

**Lincoln Board of Selectmen - Meeting Minutes**  
**October 22, 2008 - 5:30 pm**

Present: Chairman Peter Moore, Selectman Patricia McTeague, Town Manager Peter Joseph, Planning Administrator Stacey Boyce  
Audience members: Dennis Ducharme, Paul Kasianchuk, Rick Kelley, Steve LaFrance, John Hettinger, Brent Drouin, Liz Lambregtse, Paul Bartlett, Pat Romprey and other unidentified members of the audience.

The Board arrived at 5:35 pm. As the purchase and sale agreement had just been finalized the Board members each needed to read the final version of the purchase and sale agreement before calling the meeting to order.

Chairman Moore called the meeting to order at 5:50 pm.

**Review of Purchase and Sale Agreement on Whitewater Treatment Plant** – The Board reviewed the proposed purchase and sales agreement between the Town of Lincoln and North Country Center for the Arts. Chairman Moore stated there were some specific points that Town Manager Joseph needed to address and that the Board should be aware of before they sign the agreement. The Town Manager pointed out the following:

1. Page 5, sec. 11 A, regarding Seller Notice – the North Country Center for the Arts needed to understand that only the Board of Selectmen were making these representations, not Town Meeting, or any other part of the Town Government. Mr. Kelley indicated he understood and that the purchase would be “as is where is”.
2. Page 2, sec. 2 D - The Town's repurchase option will be a junior lien, coming second to any lien held by a financing bank. This means if the property is foreclosed upon, the Town may not get its right to repurchase. The Theater needs the Town as a junior leinholder in order to get financing, so this is something the Town needs to be aware of, but can do little about.
3. Pg 2, sec. 2 B – if insurance can't be obtained the sale would be null & void.
4. Pg 6, sec.12 - States demolition work could be started by the buyer prior to transfer.

Chairman Moore expressed some concerns regarding an easement. Mr. Kelley stated the proposed Site Plan being presented to the Planning Board on October 22<sup>nd</sup> for approval would show the 30 foot wide Town access easement. This would be attached to the purchase and sale agreement as attachment A.

Chairman Moore touched on the closing costs and adjustments. He asked for the taxes section to be clarified. It is believed that section refers to the transfer tax. Selectmen McTeague stated once there is a building at the location the property would go back on the tax books. Peter Joseph explained that any tax exemption for the Theater would have to go through the statutory charitable exemption process, as previously discussed with the Board of Selectmen and Mr. Kelley.

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A **motion** was made by Chairman Moore, seconded by Selectmen McTeague, to accept the purchase and sales agreement from the Town of Lincoln to North Country Center for the Arts, Tax Map 16, Lot 312, for the sum of \$10.00.

Meeting adjourned at 6:10 pm.

Date: \_\_\_\_\_

Approved by:

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Chairman Peter Moore

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Selectman Deanna Huot

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Selectman Patricia McTeague