



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES May 12, 2009

PRESENT:

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

ALSO PRESENT:

Peter Martin
DJ & Bob Lavoie, New London residents
Dan & Ellie Snyder, New London residents
John & Kittie Wilson, New London resident
Cathy Erickson, New London resident
Erle Blanchard, New London resident
Michael Doheny, New London resident
Wanda Lembo, New London resident
Jack Sheehan, New London resident

Chair Ballin opened the meeting at 8:00 AM.

Cable Access Television: Larry Ballin recognized Peter Martin -- who had asked to be on the agenda to discuss public access television -- and asked Mr. Martin to give a brief background of what he is interested in this morning. Peter Martin gave the Selectmen a handout and stated that he is here today because he is a television show producer and does much of his work in New London. He said that people watch the public access television station and he thinks that the situation the Selectmen have run into can be solved. He referred to the top two pages of his handout referring to the benefits of community access, and the subsequent pages, which are the minutes of the Board of Selectmen's public hearing with Comcast a few months ago.

Mr. Martin said that the solution to the town's problem is documented in the meeting minutes, which are very good and provide a solid record for discussions with Comcast. He stated that one of his favorite programs he produced was when there were antique cars on the Town Common, and when the Planning Commission gave a presentation at the Library on the Shoreland Protection Act. Mr. Martin said that he is probably more conservative than the Selectmen and looks at taxes as something that must be kept under control or they get out of control. He said that the community access channel can be an asset to the town, not an expense, and encouraged the Selectmen to look at it as an investment. He said that Comcast has \$7 million in revenue coming in over seven years, which is a lot of revenue, and the Town has a right to use three channels to share information with the public.

Mr. Martin said that he hopes he can help the Selectmen make a decision. The Town's tax base has the means to support public access, but he asked if there is the desire. He said the channels can be developed into a community benefit. He referred to the copyright laws and said that if his programs go on the public access channel, his programs are protected by the Comcast copyright laws. This is a huge asset that

allows putting programs out to the community without fear of someone suing. Another asset is tourism, which would make a difference to the businesses and the bottom line. He said “your stimulus package starts right here” and that investing in public access an investment into the community. Mr. Martin noted that a lot of producers are producing shows at their own expense with their own sponsors. Mr. Martin said that he could fit within the rules that exist and would have no problem meeting Comcast’s advertising requirements. He said that he is not worried about having huge revenues coming in from advertising, which can also be called “sponsors,” which means it would not come out of the Town pocket. Mr. Martin said that his company is called “Exquisite Productions” and he films Department of Education meetings in Concord as well.

Mr. Martin reminded the Selectmen that they and their citizens have rights and do not only have to watch programming put on by Comcast, but should be able to watch local programming as well. He said that the agreement with Comcast allows three channels: public, education and government (PEG). The Town has the right to allow people to put their message across without going through Comcast. Comcast could provide the funds to build the equipment out front and spread out the cost over the length of the agreement they made with the Town. He said that it is up to the Town how they want to put it together.

With respect to the franchise fee, there are arguments in different towns that it is an unfair tax or fee. Comcast had said at the public hearing that the cost could go into the bill or could be part of the franchise fee. He said that the Selectmen currently receive a 3% franchise fee that amounts to about \$30,000, which is used by the Town as revenue to lower the tax rate. That fee could be raised up to 5%, although the Town should have a good reason for doing so. There are other communities, such as Enfield, which just added an access channel and is using part of the revenues to support the channel. Normally the franchise fee is meant to support the stations, and in this case the Town is using it as tax revenue. He suggested that the Town is using the argument that the infrastructure is taxable and that is why the franchise fee can be taken in as revenue. Ms. Levine stated that that is not the town’s argument for keeping the franchise fee revenue in the general fund; the Town has reserved the right in the franchise agreement to separately tax the property in the right-of-way.

Mr. Martin referred to the minutes from the Comcast hearing in which Comcast referred to its fiber network. He identified Comcast’s head end in Wilmot, near the Wilmot Fire Station. He said that Comcast said that lines could be run into the town from the headend that could result in a live feed for Selectmen’s meetings or other meetings. He encouraged the Selectmen to have live meetings because people could be participating from their homes, and he encouraged the Selectmen to capture those minds to improve Town government and reduce taxes.

Mr. Martin said that the studio and equipment could be provided by Comcast up front with the cost of the equipment spread out over the seven years of the agreement. He agrees with Comcast that Comcast should be allowed to recover the cost of their investment. He then referred the Selectmen to the actual cost of starting a small station: \$2-3000 for up to 5 decks. He said that those boxes are attached to a switching unit that controls the broadcast. If there are more than 10 decks, then the switching unit goes up to \$5-7,000. The best way of doing this, as stations grow, is to use a hard drive so the computer can pull up the programs at will on certain days. In the past, the producers provided disks to Greg Uhrin, who put them into his deck at the headend. He suggested that could be transferred to New London and broadcast out of town.

Mr. Martin said that the cost to New London subscribers over seven years is 15 cents a month to each cable subscriber, which produces another \$20,000 in franchise fees. If the Town wants to receive revenue to run the station, there could be a fee from producers for the right to use a certain time slot, such as \$10 per two hours per week, which is about \$6,240 per year. The producer would be paid by the people who sponsored his programs and the taxpayer or ratepayer would not be charged.

Mr. Martin said that his cable is about \$100 a month, so for him adding another 15 cents is “humorous,” though he acknowledged that for some people it might not be. Mr. Martin encouraged the Selectmen to try to solve the problem and start to develop a station here in New London. He said that the cost is not very high but the return to the community is very beneficial. Mr. Martin invited questions from the Selectmen.

Mr. Kaplan asked if there are other producers in the area besides Mr. Martin. Mr. Martin said that there are a number of other programs and producers: Gordon Weinberger, the Food Show, etc. Mr. Kaplan asked if all producers would be willing to pay the user fee, and Mr. Martin said that he does not know whether they would or not. Some towns put his programs on for free because they are using the franchise fee to support the station and do not need the outside income.

Chair Ballin said that he is one of those people who Mr. Martin assumes is affluent but he has a dish antenna because Comcast would not run cable up his driveway, so he is not familiar with the public access programs. He said that two weeks ago there were three letters to the paper asking for people to contact the Board of Selectmen, and Chair Ballin was subsequently interviewed by Gordon Weinberger and he gave out his personal phone number during the broadcast. Chair Ballin said that he has not heard anything from anyone other than those with a vested interest, and asked Mr. Martin what the market is that the Selectmen would be serving.

Mr. Martin said that the market is the community and the Selectmen are taking away an asset that is far more beneficial than the \$10,000 or 20,000 that is involved. He suggested that he could bring some support forward but if the Selectmen saw this programming in action in other communities, it could be seen that it is a valuable asset. He opined that once the public access channel goes black, there may be more people coming forward. He suggested that more people may be interested in the Selectmen’s meetings than can attend today due to the daytime meeting.

Chair Ballin asked if Mr. Martin could break up his viewing audience between television and internet. Mr. Martin said that he does not track the hits on the internet but believes they are substantial. He said that he is also going to develop DVDs for the School Districts so that people can see the process (of the Department of Education at the state level).

Tina Helm said that she understands what he is saying, particularly the accessibility of meetings, but said that the Selectmen are faced with difficult times even in this town, and Comcast was not willing to meet the Town halfway in giving any kind of allowance to establish PEG access. She said that it is the Selectmen’s hope in the future to move in this direction, but at the current time they are faced with difficult choices. She purposely approached various people after Mr. Martin’s letter appeared in the Intertown, and people were not very concerned about it, for the moment anyway.

Mr. Martin offered to help the Selectmen take a look at it over the summer, once the channel has gone black, and see if people want it back or not. Mr. Martin said that if the Selectmen are already collecting 3% a year, is another 15 cents a month going to harm someone? He asked the Selectmen to consider investing in the start up costs or charging a fee to producers. Mr. Martin said that he could put the station together and deal with it and make it work, like Greg did, which would not be a major problem because he has the equipment to work with. If it closes down, then New London is probably one of the only communities without it, but he could provide information from communities that have had to make the decision between the revenue and the service. He noted the length of time that it took the Lebanon City Council to make the decision.

Ms. Helm said that Mr. Martin's point is very well made about what the reaction will be once it goes black and she suggested that the Selectmen have a hearing in a few months and see if people come and express their concerns. Mr. Martin offered to help in any way he can, as this is a valuable asset to the community.

Chair Ballin said that the Selectmen's decision was based strictly upon budgetary issues and the Town consciously decided to lower the budget this year by 5% and cut services, so the thought of adding services did not come into play. He did not think that this expense should be added at this time to the taxpayers or the cable bill payers. If there is a hue and cry, the Selectmen will revisit it in a few months, and in the meantime he asked if it could be done on the private side. Mr. Martin asked if the Town has access to the head end and Ms. Levine said that the Town does not. The Selectmen authorized Mr. Martin to speak to Comcast through Jessie Levine.

Chair Ballin asked the public present if they had any comments on this subject.

Wanda Lembo said that she found out about this meeting on the cable channel last night, which she watches occasionally when the other stations are not interesting. The cable station catches her up on current events, like Gordon's show. She said that she would hate to see it go and she is surprised that no one else had contacted the Town. Chair Ballin repeated that he had given out his cell phone number and received no feedback.

Ms. Helm said that as the next subject on the agenda is economic development, the point about spreading the word of New London using cable access could be part of the economic development committee's discussions. Mr. Martin agreed and said he is in the ECON Board in Newport.

Kathy Erickson, who produces Kearsarge Valley magazine, said she is not here for KVM because she understands that the advertising is precluding KVM from being on Channel 10, but she agrees with Mr. Martin that the cable access channel is a valuable community asset, and people comment to her every day about seeing the shows. She said that word of mouth is easy but people do not often pick up their phone to make an effort to contact the Selectmen. She does think that when the station goes black and the high school sports games are not on next fall, and nothing comes out that is community-related and locally-broadcast, people will speak up and she hopes they do. She told the Selectmen she hopes that it does come back.

DJ Lavoie said that in the past she has been a proponent of meetings being broadcast in the community, which keeps the community involved, especially for people who cannot get to the meetings. But even though she does not watch the games, she thinks it's a great opportunity for the community to see the high school games that are going on. She also used it for publicity for the Historical Society programs and people from outside of New London have come into Town for the activities. Bob Lavoie made three comments: 1) people need to understand the complete financial issues and cost of the operation; 2) the question of demand – what type of programs would be available for a certain amount of money?; and 3) maybe the Selectmen need to survey the surrounding communities that do have that capability and ask for their opinion on the cost and demand.

Chair Ballin repeated that the Selectmen did not want to get into this expense because of budgetary struggles, but will continue to look at it. He thanked Peter Martin for this time this morning.

Economic Development Committee: Chair Ballin asked Michael Doheny to present the proposed charter for the Economic Development Committee. Mr. Doheny circulated a new draft because he made editorial and formatting changes to the draft that was circulated with the agenda. Mr. Doheny said that if the Selectmen accepted the proposed charter, then the first formal EDC meeting would be in June, and a list

of committee members would be presented to the Selectmen before then. He said that there would be two phases: an EDC of five members and an advisory board of nine.

Mr. Kaplan asked what the duties of the EDC are vs. the duties of the advisory board. Mr. Doheny said that the EDC duties are more formal for presentation to the Selectmen, and the advisory board is more broad-based and would be used for input. Mr. Kaplan asked if one is operative and the advisory committee is more like a board of trustees, and Mr. Doheny agreed. Chair Ballin said that the smaller board is the decision-maker and the larger board is a tool.

Ms. Helm asked what “voting is formal” means as written in the charter, and Mr. Doheny said that it means voting is done by motions, seconds, etc.

Ms. Levine asked what had changed since the last draft, and Mr. Doheny said that it was primarily formatting and reducing the number of days for the agenda to be posted down to five. Ms. Helm noted that both boards’ meetings must be public and Mr. Doheny agreed that both are subject to the open meeting laws.

Ms. Helm said that she has mentioned the formation of this committee to a number of people in town and they are all very excited about this initiative for the future of New London. She hopes that both the five-person and nine-person boards will be responsive to Town input even though there is not total representation on each of these boards. She said that there obviously is a need for development here but not gross, uncontrolled development, but noted that the merchants in town are hurting and they see this as a vehicle of support. That is what she sees it as, so that we can keep some of our wonderful merchants in town and not have them go out of business. Chair Ballin added that we hope to add to them.

Jessie Levine asked how the EDC would interact with the Selectmen versus operating independently. Mr. Doheny said that the EDC would advise the Selectmen on long-term capital projects, but the committee itself would seek to generate revenue such as filling the Stahlman building. Chair Ballin said that the EDC talked about getting signs on I89 like there is in Elkins identifying the New London business district and directing people to a viable downtown. He noted that the Town made a conscious decision not to have the exits be the stop & go but encourage people to come off the highway into New London, but there is nothing directing them into town.

Ms. Levine said that she thinks the lines of authority with the Selectmen need to be clear, especially if the EDC is going to represent the Town and the Selectmen to prospective businesses. She also asked how the Committee would be staffed. Mr. Doheny said that the EDC has no budget and would not expect to be staffed and would record and produce minutes by itself. Mr. Kaplan said that if the EDC is going to try to generate business or find businesses to fill buildings, then he does not see a conflict between the EDC and the Selectmen’s role, and if that’s the kind of thing that will be done then he is all for it. In terms of the advisory board, he likes that too because they will meet four times a year and could analyze the kinds of businesses that would be good for the town. He likes the idea of sets of people looking down the road, and contrary to what Ms. Levine was saying about conflicting with the Board of Selectmen, he does not see any conflict at all if everyone is working together.

Ms. Helm said that she thinks Ms. Levine is alluding to if the EDC goes off and makes decisions on behalf of the Selectmen because Chair Ballin is one of the members of the EDC. She said that she would feel more comfortable if the EDC came to the Selectboard to make decisions and she thinks that the citizenry would feel more comfortable with the Selectboard’s involvement. Mr. Kaplan recommended that the Selectmen’s representative should be rotated just as other committee seats are rotated among the Selectmen.

Chair Ballin referred to the purpose portion of the draft charter, and said it is pretty clear that this is an advisory board and there is no charge to go out and get Dartmouth-Hitchcock to move to New London. Bob Lavoie said that he shares Ms. Levine's concern, as the purpose seems to be a business-interest type of purpose. He said that whether the business-interest serves the purpose of the residents or not, it is good that the Board of Selectmen is involved because the EDC may not necessarily represent the interests of all residents. The other thing, Mr. Lavoie asked, is how one overcomes conflict of interest when a competitor wants to come in (especially a competitor of a member of the EDC). Ms. Levine said there is a conflict of interest section in the draft charter and Chair Ballin referred Mr. Lavoie to Section IX.

Chair Ballin noted that if another hardware store wants to move into town, the incumbent would most likely not be in favor, but if we promote the quality businesses that we have in town, it will ultimately promote all businesses and competition is not necessarily a bad thing. Mr. Kaplan said that when the bagel shop turned into Dunkin Donuts, people were concerned about the conflict with the business next door, and instead more people came because there were twice as many options.

Ms. Helm referred to the article on Sunnyvale, California, regarding economic stimulus projects, which Jessie Levine had distributed to the Budget Committee. She said that there were some interesting ideas contained in that article.

Peter Martin suggested that the Town check with ECON in Newport, which is a separate corporation and can seek grants on its own, etc. He suggested that the EDC should be separated from the Town on purpose and could own property and complete projects that have been funded by grants. Having it under control of the Selectmen may not be in the Town's best interest. The head of Newport's ECON is the Town Manager and suggested that the Town look into the benefits of having a separate charter vs. being overseen by the Town.

Ms. Helm asked if there are names to be proposed to the Selectmen and Mr. Doheny said they would be submitted to the Town. Chair Ballin said that when this started a few months ago, it was Michael Doheny, Gary Markoff, Rob Bryant, and Larry Ballin, and they felt that no one else should be brought in until the committee had a charge from the Selectmen. Ms. Levine said that all members must be formally appointed by the Board of Selectmen.

Mr. Lavoie asked who is responsible for preparing the EDC agenda and Mr. Doheny replied that would be the chair of the EDC.

Mr. Kaplan moved to approve the formation of an Economic Development Committee and Advisory Board as proposed by Michael Doheny this morning. Seconded by Tina Helm. There being no more discussion, Chair Ballin asked for a vote and it was approved 3-0. Chair Ballin said that the EDC will come back with a list of names and Jessie Levine asked for the meeting dates so that they could be posted on the public meeting schedule.

Meeting Minutes: May 2, 2009: Mr. Kaplan moved to approve, seconded by Larry Ballin. Tina Helm was not present. Minutes approved 2-0.

May 5, 2009: Mr. Kaplan moved to approve, seconded by Tina Helm. On page 5, third paragraph, Ms. Helm asked to rephrase her statement about the special Town Meeting. Last paragraph, change "elevate" to "alleviate." Minutes approved as amended 3-0.

April 28, 2009: Ms. Helm moved to approve, seconded by Mr. Kaplan. No changes and minutes were approved 3-0.

Draft Beach Ordinance: Chair Ballin referred to the draft beach ordinance in the packet. Jessie Levine said that she has not heard back from Bat Mayer yet but imagines that he would not have substantial changes. Tina Helm and Mark Kaplan made minor editorial changes. Tina Helm asked under beach behavior, if there should be a provision about distracting lifeguards when they are on duty. Ms. Levine said she would add that provision, and then asked to go through the document in sequence because it covers a much broader ground than the 1986 town meeting vote covered and she wants to make sure the Selectmen and the audience are fully aware of what it contains. She noted that John Wilson had handed her a number of suggestions for the draft at the outset of this meeting.

Section II A) Ms. Levine said that this section specifies that only New London residents, taxpayers, and their guests may use the town beaches. She said that there is an option that she wrote in requiring the guests to be accompanied by the resident or taxpayer and asked the Selectmen if they wanted to include that provision. Mr. Kaplan said that he does not support that option because, for instance, if his grandchildren are here for the weekend and he accompanies them to the beach on the first day but not the second, they should still be able to go to the beach. He thinks that's pulling the string a little bit too tight. Tina Helm agreed, as did Chair Ballin. Ms. Helm asked if New London has ever had a "check at the gate" approach to the public beaches, and Ms. Levine said that the Town has never taken that approach. She said that we may want to consider it in the future if beach use becomes too intense.

Section II.A. i), which requires children under 11 to be supervised by an adult, sibling or guardian over 16 years old. Jessie Levine read aloud John Wilson's question about whether this allows groups of children 11 or under to be supervised by one adult, and Ms. Levine said that would be allowed. Mr. Lavoie asked if it isn't the lifeguard's responsibility to supervise the children, and Ms. Levine said that it is their responsibility in the water, but not on the shore and the remainder of the beach property.

B) Parking – Chair Ballin said that he does not see any issues with this section, which repeats the current requirement that vehicles parked in the parking lots must display a sticker or temporary pass on their vehicles.

C) Beach Hours – There are three options proposed here: open hours from 6:00 AM to 9:00 PM, from sunrise to sunset, or dusk to dawn. Jessie read aloud John Wilson's comments, which state that a "potential contentious issue might be avoided by changing the beach closing hours from 9:00 PM to 7:00 AM or allowing swimming only for the early-morning hours. He opposed using the other two suggestions as "vague, ever-changing, and certainly open to interpretation." The Board of Selectmen was in agreement that setting a specific time is preferable to using sunset or sunrise. Tina Helm said that she would be agreeable to going to 7:00 AM. Kittie Wilson asked if the lifeguards would be on duty when the beaches open in the morning, and Ms. Levine said that they would not be on duty until 9:00 AM. Ms. Wilson said that she would prefer 7:00 AM. Mr. Kaplan asked why it would be a problem to set it at 6:00 AM. Mr. Doheny agreed that 7:00 AM is reasonable as the objective of this entire process was to allow the swim programs to begin again. He said that 7:00 AM is reasonable. Chair Ballin agreed and consensus was reached to change the beach hours from 7:00 AM to 9:00 PM.

D) Vehicles & skateboards – John Wilson suggested that skateboards should be given their own section and that it shouldn't fall under the motorized vehicle category. He asked if skateboards should be prohibited in the parking lots as well as from the property and equipment specified in the draft ordinance. Tina Helm said that she agrees that skateboards should not be allowed in parking lots. Chair Ballin disagreed and said that he knows that a lot of people use skateboards for transportation and he does not see it as a problem. Skateboards are getting more and more popular. Chair Ballin encouraged the Police Department to hold a skateboard etiquette class on the safest way to skateboard.

E) Fires & Fireworks: no changes to the draft as written

F) Smoking: the Board of Selectmen agreed that smoking should be prohibited at the beaches.

G) Camping: no changes to the provision prohibiting camping.

H) Animals: The Selectmen were in agreement with the section prohibiting animals, other than service dogs. John Wilson proposed an amendment to the language regarding harmful animals, plants, and other wildlife, which the Board of Selectmen accepted.

I) Alcohol: the Board of Selectmen approved the provision regulating alcohol and referring to the Town's 2003 alcohol ordinance.

J) Trash & Refuse: Chair Ballin said that he would like to try carry-in/carry-out, and Ms. Levine said that for the most effective approach, trash cans should be removed. Bob Lavoie agreed that you cannot have both carry-in/carry-out and the trash cans in place. Mr. Kaplan said that he would like to keep the trash cans in place. Ellie Snyder said that while she agrees with carry-in/carry-out, she thinks it would not work here because kids go to the beach on their own and may go to the store in Elkins and then go swimming, and there would be nowhere to throw their trash so they would probably leave it. All agreed to leave the provision as is.

K) Litter & Pollution: The Selectmen had no changes to this section.

L) Glass: The Selectmen had no changes to the prohibition against glass, other than an editorial correction.

M) Vending & Peddling: The Selectmen had no changes to the prohibition against glass, other than an editorial correction.

N) Special Events – this section needs to be reworked so that it does not preclude families and addresses events that might pose liability problems. John Wilson asked if there should be a written permit and Ms. Levine pointed out that is already required in this draft.

O) General Behavior: In addition to the change recommended by Tina Helm, the Selectmen asked for more information about the term “loiter” and to change section O.5. to make it clear that it is okay to dig in the sand.

Moving on to the enforcement section, Ms. Helm recommended that there should be an outright statement about the authority of the lifeguards, which Ms. Levine will add. Ms. Levine asked the Selectmen if they wanted to increase the initial fine from \$25 to \$50, and said that Chief Seastrand in the past indicated that \$25 was not a high enough fine to deter people from parking illegally. The Selectmen ultimately agreed that the fine for a first offense should stay at \$25 but subsequent offenses should be increased. Mr. Wilson expressed concern about the safety of the lifeguards if they are allowed to eject people from the beach, and Ms. Levine said that she agrees but would prefer that they have the authority to do so, and she will draft protocol so that the Police Department is contacted for behavior problems that might put the lifeguards in a difficult position.

Jack Sheehan, from Checkerberry Lane, said that he had two comments: 1) the draft was very well done and is quite thorough, and 2) that there is nothing to the effect of storage of personal property on the beach, such as private kayaks, swimming floats, etc., at the end of the day. He said that he knows that the thrust of his comments will be taken as being opposed to rowing shells, but on Checkerberry Lane there are problems of private items being left on the beach at the end of the day, and there is nothing in these regulations that might address the issue to encourage people to take their stuff home with them at the end

of the day. Jessie Levine agreed that could be added and noted that John Wilson had made that suggestion as well.

Kittie Wilson said that she thought this draft was very well done and added that the storage of private property was one of her questions as well, but also asked about private launching. Jessie Levine said that to her knowledge the beaches are used occasionally for private launches and by groups such as the Council on Aging or by learn-to-kayak classes. She said that there are uses that do not go as far as the Rowing Club's request that we may not want to preclude. Chair Ballin said that he would like to leave it up to the discretion of the Recreation Director because he would hate to preclude the occasional individual user, even though there are other areas for launching. Ms. Helm said that sounds like an example of "if it does become a problem, then the Board of Selectmen could amend the ordinance to address it."

The Selectmen asked Jessie Levine to bring back an amended version at the next meeting. Chair Ballin complimented Jessie Levine for a good job on the draft in a short period of time, seconded by Tina Helm.

Dan Snyder asked how the beach ordinance connects with the moorings in the cove at Elkins Beach. Ms. Levine explained that Pleasant Lake is not regulated for moorings, and Elkins Beach is public property and therefore people who fit in the categories in the draft ordinance could cross the beach to access their moored boats. She said that they could also access their boats if they were given permission by private property owners adjacent to the moorings. Mr. Snyder clarified that non-residents who were not guests could not use the beach to access a mooring, and Ms. Levine concurred, although she added that there is not adequate staff to fully enforce this ordinance.

John Wilson asked if there would be a public hearing relating to this ordinance and Ms. Levine said that there would be. She asked the Selectmen if that meeting should take place before, during or after the special town meeting. After minimal discussion, the Selectmen advised they would like to do it ahead of Town Meeting, so it will be on June 2 at 6:00 PM, and if they approve the ordinance it would be contingent on the vote at Town Meeting.

Mark Kaplan departed the meeting at 9:45 AM.

Setting Sewer Rates: Ms. Levine presented the remaining Selectmen with a spreadsheet showing the budget spent to date and the water usage figures, which are about 1.3 million gallons lower than this time last year. She said that she is not sure if this is a function of more snowbirds leaving town, or the ice storm, or business slowing down, but the concern is that if water use goes down, the rate would eventually have to go up to collect enough money to cover the budget.

Tina Helm asked why certain areas usage had gone up and Ms. Levine stated that some that increased had had increased only minimally. She did not know why usage at the churches had increased.

Jack Sheehan asked if the lower flows were the result of the town's study and work to reduce inflow and infiltration. Larry Ballin said that work had reduced the flows going to Sunapee. Jessie Levine said that work was not reflected in these figures because these are based on water use, so it's the water coming from the Water Precinct and does not record water coming into the system through other sources. Bob Lavoie asked if the Town had compared water usage to the amount of sewage flowing to Sunapee and Ms. Levine said that has been reviewed in the past but not recently, as April's figures were not available yet.

Ms. Levine said that she recommended keeping the rate at \$12 per 1000 gallons for the regular budget, and keeping the rate at 50 cents per 1000 for capital and 50 cents per 1000 for the loan. She noted that

one reason the rate could be kept where it is is Carol Fraley's recommendation to use a portion of the Georges Mills sewer bond proceeds to pay the loan expenses. This makes sense because the project is complete so no more funds need to be used for that purpose, but they had to draw down the full bond so it makes more sense to use it to reduce the principal costs.

Tina Helm moved to approve the sewer rate at \$13 per 1000 gallons (\$12/.5/.5) – Larry Ballin seconded and approved 2-0.

Joint KRSD Meetings: Ms. Levine said that she had received an e-mail from Elly Phillips, the Sutton Town Administrator, on behalf of the Sutton Selectboard asking to schedule another joint meeting of the Boards of Selectmen of the seven towns in the School District. She asked for the Selectmen's general availability. Larry Ballin said he can do Monday or Thursday evenings; Tina said that Wednesday evenings work for her as well. John Wilson said that last spring, some of the Selectmen and Budget Committee members attended some of the school Board and MBC meetings and he has been approached by two Budget Committee members from other towns to do something similar. Jessie Levine suggested that Budget Committee members from the seven towns (or those towns that have Budget Committees) be invited to the meeting as well. Tina Helm cannot do June 18 or June 25, which are Thursdays. She is also not available from July 7-16 and July 23.

Special Town Meeting: Jessie confirmed with the Selectmen that we will not rent extra chairs, and asked their feeling about microphones. She said that she would be concerned about acoustics, especially for some of the older population, and that our typical bill for the microphones for Town Meeting is \$750. She said that Linda Jackman has asked for a reduced quote without the roving microphones, but they have not received that yet. Larry Ballin will check with Proctor Academy regarding borrowing or renting a sound system at a lower cost.

Energy Committee: Jessie Levine reported that Chet Reynolds has resigned from the Energy Committee and stepped down as chair, and Jack Harrod is now chair and Mark Vernon will remain as Vice Chair. She said that she has received the anti-idling cards from the Department of Environmental Services, and those will be distributed with motor vehicle registrations. She said that the Energy Committee also asked her to order two anti-idling signs, which will be posted at the Transfer Station and the Post Office.

Wild Goose Hearing: Larry Ballin reminded those present about the DES Wetlands Bureau hearing on the Wild Goose boat launch. Ms. Levine said she will prepare a letter as the selectmen's testimony before the hearing.

SAWC Workforce Housing: Ms. Levine clarified that this workshop will be held at Colby-Sawyer College.

NH Lakes Conference: Ms. Levine read the notice about the NH Lakes Conference, which will be held at Colby-Sawyer College on Friday, June 26. The NH Lakes Association is offering a discounted rate to town board & committee members. Ms. Levine will attempt to find out more information.

Oil Proposal: Ms. Levine presented a spreadsheet prepared by Carol Fraley showing the three bids received for fuel oil. Ms. Levine noted that the town uses only a few thousand gallons a year, as oil is only used for heat at the Transfer Station and Sewer Department. Ms. Helm moved to approve the Fred Fuller oil contract for 2009-2010 at a rate of 1.945 per gallon. Larry Ballin seconded and approved 2-0.

Application for Building Permits:

- Robert & Donna Young, 25 Everett Park (Map & Lot 072-042-000) temporary handicap ramp – Permit #09-013 – DENIED (does not meet front yard setback)

- Michael & Karen Miles, 278 Poor Farm Road (Map & Lot 090-003-000) renovate garage – Permit #09-033 – Approved.
- Jeff & Roberta Hollinger, 443 Bunker Road (Map & Lot 063-002-000) add entry way and deck – demolish existing garage – Permit #09-034 – Approved.

Application for use of Whipple Memorial Town Hall:

- Sunapee Region Board of Realtors, continuing education class, June 3 9:00 AM – 1:00 PM – Approved.

Application for New London Town Common:

- New London Rotary Club – September 16 set up September 17 fundraiser, September 18 break down – Approved.

Application for Temporary Sign Permits:

- Community Garden @ Tracy Library – sign to be placed at info booth June 21-28, 2009 Approved.
- LSRVNA, 107 Newport Road. (Map & Lot 072-039-000) signs at info booth & in front of building – Sale May 16 – 8:00 to 4:00 – Approved.

Other:

- Disbursement & payroll voucher week of 5-11-09 - Approved.
- First Property Tax Billing 2009 **Supplemental** in the sum of \$5,989.84 – Approved.
- Tax Abatement for Jane Hollinger Revocable Trust, (Map & Lot 063-002-000) \$2790.85 property should have been billed as 100% ownership to a new owner, but instead was billed at 50% to the former owners. Approved.
- Tax Abatement for Andreas J. Hollinger Revocable Trust, (Map & Lot 063-002-000) \$2790.85 property should have been billed as 100% ownership to a new owner, but instead was billed at 50% to the former owners. Approved.

There being no further business, the meeting adjourned at 10:20 AM.

Respectfully submitted,

Jessie W. Levine
Town Administrator