

Lincoln Board of Selectmen – Meeting Minutes
December 14, 2009 – 5:00 pm

Present: Chairman Peter Moore, Selectman Deanna Huot, Selectman Patricia McTeague,
Town Manager Peter Joseph and Temp. Admin. Assistant Kristen Romprey
Audience: Paul Beaudin, Pat Romprey

The meeting was called to order at 5:05 pm.

Review Minutes of 11/30/09 Meeting

The Board reviewed the minutes of the 11/30/09 meeting. Deanna Huot moved that the minutes be approved as presented. Peter Moore seconded the motion. Patricia McTeague abstained as she was not at the meeting on the 30th. The vote was unanimous in favor of the motion.

Discussion Regarding North Country Center for the Arts Charitable Tax Exemption

Peter Joseph explained that David Talbot of the North Country Center for the Arts (from hereon referred to as NCCA) had approached him approximately 1 month ago to discuss a tax exemption for the NCCA, as a charitable organization. The NCCA has since turned in forms A-9 and A-12 and is awaiting a decision by April 1, 2010.

There was an extended discussion on the matter. The Board requested that the Town Manager perform further research and develop a questionnaire/application that NCCA would complete, which would help the Board understand how much of the NCCA's activities fall under the charitable category. Selectman Huot asked that a list of donations and charitable works be obtained from the NCCA and also that the Town Manager speak with other towns and seek their previous experience with this issue. Peter Joseph informed the Board that regardless of its non-profit tax status, the NCCA could only be classified as charitable organization for property tax purposes if the Board deemed it so. He will research further and get back to the Board.

Discussion Regarding New Solid Waste Commercial Haulers Regulation

Peter Moore explained that there is presently no Town ordinance requiring commercial haulers to register for a permit. He indicated that there was interest from at least one large Route 3 hotel in hauling their own solid waste and that there may be a need for an application to allow this. Paul Beaudin had drafted an ordinance based on similar ordinances from other area towns, and it was edited by Chairman Moore and Selectman James Fadden. Paul outlined the basic ordinance requirements.

There was discussion and the Board was reassured that condo owners and home owner associations would not be charged to apply for this permit and that the main reason for this ordinance was to ensure the use of clear plastic trash bags from Commercial Haulers which would make noncompliance with recycling more obvious. Chairman Moore commented that there may soon be a need for a Solid Waste Ordinance including a section on separating trash and recycling. Paul Beaudin informed the Board that a part of the new ordinance would require Commercial Haulers to adequately staff their trucks to expedite trash removal at the Solid Waste facility and therefore not be a burden to the rest of the public. Based on

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the popularity of commercial waste hauling, there may eventually be a need for a new trash window or compactor. Selectman McTeague was concerned that there be an appeals process for any person who received sanctions and Chairman Moore commented that there isn't a rush to vote on this and there will be a meeting with Woodstock to review the proposed regulation. The Board agreed to vote on this issue at the next meeting and the Woodstock Board will do the same.

Discussion to Pay \$3000 for Additional Employee Insurance Coverage

Paul Beaudin stated that the cost of his insurance, which he pays for out of pocket, has gone up and requested that the Town increase his reimbursement from \$2,000 to \$3,000 to cover that increase. It was pointed out that at three thousand dollars it is still at least \$5,000 less expensive for the Town to reimburse him for his outside insurance than have him obtain single coverage under the Town's insurance plan.

The Board discussed the issue and Selectman McTeague moved that the Board accept the new agreement. The motion was seconded by Selectman Huot and the Board voted unanimously to accept.

Discussion of Nacho's Mexican Restaurant Fence Noncompliance

Pat Romprey, spokesperson for Carla Romprey and Diane Caras, stated that for the past 3 years, Nacho's Mexican Restaurant, which borders the Romprey/Caras property, has refused to erect an appropriate fence per the original plans approved by the Planning Board. The first fence that was built was on the Romprey/Caras property and had to be moved, and subsequent fences have not remained standing for long. Pat Romprey stated that at least 1 foot of his property has eroded over the bank and that to hold any type of fencing the banking will need to be back filled.

The Board requested that the owner of Nacho's Mexican Restaurant be notified of the noncompliance and request that he appear before the Board of Selectmen. Peter Joseph stated that the notification would be by both phone and as a certified letter.

Interest in Town-owned Property off Forest Ridge Road

Peter Joseph explained that there had been an inquiry regarding a piece of Town-owned land located on the Boyle Street side of Forest Ridge Drive, across the street from the Kanc Rec. Area. The property contains a power easement to the Kancamagus Ski and Recreation Area and would not be able to be built upon, but there are a couple of abutters who may be interested in acquiring the property in order to add to their own land. The property would have to be subdivided off of the Kancamagus property before being sold. Peter Joseph will research the process for subdividing and bidding on the property and the Board will wait for more information before reaching a decision.

Town Manager's Weekly Report

Peter Joseph updated the Board in regards to a conversation he had with Atty. Bernie Waugh about the Mount Washington Regional Airport Intermunicipal Agreement. Atty. Waugh said that the Airport does not have accurate records of who was and was not party to the original agreement, which is why it is being “reauthorized”. Peter informed Atty. Waugh that to the best of his knowledge, the Town of Lincoln was not party to the agreement and as such would not be taking any action this time around. He asked Atty. Waugh to contact the Town if any documentation surfaced that showed the Town was in fact party to the original agreement.

Peter Joseph reviewed the draft estimate for the 4-roads infrastructure project with the Board. The “highball” cost estimate at this point is \$1,405,000 not including a proposed 10% contingency item. This is expected to come down slightly before the final design is issued after this Wednesday’s public meeting on the project, which should put it in the roughly \$1.5 million dollar range. As soon as the final estimate is in, bond estimates and scenarios can be prepared and will be presented to the Board of Selectmen, and eventually the Budget Committee.

Non Public Meeting Pursuant to NH RSA 91-A:3 II(b)

At 6:45 PM Deanna Huot motioned to enter non-public session as allowed by NH RSA 91-A:3 II(b) to discuss the hiring of a public employee. Patricia McTeague seconded the motion.

Roll Call Vote:

Moore	yes
Huot	yes
McTeague	yes

The Board discussed the hiring of two temporary, seasonal employees for the winter recreation program. According to the Town’s personnel policy, permission from the Board of Selectmen is required if direct family members are employed in the same department. Recreation Director Tara Tower had written a recommendation that the hirings be allowed in this instance, as the employees had been previously employed by the Town of Lincoln with good reviews. However, as this was a rehire, permission from the Board would be required. The Board decided unanimously to allow both hires and attach a copy of this decision to each personnel file.

At 7:01 PM Deanna Huot motioned to exit the non-public session. Patricia McTeague seconded the motion.

Roll Call Vote

Moore	yes
Huot	yes
McTeague	yes

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Other Business

Chairman Moore stated how much he had enjoyed the Town Holiday Party, that there was great attendance and how wonderful both the food and entertainment were. The Board agreed that the Indian Head was a good choice for the party as it was so festive and nicely decorated.

Selectman McTeague moved to adjourn the meeting, Selectman Huot seconded and the vote was unanimous. The meeting was adjourned at 7:28 pm.

Respectfully Submitted,
Kristen Romprey
Interim Secretary to the Board

Date: _____

Approved by:

Chairman Peter Moore

Selectman Deanna Huot

Selectman Patricia McTeague