

TOWN OF LYME
Select Board Meeting
Thursday June 16th, 2022 9:00 AM
Approved: June 30th, 2022

The following people were present for part or all of the meeting: Select Board members Benjamin Kilham and David Kahn; Administrator Dina Cutting.

Public: Hebe Quinton, Michael Whitman.

The Board is meeting in person at the Town Offices located at 1 High Street and via Zoom

The meeting was called to order at 9:02AM by Vice Chair Kilham.

Public comment:

1. Ms. Quinton explained she has been working on some ideas with Chief O'Keefe to address some of the Town Common parking issues. She will be going to the Lyme Foundation to apply for a grant to reach out to the residents to get feedback concerning the use of the Common and parking. This proposal should come to the Board for approval prior to being sent to the Lyme Foundation.
2. Mr. Whitman reminded the Board that he believes that web site posting should be timelier.
3. Noted that the Police Department may want to make a public announcement that Sergeant Elliott is stopping by homes in Lyme and introducing himself. Administrator Cutting will note this to Chief O'Keefe.
4. Manifest was reviewed, questions asked and answered- The Board approved and signed the manifest.
5. Call for letter of intent- ten-year Transportation Improvement plan-(UVLSRPC):
Mr. Kahn mentioned the idea of a foot/bike bridge from North Thetford old bridge abutments to the west side at the old bridge location in East Thetford. The Board discussed this and the sense of the Board was to have David Kahn write to letter of intend to UVLSRPC describing this project. The letter is due by June 20th, 2022.
6. At 9:20AM Mr. Kilham moved to open the public hearing. Seconded by Mr. Kahn. Voted unanimously in favor.

Pursuant to New Hampshire Revised Statutes section 231:163, the Select Board may amend existing pole licenses "whenever the public good requires." The New Hampshire Supreme Court has held that amending the pole licenses for the purpose of adding the taxation provision is required by the public good, and specifically found that municipalities may amend the pole licenses accordingly. Pursuant to New Hampshire Revised Statutes section 231:163, the licenses may be amended after notice to the licensee(s) and a public hearing.

The Board discussed this action and reviewed the resolution.

The Board discussed that some or all of existing pole licenses may not include language regarding taxation pursuant to New Hampshire Revised Statutes section 72:23, and that it is in the best interests of the public good to amend the pole licenses so that they are consistent with the language in New Hampshire Revised Statutes section 72:23, I in order to remove possible questions as to the town's authority to assess the licensee's use of the right-of-way.

The floor was open for public comment. It was noted the two residents present were in favor of this action. The gathering of as much information as possible to assess properties in Lyme was a positive step.

Mr. Kahn moved to declare that all outstanding pole licenses issued by or under the authority of the Select Board of Lyme or its predecessors in office acting under the provisions of New Hampshire Revised Statutes section 231:161 (b), or its predecessor statutes, are hereby changed

to incorporate in each such pole license in effect as of June 17, 2022 and effective as of such date, the following changes by inserting therein the following language:

In accordance with the requirement of New Hampshire Revised Statutes section 72:23, I(b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of New Hampshire Revised Statutes section 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of New Hampshire Revised Statutes section 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.

Seconded by Mr. Kilham. Voted unanimously in favor by a roll call vote.

All new pole licenses issued on or after the effective date of the above amendment, or subsequent amendments of existing pole licenses, will contain the amended language.

Resolution: The resolution was read out loud.

Mr. Kilham moved to adopt and accept the resolution to confirm the changes for the pole licenses. Seconded by Mr. Kahn. Voted unanimously in favor by a roll call vote.

7. The public hearing was closed at 9:41AM. The Board returned to the regular meeting.
8. The Board reviewed and discussed the Casella Contract-It was noted this is the same contract as the board signed in 2019. The difference is the hauling, municipal waste charges and zero sort charges have changed. Mr. Kahn had some comments and items he wished to have addressed with Town counsel. At this time Mr. Kilham moved to accept the new pricing sheet for hauls, municipal waste and zero sort and the contract will come back to the next meeting. Seconded by Mr. Kilham. Voted unanimously in favor by a roll call vote.
9. *The Board reviewed 25 abatement requests and report with recommendations from Todd Haywood, Granit Hill Municipal Services, Town of Lyme Assessor.*
 - 8 abatements were recommended to be denied: Mr. Kahn moved to deny the listed abatement request as recommend by Todd Haywood, Granite Hill Municipal Services. Seconded by Mr. Kilham. Voted unanimously in favor.
 - The Board reviewed and voted as recommended by Todd Haywood, Granit Hill Municipal Services the abatements on the attached list: I will attach this as soon as I get back.
10. At 10:17AM Mr. Kilham moved to enter non-public session under New Hampshire Revised Statutes section -A:3II (c) Reputation. Mr. Kahn seconded the motion. Voted unanimously in favor by roll call vote. The following people were present during this session: Select Board members Benjamin Kilham and David Kahn; Administrator Dina Cutting, and Assessing Clerk Jordan Toland.

The Board reviewed and reconsidered an elderly exemption application that had been previously denied. Ms. Toland explained that additional information was gathered from the resident. With the additional information this resident qualified for this exemption.

At 10:29 AM the Board returned to public session.

Given the additional information offered Mr. Kahn moved to approve the elderly exemption. Seconded by Mr. Kilham. Voted unanimously in favor by a roll call vote.

11. It was noted at this time that residents applying for credits and exemptions must provide the Town with ALL requested information. If all requested information is not handed in, the application will not be considered. Ms. Toland will write a procedure for the application with all information listed on it so it is clear to all applicants.
12. At 10:35AM Mr. Kilham moved to adjourn. Seconded y Mr. Kahn. Voted unanimously in favor.

Respectfully submitted,