



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES October 19, 2009

PRESENT:

Larry Ballin, Chair
Mark Kaplan, Selectman
Tina Helm, Selectman
Jessie Levine, Town Administrator

ALSO PRESENT:

Charles Hafner, Cemetery Commission
Richard Lee, Public Works Director
Michael Todd, Old Main Street resident
Bob & Caroline Newkirk, Old Main Street residents
Bob Lavoie, New London resident

Chair Ballin called the meeting to order at 6:00 pm.

Old Main Street Fence: Chair Ballin noted that the first item of business would be the repair or replacement of the fence that runs along the length of the cemetery on Old Main Street. He reported that it had been discussed earlier and postponed to today so that more information could be gathered. Charles Hafner was present from the Cemetery Commission.

Chair Ballin asked Richard Lee, Public Works Director, to go over the project. Mr. Lee said that 7-8 years ago they talked about replacing the fence. Two years ago the Bog Road piece was replaced with vinyl fencing. He noted that a lot of the boards were rotten in places and added that it would cost almost as much to scrape and paint a 2-bedroom house as it does to scrape and paint the fence. The company they used to replace the Bog Road piece custom-made the fence to make it look like the existing fence. Now they have come to the point where the rest of the fence needs attention. Mr. Lee said that half of the fencing down Old Main Street was on pipe posts and half was on granite posts. Most of the posts are bent and some of the granite posts have broken off. The broken granite posts cost about \$100 each to replace. Mr. Lee said that he came up with an estimate of about \$10,000 to fix and re-paint the existing fence. To replace it with vinyl fencing would be \$26,000. He added that in five or six years, they will need to re-paint the fence again.

Chair Ballin asked how much wood would be replaced in the fencing. Mr. Lee said that many of the bottom boards need to be removed and replaced and the posts would need to be straightened. He noted that they would have to be very careful with the granite posts, as they become brittle at the ground level. Mark Kaplan asked what Mr. Lee's professional recommendation would be with regards to replacing or re-painting the fence. Mr. Lee said that he looks at things like this both budget-wise and for the long term, and he thinks that probably the vinyl is better, as it would stand up for a longer time and it looks nice. Ms. Helm asked if they were concerned that where the vinyl met the wood that there would be a noticeable mismatch. He said he was not, as the change in fencing makes the transition going around a corner. One wouldn't really notice a difference unless they were really looking for it.

Charles Hafner from the Cemetery Commission said that the Commissioners have tried to stay neutral in the decision. From a monetary standpoint, he believed that vinyl was the way to go. He commented that since this involves money from taxation, it becomes the issue of the Board of Selectmen, but he can understand the view from those on Old Main Street that they would prefer to not have vinyl fencing.

Ms. Levine noted that there was \$12,000 in the cemetery fund this year and only about another \$9,000 on top of that was available for maintenance. The remainder of the cost would have to come out of taxation unless they waited for the maintenance funds to accumulate again. Mr. Kaplan opined that to make the repairs, it should be covered under the maintenance fund and they should not need to dip into other funds to pay for the project. He also remarked that on the other hand, if they decided to replace the fence and go with the \$26,000 price tag, they would have to find another way to raise the funds or to wait a year to accumulate more. Ms. Levine said that the money that is in the fund is from the purchase of graves. Additional money would have to come from taxation.

Some residents who had come to sit in on the meeting wanted to voice their concerns with the project.

Michael Todd, representing the residents, had some questions about the funding. He asked if the \$12,000 in the fund that came from perpetual care was a piece of the purchase price of a cemetery lot or if it was interest that accrued each year. Ms. Levine answered that the perpetual care fund used to be allocated from the purchases of the lots. Now, all funds from a cemetery plot purchase have been put into a fund for the maintenance of the site. She added that the Cemetery Trustees and Trustees of the Trust Funds have analyzed the funds to make sure they are being used properly. Mr. Todd asked how long it took to accumulate \$12,000. Ms. Levine said that she wasn't sure.

Mr. Todd asked Mr. Lee when the fence was last rebuilt, as he remembered that his own father rebuilt it a long time ago. Mr. Lee said that they paint and patch it as time passes but it had not been completely rebuilt in some time. Mr. Todd asked if the pieces of fencing to be repaired would be replaced with pressure-treated wood. Mr. Lee answered that it was pressure-treated but that it still rots in between the posts. Mr. Todd asked how the vinyl posts were held up. Mr. Lee said that the posts were cemented into the ground. He added that it is a commercial grade vinyl, not residential, so it is heavy-duty. Mr. Lee reported that the price they paid per foot for the same custom-built fencing is guaranteed to hold. Mr. Todd commented that if the granite posts were \$100 each and they previously got 200 years out of them, it was probably a pretty good deal. Mr. Todd said that it was the consensus of those at the meeting that they liked the wood fencing and not the vinyl.

Bob Lavoie asked what the life span is of vinyl versus wood. Mr. Lee said he did not know. Ms. Helm said that she had recently purchased a small arbor and fence that were made of vinyl and was told that it had a life span of 20-25 years. She opined that the proposed vinyl fence around the cemetery will be commercial grade and should last even longer. Chair Ballin asked if there was any pressure on the fence at Old Main Street from snow plowing. Mr. Lee said that there was not; it sits back mostly behind the tree line. Mr. Todd noted that there is one place that snow does impact the fence, and it is near a fire hydrant that has to be dug out. Chair Ballin said that they should probably replace the fence in the spring if it tends to get dinged by the plows.

Ms. Helm wondered if the maintenance fund would be needed for the other cemeteries in town, and if it would be a problem if they chose to use up all the funds on this one project. Chair Ballin noted that the other cemeteries are bordered by rock walls, which should not necessitate any maintenance in the near future. Bob Lavoie summarized that it was a toss-up in the cost between a wood and vinyl fence, assuming the vinyl doesn't break.

Mr. Kaplan said that from his point of view, they have \$12,000 in the budget that does not affect the tax payer. He thought they should spend the estimated \$9,262 to repair the fence instead of replacing it with vinyl. He added that if they accumulate interest and sell a few lots, they would have more in the fund at a later date to replace it with vinyl if they wanted to. Ms. Helm felt that this made sense. She was not opposed to vinyl and thought the Bog Road fence was of high quality. She felt that if the money is there, they should at least go with the wood.

Caroline Newkirk asked if painting the fence could be a community service project. Chair Ballin said that it could happen if the neighborhood is interested in doing it that way. He added that he is a big fan of board fencing and has built several over the years and doesn't like the look of vinyl in an older neighborhood. He doesn't feel there was a need to make a change to vinyl.

IT WAS MOVED (Mark Kaplan) AND SECONDED (Tina Helm) to approve the expenditure of funds to continue upkeep and maintenance of the fence that exists on Main Street rather than replacing it with vinyl. THE MOTION WAS APPROVED UNANIMOUSLY.

Meeting Minutes: Chair Ballin said that on page seven there should be a space between I and 89, representing Interstate 89. IT WAS MOVED (Mark Kaplan) AND SECONDED (Tina Helm) to approve the minutes from October 5, 2009, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

Portsmouth Coalition: Chair Ballin reported that the entire Board of Selectmen from New London, as well as Jessie Levine, attended the recent meeting of the Coalition Communities (donor towns). Ms. Levine said that the reason she put this discussion on the agenda was that last year, the Town of New London sent the Coalition \$5,000 out of the Town's legal budget to fund the Coalition's operations. This year, they have only spent \$8,900 out of the \$25,000 legal budget. She wanted to know if the Board wanted to send another contribution this year.

At this time, Mr. Kaplan commented that what he got out of the meeting was that the Governor said that without the votes, his hands were tied with regards to the issue of donor towns. The Governor said that he was in favor of doing away with donor towns, especially by a constitutional amendment. It was very clear to Mr. Kaplan that if they want to get something done they need to coalesce and come up with something he called a "block of votes." He said if all the representatives were in the same room, and had been in contact with their respective towns, they would come to know that if they vote a certain way, others would vote in like. Mr. Kaplan suggested approaching Pat Remick in Portsmouth to gather more information about the possibility of getting this kind of a group together. He is interested to see the towns listed, the representatives from each town, and he felt that if the Board of Selectmen agreed, he would go to Portsmouth and gather the information. He said that he would like to call another meeting with towns and representatives in the same room. Mr. Kaplan's point was that he wanted to talk with Ms. Remick. If she agreed that the idea was valid, they would share it with the city manager. If he is in favor, they would see what the mayor thought.

Ms. Levine said that at the meeting those present thought they should get together with state representatives but also thought that the Coalition should meet again first to figure out how to do that and what the message should be. Ms. Helm shared that she thought the message was that it was incumbent on the Coalition to come up with a unified plan and then give the plan to the representatives and get them to advocate. She felt he said that there had to be uniformity in the message otherwise each representative will hear what they want to hear.

Ms. Levine added that no one wants donor towns. Mr. Kaplan commented that for New London to raise \$1 million, they have to add \$1 to their tax rate. For towns like Manchester, to raise \$5 million, they may only have to add 5 cents. Ms. Levine said the statewide donor town tax is determined and distributed to the towns with more students on hot lunch reduced programs, English as a second language programs,

etc. Those towns need more money in their districts. Mr. Ballin opined that it was not true that no one liked donor towns; Manchester and Nashua love them because they are recipient towns. He said that this subject should be considered “the rest of the state of NH versus Manchester and Nashua.” He said that the fact of the matter was that all the towns need to be involved. He felt they need to get a message across that they don’t want to be donor towns again. He said they should try and get a two-year extension on the collar and make sure the representatives are involved. He suggested getting more deeply involved with the Coalition and that in 2012 they could shoot for a Constitutional amendment.

Ms. Helm said that a more unified approach would work best. Chair Ballin said that if Mr. Kaplan was willing to do some work behind the scenes to make a dialogue, he felt it was fine for him to proceed. The entire board agreed that they need more votes and to get more people on board. Ms. Helm remarked that she was in favor of Mr. Kaplan going to Portsmouth as long as it was for information-gathering as opposed to decision-making. Chair Ballin said that Mr. Kaplan should be inquiring as a citizen representing our best interests. Ms. Levine noted Ms. Remick probably had on hand some of the data that Mr. Kaplan was interested in, but some would be time-consuming to gather.

To return to the original question, Chair Ballin suggested donating \$5,000 to the Portsmouth Coalition again this year. Mr. Kaplan suggested increasing the donation to \$5,500 given the importance of the work that is being done and the money it will save the Town if successful. **IT WAS MOVED (Mark Kaplan) AND SECONDED (Tina Helm) to donate \$5,500 to the Portsmouth Coalition from the Town’s legal budget. THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Lavoie said that they might want to draft Mr. Kaplan’s proposed strategy and give it to the Coalition. Chair Ballin said that at present, Mr. Kaplan was just going on an information-gathering mission. He felt it was clear to the coalition that New London was going to be involved in the battle and said that he felt the Governor appreciated their attendance at the meeting.

Sewer Fund for High Pine: Ms. Levine reported that funds for the High Pine Pump Station repairs were appropriated in the 2006 budget and were encumbered. She said that the sewer fund is an enterprise fund and accordingly is managed differently from the Town budget in that it can accumulate from year to year. In 2006, the repair of the High Pine Pump Station was budgeted for \$20,000, which was a shot-in-the-dark estimate. Once the Department of Public Works took over operations, it has taken some time to get through the process of coming up with a cost effective and expedient approach. Currently, the project is estimated to cost \$90,000, which represents the result of going to bid twice on the construction cost and includes engineering oversight and purchase of the pumps. She said that the difference in the figures was going to be spent from the enterprise fund. However, Carolyn Fraley was advised that in order to spend the enterprise fund on this project, the Board of Selectmen should create a capital reserve fund for this purpose pursuant to RSA 149-I:10 and RSA 35:7.

Ms. Levine asked the Board of Selectmen to appropriate \$90,000 into a High Pine Pump Station Fund out of the enterprise fund surplus and use that to complete the project that is ready to go this fall. She gave the following breakdown: \$62,000 would go to United Construction, \$9,900 would go to Underwood Engineering for oversight, \$12,000 would go to purchase the pumps from ITT Flygt, and \$5,000 would be spent on electrical work. Ms. Levine noted that the Highway Department time for the project would come out of the regular budget for wages. She explained that they would need a unanimous vote that \$90,000 to be funded from surplus and the Selectmen would also have to approve each expenditure from this fund.

Mr. Kaplan asked how they went from appropriating \$20,000 in 2006 to \$90,000. Ms. Levine said the original amount budgeted by the Sewer Commission had no basis in reality. The first time bids went out, the low bid came back at \$85,000, so we backed off and waited for stimulus funds to arrive. The use of stimulus funds would have required the project to cost \$120,000 because of the guidelines that were mandated. She said that the Town approached United Construction, whose original estimate was \$81,000 and Ms. Levine and Mr. Lee talked to them to see what the Town could do to offset the cost. They got

the price down to \$62,000 by having the DPW take on more of the work. The \$20,000 estimate also did not include the \$12,000 for new pumps (no credit was given for the pumps that were purchased in 1995 and never installed). They also needed to spend \$9,000 with Underwood Engineering for professional engineering oversight.

Mr. Kaplan commented that it was a job that had to be done; for the small number of users on that pump station it is a high price but it does have to be done. He said that it should have been done 10 years ago.

IT WAS MOVED (Mark Kaplan) AND SECONDED (Tina Helm) to set up a capital reserve fund for High Pine pump station in the amount of \$90,000 by transferring funds out of surplus in the Sewer Enterprise Fund for High Pine Pump Station repairs. THE MOTION WAS APPROVED UNANIMOUSLY.

Health Insurance Rates: Ms. Levine shared that at the Local Government Center board meeting on October 14, the Board managed to squeeze another 1% out of the projected rates. The original rate was 17.9% but it now looks like a 16.9% health insurance increase for 2010, which will amount to about \$100,000 in the Town budget. Ms. Levine said that they are awaiting a package of information from the Local Government Center (LGC) that will contain other options that will give different pricing figures. She noted that 16.9% is one of the lower health insurance increases. She also commented that people are upset with LGC right now. Reasons why it is going up are a mixture, but are caused by more elective surgeries (people are afraid of losing their jobs and coverage so are opting for the surgeries sooner than later), and pharmaceutical usages are going up as well. Ms. Levine reminded the Board that the last time they had an increase this large was in 2002 and at that time the Selectmen changed the co-pay for employees from \$5 to \$10. When the rate went to 15% in 2005, the Selectmen changed the allocation so the employee's share went up .5%. She said that LGC will come back with some more choices and she will talk with employees on where they go from here.

Ms. Helm asked if they have looked in to any other providers. Ms. Levine said that they are currently looking into it but that they get discounts with the LGC for carrying several different policies with them. Some discounts will be lost if they go with Primex, for example, for their health program.

Ms. Helm asked what the reasons were for the increase. Chair Ballin asked if it would be a benefit to have a representative from the LGC to come in and talk about the different plans available. Ms. Levine said that she and Carolyn Fraley would continue to work with the LGC and were already having those conversations. She said that they are looking into all the options on the table. Ms. Fraley is currently contacting Primex to get some information. They are working on these options and will come back with more ideas. In the meantime, Ms. Levine suggested that the Board of Selectmen begin to think about options too.

FEMA Fund Follow-Up: Ms. Levine reported that the Town is going to get another \$10,000 in funds from the State of NH as a match to the FEMA funds. The Federal Government pays 75%, the Town pays 12.5%, and the State pays 12.5%. Ms. Levine said that the Emergency Management Committee had met and recommended to the Board of Selectmen that the State funds be allocated to the Fire Department for the unanticipated ladder truck repairs so they don't have to appropriate the money for next year. She noted that a public hearing would still be required when the funds arrived. The Board of Selectmen was generally supportive of this suggestion.

Citizen's Advisory Committee, October 24, 2009: Ms. Levine asked the Selectmen to think about agenda items for Saturday's meeting and noted that she would not be present. Chair Ballin felt that the tax rate going down would be a good topic to discuss at this meeting. Ms. Helm felt (after attending her last session of the Selectmen's Institute) that it was important to be an advocate at the State level. She said that the CAC Board should be encouraged to become advocates in front of the Legislature. She obtained ten copies of the LGC publication "A Guide for Legislative Advocacy for Local Officials," which was

distributed at the Institute and it has motivated her to encourage the CAC members to take a more proactive approach to advocacy. Ms. Levine asked if they should get the legislative representatives back in at some point to talk to the CAC members. Chair Ballin said that he would look at the schedule to see if there would be a good time to invite them back. He agreed that it would be good to let people know that their voices could be heard. He suggested talking about the donor town issue and the Portsmouth Coalition. Chair Ballin agreed that they could talk about the tax rate to let them know that they have decreased their budget enough to cover the increases from the other wards on the tax bill.

Ms. Levine gave the Selectmen a draft of the Quicklink newsletter that would be included with the tax bills. She said that there were some typo's and she'd like them to look it over and email her with any suggestions or changes.

Mr. Lavoie asked if there was something to get organized about Main Street and the hearings that were going to be held. Chair Ballin said he would mention this at the meeting as well. Ms. Levine said that Richard Lee and Peter Stanley were working on getting photos and a narrative relating to the condition of the road. Any information they can generate prior to the GACIT hearings would be helpful.

H1N1 Update: Ms. Levine reported that she and Emergency Management Director Peter Berthiaume have spent numerous hours in discussions about H1N1 in the area. The Town will be supporting the plan that they are putting into place to coordinate vaccinations in the schools and for the public via "POD"s, which stand for "Points of Distribution." She noted that they have been discouraged from planning actual dates for distribution as they are not sure when the vaccine will be available. She added that the VNA would carry out the vaccinations. Ms. Levine said that the Town would be helping the schools to coordinate this program. She opined that she has found the H1N1 virus to be a fascinating subject and a lot more dangerous than she thought. Ms. Helm asked if people get the regular flu shot, were they also being encouraged to get the H1N1 vaccine. Ms. Levine said that in certain categories they are urged to get both. Healthy adults 25 years and older are not recommended to get it at all. She said that the young kids most likely to get it were 6 months to 24 years old.

COMMITTEE MEETINGS & REPORTS:

Budget Committee, October 5: Chair Ballin said it was a good meeting, with full attendance of the Board of Selectmen. He said there is not much to report except that the process continues. Things are lining up and another meeting is scheduled for the following Monday night.

Crockett's Corner Winter Planning, October 14: Chair Ballin went to a Department of Transportation meeting in Wilnot last week to discuss the winter-over of the Crockett's Corner project. He heard that by the middle of November they will have done as much as they can. They will pave to the middle of Route 11. He said that the medians won't be installed this year. Chair Ballin expressed that the Town of New London has a concern for the safety of project. He said that they will open the work back up again in the middle of April. They will put median strips in and a final layer of pavement. Ms. Levine asked if they were going to stripe where the medians were previously. Chair Ballin said that they will stripe it in the new way, as the finished product would be. Ms. Levine said that Eric Smith was fine with what Ms. Levine wrote in the Quicklink newsletter regarding the project.

Planning Board, October 13: Ms. Helm reported that the Planning Board amended the draft Capital Improvements Plan to put back \$50,000 into the Conservation Commission program. She said that they are still waiting to see if they get the Elkin's grant before they approve spending for sidewalks.

Economic Development Committee, October 16: Chair Ballin reported that the EDC met with all four banking institutions in the Town and talked about the economy and how they felt about the town of New London. Chair Ballin said that the meeting gave them a sense of what the banks were trying to develop in the town. Stephen Heavener of the Capital Regional Development Corporation was also present. There was some discussion of things that were going on in neighboring towns of Newport and Lebanon.

Elkins Grant, October 13: Ms. Levine reported that she had given a presentation at the Upper Valley-Lake Sunapee Regional Planning Commission in Lebanon regarding their proposed grant project for Elkins. The other three presentations were from Claremont for a sidewalk through a residential district and through a commercial zone, as well as a pedestrian bridge. Lebanon wanted to put a sidewalk down Route 120 on a dangerous corner. The State of New Hampshire was seeking a grant to take an inventory of historic bridges. Ms. Levine felt that their own proposal best fit the criteria for the grant. Ms. Levine said that they should know by the second Tuesday in November if they are ranked #1 coming out of the regional planning commission. Ms. Levine felt it went very well and hopes they will win.

UPCOMING MEETINGS & SPECIAL EVENTS:

Joint Board of Selectmen's Meeting, Thursday, November 5 at 6:00 in Newbury – Chair Ballin would not be present. Ms. Helm and Mr. Kaplan said that they would be attending.

LGC Annual Conference, November 18-20, 2009: Chair Ballin and Ms. Levine will be going to this conference, as was Ms. Helm. Chair Ballin asked if they had won an award for their Town Report. Ms. Levine said that she hadn't heard yet.

Application for Building Permits:

- Linda & Barry Shultz Trust, 316 Elkins Road (Map & Lot 077-039-000) relocate garage – Amendment for Permit #09-092 – Approved.
- Charles Judd & Cyndy Lawson, 1549 Little Sunapee Road (Map & Lot 030-007-000) repair, renovate and expand home- Permit #09-112 – DENIED (referred to ZBA)
- William & Laura Shucart, 58 Little Cove Road (Map & Lot 105-004-000) concrete pad for generator – Permit #09-113 – Approved.
- William & Dorothy Griffiths, 133 Newport Road (Map & Lot 059-002-000) install metal fire escape landing & ladder – Permit #09-114 – Approved.
- The Cobleigh Trust, John & Barbara Akin, Everett Park (Map & Lot 072-027-000) build new residential duplex unit – Permit #09-115 – Approved.
- Carey Family Trust, Charles & Wendy Carey, 191 Sunset Shores Road (Map & Lot 091-010-000) bury propane tank & connect to piping – After the Fact – Permit #09-116 – Approved.
- Donald & Jennifer Schad, Barry & Linda Shultz, 316 Elkins Road (Map & Lot 077-039-000) build new home – Permit #09-117 – Approved.

Application for use of Sydney Crook Room:

- Duplicate Bridge Group – Jane Underwood, Director – use conference room on Monday's May 21, 2010 through Oct. 4, 2010 – 12:00 – 5:00 PM – Approved.
- New London Garden Club – use of conference room on July 24, 2010 – 8AM – 5PM for counting of funds during the Antique show. – Approved.

Application for use of Ausbon Sargent Commons:

- New London Garden Club – set up July 21 – take down July 25, 2010 5AM to 6PM daily – Approved.
- New London Band Stand – Friday evenings – starting 6/11/2010 through 8/27/2010 6:30PM-8:00PM – Approved.

Application for Use of Whipple Hall:

- Weston A Price Foundation (Linda Howes, Nourishing Wellness) November 21, 2009 5:00 PM – 9:00 PM – show an educational movie – Approved.

- New London Bandstand Committee – Friday evenings starting 6/11/2010 through 8/27/2010, 6:30PM – 8:00PM (in the event of rain & use of restrooms) – Approved.

Application for Sign Permit:

- LSVNA, 107 Newport Road (Map & Lot 072-039-000) Fall Clearance sign for Oct. 17, 2009 – Approved.
- Our Lady of Fatima Parish, 75 Main St. (Map & Lot 096-009-000) Holiday Fair 11/14/09 9AM – 2PM - 2 signs – 1 at church 1 at info booth – Approved.
- NLOC – 114 Cougar Court – race & dance – 10/31/09 – Approved.
- First Baptist Church – 461 Main St. – Holiday Fair 11/21/09 – Approved.
- Kearsarge Chorale – First Baptist Church – 461 Main St. October 25, 2009 4:00 PM-7:00PM – Approved.
- Permanent Sign: Allioops! Flowers & Gifts, LLC. 255 Newport Road (059-008-000) 3 signs – 1 on building facing Newport Road, 1 on building facing parking lot, 1 in hallway – Approved.

Other:

- Disbursement vouchers weeks of October 12 & 19, 2009 - Approved.
- Notice of Intent to Cut – Bucklin Family Trust – Morgan Hill – (Map & Lot 033-027-000) Approved.
- 2 Petition & Pole License – 1. Forest Acres Road - 2. Columbus Ave – Approved.

With no other business, Chair Ballin asked for a motion to adjourn.

IT WAS MOVED (Mark Kaplan) AND SECONDED (Tina Helm) to adjourn the Board of Selectmen's meeting of October 19, 2009. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting was adjourned at 7:30 PM.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London