



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES June 28, 2010

PRESENT:

Tina Helm, Chair, Board of Selectmen
Mark Kaplan, Selectman
Peter Bianchi, Selectman
Jessie Levine, Town Administrator

ALSO PRESENT:

Gerald (Jerry) Coogan, Chair, Recreation Commission
Laura James, Recreation Commission
Allison McLean, Recreation Commission
Chad Denning, Recreation Director
Laura Alexander, Conservation Commission
Sue Clough, Conservation Commission
Terry Dancy, Conservation Commission
Emma Crane, Conservation Commission
Andy Deegan, Ausbon Sargent Land Preservation Trust
Jerry Shelby, Otter Pond Protective Association
Walt Goddard, Lake Sunapee Protective Association
Peter Stanley, Zoning Administrator
Jim Wheeler, New London resident
Bob Lavoie, New London resident
Gina Gioldassis, Intertown Record

Chair Helm called the MEETING TO ORDER at 8:00 AM.

Recreation Commission: Chair Helm welcomed members of the Recreation Commission. Jerry Coogan, Chair of the Commission, said that he wanted to have a dialogue with the Selectmen to get feedback as to where they are going with regards to recreation and how their plans fit into the Town. He expressed his thanks to the past and present Boards of Selectmen who approved the position of a full-time Recreation Director position in 1999. Mr. Coogan was also thankful for Bob Andrews, who did a great job and who, unfortunately, left us untimely. He added that the Town was very fortunate to have Chad Denning come along in the spring of 2006. Mr. Coogan said that Mr. Denning has a contagious enthusiasm and has done a wonderful job bringing more people into recreational activities. He explained the role of the Recreation Commission as supporting Mr. Denning, serving as a sounding board for his ideas, and helping carry out programs for the benefit of the residents of New London. Mr. Coogan explained that one thing they wanted to talk about was Bucklin Beach and the building there. He gave the floor to Mr. Denning to continue with the presentation.

Mr. Denning said that there has been new programming created over the last couple of years. Due to the fact that they are seeing a trend with lower numbers in the day camp, they came up with some “al a carte” programs that are not full-time but just held a couple of days per week. He said that all of these new

offerings are sold out and that many summer programs would start today, including all swim lessons, the day camp, Junior Summer Adventures, and teen programs.

Mr. Denning reviewed that the Winter Carnival was a huge success and the ice skating rink and cross country skiing trails were well used. He felt that the department was growing in a nice way. One new project he wanted to mention was the Story Walk behind the old middle school. Chair Helm took the opportunity to read into the record an email received from New London resident Linda MacKenzie: "I just wanted to say how much my kids love this idea. They went on the trail with their classes and we did it ourselves again the other day. Thanks for all you do to keep these kids & adults moving!" Mr. Denning said that he appreciates any and all constructive comments because it makes the department bigger, better and stronger.

Mr. Denning said that the beaches currently look great and said this is due to the work of the lifeguard staff. He added that a lot of residents who come visit the beaches tell them that the beaches look great.

Mr. Denning explained that they are currently planning for fall activities. The DHART helicopter is scheduled to come for the Bike Rodeo, Touch-a-Truck and Skateboard demo event in September. The Winter Wild program, for which the department won some awards, is also being planned. They will add another mountain, Pats Peak, to the mix this winter. Mr. Denning said that he was excited about where they are headed in recreation

Recreation Commissioner Laura James said that she is proud of Mr. Denning and is also very happy with the educational piece that he has provided along-side his programming. He helped with the elementary school's walk-a-thon and led something called "The Power of Play" initiative, started in the Springfield kindergarten, which is an effort to teach parents and children that it is okay to turn off technology and play. She also mentioned the Bike Rodeo, which is a very important and favorite event for the children in Town.

Recreation Commissioner Allison McLean, who is the former Director of Parks and Recreation for the State of New Hampshire, said that she has been a recreation advocate her whole life. She is impressed with the growth and sustainability of this department. She sees that Mr. Denning has continued to maintain a high standard of programming while continuing to grow and add additional programs. Ms. McLean noted that it is a very large market which doesn't just include children, but rather a diverse population.

Mr. Coogan explained that the other two members who add a lot to the Recreation Commission were Keith Pomkoski and Jason Stadler, who could not be here this morning. Mr. Coogan referred to the summer recreation brochure, which is present on the Recreation Department website. They opted to post this brochure online instead of printing it in order to save money.

Mr. Denning returned to the subject of Bucklin Beach. He noted that the boat house was built in 1962 and the size is 30' x 20', half of which is used for the bathrooms and the other half for storage of lifeguard equipment. He believes that the building needed an expansion to create more space for storage and to improve the bathrooms. Mr. Denning shared architectural renderings prepared two years ago of possible updates to the building. He explained that one problem is that the Recreation Department does not have any of its own facilities for storage. Since the department is growing so rapidly, they have had to depend on using space from other departments, which have been accommodating to this need. The renderings he had in hand created a dormered second story which remained within the same footprint that is already there. Mr. Denning said that the Recreation Commission would like to engage an architect over the summer to develop better plans and a cost estimate for the project, and would like to bring this

information back to the Board of Selectmen to review. Mr. Denning said they'd like to turn the downstairs entirely into bathrooms, and the upstairs would be storage. The design would allow the lifeguards to monitor beach activity from the upstairs dormered window in inclement weather. Currently, the lifeguards cannot see the beach from the boat house.

Mr. Denning said that there had been \$25,000 put away into a capital reserve fund for recreation facilities over six years. The last two years, this funding has been removed from the budget. They feel that they have some great projects in the pipeline and feel that the investment of time and money would keep up the standard of their Town and its recreational activities.

Mr. Bianchi said he recalled seeing the approval by the State for the holding tank at Bucklin. It was his understanding that there could not be an increase in the size of the building at all, with the present holding tank design. Ms. Levine said she did not recall that condition and would look at the operation permit. Mr. Bianchi said that it was a shame to spend the money on the holding tank instead of extending the sewer system to the beach. This would have opened up the ability to develop the spot at Bucklin and would have helped others in that area to be on Town sewer. He understood that there was a fiscal constraint component to the decision to go forward with the holding tank.

Mr. Denning said that he had consulted with Peter Stanley (Zoning Administrator) on this project, who told him that the footprint could not change due to the shoreland regulations. Ms. Levine said that the intention was not to change the capacity of the building or even add additional toilets, but to allow for more storage. Mr. Denning said that in the bathrooms, they would like to create more room for changing areas. Mr. Bianchi said that the restriction on increasing the building pursuant to the approval by the State should be reviewed before anything goes any further. Ms. Levine agreed and said that what they were looking for today was the blessing of the Board of Selectmen to go forward with planning.

Mr. Denning said that many times the Budget Committee has commented that the Recreation Department asks for money for the capital reserve fund but does not have anything planned. He opined that this was not true and that they have been planning all along. They want to keep the facilities they have up to the standards they should have in New London.

Mr. Kaplan asked if there was money in the Capital Improvements Plan (CIP) for the Recreation Department. Ms. Levine said that they had about \$105,000 in the capital reserve fund. She noted that they have had to spend out of the fund for the Bucklin Beach septic upgrade, the fence replacement at Bucklin Beach, and the work done at the skating rink and warming hut. Mr. Kaplan asked if they would like to have the \$25,000 per year put back into the CIP. Mr. Denning answered in the affirmative. Mr. Coogan said that they want to work in cooperation with Board of Selectmen and the Budget Committee moving forward so they can move in tandem on projects.

Ms. Helm said that she thinks the programs are great and she tries to participate in as many as possible. She wondered what some of the challenges were that they deal with in the Recreation Department. Mr. Denning said that it is an issue of who can use the Recreation Department. The Department is there first and foremost for the residents of New London, but the reality is that if they restrict the programs to residents only, most of the programming wouldn't happen. He noted that they are seeing an influx of surrounding regional people using the programs. Mr. Denning remarked that this notion allows them to offer more programs in the department, which gives New London residents more opportunity to participate.

Mr. Bianchi said that he recalled at a CAC meeting that about 40% of participants of the programs were New London residents. He said that his children all went through many of the programs offered by the

Recreation Department, but he is concerned that they are trying to be a regional YMCA and he is not interested in supplying recreational programs to places in other towns, including Manchester and Concord, which have been drawn to the "Winter Wild" program. He said that he has a reservation about growing to include everyone in the surrounding towns only to keep their numbers up. Mr. Bianchi said that he has heard others in town ask him "What are they trying to do with recreation and how broad do they really want to be?"

Mr. Denning said that it is important to understand that some of the neighboring towns do not have Recreation Departments. While he understands that this is not New London's problem, they are trying to provide recreation in general. He wanted to make the point that by offering the programs to people outside of New London, they are bringing money from other towns which helps to keep the programs viable and available. People from out of town come and pay to participate in these programs, and they also frequent the businesses in New London for food or other services. The money they pay to participate goes into the Recreation Department's revolving fund to help support other programs. Mr. Denning said that their programs are growing by leaps and bounds and all the while, they have not asked the taxpayers for more money.

Mr. Bianchi said that they've been "lead down garden path" with the regionalization of the school district. The district is so big now that the Town of New London is held back because they have to include everyone in these sorts of programs. He said he felt bad for towns that didn't have recreation programs, but that is their choice and New London shouldn't be supporting them.

Mr. Coogan said they receive Mr. Bianchi's opinion with respect and sensitivity. He shared an example of a regional running series that New London participates in, which draws people into town who spend money in local businesses. He said that Mr. Denning has done a good job cooperating with other towns in the area to make these sorts of events happen.

Mrs. James said her children have grown up in town and she also has some older friends who live in town. One challenge in the Recreation Department is to increase community collaboration. She opined that this is achieved when mountains like Whaleback, Ragged Mountain, Pat's Peak and Sunapee work together to put on events like "Winter Wild." These are programs that bring money into the community. In addition to this sentiment, Mrs. James was concerned with the scholarship programs not continuing. There are people in need and she feels it is important to continue the programming. Mrs. James said that she wanted Mr. Bianchi to know that as a New London resident, she understands his point of view. She felt, however, that if they could bring those outside dollars into the programs, they could keep the scholarship fund going so those who can't afford to participate in programs can receive the help they need.

Chair Helm asked how the Recreation Department worked with the other two recreational resources in town, referring to the Council on Aging (COA) and the Outing Club. She wondered if and how they work with those two organizations to consolidate their efforts. Mrs. James said they need to work to open the lines of communication with the other organizations. She opined that the Outing Club was doing a wonderful job in helping the community with scholarships. It is her hope that they will continue to increase that sort of program. Chair Helm said that in their small community, there is a richness of recreational resources available, but wanted to know if they felt they were using their "buck" in the best possible way. Mr. Denning said that he would like to see more collaboration. He opined that each of the organizations (COA and the Outing Club) has their own identity but we are working in a different paradigm now, where we must make every dollar count. He noted that Nancy Friese from COA has worked with the Recreation Department over the past three or four years, and they plan to work more with them in the future. They worked with the Recreation Department to bring the Wii video game

programs to seniors. Mr. Denning felt that the Outing Club and the Recreation Department have an understanding to not duplicate programs. The Outing Club deals primarily with club/field sports and the Recreation Department deals with lifelong learning opportunities. He opined that the two organizations complement one other.

Ms. McLean said that she has worked with many similar situations throughout the state where there are groups with multiple missions and visions trying to merge them into one goal. During the last couple of years they have created venues to bring the various bits of recreational information together. She agreed that synergies created in town provide so many more opportunities for the town because they have the different organizations. Ms. Helm applauded the Recreation Commission's initiative in this regard.

Mr. Kaplan complimented the Recreation Department for bringing to light some facts he was not aware of. He was impressed that they have been expanding programs and have done it within just a one or two percent increase in their budget. He complimented them for working with other recreational entities and for being able to expand their programs by using the money from their current programs. Mr. Kaplan said that by charging people from other towns more than a New London resident has to pay has enabled them to grow. He opined that they have conducted themselves very prudently from a fiscal point of view.

Ms. Levine said that the activities that Mr. Denning runs outside of Town raise money for the revolving fund, which allows certain in-town programs that are predominantly used by New London residents to remain free, such as the Easter Egg Hunt and the use of the snowshoe trails. She reminded the Board of Selectmen that Town Meeting has voted again and again to have this department, and to keep it going, there have to be events happening. Ms. Levine added that something no one has mentioned this morning is that Mr. Denning has been participating in the "Destination New London" discussions with the Chamber of Commerce and local businesses. She shared that Rob Bryant of the Chamber of Commerce has been appreciative of Mr. Denning's partnership and what he has done to support the businesses and bring others in from surrounding areas.

Chair Helm said that she differed from Mr. Bianchi's position. She said that we are part of a regional school district, so the children regularly interact with children from other towns. She doesn't have a problem with people coming here from other towns as long as they are paying and are bringing money in.

Mr. Bianchi asked how much less they charge New London residents for programming. Mr. Denning said that the swimming lessons, for example cost \$20 per child for residents, but \$30 for non-residents. Mr. Bianchi said that when he was the president of the Outing Club, everything was done on a volunteer basis. He agreed that things look different from the perspective of where they come from; now everything costs money to participate. Mr. Denning said that if he could offer the programs for free, he would.

Ms. McLean said that the Recreation Department wants to respond to the core principles in the community. They have taken feedback from the town on what the taxpayers want in terms of recreation. When they look at various programs they want to offer, they ask "how can they make sure that the key principle goes back to the town and is key focus on the people here." She explained that they give the opportunity for New London residents to sign up for programs a month earlier than out-of-town residents so as to recognize those as the "key" constituents and customers. Ms. McLean said that they make sure the Recreation Department puts New London front and center. They give promotional pieces about New London when they are outside of town doing activities. This shows that they are proud of their Recreation Department and of New London. Chair Helm applauded this effort.

Mr. Coogan said they want to focus on the beaches in the next couple of years. They are the core of the summer programs and get a lot of use and traffic. They have a great sailing program that they started on a

shoe string. The Town was gifted a few boats, which are coming to the end of their useful life. They'd like to get three new Sunfish going forward. Chair Helm asked what happened to the idea of seeking donated boats, since the boats had been cut out of the 2010 budget. Ms. Levine said that the Recreation Department had run ads in the local papers and she had written about the need for boats in her column and had sent e-mails to the citizens' list, but there was minimal response. Mr. Denning said that the one boat that was donated was not in good condition and is being used for parts.

Mr. Coogan said that they would like to come back to the Board of Selectmen in 3-4 months to keep the dialogue going. Chair Helm thought that made sense.

Mr. Lavoie asked how expenditures for Bucklin Beach were authorized. Ms. Levine said that most Bucklin Beach expenditures come out of the Town budget. Ms. Levine said that if expenditures come from the revolving fund it requires hers and Mr. Denning's signatures.

Chair Helm asked her colleagues how they felt about the Recreation Commission moving forward with researching and planning for updates to the boathouse at Bucklin Beach. Mr. Kaplan said that he was in favor of planning. Mr. Bianchi said he was in favor of planning but at this point in time with the town, state and federal government budgets the way they were, he wasn't interested in spending a dime. Chair Helm said that she was only inquiring if he was in favor of planning. Mr. Bianchi said he wasn't interested in spending any more money but he was fine if they wanted to do some brainstorming. Ms. Levine said that they were not asking to spend any money at this point, but that they just don't want to spin their wheels on planning and bringing forward a project that won't be supported.

Chair Helm said she is in favor of planning but agrees with Mr. Bianchi that no expenditures should be made at this point. Mr. Bianchi said he didn't want to tell them to spend a lot of time on this and then not be able to move forward due to money constraints. Ms. Levine said that they first need to identify key information before they can proceed with any further dialogue on the issue. Mr. Bianchi said he didn't want their consensus to be construed as full support to go forward with spending any money. Ms. Levine said that was clear.

It was determined that the Recreation Commission was given the green light for further planning. Mr. Coogan said he wanted to come back in September/October with some preliminary plans and costs. The Board of Selectmen thanked the Commission for coming to share the information.

Minutes of the June 12, 2010 CAC Meeting: IT WAS MOVED (Mark Kaplan) AND SECONDED (Peter Bianchi) to approve the minutes of the June 12, 2010 CAC Meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

Minutes of the June 14, 2010 Board of Selectmen's Meeting: Mr. Bianchi said that on the first paragraph page 1 it should say "his report *on* the Planning Board" instead of "his report *to* the Planning Board." Chair Helm said on page 4, in the last full paragraph it should say "She assured him that this issue is in the process of being worked out."

IT WAS MOVED (Peter Bianchi) AND SECONDED (Mark Kaplan) to approve the Non-Public Meeting minutes from the June 14, 2010 Board of Selectmen's meeting, as amended (Bianchi/Kaplan). THE MOTION WAS APPROVED UNANIMOUSLY.

Chair Helm asked Ms. Levine whether she had contacted Senator Gregg and sent a letter to Paul Hodes regarding the sewer funding, or lack thereof. Ms. Levine said Sunapee had sent those letters on behalf of both towns. Chair Helm asked about their discussion of signs on Old Main Street and wondered if Ms.

Levine had contacted the State for the “Share the Road” bicycle awareness signs. Ms. Levine said that she had written to the State and received an email back from the Director of the Bureau of Traffic, which said he was headed out for vacation and would respond in a month.

The Board of Selectmen took a short break to allow time to set up the projector for the Conservation Commission (Conservation Commission) portion of the meeting.

Conservation Commission: At 9:00 AM, Chair Helm welcomed Ms. Alexander, who took the floor on behalf of the Conservation Commission. She explained that the reason they had requested this time with the Board of Selectmen was to tell them about a land acquisition project they are working on. They had initially thought the project was something they had to work on quickly, but have recently found that it is on hold. Ms. Alexander said that they want to make the Selectmen aware of the impending project and keep them in the loop.

Andy Deegan, representing the Ausbon Sargent Land Preservation Trust (ASLPT), showed several slides and explained that there were two parcels for consideration comprising 17 acres along Otter Pond. The larger property (14 acres) is currently on the Conservation Commission’s “wish list” of properties they want to preserve. The land has been surveyed and appraised by the current owners. The smaller parcel is three acres, adjacent to the existing Philips preserve. Another triangular piece of land would be donated to the Town by the Crowell family. Their goal is for the Town to own the existing Philips preserve and the Philips property outlined in red on the map, and to put a conservation easement on the entire thing.

Mr. Deegan said that there are a number of partners working together on the process – the Sunapee Conservation Commission, Lake Sunapee Protective Association, Otter Pond Protective Association, New London Conservation Commission, and the ASLPT. The Philips Preserve is 70 acres in size and is already owned by New London. There are 1600 feet of frontage from Otter Pond to Otter Brook. There are about 1200 feet of frontage for the new parcel. He explained that there is some land in the parcel that is in the Town of Sunapee, and they have agreed to work to create an easement. Mr. Deegan shared that Sunapee’s Conservation Commission had voted to put forth money for this project.

Mr. Deegan noted that he had been in touch with Hugh Warren, an attorney in Massachusetts who represents the two heirs of the property in question. One heir is looking to put it on the market and the other does not want to. That is why the project is currently on hold. Mr. Deegan added that the New London Conservation Commission voted to put forth some funds for their own appraisal although the current land owners had already done one. When he notified Mr. Warren that they wanted to go forward with an appraisal, Mr. Warren told him that in good conscience, he couldn’t have them spend money on that at this time given the uncertainty of the heirs’ position.

Mr. Deegan explained that one thing to note is that there is an existing right of way across the Philips Preserve to the property in question. Quite possibly, there could be two homes put on the property. He noted that the right of way has been used as a logging road during forest management activities conducted by the Town of New London. He went on to explain that the parcel is a very attractive one with unbroken shore frontage. It is buildable but would also be good for a trail network. He noted that there is an existing trail network in the Philips Preserve. He added that the parcel has good forestry soils.

Ms. Alexander explained that there were some Colby-Sawyer students who conducted a natural resources inventory for the Town to help them focus their efforts on land to protect. She said the students took values that were important for conservation, some of which included wetlands, ecological lands, and working farms. Any parcel with a score of three or higher was considered high-scoring. This parcel is

one of only three on their wish list of properties. Not only does it abut conservation land, but it also has an aquifer beneath it.

Mr. Deegan added that there is a small sandy beach on the property that could be used as a kayaking destination and felt this would be a plus for the Town. He's had discussions with other organizations, such as the Lake Sunapee Protective Association (LSPA), the Otter Pond Protective Association and the Sunapee Conservation Commission. They have all given full support and Sunapee's Conservation Commission has voted to give funds to aid in this acquisition.

Walt Goddard spoke on behalf of the LSPA. He explained that several years ago the Land Preservation Committee offered that the best buffer for protection of water is in the land that protects it. The committee established criteria to judge properties that would be most important to preserve. Their wish list identifies four areas, one of which is this area on Otter Pond. Mr. Goddard said that LSPA employee Robert Wood, who focuses on the impact of land development on surrounding water, said that he has identified that there would be major impacts if the property were to be developed. Of the streams flowing into Lake Sunapee, over 53% of the total surface water flow comes from Otter Pond. The next largest is about 14% and it is located near the Soo Nipi area.

Mr. Goddard said that the LSPA had held two meetings on this land acquisition issue. One of the meetings included the executive committee, which voted unanimously to pass the matter onto the board, which then met and approved to proceed. They are excited that this is coming back with potential to put an easement on this. They are very anxious to support the efforts to acquire this land.

Jerry Shelby, from the Otter Pond Protective Association, said that he has been monitoring the pond and its five tributaries, and was pleased to report that Otter Pond is still a pristine body of water. He added that it is an integral part of the watershed. The whole association would not like to see the land developed.

Mr. Deegan commented that ASLPT has not voted on this matter yet, although people seemed interested in it.

Mr. Lavoie asked how much the property owner's appraisal came in for. Ms. Alexander said that it was \$470,000. Ms. Levine said that coming out of the discussion of the Clark Pond property, where there was disagreement about the value of the property, the Board of Selectmen and the Conservation Commission agreed to have two appraisals done to have a better picture of the property's worth. She said that the Conservation Commission was not asking for a decision to be made at this time; they were just giving some notice that this effort was going on and that at some point, it may be brought before the voters.

Ms. Alexander said that there has been a survey and appraisal and that the Conservation Commission has a vote to go forward with another appraisal. They have \$420,000 in their land acquisition fund, and with money from other groups, they would be able to pay for the property as well as any costs incurred going through the process. The Conservation Commission would need the Selectmen's approval to enter into a purchase and sales agreement, and they would have to go before the voters to gain permission to spend the money on the property. Ms. Alexander said that if something else comes along while this project is on hold, they would come back and let the Selectmen know. Ms. Levine clarified that the Conservation Commission has a checking account that they have authority to spend out of. This account is comprised of money that has been gifted or donated to the Conservation Commission and contains about \$13,000.

Chair Helm asked Mr. Shelby if Otter Pond had a lakehost program. Mr. Shelby answered that it does not, as it does not have a public boat launch. In order to have a program like that that is funded, the body of water has to have public access. There is no public access to Otter Pond. The water is currently

accessible by Goose Hole via a trail network. Ms. Levine clarified that “public boat access” was a statutory term, versus general public access by foot. Ms. Levine said that the public can launch and has launched boats from the beach that is there. Mr. Shelby explained that to meet the standards of a public boat launch, they would need a place to launch from, which would leave only seven or eight feet from the edge of the water to the paved portion of the road. They have always accessed Otter Pond for boating, public swimming and use of the beach. They have no anticipation of curtailing this use at any time unless it is abused. Mr. Shelby said that the beach is owned by the Otter Pond Protective Association and was deeded by the Gordon family.

Mr. Kaplan asked about the trail that goes through the Philips Property. Mr. Stanley said that the people who own the 17-acre parcel have a deeded right through the Philips Preserve. New London has a right of way gifted to them by Cindy Snay for forest management activities. Presently, the general public can go on the trail but not onto the 17 acres. Mr. Deegan said that if the property was developed and the trail was used as a driveway, others could not use it as a right of way.

Mr. Kaplan said he wanted to thank the Conservation Commission for coming to the meeting. He said that he was around when the Clark Pond episode took place and he applauded them for the 180-degree change. He was glad to see them coming to the table with what they had in mind. Mr. Kaplan added that it doesn't make a difference if they approve it, but that it is the process that is important. Chair Helm agreed. Ms. Alexander said it was her hope that the Conservation Commission would have their support.

Mr. Lavoie asked if there was any speculation of a time frame for this project. Mr. Deegan said that he thought it would be ready for next Town Meeting, but it is now on hold because there is a dispute between the heirs on whether to sell the land or not.

OLD BUSINESS:

Sunapee Wastewater Upgrade Funding: Ms. Levine shared that the Board of Selectmen met Thursday night with the Sunapee Sewer Commission and Neil Cheseldine, engineer for the project. It looked like Sunapee would get funding for its portion and New London would not get anything except the offer of a 4.25% interest loan. Together, they decided two things: 1) to contact Paul Hodes's office; and 2) Donna Nashawaty and Ms. Levine will contact David Barnes, bond counsel, regarding the RD's interpretation of the law and whether the intermunicipal agreement could be interpreted in a way that is helpful to us. He has extensive experience with RDA loans. Additionally, as a back-up plan, their meeting on the last Thursday in September would be the one where they would discuss alternatives if they don't get anywhere with the grant.

Mr. Bianchi said it was an interesting meeting. He explained that Ted Gallup had suggested that the intermunicipal agreement might be interpreted that Sunapee could have gone ahead with the project and just billed New London and not have them be involved with the planning. Mr. Gallup noted that they wouldn't want to do it that way, but Mr. Bianchi still felt was a scary thing to hear. Ms. Levine said that if the intermunicipal agreement can be interpreted that way for the approval for the grant, they could rewrite the sewer agreement, which they have wanted to do all along anyway. They've created addendum agreements in the past that should be incorporated into the main agreement.

Mr. Kaplan asked what was scary to Mr. Bianchi about Mr. Gallup saying that he could just bill New London for their use of the facility instead of making them a partner. Mr. Bianchi said that if it is Sunapee's plant and they have to fix it, they could have the ability to say “fine, we'll fix it. New London, you owe “x” dollars for the repairs.” Mr. Bianchi said that Mr. Gallup was quick to say that they don't *want* to do it that way, but the possibility made him nervous. Ms. Levine said that they want the 45%

funding to apply to the whole project. She didn't think Sunapee would say "from now on, New London doesn't get a vote." Mr. Bianchi said it brought up a whole other approach, which was nerve-racking to him.

Mr. Bianchi said that Mr. Cheseldine explained that was once the grant was approved there would be a 15-page letter that comes back to them stating conditions that must be met in order to get the money. Ms. Levine said that she was not surprised that this would be the case. Mr. Bianchi said that the money has to be awarded by September 1. They are under the gun right now and surely wouldn't have time to meet the conditions by the deadline. Ms. Levine said that if they were chosen to get money, they would probably extend the date of when all conditions were to be met.

Chair Helm said they should pick a date to stop trying to move forward and waiting for this to go through. Ms. Levine said she didn't think the process was dragging out that long considering all the hoops they have had to jump through. They've been working on this since March and have to keep fighting a bit longer. She felt September made sense as a stopping date, but that June was too early to throw in the towel. She added that there were some other federal grants and funding options available if they don't get this one. She said that Mr. Cheseldine was working as hard as he can to get this grant through and is a bit confounded that it hasn't worked. It is all based on median income and New London's is higher than the grant allows.

Mr. Bianchi said he was discouraged by the situation. Chair Helm said that one positive thing is that they are working in a partnership with Sunapee. They did come up with some new approaches and different avenues to explore, and they had the September deadline, which was reasonable. She wasn't that discouraged after the meeting.

Ms. Levine shared that Mr. Cheseldine explained that in this case, they can't fix only one part of the project without fixing the others. For instance, the headworks cannot be upgraded without making improvements to the remaining pieces of the treatment process.

Mr. Lavoie said that since the engineering technical view seems to be a problem, perhaps a legal route should be taken. Perhaps a lawyer should take another look. Ms. Levine did not feel there was a problem with the engineer's approach at all. She indicated that David Barnes, Bond Counsel, was very familiar with these kinds of grants and it was already planned to consult him.

Mr. Lavoie asked if it would be appropriate to consider Sunapee taking the capital expenditure and then rent the facility to New London in the future. Ms. Levine said that is what the second application suggested, which was turned down. New London was described as just a bulk user. Ms. Levine said that they had Underwood as peer review of the application and design. It has gone through two sets of engineers. Underwood didn't raise any questions about the application and the process.

Ms. Levine said that also at the joint meeting in Sunapee, both parties agreed to dismantle the Library meter entirely. It is a New London meter in Sunapee. New London has been paying for the electricity and phone lines and the meter has not been working properly. Chair Helm said she was disappointed that that had been going on so long. Ms. Levine explained that the meter was inactive for some time and then started giving invalid reports. She said it isn't a meter that they've used to monitor flow. It was to see some level of Sunapee contribution after going through Georges Mills.

Budget/Wage and Benefits Schedule: Ms. Levine and Chair Helm had met with Jim Wheeler, Budget Committee chair, in response to Mr. Wheeler's inquiry about health savings accounts. Ms. Levine said that it is an appropriate thing to look at and would look at it as they prepare the budget to bring to the

Board of Selectmen in October. They agreed it would make sense to bring the schedule onto the table to make sure it makes sense to everyone. The wage study would be released in July by LGC. They will also be seeking price comparisons on benefits. Ms. Levine thought the Board of Selectmen needed to know what the other towns were offering at the same time in order to consider what benefits to offer to New London employees.

Chair Helm asked if there were any data they could collect before the information came in from LGC. Ms. Levine said that they can look at what the other vendors will offer for insurance programs. They won't know what the other towns are doing until they get the survey. Chair Helm said she would advocate collecting that data and then they'd be ready to go when the information came in from the LGC. Ms. Levine said she wants to send the message that the Selectmen are exploring what is out there but at this time are not planning any changes.

Mr. Bianchi said that he went over the schedule and was at the Budget Committee meeting on May 19. He was concerned that the Board of Selectmen are giving no direction or general philosophical input to the department heads and seeing nothing until the October 4. Mr. Meck had brought up the fact that no one was giving budgetary guidance in advance. He thought they should give a general direction that the budget should be going in. It looked to him that the Board of Selectmen won't see any budget figures until October 4. He felt that people would be doing a lot of work that the Board of Selectmen may not agree with.

Ms. Levine said they have a number of meetings between now and when department heads will present their budgets to them. She felt there was adequate time to figure out at which meeting they want to have that discussion. She felt it would make sense to have that discussion in August so when preparing their budget, they'll know what to aim for. Ms. Levine felt that the Board of Selectmen should know what is not included in the budget that should otherwise be there. There are items that will come up from year-to-year that may be unusual, such as the overflowing parking lot at the Town office. She thinks they should have guidelines but be prepared that there are proposals beyond that to take into consideration. Mr. Bianchi said there are a lot of things coming up with the State's financial problems. The Town has lost money from the courthouse and is in jeopardy of losing their room and meals tax as well. It would be good to give their feelings to the department heads to stay within some guidelines. Ms. Levine suggested the August 9 meeting where the department heads could come in and be given some guidelines. They agreed on August 9 to set goals for budgetary controls and where they feel the departments should go.

Ms. Levine asked what information would be helpful for them to be able to give guidelines to the department heads. She mentioned factual data for state cuts, prospective mandated costs, and the CPI. Mr. Bianchi said he thought it should be more general such as "zero percent increase in the tax rate," etc. He said that it should be whatever happens to be the feeling of the board. He thought maybe a general budget report to date would be helpful.

Chair Helm asked if they would not have a firm revenue projection by August 9. Ms. Levine said they usually file their revenue projection through the State in September. They could do something for August 9 but it wouldn't be final. Mr. Kaplan asked when the State would tell them how much they'll get from rooms and meals tax. Ms. Levine said the State's new fiscal year starts this week, so that number should be coming fairly soon. She added that the State is keeping their retirement contribution rate flat at 25% this year. She said she would include the revenue impacts for the August 9 meeting.

Mr. Wheeler asked if at the August 9 meeting, it was their intent to have a discussion amongst the three of them regarding guidance, and then the suggestions would be passed through Ms. Levine to the department heads or would the department heads be invited to interact with the Board of Selectmen on this

discussion. Ms. Levine felt the department heads should be at the meeting and whether it was an interacting-type of meeting or not would be up to the Board of Selectmen. Mr. Kaplan asked if they should invite the Budget Committee to the August 9 meeting. Mr. Bianchi agreed that the more input the better.

Scenic Byways Update: Ms. Levine said that they had a meeting on Wednesday morning in Sunapee. They met with the representative from the Department of Transportation to talk about the corridor transportation program. She listed the included roads to be Main Street, Newport Road, 103A 103B, and 103 (the loop around the lake). The short term goals are to install scenic byway signage and set up quarterly meetings on the second Thursday of August, May, February and November. At the August 12 meeting they will seek a representative from the Towns, the Planning Board, Conservation Commission and Board of Selectmen to come and talk about where the byway should go and what some of the other projects should be. Ms. Levine said that the ultimate goal is to have actual appointments of additional members to the committee by the three towns. There are presently some citizen volunteers who come in and out but are not particularly active. Ms. Levine said that ideally, scenic byway signs would be placed on Crockett's Corner (2), King Hill Road, 103A and Main Street but the Department of Transportation didn't think they'd get that many signs in New London.

CodeRED All Call: Ms. Levine said that a press release has been sent out regarding the recent test of the CodeRED system. The test of the system was successful with a 40% connection rate on the initial call. They changed the line speed and did a follow-up call, which gave them a 77% connection rate. This was considered a successful test. Ms. Levine said that they plan to proceed the week of July 4-9 and do a "validate" which is when the system continues to call the 25% of calls that did not go through. That may mean that the number is no longer in service, or it could be a cell phone that keeps people on hold with music until party can be reached. The idea is to clean up the data.

Ms. Levine said that they are a little stumped with what happened with the maps. There was a Main Street problem that would identify a New London Main Street address input to be in the middle of Springfield, NH. This was fixed but has since reverted back. She said that CodeRED will do a custom 6-town map so that they can identify houses by latitude and longitude, making it most accurate. They have also talked about a "do-not-call" list to remove those who do not want to be included in the service. The Town is asking these individuals to sign a waiver when opting to not receive the calls from CodeRED.

Mr. Bianchi said that his wife didn't sign them up for the service but that he still received the test call. He wondered if anyone had added him to the list. Ms. Levine said that CodeRED has access to some information already so many people may be in the database without applying. She added that feedback has been positive about the CodeRED program. Mrs. James thanked the Board of Selectmen for the service and felt it was both valuable and important.

EECBG Update, Bidding & Contracts: Ms. Levine said that this update had to do with the Elkins Grant, the micro-hydro study, and the lighting grant. They had been trying to figure if they had to go out for bid for the position of grant administrator. The Selectmen had voted to use Shelley Hatfield, but Ms. Levine has since decided that since they have not received an RFP waiver from the government, they should go out for bid. Bids are due to Ms. Levine by July 7. The other portion of the work is with the Kearsarge School District. The school has had a number of conversations about whether they have to go to bid. Neither project can continue until the Board of Selectmen has agreed to have Chair Helm sign some lengthy contracts. Ms. Levine said that the Federal Government Office of Energy Planning has named TRC Energy Services as the administrator of the grant. They will have to sign an agreement with the School District saying that they are a sub-recipient of the award. She said that she is working with Ms. Hatfield on that language.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Mark Kaplan) to authorize Chair Helm to sign the EECBG agreement on behalf of the Board of Selectmen. THE MOTION WAS APPROVED UNANIMOUSLY.

Mr. Bianchi said that he didn't know why anyone would give money to have micro-hydro studied in Elkins. He said you don't have to be an engineer to see that the flow is sporadic at most.

Elkins Project: Ms. Levine said that the good news is they have absolute confirmation they have received the Elkins Grant. Funds will not be available until FY 2012, which begins October 1, 2011. She emailed the DOT to see if they could make all funds available in the fall of 2011 to push through the project before the retirement of Richard Lee in 2012. Mr. Lee wants to be a part of this project. She said there was also some rumor that the feds had changed the rules so that Towns could spend money in advance and then be reimbursed. She found that this was not true.

Mr. Kaplan wondered how much money they have put in the CIP against the \$159,000 match they are responsible for. Ms. Levine said there is about \$160,000 in the fund. Right now the projects are funded for their share. However, both of those CIP funds are meant to extend beyond this project. She would still be saying to the CIP subcommittee that they still have to save for more projects. They want to do other sidewalk projects and intersections going forward. Also what is not included is any of the dam work they've talked about. She's asked Clough Harbor to give her an estimate for an inspection of the Mill Pond Dam. Ken Miller has removed the building and now they can approve the gift of the dam but they want to have an estimate to figure out whether they can or want to take it over, financially. They will also hear back from the State on Pleasant Lake dam to see what work may need to be done on that.

Ms. Levine said they are trying to get estimates because the Mill Pond Dam project is an important part of the Elkins rejuvenation project. Chair Helm noted that the approval letter from NHDOT noted that the Elkins grant project would be placed into the State's 10-Year Plan. She asked if there was the chance that this project would be cut out. Ms. Levine said that it wouldn't be cut because it was funded. Mr. Bianchi said he read the information carefully and had questions about where it says "funding is available" a few times throughout the document. He was worried that this would go the same way as the sewer grant. They talk about getting rid of the school aid (55%) and the block grants not being funded. Ms. Levine said this is federal money administered by the State that has been granted to the Town so she does not see it being cut after it has been committed.

Mr. Bianchi said that they may not be out any money, but perhaps within a year with how the state budgets are going, he could envision the government saying that the sidewalk in Elkins was not as important as a school in Bartlett. Mr. Kaplan said that the federal funds are not attached to the state so it doesn't have an effect on the state budget. Mr. Bianchi said he is becoming cynical because of the sewer grant problems they have been having. He said they need to make sure the funds are available and that their project won't be cut short due to lack of funding. Ms. Levine said that the Transportation Enhancement grants are planned pretty far out so it shouldn't be a problem. Mr. Bianchi asked what chances were of the project being pushed up. Ms. Levine said they were pretty good. Their project being pushed up may depend on other towns not having their matching funds yet. Mr. Kaplan asked if the Town had notified the federal government that the matching funds were there. Ms. Levine said she had done so in the fall. She said that it made a difference in the receipt of the grant. Mr. Bianchi asked if Ms. Levine was confident that they have the money. Ms. Levine answered that she was.

Chair Helm asked if Main Street was finished. Ms. Levine said they are to come back to finish the shoulders on Newport Road and paint the white lines. She said they were done at Crockett's Corner but not on Newport Road.

Committee Reports

Planning Board: Mr. Bianchi said the Planning Board is very inactive currently. At the last meeting there was a voluntary merger for Colby-Sawyer College. The maintenance building property was merged with an adjacent lot to save on taxes. There was a lot of general discussion about the definition of yard sale. This was a problem to some people. He felt it was ridiculous. Anything at the end of the road is considered a yard sale and there is only one sale allowed per year. Ms. Levine said it becomes an issue because neighbors complain about people having items for sale or cars for sale sitting on their property. Mr. Bianchi said the next meeting would be on July 13th to work on the Master Plan.

Upcoming Meetings

Chair Helm and Mr. Kaplan said they would go to the Portsmouth Coalition that day.

The Assessing Forum would be held the following night.

Richard Lee will come in on July 12th to talk about bidding. She thought it would be a good time to talk about the Master Plan utilities chapter with him.

Non-Resident Taxpayer Meeting: Ms. Levine said that they have conducted this meeting a couple of ways in the past. One way was to have the department heads give a brief presentation. Ms. Levine said that this got very lengthy. The other way they had conducted the meeting was to have the department heads present at the meeting to answer any questions that may arise. Chair Helm said that the previous year Chair Larry Ballin give an overview and the department heads answered questions. She opined that it went well. Ms. Levine said that the topics of trash and taxes usually come up in these meetings. Chair Helm asked for some cue cards so they could explain what has happened over the last 12 months.

Other Business

Elkins: Ms. Levine said that Mr. Bianchi had asked Mr. Lee to maintain the former Town beach at the end of a right of way off Elkins Road. The right of way is owned by New London and the property on either side of the right of way is owned by the Smedleys. She said that the Town has not maintained this area since they opened the larger Elkins Beach. She wanted to know how much maintenance they wanted to do on it, and added that the Town would need a shoreland permit to deposit material to the area. Ms. Levine said that this request also got her thinking about this use as a public beach. The Selectmen passed a beach use ordinance last year. It is written broadly to cover Town beach property but she feels it would be important for people to know that there is another public beach and that it should be subject to the laws of the other beaches.

Mr. Bianchi said he met up with a resident of Elkins who lives across the street from the old Town Beach. She had walked down there and she said it would be nice to have it evened out. Mr. Bianchi said he told her that he would ask Mr. Lee to put some bark mulch down. Ms. Levine overheard the conversation, which is why it was being brought up at the meeting. He said he didn't want the Town to have to get a permit to do any big project. It is all rocky shore and he was afraid someone would trip over a rock and fall and blame the Town. Ms. Levine said that the Town wouldn't be liable in such a case, as there is protection for the town for recreational areas that are left in their natural state.

Ms. Levine said that this issue got her thinking about the beach ordinance and whether any of the property falls under the use. It also lead back to a conversation she had years ago with Bill Smedley, owner of the land on both sides of the right-of-way. He had suggested swapping the right of way for land on the right side of the Elkins Beach parking lot, essentially trading forest land for a right of way to a beach. No agreement was made, as it did not seem to be a fair trade. The Smedleys are back this summer and maybe would be willing to swap all of the wooded land on the far side of the driveway and then the Town could give the driveway back to them.

Chair Helm asked if they should take a vote. Ms Levine said she just wanted to know their feeling about whether they should negotiate the trade of land for the driveway or do the maintenance work that Mr. Bianchi requested. Mr. Bianchi said he would be willing to negotiate this, as he knows the family. Mr. Kaplan felt it was important to the Town to own the waterfront. There is very little of it and it is very expensive. They may want to build an extension to Elkins Beach at some point.

There was some discussion of the land in that area and what would be best. Chair Helm said she would not support maintenance of the property. Mr. Kaplan agreed that he did not think any maintenance work should be done.

Chair Helm reminded her colleagues that it is important to go through Ms. Levine with regards to things of this nature. Mr. Bianchi said he wasn't trying to go behind anyone's back. He taught Mr. Lee years ago in school and felt he could ask him a simple question. It was a chance meeting and he did not see anything wrong with it.

Kearsarge Learning Center: Mr. Bianchi explained that there was a committee formed by the School Board to talk about the Kearsarge Middle School Property (Learning Center) and he has been asked to serve on it. He said that any input people may have would be greatly appreciated. They will be discussing what to do with the old SAU building and 1941 building. The general consensus that he has heard is that the Town got sold down the river that they couldn't use the building for anything, but now they are using it.

Mr. Bianchi added that he got a letter about the Pleasant Street sidewalks. He wanted to know if they were still waiting to start that. Ms. Levine said that they have asked her to detail the background of the entire Public Works staff. She has a stack of all their training certificates, etc. They also want information on the processed glass they are proposing to use for the base of the sidewalks.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Mark Kaplan) to adjourn the Board of Selectmen's meeting of June 28, 2010. THE MOTION WAS APPROVED UNANIMOUSLY.

Signatures

Application for Building Permits:

- Matt & Kristina Regan, 151 Quail Run (Map & Lot 108-003-000) remove garage, build new garage – Permit #10-056 – Approved.
- Davor & Dinka Novak, 419 County Road (Map & Lot 012-008-000) build new garage – Permit #10-057 – Approved.
- Kenneth Miller/Ralph Lapham, 456 Elkins Road (Map & Lot 077-028-000) demolish existing building - #10-058 – Approved.

- Andrea Redican, 100 Hillcrest Drive (Map & Lot 078-023-000) convert 3 dormers to 1 dormer, convert 2 bedrooms to 1 bedroom and full bath – After the fact – Permit #10-059 – Approved.
- Jones Family Trust 2010, 254 Stoney Brook Road (Map & Lot 137-016-000) bathroom renovations – Permit #10-060 – Approved.
- David & Beverly Payne, 843 Bunker Road (Map & Lot 077-005-000) increase size of balcony – Permit #10-061 – Approved.
- Allan Whatley Trustee, 12 Country Club Lane (Map & Lot 146-002-012) renovate screen porch to 3 season porch – Permit #10-062 – Approved.

Other:

- Disbursement and payroll voucher week of June 28, 2010 - Approved.
- Veteran's Credit application – Approved.

The meeting adjourned at 10:48 AM.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London