital Reserve Funds for specific projects.

Hettinger said that townspeople may be able to vote on that in a Town Meeting, but that the townspeople would experience big swings in taxes each year because of large projects.

P. Beaudin stated that the Town of Lincoln has big swings now in taxes.

Conn said that he felt what P. Beaudin was trying to say was that the Town needs to be more diligent in the projects it does.

Robinson stated what he thinks P. Beaudin is saying is that P. Beaudin is looking for more detailed explanation at the Town Meeting and by including CIP projects in the General Operating Budget there would be more explanation. Robinsons thinks was that there is no more explanation in the details of the General Operating Budget than there is with the CIP Budget, except that if someone asks a question at the Town Meeting specific to a project, one of the Selectmen will detail the project in the explanation. Robinson does not feel that the taxpayers do not understand the CIP process.

P. Beaudin feels that there are many items in the CIP that are right and should be there, however, P. Beaudin also feels that there are many items that are wrong and should not be in the CIP process. P. Beaudin feels that the Town spends a lot of money when it does not have to.

Robinson asked P. Beaudin to tell the Planning Board which line items he feels are wrong.

P. Beaudin thought that going through line by line would be a great idea. P. Beaudin started on page 21 of the CIPC 2015 Consolidated Spreadsheet. P. Beaudin was ok with the first item, Revaluation.

P. Beaudin then went on to Property & Building Maintenance. P. Beaudin asked what line 18, "Maintenance of Town Owned Properties" was.

Robinson stated that the line entitled "Maintenance of Town Owned Properties" was for covering unanticipated costs of Town Owned buildings such as a boiler or furnace going bad.

Town Manager Burbank stated there was a furnace at the highway garage that is cracked.

Robinson stated the fund was for furnaces, hot water heaters, windows, siding and other town owned building maintenance.

P. Beaudin stated that was the problem. P. Beaudin said that all of these items should be in regular maintenance budgets compiled by each of the department heads. Anyone that does maintenance knows how long a boiler will last and should budget to replace it in 25 years to ensure enough money is in the budget to get a new boiler. P. Beaudin thinks that funds for the new boiler should be in the General Operating Budget. If the boiler only costs \$5,000 it should be in that department's General Operating Budget. If it costs over \$15,000 it should be in the CIP capital budget.

P. Beaudin stated that because of the way the Town budgets with the CIP and the General Operating Budget today, purchases are happening too early – sooner than required. P. Beaudin said “a back-hoe was replaced at 14 years old and only 4000 hours on it. There is much older equipment than that and it still runs fine. It was replaced too soon and unnecessarily.”

P. Beaudin said that what is happening with the CIP now is departments are consolidating many small projects to reach the \$15,000 CIP threshold. P. Beaudin felt that it was not meant to be done this way. P. Beaudin said that the smaller projects should have been put in with the General Operating Budget for that specific department.

Robinson said that the back-hoe P. Beaudin was referring to was looked at by the manufacturer and had problems that were expensive to repair. Based on the findings of an expert who gave an expert opinion – the back-hoe was replaced. Robinson stated that although P. Beaudin does not agree with the expert’s assessment, it was not a split decision to replace the back-hoe; the decision was also based on many other factors.

Robinson said that he understood one of P. Beaudin’s concerns was that in his opinion department heads can go out and spend money whenever they want to. Although Robinson is not abdicating the Selectmen’s authority to oversee department head spending, he is trying to explain the reasoning behind the CIP process. Robinson used another example of the highway garage saying, “They did not know when their boilers were going to break. Although they [boilers] are getting old, they were not broken. Rather than letting the Highway Superintendent put the cost of a new boiler in his budget in 2009 and then say ‘we don’t need it’, and then again in 2010 when it does not break he will also say ‘we don’t need it’ and so on; this capital reserve is there to save money for this particular reason.” The departments are not out spending the money set aside for the boiler because it is in their budget. The money saved is meant for a specific purpose. They wait until the funds are needed. Robinson said that when to make the purchase is a judgment call. Robinson said that no matter how you do the CIP process, it still depends upon the Selectmen and the Town Manager to decide when the boiler or equipment should be replaced. Robinson stated that maybe the Town needs to have a higher capital limit. We could put all of the small items into the General Operating Budget, but then we have to have more flexibility when large unexpected (i.e. broken boiler or broken water heater) maintenance problems come up.

P. Beaudin stated that the purpose behind maintenance is to replace something so that it does not cost you more money in an emergency to replace it and you get more efficient equipment as you maintain it. P. Beaudin stated as a taxpayer he would like to see the CIP go back to the way it used to be, which was for only the big ticket items. P. Beaudin said that placing the maintenance items in a Department Head’s maintenance budget in the General Operating Budget is how you get accountability for those items.

The focus moved back to the CIP list of projects.

P. Beaudin questioned number 56, Repair or Replace Town Owned Salt Shed. P. Beaudin questioned \$100,000 for a salt shed.

Rick Kelley questioned number 23, Repair/Replace Kanc Dug-outs. Kelley questioned why this was a capital item at only \$1,000.

Hettinger said the Kanc Dug-outs was listed only as a reminder. Hettinger stated there were many items that could be removed from this list, but would need to be on another list as a reminder to have them done.

P. Beaudin stated that was what the department heads were for.

Hettinger also mentioned that he thought the state wanted municipalities to have a 5 year plan.

There was a brief discussion about other items on the CIP list and whether they should or should not be listed as part of the CIP capital budget because they are under the \$15,000 capital limit.

P. Beaudin stated that there is no standardization in doing any projects around town. P. Beaudin said there should be a maintenance line item that encompasses all building maintenance in all town owned buildings.

Hettinger asked P. Beaudin if all maintenance was in one budget, would you still be able to go through each line item in a public meeting like this one.

P. Beaudin stated that he could. There should be a list under a heading "Maintenance" that would list each and every building maintenance project.

There was a discussion on projects that have no standardization. Roads seem to be built very differently and at different costs all over town. Some have curbs, some do not. The consensus was that there needs to be more standardization per project so that over spending is not an issue.

Strickon asked if P. Beaudin wanted to separate projects that were less than \$15,000 from projects that were more than \$15,000.

P. Beaudin stated as a taxpayer the projects that are on the CIP list and under \$15,000 should come off of CIP and put into regular maintenance budgets. P. Beaudin stated that he would also like to see standardization on some of the big projects like roads, water and sewer.

Strickon asked P. Beaudin how he would differentiate between project under \$15,000 that were maintenance items or non-maintenance items. Conn stated that if the project was under \$15,000 you would not worry about it anyway.

P. Beaudin then stated that you could split the category between maintenance and replacement. Anything under \$15,000 could go into an administrative maintenance account managed by the Town Manager. The Town Manager would decide which project would receive the funds first.

Conn stated that the point is the Town Manager should be managing anything under \$15,000 and CIP was for anything over \$15,000.

Town Manager Burbank said that it is a management issue. Town Manager Burbank stated a recent case where one of the town buildings had a carbon monoxide leak because the furnace was not properly maintained. Having to replace this furnace was critical and funds were found in CIP to purchase a new furnace. Burbank stated that he would not want to see a tax spike because of multiple critical problems arising simultaneously.

There was a brief discussion on whether the town was able to have a “contingency” fund.

P. Beaudin stated if maintenance was in an operational budget and a critical item came up, then the Town Manager would need to decide if other items budgeted on the list could be put off so that the critical items could be repaired/replaced.

Rick Kelley said there is also an act of management that needs to be done to manage the maintenance or operational budget. Kelley stated they should not keep adding money to the fund; the fund’s manager needs to decide where the money is needed most.

Town Manager Burbank told what he has seen in the past two years. The infrastructure in the town has been neglected. The buildings in the town have been neglected. The Town Hall and the Fire Station are currently in need of work. Without laying blame, you cannot let the town infrastructure go and not do what needs to be done. Town Manager Burbank said it was better money management if the town plans for and sets money aside for the inevitable for an aging infrastructure. There are 50 year old water and sewer lines in this town that need to be replaced, but these are big ticket items so that does fit criteria for CIP. But the small items are still an issue that Burbank feels are better managed by putting funds away for specific items. When you bond a project you are paying for the project going out 20 to 30 years which goes against what P. Beaudin was saying about not paying for items so far down the road. Town Manager Burbank stated that when you use a CIP and set money aside to pay for items, the Town is setting money aside for items “in your time”, not 20 or 30 years down the road.

P. Beaudin stated that the percentage of yearly increase is too high. Three percent (3%) of the total budget is the annual increase that the Selectmen believe is okay. P. Beaudin feels that percentage is too high.

Town Manager Burbank stated that this is the topic that the Planning Board should be hearing about from the public. The Northeast index was 1.75% last year. The 3% is a little high, so that is a conversation the public should be having with the Planning Board and Selectmen.

P. Beaudin stated that maybe the town should hire a full time maintenance person to keep the town infrastructure working.

Chair Romprey stated that the furnaces in the Fire Station were cracked. All 4 furnaces were cracked at the same time. They were all serviced by the same company. Why didn’t anyone receive a report about the damage?

P. Beaudin said it looks bad to be budgeting things in the CIP that should be in the regular operating budget.

Chair Romprey asked if the \$15,000 was a one-time one-year expense, or a collective 3 year thing. Were we saving \$5,000 per year over a period of 3 years to save up for a \$15,000 project? Or were we saving and spending \$5,000 every year for 3 years?

P. Beaudin stated that he did not care if it was a collective thing.

Chair Romprey asked if P. Beaudin meant that if the Town was saving money for a project that costs \$15,000 by setting aside \$5,000 per year for 3 years the Town should put that project into a General Operations Budget instead of a CIP budget.

P. Beaudin said yes.

Chair Romprey did not agree.

Strickon asked P. Beaudin that he had “heard from people” what these people have said.

P. Beaudin said that people have told him that they think that the Budget Committee should not put things in the CIP that are under \$15,000.

Conn said he was confused because at Town Meeting they vote to put money in capital reserve funds. Now in looking at the CIP list, the same items are listed here, and Conn asked if this the same thing that is voted on in Town Meeting?

David Beaudin asked if the money for the backhoe was taken out of the CIP budget and not out of a Capital Reserve Fund somewhere, then was it listed twice.

Chair Romprey stated it was not listed twice.

P. Beaudin asked about the bond project “Proposal to Replace River Intake Gallery” and stated there is \$40,000 in CIP for next year on that project when the project was just done this year. P. Beaudin asked what the funds were for.

Robinson explained that for planning purposes, the CIP ends on page 29. The bonds were added to the CIP document so that the CIP Committee could see what the impact on the taxpayer would be of the CIP budget plus the bonds that the Town is obligated to pay. This is the only bond added to this process, the others bonds are not new. This new part of the CIP Report was added as a planning tool. The committee added the bonds in so that when we chose to bond the water treatment instead of saving for it, that we would know what our total expenses with the annual CIP amount plus the new bond that was taken on. The Levee was also added in but was not passed this year (March of 2014) so the amount budgeted for 2015 is zero (\$0). Going forward the CIP Committee added those two things together as the CIP committee did not want to keep bonding things. The purpose of this part of the report was to

look at what the sum of the bond and the CIP Budget would be if those two things were added together.

David Beaudin then asked about putting money into the capital reserve fund versus the CIP Budget.

Robinson stated that the difference was that what happens to the money at the end of the year on December 31st. With a General Operating Budget, any funds not spent go back into the General Fund. Robinson used the water department as an example. If there was \$50,000 in the water department's General Operating Budget unspent at the end of the year, it is moved back into the General Fund. The Water Department could not spend it next year. You would have to start all over again on January 1st to raise and appropriate the money for that purpose. The Capital Reserve Fund is different. If the Board chooses not to buy something, build something, renovate something that is in the Capital Reserve Fund, even though the target date to purchase the item or do the project is in 2014 it is possible to wait until 2015 to do the project. The money will sit in the Capital Reserve Fund account until you need it.

Chair Romprey stated that regarding the \$15,000, the format cannot be changed this year. If people want to get together next year and change this process, Chair Romprey does not have any issues with that.

P. Beaudin stated that he had come forward before on this subject and no one would talk to him.

Robinson stated that this is the appropriate time for people to come in and discuss the CIP process. They are hearing what is being asked for. Robinson would suggest that the CIP committee have a meeting subsequent to this meeting to discuss the possibility of changing the CIP process.

P. Beaudin stated that Chair Romprey does not want to change anything now. Chair Romprey stated he did not want to change the protocol now. P. Beaudin said he is suggesting the protocol be changed. Robinson said that he thinks the CIP Committee should get together and have a subsequent meeting. Robinson asked if P. Beaudin agreed. P. Beaudin agreed.

Robinson asked if the public wanted to go over any specific items or if anyone has any questions beyond the theory of the CIP process.

P. Beaudin asked about the purpose of the entry on page 22 called "Engineering" under the Village Center & River Front Park. Robinson explained that there have been projects in town that need to be looked at by engineers and no money was put aside to hire an engineer to look at these projects. This money is there for unexpected unanticipated purpose. P. Beaudin asked why this was not in the administrative budget under engineering. Originally this line item for "Engineering" was in here for the Planning Board to review plans that they were not capable to look at without assistance. Robinson said that was what the Engineering funds were in there previously, but it has not been in the CIP for more than one year and was added back in new this year to be used for engineering projects.

Bill Conn asked if money was being put aside to repair/replace items at the community center. Robinson stated that was line item 95 under Roads and Streets.

Roger Harrington complained about the volume of water coming down from Forest Ridge. Harrington stated that the brook and culverts cannot handle the amount of water coming down the hill. Chair Romprey stated that Forest Ridge is building retention ponds to help with the water drainage. Robinson said that going forward with the Pines at Forest Ridge the Planning Board has directed the developers and owners at Forest Ridge to get NHDES to approve their water flow and the Forest Ridge builders are required to put in retention ponds.

Bill Conn spent time talking about culverts. Robinson said this is not really a CIP issue.

Harrington stated that one issue at Forest Ridge is that nothing related to their earlier approvals have been taken care of correctly to begin with. Existing conditions that are at Forest Ridge have never been mitigated properly. So even though the Forest Ridge developers are going to take care of issues as they add on, the other older issues are still there and are going to continue to be an issue. Part of the requirements you can ask them to do is to comply with earlier conditions of approval. Chair Romprey stated the conditions related to drainage would show up in a DES report as well. Chair Romprey said there is one entire section in Forest Ridge that is basically dormant.

Robinson asked if the town was in a position to ask the current developer in 2014 to fix the problems that were initiated in 1990's.

Harrington asked who owns the land. Robinson said New Jefferson Holdings, LLC. Bont cautioned that New Jefferson Holdings, LLC only bought the assets, not the liabilities from JORI Properties LLC. Supposedly, JORI Properties, LLC still owns the liabilities.

Chair Romprey stopped the conversation to guide it back to the CIP.

P. Beaudin wanted to know why they are moving the booster pump station. Robinson stated that it was planned years ago by Centex, the town's booster station, is going to be moved to get more water.

Town Manager Burbank stated that several years ago the Town had an agreement with the developer Centex to expand the pump station located near the Lincoln Water Treatment Plant. If you drive by the Water Treatment Plant, there are two pipes sticking up out of the ground. In 2007 there should have been an addition put on that pump station building. The pipes sticking out of the ground were supposed to pass behind our current treatment plant and hook up to the water pump station. Late in the fall of 2007 the developer stopped because they ran into ledge and winter was coming. Then the economy tanked and nothing was done for 7 or 8 years. The expansion of the pump station never occurred. The water pumps never got moved. It appears that there were some agreements between the town and the developer. Some of the agreements were in writing. Some were negotiated behind closed doors and sealed with handshakes. It

appears that the town agreed to do certain things if the pump station got built and the water lines run.

According to Town Manager Burbank, the town had a water study done in 2006-2007. The water study indicates that the pumps that are currently in use up there were only intended to work for a short period of time for very few homes. Since then additional homes were constructed. Our town water pumps suffered damage. The added demand on the pumps has caused damage by taking the head pressure away and consequently we have burned up some town water pumps.

Where are we at? The town is going to expand that pump station at South Mountain and move the pumps down to the new station. Then the current owners have to complete that water line loop and at some point put in a water tank. Once that is done, the town will take over maintenance. The Town Manager and the Selectmen are currently trying to set up a meeting with the current owners to hash that out because the homes that have been built up there do not have fire protection. Consequently, the Town has shut off all building on that side of the mountain until the problem can be resolved which has got the developers' attention. We are locked in by agreement to move the water pumps down to the expansion. In the current CIP the town is putting money aside so that we can complete our part of it.

P. Beaudin stated that part of the impact fee is on new development. Could there be a separate impact fee for new developments that come into town?

Robinson stated that the town has water tap fees, sewer tap fees and the newest fee is a bedroom tax. The bedroom tax is a general tax that everyone pays, whether you are single home owner or a contractor.

P. Beaudin asked if water tap, sewer tap and bedroom fees are considered impact fees.

Conn asked if you could levy impact fees on Forest Ridge developers to fix the drainage.

Town Manager Burbank said that a plan to address drainage issues was in the works in this latest Planning Board approval for "The Pines" at Forest Ridge.

Chair Romprey said that in the DES package it calls for them to mitigate runoff and drainage. So yes, they can be made to fix it. The big question is that when they bought the property they claimed they bought the assets but not the liabilities.

P. Beaudin asked about page 26, line item #36 and #95 both list drainage repair, how come there is not just one "drainage repair" listing. Why two?

Robinson states that line item #36 is specifically for Beechwood. Town Manager Burbank said that the town owns the roads in Beechwood I.

Robinson said line item #95 specifically in 2015 is for the drainage problem at the Community Center (caused in part by the Forest Ridge development) and ongoing is for all other culverts and drainage everywhere else that is needed.

Conn said there was culvert failure at Loon Mountain at Beechwood.

Edmond Gionet asked where the paperwork was that states that the town owns the roads at Beechwood. Gionet said that road – Beechwood – could not be accepted by the town until there was an engineer approval on it. Gionet stated that engineer's approval never happened; there was never an engineering approval for Beechwood Road.

Robinson said that someone in this town recorded the deeds at Grafton County Registry of Deeds which is the legal basis for the town taking responsibility. Robinson told Gionet that he knew Gionet disagreed with that, but the legal opinion is that the town is responsible.

Gionet stated it sounded like an illegal act because of action taken on the floor of Town Meeting. The town's position was that Beechwood Road not be accepted until there was an engineer's stamp of approval and that motion passed on the floor. Gionet said that someone got back to Haverhill [to record the document at the Grafton County Registry of Deeds] before the ink was dry and showed that the town had some liability. Gionet disagreed with that and does not think the town has any liability for Beechwood roads.

P. Beaudin asked about the culvert behind the community center and what had been done. Robinson explained what happened to the culvert behind the community center during Tropical Storm/Hurricane Irene when a piece of plywood blocked the grate in front of the drain causing substantial damage. The town asked its engineer to look at moving the entrance to the culvert so that such an event would not happen again.

P. Beaudin asked where the railings were on the bike path (page 26, line j). Town Manager Burbank stated that the railings go almost the entire length of the path. The railings are starting to show wear and the town owns the railings.

Taylor Beaudin asked about Pollard Road reconstruction. There are still funds there and it appears that Pollard Road has been completely repaved in the last two years. Town Manager Burbank stated that the Town is trying to be proactive to upkeep the Pollard Road. They are already crack sealing parts of Pollard Road that were worked on in prior years. The Town is looking at how to keep it maintained because it is a major road in the community.

P. Beaudin asked about sidewalk maintenance, \$12,000 ongoing. Town Manager Burbank stated that it has been an ongoing item. All of the sidewalks along Main Street have been done in the last two years.

P. Beaudin asked about the tap fees and how the tap fees work with the CIP. Are there projects in the CIP that the water and sewer tap fees could be used for? Town Manager Burbank stated that there is a written legal description of what you can use the water and sewer tap fees for. Robinson said that the town still has to plan for it. The Town budgets a certain amount for the

expenditure, but when it comes time to pay for it, the Town can say the offsetting revenue is \$X amount from the water tap fees or the sewer tap fees or the bedroom fees account. Hettinger asked people to look at 34A on page 23. Robinson stated that when the bedroom tax is collected it must be spent within a specified period of time. Bedroom tax is what is being used for the water treatment plant. The bedroom tax can also be used to pay the water intake structure in 2015. Sewer tap fees are used to pay for the bond related to sewage or new projects.

P. Beaudin thinks that the maintenance items need to be removed from the CIP items. He wants the Town to try to keep the taxes lower and not raise tax rates every year. "CIP is a big chunk of change." P. Beaudin said that it is all about the tax dollars.

Chair Romprey said he understands the comments about separating out non-CIP items from CIP items. Chair Romprey said that the CIP tool is exactly what it needs to be for the larger items. Chair Romprey said the CIP Committee does a great job of trying to stabilize the tax rate as much as possible which Romprey does not believe possible if there is no CIP.

Conn asked about page 26 line 71, "Reclaim and Pave West Street". Conn asked if it was a reconstruction or a repave. Robinson said it was for a complete reconstruction of West Street. Town Manager Burbank felt the name of the line needed to be re-titled to reflect their intention.

Conn asked about line 55, Rue de Gionet Road box out.

Conn then asked about the "Back Alley Overlay". Conn said, "Your predecessors paved that road and at the time voted never to touch that road again." Conn asked if the Planning Board or Selectmen had revisited that vote and changed that vote. Bont asked what year that decision would have been. Edmond Gionet thought that decision was taken around 1999ish. Robinson said that the Planning Board should look it up and reconsider line g. "Back Alley Overlay".

Gionet said, "There has been an issue here on what is called Palmer Road with that culvert. And there was another person that came forward today that recollects the town putting the culvert in that popped up out of the blue. The town has taken a position not to work on this. This money in here for culvert and replacement what it encompasses. There are four (4) affidavits right now that indicate that the town put those culverts in. In addition to that the volume of water is increasing the drainage there in the asphalt jungle. Forest Ridge has caused the roads to erode. It is possible from what I overheard as recent as last night that the sewer might have been damaged that goes under the culvert, I do not know that it goes under the culvert. Some seem to think that it does and maybe it does, I do not know that. The town put this culvert in and they maintain it and now they do not want to assume the liability."

Chair Romprey stated that is a Town Manager and Selectman issue not a Planning Board issue. Gionet stated that was right but that there is money in the budget for this. Conn stated that the Town put a lot of things in back in the day. The developers of Forest Ridge need to step up to the plate or somebody developing above there needs to step up to the plate and fix some of that stuff. Chair Romprey stated that no one was disagreeing with that, the drainage problem needs to be fixed.

Conn asked if the town should fix it, “I think it’s basically illegal, I don’t know where you go with it.” Chair Romprey stated that the problem is there are so many legal entities involved that you just can’t step in and do it.

Robinson repeated the question “Is it legal for the Town to do the repair?”

Rick Kelley said the developers of Forest Ridge are “still hanging off that planned development that ties everything together”. They are going out and getting the same densities and all that off another [earlier] plan. Chair Romprey said that although New Jefferson Holdings, LLC, was a very small part of that group they are the ones who are active. The other thing [Lincoln Development, LLC] is totally inactive.

Conn said the Town should rent a culvert and replace it.

P. Beaudin said that the Town has the ability to put a special tax on Forest Ridge for issues that they are creating down the hill, just as the Town can do in Beechwood Acres.

Robinson said “It’s not that easy.” The Town looked into special assessment, tax increment districts and one other thing at Beechwood Acres – none of which were possible. And at Forest Ridge it would be even less possible.

P. Beaudin said the Town could consider it an “emergency lane” and by declaring that an “emergency lane”, as long as it serves a public purpose, the town has the ability to do the work on it. To improve the drainage would be the public purpose, and the town could use money to fix that. Romprey said that there are other avenues we can go down but the Town would prefer not to do them unless they have to.

Robinson said the Planning Board should direct the CIP committee to take into consideration of what was said tonight, have an additional meeting and re-present the CIP to the Planning Board in two weeks.

Robinson said the Planning Board should not accept the CIP the way it is today. Town Manager Burbank said that the CIP committee should review the \$15,000 threshold and return to the Planning Board.

The next date to continue the public hearing will be December 10th

Motion to close the public hearing.

Motion: OJ Robinson Second: Jim Spanos

All in Favor: (4-0)

Jim Spanos asked if the Town had a contingency fund. Robinson said that in the line titled “Roads and Streets” there is a line for General Maintenance where it is unspecified. Town

Manager Burbank said that the Town is only allowed to have 10% of its operating budget for emergency spending.

Taylor said that the boiler is something we should not have gotten hung up on. There are other items like doors that should be looked at.

Chair Romprey said there are a couple of things here that make sense. There should be an established maintenance program for all these buildings. All that stuff should be inspected on a regular basis. You can actually create a maintenance budget that way. Robinson said that the problem the Planning Board will face is when they have a \$30,000 or \$40,000 line item for general maintenance, and then the public complains that it is a slush fund.

Hettinger thought that there are more than 40 items that are below \$15,000 that could be deleted from the CIP list, however, where do these 40 items now go? Robinson stated that was the Selectmen's problem.

Romprey asked if everyone understands the CIP the way the chart is today.

Strickon stated the public has to look at the spreadsheet but the spreadsheet is easy to read. Strickon thought that the problem could be people reading the descriptions in the front and they assume that is money that is going to be spent this year and it is not.

Robinson stated that the problem is not everyone agrees with how money should be spent and what the priorities are. And that is always going to exist if we put the money in CIP.

Water and Sewer Tap Fee Schedule

Robinson stated that these fees have not changed in almost 25 years.

Robinson stated the Board of Selectmen reviewed the fees. Based on its review the Board increased the fees for campgrounds, reformulated how additional sinks, half baths and extra toilets would add up to a full bathroom.

Jim Spanos said that a motel was 1.5 points per room and now they are 6 points per room because every room has a bathroom.

Bont said, say there are two rooms, one has the pull out couch and the other is a bedroom, so those count as two rooms. Plus the bathroom is same as a full bathroom in a residence. But, if it is over at RiverWalk it is set up more like a house, a dwelling unit, and therefore we charge like a dwelling unit. So it is a discount for the run of the mill motel, lodge or ski club.

Jim Spanos asked why some of the items went up in price.

Robinson said that the Town does not charge for water or sewer on a per gallon basis, we get our money once and that is when someone builds. And beyond that, the cost of water and

sewer is built into the tax base. The infrastructure required for the new construction is costly to the town as far as pumps, pipes water treatment, etc.

Spanos asked if the current fee structure was not bringing in enough money to fit our needs.

Robinson stated yes, that is correct. Bont and Town Manager Burbank agreed that the current fee schedule does not draw in enough money to pay for the current infrastructure.

Strickon stated that if you look at the points against the amount, it is fair.

Bont stated that the one-time water and sewer tap fees add up to still less than what she pays on a yearly basis for water and sewer for her home in her town – the Woodsville Precinct in the Town of Haverhill.

Robinson stated to keep in mind what it would cost to put in a well and a septic system if the Town did not offer municipal water and sewer.

IV. OLD BUSINESS

None.

VI. ADJOURNMENT

Motion to adjourn at 7:58PM

Motion: OJ Robinson Second: Jim Spanos

All in Favor: (4-0)

Respectfully submitted,

Wendy Tanner, Planning Assistant

Dated: November 25, 2014


R. Patrick Romprey, Chairman