

LINCOLN BOARD OF SELECTMEN'S  
MEETING MINUTES

**APPROVED**

SEPTEMBER 14, 2020 – 5:00PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

(THE RECORDING OF THIS MEETING CAN BE FOUND ON YOUTUBE)

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**Board of Selectmen Present:** Chairman OJ Robinson, Vice Chair, Tamra Ham, and Selectman Jayne Ludwig

**Woodstock Board of Selectmen Present:** Scott Rice, Charyl Reardon, and Gil Rand

**Staff Present:** DPW Director, Nate Hadaway, Recreation Director, Tara Tower, Police Chief, Chad Morris, Fire Chief, Ron Beard, and Administrative Assistant Jane Leslie

**Excused:** Town Manager Burbank

**Public Present:** Roger Harrington, Dave Beaudin, Maryanne Marcoccio, and Cliff Dauphine

**Public Present via Zoom Video Conferencing:** Carol Riley, Michael Marcoccio, Bill Waterhouse, Mary Conn, and Kelly West

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**I. CALL TO ORDER**

Chairman Robinson called the meeting to order at 5:17 pm.

*Chairman Robinson apologized for the meeting delay and explained that the Selectmen had a brief non-meeting with town counsel.*

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**II. JOINT DISCUSSION WITH WOODSTOCK BOS (Transfer Station/Short-Term Rentals)**

Chairman Robinson explained that the Lincoln Selectmen had a previous discussion concerning short-term rental guests (non-resident/non-taxpayers) and their use of the Solid Waste Facility. Robinson explained that the Board had several concerns: (1) educating short-term rental guests on the town's recycling rules and regulations, (2) regulating the flow of short-term rental visitors entering the transfer station (sticker system), and, (3) whether or not short-term rental owners should be responsible for their unit's garbage disposal.

Woodstock Selectman, Scott Rice feels that landlords should be responsible for supplying dumpsters and/or a trash removal system for their rental property(s) instead of every guest having to visit the transfer station to dispose of their trash. Rice added that if the individual(s) are not taxpayers or residents of either Woodstock or Lincoln, they should not have access to the transfer station. Lincoln Selectmen were all in agreement with Rice.

Robinson encouraged the enforcement of the "sticker system" that was previously implemented but may have lapsed over the years. DPW Director Hadaway commented that checking every vehicle for a dump sticker may prove to be a challenge for the two (2) full-time employees at the transfer station because of the sheer volume of traffic that visits the station, particularly on Thursdays (facility is closed on Wednesdays), and may require hiring additional full-time staff. Rice suggested posting signage that all vehicles must have a dump sticker to dispose of trash at the facility which may help with the messaging. Selectman Ludwig suggested that the Town Clerks oversee issuing dump stickers to their residents/taxpayers since they already register motor vehicles and handle the tax bills and would know who the town's residents are. Ludwig feels that Transfer Station staff have enough to worry about, and this would be one less burden that they would have to deal with.

Both Boards agreed that the issuance of dump stickers will now be handled by the Town Clerks in both respective Town Halls, and the Solid Waste Facility will be for residents and taxpayers *only*. Robinson explained that the Town of Lincoln has a registration process for their short-term rental unit owners, and as part of the registration process they will be made aware of this rule. The Boards also discussed posting signage in several locations at the Transfer Station so that the public is aware that all vehicles must have a dump sticker to enter the facility or they will be turned away.

### **III. HALLOWEEN – OCTOBER 31<sup>st</sup> *Discussion with Woodstock BOS***

Selectman Ham addressed both Boards and explained that she had spoken with Recreation Director Tara Tower on possible options for having a safe Halloween in the age of COVID. Ham explained that the NH Municipal Association (NHMA) recently had a conference call where it was decided that the State would not make a statement on what capacity Halloween should happen, and that would be left up to the individual towns, however, on Wednesday, September 30<sup>th</sup> NHMA will be holding a webinar that will address some concerns that local municipalities are having with COVID, and how it will impact Halloween. Ham does not feel any decisions should be made until after the webinar on the 30<sup>th</sup>, however, the following are some ideas that she and Tower came up with:

- Roping off /barricading an area at either the school parking lot or at the Hobo for kids to safely socially distance while cars drive around and hand-out candy, rather than randomly knocking on neighborhood doors. Rec Director Tower added that she has already gotten permission from Ben Clark to use the Hobo Parking Lot.

Selectman Rice commented that he feels that Halloween should go on as it normally does every year, and if a house does not want to participate in the trick-or-treating and handing out candy, they can turn their lights off. Rice cannot understand why they would want to bring all of these children and their parents together in one location, when they can stay separated and trick-or-treat amongst themselves and away from crowds of people. Rice added that people are going to trick-or-treat and hand out candy regardless of what the towns recommend they do. Selectman Reardon added that in addition to doing what Scott suggested and letting Halloween take place as usual, the towns can come up with guidelines on how to have a safe Halloween (e.g., adult/children must wear masks, households will physically hand out candy and put into the children's bags). Selectman Rand commented that he does not want to complicate this, and anyone who is *not* comfortable in participating doesn't have to, and they can just shut their household lights. Rec Director Tower added that the only other thing to keep in mind is that Halloween is on a Saturday this year, which will probably bring out more children because it is not a school night.

Selectman Rand commented that this is sounding more like government over-reach by trying to stop trick-or-treating and over-organizing the event, and parents simply need to make their own decisions and be responsible for themselves and their family, just as residents need to be responsible for their own safety when handing out candy (masks, social distancing etc.).

The Boards agreed to continue this discussion after the NHMA Webinar "*What will Halloween Look Like This Year*" scheduled for September 30<sup>th</sup> and then they will meet with the Woodstock Selectmen during their October 6<sup>th</sup> Board meeting at 5pm to make a final decision. Selectman Rand also asked that this discussion be open to public participation for their input as well.

Selectman Ham read the following email from Megan Woods:

*Good evening Lincoln-Woodstock Selectman. I am unable to attend your joint meeting, but I would like to address my opinion as a Woodstock resident. I am writing in regard to supporting Halloween for the towns of Lincoln and Woodstock. I wanted to inform you that my neighborhood will continue to have trick or*

*treaters this year, just as we safely accommodated our community 4th of July Parade. We are a socially responsible community, with children that need us! Covid isn't going away, and I strongly believe social distancing and wearing masks will be the new norm. With the tourist season ending, Halloween being outside, we can safely accommodate families choosing to trick or treat. Residents have a choice to pass out candy, as parents have a choice to bring their children trick or treating. Halloween would not be an event put on by the town, like "Pizza for the People", an officer could come assist for safety. I hope that you agree, and that our local police, fire, and ambulance services will continue to keep our streets safe again this year! As always, thank you for all you do! Sincerely, Megan Woods*

With no further business to attend to, the Woodstock Selectmen departed the meeting.

#### **IV. PUBLIC HEARING – PROPOSED LAND TRANSFER/LOT LINE ADJUSTMENT**

Chairman Robinson opened the public hearing and explained that this is the first of two (2) public hearings required in accordance with RSA 41:14 **Acquisition or Sale of Town-owned Land, Buildings, or Both**. Michael and Maryann Marcoccio of 45 Beechnut Drive, Map 131, Lot 013 are seeking to obtain a lot-line adjustment along Beechnut Drive in front of their home (*see attached*). Robinson explained that this matter has been brought before the Planning Board (9/12/20) as required by RSA 41:14, and the Planning Board was in favor of this lot-line adjustment with the following recommendations: (1) there should be a water and sewer easement to repair any underground water and sewer lines (if necessary), (2) a drainage easement, (3) there should be a clear title (title search), and the Marcoccio's should be required to obtain title insurance, (4) it was noted that a small piece of the semi-circle land is on lot #12 (*see attached*) and it should be transferred to Lot #12, and, (5) this lot line adjustment should be done at no cost to the town (e.g., survey, attorney fees, transfer tax etc.).

Mrs. Marcoccio explained that she is only looking to add the piece of land that sits above the culvert (to have the lot alignment come to where it meets the road). Mrs. Marcoccio added that she has always maintained this piece of land which is approximately 60' wide x 10' length (.10 acre). Selectman Ludwig asked if the Planning Board requested a payment for this land, and Mrs. Marcoccio responded that money was not discussed.

**MOTION: "To open up the hearing for public comment."**

**Motion: OJ Robinson**

**Second: Tamra Ham**

**Motion carries.**

Mrs. Marcoccio asked if the town used a specific company when they had Beechwood Road surveyed a few years ago when the town took ownership of the road. Chairman Robinson noted that there is a long-complicated history over "ownership" and responsibility agreements concerning who owned the road, and who was responsible for the roads and utilities. The board agreed to have town staff look into who conducted the survey and forward this information to Mr. and Mrs. Marcoccio.

Selectman Ludwig commented that she feels that this is a great idea and concept, however, she does not feel that the town should be in the position to give land away (regardless of the size) because it is unfair to the residents and taxpayers, as well as those in the past who have had to pay to purchase land from the town. Ludwig explained that she would feel better about this situation if the land was purchased from the town, rather than given away.

Dave Beaudin commented that this is similar to the East Spur Road land deal that the town had done a few years back with Mike Harrington, Jim Welsh, and Jane O'Conner. Beaudin feels it is only fair to treat all land transfer/sales the same regardless of the dollar amount. The Board agreed and reminded everyone that the second public hearing is scheduled for Monday, September 28<sup>th</sup> at 5PM.

## **V. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING (August 31st)**

**MOTION: "To approve the BOS meeting minutes of August 31, 2020 as presented."**

**Motion:** Jayne Ludwig

**Second:** OJ Robinson

**All in favor.**

**Abstained:** Tamra Ham

**MOTION: "To approve the 4:30 pm Non-public BOS meeting minutes of August 31, 2020 as presented."**

**Motion:** OJ Robinson

**Second:** Jayne Ludwig

**All in favor.**

**Abstained:** Tamra Ham

**MOTION: "To approve the 6:30 pm Non-public BOS meeting minutes of August 31, 2020 as presented."**

**Motion:** OJ Robinson

**Second:** Jayne Ludwig

**All in favor.**

**Abstained:** Tamra Ham

## **VI. OLD/NEW BUSINESS**

### **Town Manager's Report**

#### **Mandatory Water Conservation**

DPW Director Hadaway explained that the town is in a critical drought situation and asked the Board to vote tonight on banning all outdoor water usage immediately. Hadaway explained that the river is extremely low and getting lower every day. Chairman Robinson explained that the Board enacted a water ban on August 24<sup>th</sup> on all outdoor water irrigation except between the hours of 8-5am and 8-5pm. After a brief discussion, Selectman Ham made the following motion:

**MOTION: "To immediately ban all outdoor water use in the Town of Lincoln, and encourage all residents to conserve water until further notice."**

**Motion:** Tamra Ham

**Second:** Jayne Ludwig

**All in favor.**

Water Plant Operator, Dave Beaudin encouraged the Board to print notices to post around town so that the residents are all aware of the water ban. The Board reminded the public that this motion is made in accordance with RSA 41:11-d **Restricting the Watering of Lawns** and will be fully enforced by the Lincoln Police Department.

Cliff Dauphine commented to the Board that there are residents that have their outdoor sprinkler systems automatically set to go off at 5:00 am, and the town will have no way of knowing this. Chairman Robinson asked that a notice of the ban be sent to the newspaper, the Chamber of Commerce, the Town's Website, the Police Department website, and all public posting locations.

#### **Short-term Rental Applications**

Town Hall has received seven (7) more registration applications (24 total).

#### **Town Treasurer**

Susan Chenard has begun working with Julie Rolando to transition into the Treasurers position.

### **Raftelis Water Study**

There is no update as of Friday, September 11<sup>th</sup>.

### **Labrecque Street**

The Planning Board met on September 9<sup>th</sup> and discussed Mr. Marlow's construction project on Labrecque Street. Town Engineer Ray Korber will be conducting site visits on Tuesday (9/15) and Labrecque Street will be one of them.

### **NEW BUSINESS**

#### **Campfires around Town**

Selectman Ludwig commented that she has noticed homes in the area having campfires on their property and asked if anyone has been looking into this considering the current drought emergency. Chief Beard responded that unless a complaint is filed, he would have no reason to go to homes that have a fire permit because the fire danger is not high enough at this time to ban campfires. Beard explained that part of the campfire permit process is that they are expected to monitor their fires.

#### **Maple Street Road Repair**

Chairman Robinson explained that Public Works will be doing extensive repair work to Maple Street this year (re-paving street, sidewalks, and re-setting curbing for sidewalk, re-setting catch basins) and asked DPW Director Hadaway to explain in detail the work planned. Hadaway explained that they will be milling an inch off of the road surface pavement, and repaving the surface. Public Works will be repairing the storm drains, and peeling the asphalt off of the sidewalks, and prepping them to be repaved. Hadaway noted that the drainage will not be affected at all, and there will not be any elevation changes.

#### **Ru De Gionet Road & Loon Mountain Road**

DPW Director Hadaway informed the Board that all road repair work on Ru De Gionet Drive will be completed on September 15<sup>th</sup>. The road was ground, graded and paved. Hadaway also noted that Loon Mountain Road will be paved as well (shim and overlay) and should be completed by mid to late October.

#### **State Right-of-Way Sign Removal up on Route 3**

Chairman Robinson explained that the town will be interceding on behalf of taxpayers up on Route 3 who have been asked to remove their business signage that is in the states right-of-way. Robinson explained that when the state built the right-of-way going up Route 3 (in the 1950's or 60's) it was extra wide in many spots in anticipation of one day making the road wider, however, this never happened (Interstate was built instead). The state still has wide right-of-way sections up on Route 3, and they are now pressing several business owners to remove their signs (Fresolones and Mike Hyland's old bagel shop). Robinson explained that the board will be interceding on behalf of the taxpayers to see if the state will take a second look at these signs to assess and determine whether or not they really interfere with the state's ability to maintain their right-of-way (this is the reason the state wants to remove the signs).

#### **GOFERR Reimbursement (Governor's Office for Emergency Relief and Recovery)**

Chairman Robinson explained that the town has applied for its third installment request from the state for COVID-19 expense reimbursements. This third installment is seeking funding reimbursements totaling \$122,372 (Fire & Police Department wages, HVAC Duct cleaning).

**MOTION: "To approve the request for the third installment of the GOFERR funding through the state in the amount of \$122,372.42"**

**Motion: OJ Robinson**

**Second: Tamra Ham**

**All in favor.**

### **Treasurers Deposit Delegation**

The Board signed the Treasurers Deposit Delegation for the new Town Treasurer, Susan Chenard (*see attached*). This Treasurers authorization delegates deposit function authority to the Town Clerk/Tax Collector and their respective Deputy Town Clerk for all funds collected on a daily/weekly basis.

**MOTION: "To give the Deposit Delegation Authority to the new Town Treasurer dated October 1, 2020."**

**Motion: OJ Robinson**

**Second: Tamra Ham**

**All in favor.**

### **OLD BUSINESS:**

#### **Local Restaurant Outdoor Dining**

Selectman Ludwig asked when the outdoor dining for local restaurants end? Selectman Ham explained that either Columbus Day (October 12<sup>th</sup>) or when the Governor lifts his emergency orders, whichever comes first.

#### **Public Participation**

Roger Harrington asked if anyone has reached out to One Love Brewery and asked them to move their ropes back closer to the building. Chairman Robinson responded that Town Manager Burbank has reached out to the business and had a discussion with them about moving the ropes back. Selectman Ludwig commented that the ropes are no longer tied to the Gazebo, however, it appears that they are using the Gazebo as a waiting area for their customers. Selectman Ham thanked Roger for bringing this to the Board's attention, and noted that she would stop by One Love Brewery and speak with the Snyder's.

#### **Forest Gardens**

Roger Harrington asked if there was any news on the Forest Gardens? Robinson explained that Town Engineer, Ray Korber will be visiting this site tomorrow. Harrington asked if Coolidge Construction has gotten their SWPP yet from the state. Chief Beard responded that Engineer Ray Korber will be looking into this to see if Coolidge Construction really does needs a SWPP (whether or not more than 50% of the land has been disturbed). Robinson asked that Ray Korber be told that after he looks at the land, and it is his opinion that a SWPP is required, that he pursues this matter with the proper authorities.

#### **Retention Ponds Bonds**

Chief Beard explained that he was speaking with Mike Shephard who informed him that he is assisting Rick Elliott (Coolidge Construction) with obtaining the required bonds (Performance and Surety Bonds).



Beard also noted that the retention ponds are supposed to be completed by November 30, and if they are not, Rick Elliott will have to go before the Planning Board again.

### **Labrecque Street Speed Limit**

Selectman Ludwig commented that someone mentioned to her that there is a lot of speeding going on over on Labrecque Street, and asked if the speed limit could be lowered. Chief Morris responded that the lowest the speed limit could be set to is 25 mph on residential streets. Roger Harrington asked if a "speed bump" could be laid across the road to see if that would slow down the vehicles. Robinson thought that would be something the Police Department could look into.

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### **V. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (c,e) Ted Smith Mediation/Litigation, West Street/Nelson Construction Litigation**

**MOTION: "To go into Non-public session pursuant to RSA 91-A:3 (III) (c,e)"**

**Motion: OJ Robinson**

**Second: Tamra Ham**

**All in favor.**

The BOS went into Non-public session at 6:50 p.m.

**MOTION: "To re-enter public session."**

**Motion: Tamra Ham**

**Second: Jayne Ludwig**

**All in favor.**

The Board came back into public session at 7:04 p.m.

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### **VII. ADJOURNMENT**

After review of the weekly payables, and with no further business to attend to, the Board made the following motion:

**MOTION: "To adjourn."**

**Motion: OJ Robinson**

**Second: Tamra Ham**

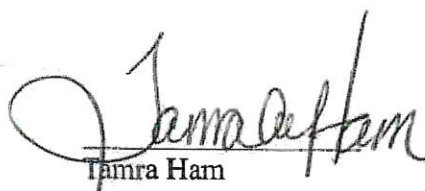
**All in favor.**

The meeting adjourned at 7:05 p.m.

Respectfully Submitted,  
Jane Leslie

Approval Date: September 21, 2020


  
Chairman O.J. Robinson

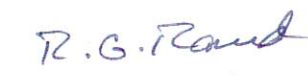
  
Tamra Ham

  
Jayne Ludwig

Approved: September 22, 2020

  
Chairman, Scott Rice

  
Charyl Reardon

  
R.G. RAND





M131 L013 45 Beechnut Drive - Michael & Marian Marcoccio

Lincoln, NH

1 inch = 40 Feet



July 13, 2020



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



## Town Hall

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**From:** Judy Welch <admin@woodstocknh.org>  
**Sent:** Monday, September 14, 2020 12:42 PM  
**To:** bosreardon; bosrice; bosrand; Town Hall; Town Manager  
**Subject:** Fwd: Halloween

For tonight's meeting.

Sent from my iPhone

Begin forwarded message:

**From:** megan harrington <ninjagirl\_26@yahoo.com>  
**Date:** September 14, 2020 at 7:35:32 AM EDT  
**To:** Judy Welch <admin@woodstocknh.org>  
**Subject:** Halloween  
**Reply-To:** megan harrington <ninjagirl\_26@yahoo.com>

Good evening Lincoln-Woodstock Selectman. I am unable to attend your joint meeting, but I would like to address my opinion as a Woodstock resident. I am writing in regards to supporting Halloween for the town's of Lincoln and Woodstock. I wanted to inform you that my neighborhood will continue to have trick or treaters this year, just as we safely accommodated our community 4th of July Parade. We are a socially responsible community, with children that need us! Covid isn't going away, and I strongly believe social distancing and wearing masks will be the new norm. With the tourist season ending, Halloween being outside, we can safely accomadate families choosing to trick or treat. Residents have a choice to pass out candy, as parents have a choice to bring their children trick or treating. Halloween would not be an event put on by the town, like "Pizza for the People", an officer could come assist for safety. I hope that you agree, and that our local police, fire, and ambulance services will continue to keep our streets safe again this year! As always, thank you for all you do! Sincerely, Megan Woods

[Sent from Yahoo Mail on Android](#)



**Town of Lincoln**  
Selectmen's Office  
148 Main Street – P.O. Box 25  
Lincoln, New Hampshire 03251

*O.J. Robinson Tamra Ham Jayne Ludwig*

Pursuant to the provisions of RSA 41:29, II, the Town Treasurer has the responsibility to deposit all such monies received by the Town of Lincoln in appropriate financial institutions as outlined in the statute.

RSA 41:29, VI allows the Treasurer to delegate deposit or other financial functions to other town officials or employees provided such delegation is in writing and includes written procedure acceptable to the Board of Selectmen. Such delegation may only be to a town official or employee bonded in accordance with RSA 41:6.

The Lincoln Town Treasurer hereby delegates deposit function authority to the Lincoln Town Clerk/Tax Collector and her respective Deputy of the funds collected in the role. These deposits shall be made on a weekly basis or daily, whenever receipts total \$500 or more.


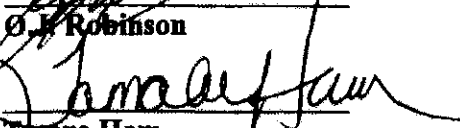
In making these deposits, the Lincoln Town Clerk/Tax Collector and her respective Deputy shall provide the Lincoln Town Treasurer with the deposit slip from the Town's general fund financial institution, in addition to a detailed back up report documenting the receipt of monies comprising the deposit made.

This authority shall remain in effect until rescinded by written notice of the Lincoln Town Treasurer.

  
Lincoln Town Treasurer

\_\_\_\_\_  
October 1, 2020

**LINCOLN BOARD OF SELECTMEN:**

  
O.J. Robinson  
  
Tamra Ham

  
Jayne Ludwig

\_\_\_\_\_  
October 1, 2020