

**Town of New London
Citizens Advisory Committee
January 24, 2009**

Members Present: Mark Kaplan (Chair), Larry Ballin, Michael Doheny, Rip Cross, Stephanie Wheeler, Rick Anderson, Howard Hoke, Noel Weinstein, Gary Markoff, Jack Harrod, Gary Lineberry, Dave Payne, Barbara Brown, David Dunning, Peter Messer, Peter Bianchi, Bob MacMichael, Bill Clough, Joe McCarthy, David Harrison, Marilyn Kidder, D.J. Lavoie, Hugh Chapin, Vahan Sarkisian, Bob Lavoie, Ann Loeffler, Cindy (Adie) Snay, Paul Gorman

Mark Kaplan opened the meeting by stating that the refreshments for these meetings would be discontinued in an effort to cut back on expenses unless the Committee wanted to pass the hat, which they all agreed to do for this and all future meetings. They collected \$36.00 towards refreshments for this meeting.

Mark Kaplan stated that the first order of business on the agenda was the sewer replacement in Sunapee. He stated that the Town has asked for certain things to be done before it becomes involved with the \$7.6 million project. Gary Markoff asked to have the \$7.6 million project put in context with the \$3.8 million project and Mark explained that the \$3.8 million project was Phase I and he (Mark) was speaking about the entire project of \$7.6 million. The Town was asking the Committee to think along the lines of regardless of what happens, when the Town does do the sewer system, it will need detailed engineering because when the Town has that, it can then approach the government for funds to do this kind of thing. Without the engineering plans, the Town won't have a shot at doing anything like that. The engineering plans will cost the Town of New London \$385,000, with a total cost of something around \$570,000 and what the Town is proposing is to take out a bond issue and there is a chance that, even if the Town does that, it can still apply for that portion (\$385,000) from federal or state funds. So the Selectmen wanted the Committee to know where their thinking was and hoped for the Committee's support for this kind of thing because in terms of getting federal monies, there is no shot that the Town would get it without the engineering plans.

Howard Hoke asked in the Town's best ability to guess, does the current climate and the goal of the President's whole infrastructure improve the likelihood of general funding for the project? Mark responded yes. Howard replied that it would be prudent to be prepared for when that money becomes available. Larry Ballin stated that the federal stimulus package is going to be aimed at roads and bridges and waste water treatment plants, and obviously this is a waste water treatment plant, so it really does qualify for the need. Having said that, there could be applications for over \$2 billion from just the State of New Hampshire municipalities for this stimulus money, so it's quite a queue lining up for this money and, no guaranties, but he thinks the Town has a good shot at it.

Vahan Sarkisian asked if the project is shovel ready and Larry responded that no, it is not shovel ready and that projects that were shovel ready would get the money the soonest. That was why the Town wanted to get the engineering plan going, to create a shovel ready project. He clarified Vahan's question by stating that there are supposed to be shovel ready plans required for the very first phase, but that there is an expectation that there will probably be more (requirements) to come.

Noel Weinstein asked if it would be likely to be the Town or sewer people that would be bearing the bond or the initial study or the whole project and Mark Kaplan responded that it hasn't been determined yet. Noel asked if the Town should go ahead before it even gets the thing going and then determine later where the cost would be borne? Mark responded that in terms of the \$385,000, he thought that bond could be borne by the Town on the tax rate. He stated that it was not on his say so, but that it should be

determined by the whole town. He also stated that he was aware that there are townspeople who would say 'hey, I don't use it, why should I pay for it?', but on the other hand, anybody who goes to a restaurant or any store or any place near the Town and uses the facilities, is obviously using the sewer system. So when they think about the Town's institutions, the Town Hall, the Library, the school, and the hospital, that make up the Town, to do an engineering study, he believes, yes, it should not be on the tax rate, but as a bond issue (he wasn't sure of the numbers, but thought it would most likely be a 20 year bond). In his opinion, there's no way he wants \$385,000 to fall on the tax rate. He then asked if anyone had any questions.

Rip Cross asked if any commitment had been made yet to an engineering firm for this work. He stated that the engineering climate is as difficult as any other climate out there and he wondered if there were any competitive services available.

Larry Ballin responded that Wright-Pierce had been chosen from a competitive bidding process last summer. Certainly the next time the Town meets with them, they would be asking them to look at their figures because this is an estimated cost and the Town also has hired their own engineers, Underwood Engineering, to review everything Wright Pierce is doing, so there is a fail-safe mechanism in place. Underwood is making sure the Town is getting everything it needs.

Mark Kaplan stated that since the Town did not have the engineering expertise in terms of the wastewater systems, the Board of Selectmen hired an engineering firm to review the engineering proposal that is going to be presented to them, so that they have expertise in advising them that whatever Wright Pierce recommends, it will be good for the Town of New London. Vahan Sarkisian asked if each firm was under contract and if so, how long were the contracts good for? Mark responded that Underwood was under contract and he didn't think there was a specified length of time because they were hired as advisors for the project until it is completed or until the engineering for the project is completed. He stated that the number was not an open one, it is \$16,000 for the project.

Bob MacMichael asked who the contract was with for the \$385,000 and Mark responded that was the Town's portion of the \$570,000 (combined project with Sunapee), which would go to the Wright Pierce engineering firm.

Peter Bianchi stated that, while he didn't completely agree with the Board, he did understand where they were coming from, but there were businesses that were not on the sewer line and had the Board given any consideration to a portion of the cost going to tax rate and a portion going to sewer users? Larry Ballin responded that the Board had thought about that with the project itself, but not to the engineering side of it.

Gary Markoff asked if anyone had been contacted at the State Senate or the U.S. Senate level to discuss how the Town should get in queue? Larry Ballin responded that he was meeting with Hode's office on Monday and felt sure that when Judd Gregg was back in the state or when Shaheen gets more involved, there will be lots of opportunity to talk with them. Gary commented that the State was in a fortunate position since Judd Gregg had accepted a very senior position in the Senate and could extract monies for the state. Larry reiterated that they were staying on top of it and that there was another meeting scheduled in Concord next Friday that he and Jessie Levine would be attending regarding issues such as this.

Gary Lineberry asked what the timeline was for queuing up on this project and Mark Kaplan responded that the government hasn't really said that the door is open on such and such a date. The Board is just realizing that the Town needs to be ready when the money is ready. Larry Ballin stated that he thought the engineers were ready to go and what would end up happening is if the Town gets the engineering contract in place and they need to be ready by say, July, there would have to be a special Town Meeting to

authorize expenditure of the funds even if all or 70% of it comes back as a Federal grant. But the Town is getting lined up for this and in conjunction with the Town of Sunapee. The best case scenario is that both towns, Sunapee and New London, vote to move ahead on this, on the same parallel track. Worst case scenario is New London says no, Sunapee says yes, and next year, it flip flops, so we have to play this one correctly.

Bob MacMichael stated that the timing is crucial as pointed out, however invariably it will get done at some point and Mark agreed that yes, eventually it had to be done because the project had to be done. Gary Lineberry asked if the engineer work was separate from the Sunapee/New London engineer work or would one engineer do the work and Mark stated that one engineer firm would be doing the work. However, he reiterated that New London had hired its own engineering firm to review what was going to be done. Larry Ballin interjected that the New London firm had come up with some substantial alterations and suggestions that will be cost-saving.

Peter Bianchi asked if all the work that was being done was to the distribution lines and Mark responded yes. Larry Ballin stated that it's a 30-year old plant that has a 20-year life span and Mark clarified that it's actually a 35-year old plant. Peter asked, with all the new technology, about relocating to the old Pleasant Street site and Larry Ballin responded that it was certainly worth a discussion, but his guess would be that the Town would be held up in court forever. He went on to say that first of all, the people downstream would be concerned because of the past history and secondly, the Town would still have sediment holding areas (the lagoons) to replace, and if they were to put in a new plant out there, the lagoons would have to be completely refurbished with millions of dollars in costs. It would be better off to find another location than to start from scratch at that old place.

Mark Kaplan then stated that in other words, in terms of waste water, once you have cleaned it up, you then must have a place to put the cleaned up water and that's the reason why Sunapee was designated as a location because it can go into the Sugar River. Going into the little stream that goes into Kezar Lake just wouldn't handle the flow. Even if you think in terms of Blackwater, that's not large enough to handle the flow coming out of waste water treatment plants. So, while there are other concepts, we are prevented from the practicality of them, because those flows are just not large enough to handle the water coming out of the waste water treatment plants.

Larry Ballin stated that some of the Sunapee commissioners did look into possibly continuing the system over into the system behind the old Dorr Woolen Mill which is now owned by Ruger and trying to upgrade that one, but the cost was going to be prohibitive.

Noel Weinstein asked if the cost for the engineering would be borne by both towns and Larry Ballin responded yes, and Noel asked if the cost for the firm checking on the engineering firm would be covered by both towns, to which Larry replied no, and Mark stated would be New London's cost. Noel stated that this would benefit Sunapee too, so why wasn't it being split in half? Mark responded that Sunapee was satisfied with what Wright Pierce was saying. He went on to say that for \$16,000, he would like to have someone at his elbow telling him if the plan is a good plan and when he says it can be improved, New London saves its portion of it. It is true if he says something that improves the plan, Sunapee picks it up for nothing, so to speak. But by the same token, if it prevents us from getting into something that's really not so good, that's all he's interested in.

Bob MacMichael asked where in New London a sewer system could be put and Mark clarified that it's the waste water treatment plant that's the problem. The clean effluent from the waste water treatment plant is a huge flow and where can it go?

Howard Hoke asked about the special town meeting and if it was too late to get the \$385,000 on the warrant. Mark responded that no, the Town would get the \$385,000 on the warrant. Howard asked what the special town meeting would be for and Mark responded that it would be to spend the total in the event the federal funds become available. Larry Ballin interjected that it would be for the first part of the project, meaning the \$3.8 million and Mark stated that obviously they wouldn't do it without Town approval. Gary Markoff asked if it was because of the timing with the Federal government and Mark stated that they were not prepared to go to Town Meeting unless they receive Federal funding and Larry interjected that this was all hypothetical.

Mark Kaplan then turned over the meeting to Larry Ballin who had some items relating to legislation. Larry stated that the Local Government Center Municipal Advocacy Committee heard from Representative David Campbell of Nashua last week and he is proposing an increase in the gas tax to help fund roads and bridges infrastructure improvements because the Department of Transportation is woefully under-funded and running at a deficit. He is proposing an increase of \$0.05 a year for the next three years. Each five cents represents \$37.5 million to the State of which we would get 12% for local work and that would equate to about \$100,000 per \$.05 increase to the state aid that would come to New London for our own roads.

Gary Markoff asked where the street(s) would be that would be paved (Main St.?). Mark Kaplan responded no, Main Street was a State road and Larry Ballin interjected that it would only pave one of the Town's smaller gravel roads. Jack Harrod stated that was assuming the State actually distributed the money and Larry agreed that was a very good point and that the State was woefully inadequate at doing that. Gary Lineberry asked why do it now when the Federal government was handing out all this money and Larry Ballin responded that he was not saying he was in favor of it, he was just bringing it up for discussion because they have to go back to the Municipality group next week and express the Town's opinion on it.

Michael Doheny asked what the \$100,000 would do to New London's tax rate and Mark responded that it would mean ten cents on the tax rate. Howard Hoke asked if part of this proposal was earmarked town by town and would New London have \$100,000 earmarked for it? Larry Ballin responded that if he understood it correctly, it's distributed by the number of miles that are Class 4 and 5 roads that you have in your town. Obviously if 12% is going to towns, the other 88% is going to the State which, in theory, will improve Main St. and the State roads within New London. We all know that the biggest money pit right now in the Department of Transportation is the widening of I93 in the southern corridor and that's what they're looking to create money for.

Howard Hoke asked if he understood it correctly that in 2009, gas is \$1.70 and they impose the increase of five cents, raising it to \$1.75, and then \$1.80 in 2010, 2011 it goes to \$1.85, we receive \$100,000 in 2009, we get \$200,000 in 2010, and \$300,000 in 2011? And what happens after 2011? Larry Ballin replied that he couldn't give Howard an exact fact on that, but his opinion is that the Town would be right back in the same place it is now. Noel Weinstein asked if the tax was going away after three years and Larry responded no, in theory it was creating \$100,000 each year which would multiply, and then it would be in place and that money will continue to be distributed, so that at the end of the term, it's an extra 36% to the municipalities. Noel Weinstein stated that it would be real monies for the Town.

Gary Markoff stated that this was happening in Massachusetts as well and they were being told it was going to be part of a national push toward electric cars and how they would give incentive to people to use battery-powered cars. Larry Ballin responded that it would increase the burden on those people who couldn't afford those cars. Gary countered that it could also be used as an offset for less gas/oil demand which was happening now. Paul Gorman commented that it should be made worth the Town's while to do this if the State wanted the Town to sign on to this and Larry replied that was a very good point. The

problem is that the DOT distributes the highway fund to programs other than roads and bridges, i.e. the Highway Patrol, the Department of Safety, etc. Lots of people are going after that money because for a long time it was a pretty easy place to pick money out of and the Committee chair was very close to law enforcement. So yes, that was a good suggestion, even if it only moved up to 16 or 18%. Howard Hoke stated that his opinion was that he didn't like the way the State of New Hampshire goes about generating revenue. He stated that the State just continued to do things which are hidden and burdensome.

Mark Kaplan stated that the gas tax as it currently exists raises \$400 million per year in the State of New Hampshire and it's supposed to be for roads and bridges, and that \$160 million was used for things like highway patrol, etc. and is used for those types of things because basically the money is there and the State doesn't want to raise taxes, so they take it away from the roads and bridges. Gary Lineberry asked what was the comparison to other states and Larry responded that New Hampshire had one of the lowest rates in the country. Michael Doheny stated that we pay more in Merrimack County than in Sullivan County and so if this proposed gas tax is statewide, there's no provision in there for having another county tax and that's why we pay ten cents more here in New London than you do over in Newport. Larry Ballin responded that he was not sure how that assessment would be, but it's not by county. He stated that his take-away is for more accountability for the monies that are being spent by the DOT and he's not sure after seeing this presentation that he's comfortable with this, that they're doing the best job that they can in the way that they're spending the money. The widening of I93 from Salem to Manchester is a huge money pit and they just seem to think that is going to be the saving grace for transportation.

Ann Loeffler asked if the gas tax was just one of the ways to raise money because they were also talking about the toll booths. Larry Ballin responded that the toll booths were the proprietary of the Turnpike system so that money really stays within the Turnpike system. None of that money comes back out to the local roads.

Gary Lineberry asked about the gambling proposal in the State this year and Larry Ballin clarified the issue: do we legalize slot machines at the race tracks in Salem, Belmont, and the closed race track in Hinsdale, New Hampshire? There will be a bill to put an actual casino in the city of Berlin and there's also quite a push by the Mt. Washington Hotel to have a casino up there at Bretton Woods. Peter Messer stated that he understood it was to keep the money in the State because lots of people go south to gamble, but his concern was that it would generate more crime. Gary Markoff responded that it seemed preposterous to be concerned about letting people gamble where they already gamble. Larry Ballin stated that the argument against it (and he was just the messenger) is that it was going to create a tremendous wealth drain on people who can't really afford it because slot machines are so addictive.

David Dunning stated that he was against it the same as he is against lottery tickets, the proceeds of which are supposed to go to education. Larry Ballin asked Barbara Brown how much money from lottery sales goes to education and she responded that no one knows for sure. Larry then asked for a vote by hand to get a sense of the room on legalization of slot machines at the race tracks in New Hampshire. There was an equal show of hands for those in favor and those against.

Larry Ballin went on to say that another issue talked about to raise revenue was that the Town is allowed by law to assess up to \$5.00 per vehicle registration to go into a highway maintenance fund. He stated that there are over 5,000 vehicles registered to citizens in the Town right now and it could raise \$25,000 a year for the Town (as an annual assessment fee, which is not the same as the registration fee that is set by the State). Peter Messer asked of the two checks (one for the State and one for the Town) that are submitted, does the Town keep 100% of the check written to the Town? Mark Kaplan responded yes. Larry Ballin stated that he didn't seem to be getting a good response to this issue. David Payne commented that if the Town was to do this, it should do it so it's significant and charge \$10 or \$15, to which Mark Kaplan

responded that the State mandated the amount. Larry Ballin said that the issue did not need a vote, that it could be authorized by the Board of Selectmen.

Bob Lavoie asked if other fees could be raised and Mark Kaplan said that there were other fees, such as the building fees, and that the Town was looking at those kinds of fees and may be changing them. He stated that the survey showed that New London was lower than the surrounding towns. Gary Markoff asked if there would be a dedicated line item for the registration fee and Larry Ballin responded no, it would go toward road improvement. Gary stated that it could be applied toward salaries and/or bonuses and Larry replied that it could pay for a third of one of the gravel roads that eventually need to be paved (annually). Gary said it could be one of a number of soft ways to accumulate expense reductions and cited an example of buying school supplies online at Amazon with 2 day free delivery as a creative way to reduce expenses. Noel Weinstein agreed, stating that the Town needed to find revenue sources that were not so difficult to get in order to keep taxes from increasing.

Mark Kaplan asked Ann Loeffler to explain her concept to the Committee about having volunteers help clean up the brush debris along the roadside. She stated that she felt it would be one way to help defray Town costs, but realized that there would be liability issues involved and Mark Kaplan added that not only would it be a liability issue, but that someone would invariably ask if it was being done correctly and then the Town would have to hire someone to supervise. Ann stated that she had heard about storefronts in a Massachusetts town having to shovel their own sidewalks and Bob Lavoie suggested that New London try to figure out what types of volunteer jobs could be done to help the Town save money. Larry Ballin responded that the Town would be happy to look at suggestions and the Town attorney would scrutinize any made. One thing he could say was that this coming year, the Town was going to use the prisoner workforce (with supervision) from the county farm in Boscawen for some projects. He stated that they were used last year to clean up beaches and to do small renovation work and it was very successful.

There was some discussion of the volunteer groups already in place in the Town and Larry Ballin commented that they could certainly look into any suggestions, but that he felt there should be caution about extending volunteerism into the municipal level, especially in areas where someone could get injured. He also stated that to finish the conversation on volunteerism, it is the time of year when citizens are encouraged to sign up for all the various offices and the list was downstairs if anyone wanted to participate.

Gary Lineberry suggested that it might be helpful to send out an agenda in advance because there may be times when there is a topic that is hard to decide and that would give the Committee some time to think about an issue in advance. Jack Harrod stated that there had been guest speakers at some of the meetings and he found those sessions very useful when there was a focused topic.

Howard Hoke said that he had been asked by a Town employee to mention that the entrance to the elementary school is a place where there are frequent accidents, especially coming down Gould Road, and he suggested increasing the visibility of the stop sign at the corner of Gould Road and Pleasant Street by putting in a bigger one and that it would be beneficial to put something on Pleasant Street, north of the entrance, suggesting that there is a pedestrian area or a school zone or something posted to slow people down. He also suggested signage indicating wrong way at the entrance to the school and if the traffic pattern changed, then the signs could be turned around and reused in exactly the same place. He stated that it is a year round problem and there is no indication that people are going the wrong way, that it is a school zone, or that there are children playing in the area.

Peter Bianchi stated that a police unit could be stationed there and/or the electronic sign could be used to get people's attention. Howard responded that the electronic sign was a good idea, but having the police stationed there would not work because they are required to respond to calls elsewhere at any given time;

he added that this would be an instance where a citizen could volunteer to be a crossing guard for the area. Noel Weinstein commented that since a four-way stop sign had been installed at 103A and County Road, there had haven't been any significant accidents and asked why not put in a three or four-way stop sign on the school road to mitigate someone going through it because the other guy would stop for it anyway. Larry Ballin responded that he had noted it for Monday morning's Selectmen's meeting.

Michael Doheny commented that he wanted to commend the Town police, fire, Jessie Levine, and the Selectmen for the great job they all did with the shelters during the ice storm. Jessie rounded up a group of volunteers to run two shelters, where there were hot meals and a warm place to stay.

Vahan Sarkisian asked about how the Town went about hiring the Town counsel and is there any bidding process as to how they charge their fees? He stated that he felt the Town spent an excessive amount of money on Town counsel and which could be better spent on all the things that the Town wanted to improve. Larry Ballin responded that the Town used Barton Mayer of Upton and Hatfield. They are a firm well-known for municipal law in the state. He said that he did not have an answer for that question, but that he would look into it.

Vahan stated that he thought that no matter how much knowledge they had about municipal law they had, the advice given to the Town was not always the best and it was costing the Town a lot of money. Jack Harrod asked what the amount was and Larry responded that it was \$40,300 for last year's legal fees.

Gary Markoff asked about the status of Jack's and Noel Weinstein responded that he thought somebody had bought the equipment from Ledyard Bank and was looking to reopen in a couple of months. Larry Ballin commented that he heard a speculation that it would be a coffee shop, then a pub, so it would expand its hours.

The meeting adjourned at 8:45 a.m.

Respectfully submitted,

Camille Holmes
Secretary, Town of New London