

Lincoln Board of Selectmen – Meeting Minutes
December 21, 2009 – 5:00 pm

Present: Chairman Peter Moore, Selectman Deanna Huot, Selectman Patricia McTeague,
Town Manager Peter Joseph and Interim Admin. Assistant Kristen Romprey
Audience: Dennis Ducharme, Jeff Clermont

The meeting was called to order at 5:10 pm by Chairman Moore.

Review Minutes of 12/14/09 Meeting

The Board reviewed the minutes of the 12/14/09 meeting. There were amendments suggested. Peter Moore moved that the minutes be approved as amended. Patricia McTeague seconded the motion. The vote was unanimous in favor of the motion. It was requested that a clean copy of the amended minutes be sent out to the Board.

Discussion with Dennis Ducharme Regarding Easements

Dennis Ducharme, owner of South Peaks Realty, which owns the Village Shops, is in the process of selling some of his property. The buyer would like to clear with the Board some issues that were never decided about his easements with the Town of Lincoln. The first issue was the operation agreement with the Town about the parking lot of the Village shops. There are 25 parking spaces that line the Main Street side (furthest end of the northwest corner) of the parking lot that have traditionally been identified as municipal parking. There was a contract drafted in August of 1997 that detailed this agreement but the plot plan/map can not be found. In order to clarify which spaces are municipal, Mr. Ducharme had his attorneys draft a new agreement that he submitted for the approval of the Board. The 25 spaces will be nonexclusive, for both public use and parking for the Village Shops, and available on a first come, first served basis. They will be included toward the municipal order with regard to future development of the Village Shop property and will be counted as Village Shop parking spaces. There would be no change otherwise. The owner of the property reserves the right to temporarily block the spaces as needed for events such as the Fall Craft Fair or Brewfest. There was discussion and Selectman McTeague requested that a drawing of the parking lot highlighting the spaces in question be presented to the Board as part of the agreement.

The second issue involves the driveway shared by the Lincoln Police Department and the Mill House Inn. The original deed was drafted on March 27th, 2003 and states that the Town owns one half of the driveway and that the other half is owned by Mill House Inn property. Both entities are responsible for the maintenance of the road. The Mill House Inn is considering a West Wing project that would add units to both the Mill House Inn and the South Mountain Resort. This would impede with deliveries of food and liquor to Fratello's restaurant and also with trash pickup from the dumpsters. Mr. Ducharme requested that an easement be drafted to allow deliveries and trash pickup to pass through the Mill House Inn and Police Station driveway and that the new easement can be assigned to the new owner of the property. There was discussion and Peter Joseph said there was no issue from the Town. Peter Moore suggested that the easements be reviewed by the Town attorney before a vote.

The third issue involves the Town gazebo near Fratello's restaurant. The lease was drawn in April of 1979 and has not been discussed since. As the lease was based upon the Franconia

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Paper company which has been closed for many years, the lease is now terminated. South Peaks Realty wants a license with the Town to leave the gazebo where it is with maintenance provided by the Town and grounds work provided by employees of South Mountain Realty. The license would be in one year increments and would roll to the next year if there was no issue. There was discussion. Deanna Huot wondered if the Town war monuments and the historical kiosk would be included as part of the gazebo. It was decided that any expansion of the current monuments would be by mutual agreement between the Town and South Mountain Realty. Peter Joseph will research these issues and speak with the Town attorney, Peter Malia and discuss the results with Mr. Ducharme in the first week of January 2010.

Discussion Regarding Solid Waste Commercial Haulers Regulation

There was discussion of the proposed solid waste commercial haulers regulation. Jeff Clermont, who works at the Ramshorn, was concerned that the second home owners were being discriminated against and wanted to know if the clear bags would apply to all homeowners in Lincoln. Peter Moore explained that this would be a regulation, which is not punishable if not followed and that there may soon be an Ordinance requiring everyone to comply with recycling and clear bags. It was decided that a representative from the Board will attend the Woodstock Board meeting on December 22nd, and inform them that the Lincoln Board had agreed to the regulation and was waiting for a convenient time to sign the regulation. Peter Moore moved to accept the regulation, effective December 31st, 2009. Deanna Huot seconded.

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.

Roll Call Vote:

Moore	yes
Huot	yes
McTeague	yes

Town Manager's Weekly Report

Peter Joseph updated the Board in regards to a report by Governor John Lynch's Gaming Study Commission and reported that Wednesday's meeting of the 4-roads project went well and the residents of the four roads seemed very happy with the proposed plans. There was discussion of blasting and drilling and several people remarked that the

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engineer was very informative and helpful. Peter Joseph plans to present the finalists for the Administrative Assistant position to the Board during the first meeting in January of 2010.

The issue with Nachos restaurant has been carried over until the next meeting of the Board. Peter Joseph recommended that a \$5000.00 escrow be collected from the owner and the balance be returned to him after the fence has been fixed by the Town.

Other Business

The meeting was adjourned at 7:06 pm.

Respectfully Submitted,
Kristen Romprey
Interim Secretary to the Board

Date: _____

Approved by:

Chairman Peter Moore

Selectman Deanna Huot

Selectman Patricia McTeague