



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES October 6, 2008

PRESENT:

Mark Kaplan, Selectman
Larry Ballin, Selectman
Jessie Levine, Town Administrator
Cotton Cleveland, Town Moderator
David Seastrand, Chief of Police
Linda Hardy, Town Clerk/Tax Collector
Mike Meller, New London resident & Chair of New London Democratic Committee
Michele Holton, New London resident & Designated Chair of New London Republican Committee
Bob & DJ Lavoie, New London residents
Jack Harrod, New London resident
Sara Smith, New London resident
Michael Warning, Wilmot resident
Stephen Heavener, Executive Director, Capital Regional Development Council
Lauren Gifford, Valley News
Debbie Cross, Intertown Record

The Selectmen met at 7:45 a.m. to sign the following items:

Applications for Building Permits:

- Nancy Dahm, 110 Murray Pond Road (Map & Lot 045-005-000) replace existing home w/new home – Permit# 08-129 – DENIED
- David & Kim Sauerwein, 137 Pingree Road (Map & Lot 023-003-000) AMENDMENT to move addition to be clear of septic tank – Permit #08-115 – Approved
- Arthur & Sonya Kennedy, 236 Bunker Road (Map & Lot 062-037-000) woodshed 10 x 11 – Permit #08-127 – Approved
- Karen E. Ebel Trust, 151 Job Seamans Road (Map & Lot 060-010-000), replace 20 year single roof with standing seam metal roof – Permit #08-128 – Approved

Applications for use of Town Common:

- America Needs Fatima, National Rosary Prayer Service, Henry Monroe, October 11, 2008 12:00 – 1:00 PM – Approved.
- Town Moderator Cotton Cleveland, Tuesday November 4, 2008, for additional electioneering zone – 7:00 AM to 7:00 PM – Approved

Application for Sign Permits:

- Permanent: Ledyard National Bank, 178 County Road (Map & Lot 059-017-000) -- sign for ATM – attached to existing post in drive up bays --Approved.

Warrant – Land Use Change Tax – Current Use State of NH:

- Steven & Jessy LaValley – (Map & Lot 046-002-001), Little Sunapee Road - \$17,500
- William & Pam Spear – (Map & Lot 112-011-000) 48 Baker Road –\$11,500

Other:

- Disbursement voucher week of 10/6/08 - Approved
- Underwood Engineers – Change Order #2 – County Road Improvements – Approved
- Sewer Betterment – Edmunds Road Property Tax 2nd Levy in the amount of \$66,000.00 – Approved
- Application for Sewer Connection, residential, Theodore Bacon, Jr., 656 Main St. – Approved
- Warrant to the inhabitants of New London to meet for General Election at Whipple Hall, Tuesday, November 4, 2008 – Approved
- 2008 Surplus Results – Approved

Election Planning: At 8:00 AM, Mark recognized Town Moderator Cotton Cleveland. Ms. Cleveland said that she and Linda Hardy met with Assistant Moderator Bob Bowers, Jessie Levine, and two head ballot clerks last week to plan for the anticipated high turnout for election. She said that the electronic sign will be placed in front of Town Hall in the parking space at the corner of Main & Seamans. Cotton reminded the Selectmen that they had been asked to appoint extra ballot clerks, as well as greeters & movers. It will be particularly important because both challengers and observers will be coming from both parties. Ms. Cleveland described the process of challenging, which is uncomfortable (and not particularly effective) given the space constraints. The observers will sit on the stage.

Ms. Cleveland reported that the Sunapee Region VNA, for towns that agree, will participate in “Vote n’ Vax,” which will encourage people to receive flu shots on Election Day. The New London Baptist Church has agreed to host the vaccination because there is not room at the town Hall (it has been mis-advertised as November 11, but is truly November 4).

Ms. Cleveland referred to her handout regarding electioneering rules, which will be distributed to candidates. She will make the final edits after receiving input from everybody. A few questions still remain, such as: When can election signs go up at the Town Hall? Ms. Cleveland said that the planning group recommended that signs be allowed at Whipple Town Hall 24 hours prior to the opening of the polls (which would be 8:00 AM on Monday, November 3). Ms. Cleveland said that some towns do not allow unsupervised signs, so this expands the signage.

Chair Kaplan asked the two party representatives for their thoughts. Ms. Holton said that she usually puts them up the day off. Ms. Cleveland said that this attempts to even out the parties’ schedule for posting signs. Jack Harrod said he would be concerned about vandalism overnight. Ms. Levine said that this is a permissive recommendation; the parties do not have to put up their signs that early, but would be allowed to. Mr. Meller said that there was one individual who splattered signs around and took up the ideal space. Mr. Meller recommended that if Ms. Cleveland wanted to set rules, she set the exact locations where candidates could place signs.

Ms. Cleveland said the second part of that issue relates to the tape that went up around the electioneering zone and that the parties thought it was demeaning. Ms. Holton said that it is interesting because all of this arose from a non-resident, and she thought the behavior was annoying and will not happen again. She has been standing outside the Town Hall for elections for 30 years and it is fun. She and Mike Meller talked at length, and their volunteers will make sure, as residents and people proud of the town that there will not be a problem, and if there is, the police and election officials will be notified. Ms. Cleveland said that there has been an officer for the past few years, and she appreciates that the parties will help supervise and hopefully there will not be fights and we can bring the police, moderator, or assistant

moderators into the discussion. Mr. Meller emphasized to Chief Seastrand that his officers should be walking around there, and Chief Seastrand agreed. Ms. Cleveland said that there will also be a number of people around due to the vaccinations as the Baptist Church.

Chair Kaplan said that the parties have to decide when to put the signs up, and the rest falls into place. Mr. Meller recommended the morning of the election. Ms. Levine said that it is not likely to be enforced due to staffing. Chair Kaplan asked the police to check signage just before 7:00 AM and remove anything that is standing at that time. Larry Ballin recommended a limited number of unsupervised signs per candidate. Michael Warning asked if the parties could self-police – the two party chairs should show up at 6:00 AM and enforce the signs. Ms. Cleveland recommended that this issue be delegated to the two party chairs to reach agreement, and she can then write it into the rules.

Ms. Cleveland asked whether the electioneering area in front of Town Hall would be sufficient for all of the people who would be there for their candidates. Ms. Cleveland reserved the entire Town Common for electioneering on Election Day (she would like it to be a standing reservation on Election Day), and she asked the Board of Selectmen to define the rules for use of the Town Common. Mr. Ballin said that he thinks it is a good idea, because four years ago there was a huge crowd in the small square at the Town Hall and it spilled onto the sidewalk and precluded safe passage to voting. Mr. Kaplan said that the space around the monument can hold a certain number of people and beyond that the police officer or someone else can send them to the Town Common. Ms. Cleveland referred this issue to the party chairs as well, to come back with recommendations to the number of people and to suggest rules to the Selectmen regarding tents, rules, etc.

Ms. Cleveland said that the final issue is that she received a challenge from a Democratic candidate that one of the assistant moderators was a fiscal agent for an opposing candidate. She checked with the Secretary of State's office, who said there is no law but suggested that from a perception point of view, that assistant moderator should not do the hands-on counting, so she wanted to let the Selectmen know how that would be handled.

Larry Ballin recommended that there be good signage telling people to turn off their cell phones in the Town Hall so they cannot be communicating from the stage. Linda Hardy said that there is a sign already in the Town Hall. Larry Ballin said this would assist with the noise level and distractions for observers and challengers. Linda Hardy said it would also prevent people from seeking voting advice while inside the booth. Ms. Cleveland agreed that there should be no cell phones at all because of the noise level, but she and Linda need to use their cell phones if there are any issues or emergencies. Chair Kaplan said that is official business and is understandable.

Mr. Kaplan announced that at 9:00 AM

Economic Development Study: Jessie Levine introduced Stephen Heavener of the Capital Regional Development Council (CRDC) and Karen Ebel, Planning Board chair. Stephen Heavener talked about the interviews and anecdotal research that he has been doing to get a sense of pros, cons and questions related to the Community Center project. He said that one of the tasks in the engagement is to get a sense of what the Town's overall economic development goals are and how investing public funds in a project like the KCC helps the Town work towards those goals. He asked the Selectmen and Ms. Ebel for some sense of their goals for economic development, such as 1) what are overall economic goals, 2) what capital investments made in recent years to help move forward those years; and 3) how town's vision of investing in the KCC will help impact those goals?

Larry Ballin said that if one looks at the recent history of New London, investments have been in infrastructure and quality of life, such as building upgrades, creating a Public Works Department, and creating a well-oiled machine to serve the public. The town has also invested heavily in green space, open space, and conservation land at the will of the people behind those investments. His feeling is that

especially with the loss of the middle school in downtown New London, we are lacking a true economic driver in the center of town. We have CSC and the Hospital with inflow to town, but in the center there is a big open empty building. It is his opinion that if this project comes to fruition, it will create a superb economic driver that will benefit local businesses, residents (culturally and aesthetically), and will create an opportunity in town for real estate values to be enhanced by the quality of life that we're able to provide here.

Chair Kaplan referred to Tracy Library, and said the children coming out of school go to the Library, but the children aren't there anymore, so Library attendance goes down, which is a below-the-surface action that happens that would deteriorate the quality of life here in New London, so while we're not bringing the school back, bringing KCC would bring people back to that part of town and enhance what Larry has just mentioned.

Stephen Heavener asked if there has been any past effort of job creation and business development. Chair Kaplan said that has usually been the realm of the business community (Chamber, Realtor Board) and the Town has not been involved with promoting that kind of thing. Stephen Heavener said his definition of economic development is the investment of public resources to stimulate local growth; leveraging public resources to create the environment where the private sector is interested in investing here. Chair Kaplan agreed that by making the community welcoming, the private investors see it. Mr. Ballin said that through the Planning Board trying to create a quality business and commercial district with water and sewer, encourages development with tax dollars.

Karen Ebel said that at the next Planning Board meeting on Tuesday, October 14, the Planning Board will be discussing the economic development chapter of the Master Plan. She also informed Mr. Heavener of the community survey as part of the Master Plan, including questions that relate to the Community center. She said it will be interesting to see how the business community comes out on issues such as expansion of the commercial district (she said the last time the community was surveyed, the business community did not think the commercial zone should be expanded, and there have been questions about converting residential zones to commercial). As far as the school issue is concerned, we should not lose sight of the fact that the elementary school is still here. Mr. Heavener said he has met with Dr. Kevin Johnson as well.

Mr. Heavener said that in his meetings, there has been some confusion about duplication of services with the KCC. His theme is that there has to be a strong business plan to propose the KCC that does address, very specifically, the service delivery, program operation, time of operation, maintenance and operating costs, etc. That is the type of documentation that needs to be presented within the next 60 days.

Karen Ebel said that none of us has a great sense of what Kimco is doing as far as the shopping center is concerned. There is a lot of concern that the leases are going up, perhaps to compel turnover of smaller businesses to larger ones, and from the standpoint of New London and the region, it would be good to know where they are headed. From a Master Plan and economic development standpoint, that is a big piece of it. Mr. Heavener speculated that their strategy might be evolving; the largest centers in the country are struggling.

Mike Meller, who is on the board of Vital Communities in White River Junction, said that Vital Communities is struggling and had to cut back on staff. He asked if this is the time to be doing this type of project, when funding for organizations is being cut. Jessie Levine said the flip side of that is that a reduced economy may be the best time to invest in economic development. Mr. Meller agreed but said it may affect private fundraising, and Mr Ballin agreed that this project is predicated on a large volume of private contributions. Ms. Ebel said that the concern she is hearing is the ultimate support of ongoing operating costs, and said that the reliance of memberships may make the issue of duplication. Larry Ballin said that the bulk of operating income comes from program fees. Jessie Levine said this just

reiterates Mr. Heavener's point that the business plan needs to be finalized. Mr. Heavener reiterated that the key is the strength of the business plan regarding facility operations.

Mr. Lavoie asked if the economic study would consider the timing. If the warrant is not timely, what alternative would there be, such as next year? Mr. Heavener said that the policy decision will be made by the Selectmen once they get a sense of his report. The timing will have to be balanced against a facility that is vacant, etc. Mr. Lavoie said the timing affects the economic aspects; if it's done now and does not fly, we should be able to address what happens in the future. Mr. Heavener said that is not part of his scope but agreed that the dialogue should happen in the future.

Ms. Lavoie asked if the study would include the impact of the school's departure and the KCC. Mr. Heavener said that is part of the contract but it has been difficult to quantify the impact; there are a lot of reasons for businesses to slow down, but there are not hard and fast data to demonstrate the changes in town. It is clear that traffic has changed, and Jack Diemar has said that his business slowed down, and Heavener can try to demonstrate the impact on businesses, and the flip side is the impact on businesses of the KCC, but it will primarily be logical and intuitive. Karen Ebel asked if we can presume that the only thing that will go in there is the KCC, and Mr. Heavener said he will address other uses that have been brought up in his report so that the Town can continue to evaluate uses for that building if the KCC does not go forward. Karen Ebel said it is in the Town's best interest to have some control over what goes in there, but it is also in the District's interest to control the asset because it is currently sitting empty. Mr. Heavener would doubt that the Town would ever get fee-simple control of that asset but could get long-term control via a lease.

As far as programming, Ms. Ebel observed that if it is primarily cultural events, people would mostly be spending discretionary dollars.

Mr. Heavener and Ms. Ebel departed and 8:55 AM.

Minutes: Mr. Ballin moved to accept the minutes of September 27 and 29. Seconded by Mr. Kaplan and approved.

Roundabout Grand Opening: Jessie asked the Board of Selectmen about having a grand opening. Larry Ballin suggested that the event be coordinated with the start of holiday shopping for the businesses, and suggested November 22 as a tentative date. Jessie Levine said there was an accident over the weekend; Chief Seastrand says it is hard to believe that the person did not see the signs if he was of the right mind. The police was not able to talk to him in a timely fashion so it was difficult to determine exactly what happened. Many hours had passed and potential evidence was gone, so he is left with the cleanup. The incident happened Saturday night. One section of curb was pushed a few inches and Edmunds is looking at it today and the police will attempt to have the cost put into restitution.

Mr. Lavoie asked who is responsible for the landscaping. Jessie Levine said that the Public Works Department would be planting trees this fall.

Sign Destruction: Mr. Meller said that there have been a number of election signs stolen and destroyed and they have tried to get over it, replace them, and all that, but this is more than just destruction. This is fire, which can cause community-wide damage. The fire was about 10 feet from the Wargo's house and the grass did not catch fire, and the Wargos were not home. What also happened is that Sara Smith did not notice the damage until Saturday night, so nobody had reported anything to the Wargos prior to the sign being put out by the Fire Department. The sign cost \$50.

Ms. Smith said the campaign had not been giving signs away. The New London Democratic Committee had been paying for the big signs at \$50 apiece. Beside the fact that it looked like the picture of Barack Obama in the left hand corner is what was targeted, the incendiary device was still on the ground, and it looked like a crime scene 24 hours later. She said that she and Mr. Meller did not touch it (and didn't

know what it was). Mr. Harrod said it looked like a can of camping gas or something like that from a distance. The fire melted the face of Barack, and she feels like this was not against the Democratic Committee but is a hate crime specifically against the man because he's black. People her age who belong to both parties and remember the 50s and 60s and Nazis in Germany are appalled. Ms. Smith said that she does not see this as a prank and should not be treated as such. She would like to see the Selectmen have a full-page ad in the Shopper and have coverage in the Intertown, and the people who did this know that this is not tolerated in this community. She said it should not happen in our community or any community in the United States. Ms. Smith made it clear that they do not think it was the Republicans who did this. Mr. Meller said that he thinks it was done by students. He said that Colby-Sawyer was vehement that no one did anything, but if it were a college student, there should be clear communication to the College that the students should be caught and reprimanded.

Chair Kaplan asked the Chief to comment. Mr. Kaplan said these folks are upset and he does not blame them. There was the destruction of property that could have been worse, and if there is any inkling that this was racially motivated, we want to get to the bottom of it. He asked the chief what can be done. Chief Seastrand said the initial response was appropriate because the Fire Department was called. He is just coming onto this subject this morning, but hearing the discussion he thinks it was appropriate that the Fire Department was contacted. He said the Police Department dropped the ball by not collecting and processing the evidence, and it has been collected this morning and has been assigned to an investigator this morning. Chief Seastrand said that Mr. Meller shared this information about the "network" this morning and therefore it is an ongoing investigation to determine who the individuals are. The Chief will also contact the Attorney General's office to see how to proceed in the political arena. Clearly this is criminal mischief, but to have something political damaged in a potentially severe way, the Police will look at it as criminal mischief and politically motivated or hate crime. He will not know that until after the Chief has spoken to the Attorney General's office.

Mr. Meller said that surrounding the Obama signs are two of his own signs, which were not touched. The damage was not helter-skelter but specifically targeted. Larry Ballin asked when the event happened, and Chief Seastrand said it was about 11:00 on Friday evening. Mr. Meller said someone was staying in the house but has not been able to be contacted. Ms. Smith said the Wargos are very upset and would like someone to contact them. Ms. Smith said she is quite shaken by the whole thing. It is one thing to steal a sign or knock it down, but this is another thing. Mr. Meller read aloud an e-mail from Ms. Wargo. He said that when something like this happens, there should be an attempt made to contact the property owners. Chief Seastrand does not know that no attempt for contact was made. Chief Seastrand did apologize to the homeowner but it is not clear whether no attempt was made. Chief Seastrand also made it clear that this is the first time this has happened, and it is unfortunate that this happened on a weekend and he was not notified. The Police will do everything they can now to proceed with the investigation.

Mr. Meller asked the officer who had been notified and the officer said that they did not know whom to notify. Chief Seastrand said that sounded like a misunderstanding because the police did not know whom to notify about the sign other than the property owner. The assertion that Mr. Meller was not notified is not fair because the police had no way of knowing that the chairs of the parties should be notified. Ms. Smith said sometimes we think that in small towns everyone gets notified of everything, and that can't happen. She thinks that there was a casualness on the part of the officer. She thinks that some of the officers are younger and do not realize the implications of what this means. The canister was still on the ground this morning. The Chief was not notified, and she thinks that this is an issue that some who are more politically involved or older would have responded differently. Ms. Smith said that she talked to Kimberly Slover at the College, who does not think that it is students, and she called campus safety, who did not know of the incident. Ms. Slover then called the police last night and was told that students were in the area during the incident.

Chair Kaplan said that it sounds like the attention to detail was lacking. Chair Kaplan is sure that the police will get the cooperation they need to get to the bottom of this. Chief Seastrand said that he does not believe that this was a lack of sensitivity, but that it just was not followed through.

Jessie Levine said that by accusing the police or college students, we are missing the important part of this incident, which is that it happened in this town which is working so hard to make sure that all parties are treated equally and that election rights are protected, etc. This is a blemish on this community and by misdirecting accusation at the police or students based on hearsay is irresponsible.

Ms. Smith said that it should have been a crime scene and the canister was still there two days later and had moved. She said the sign was placed there because of the proximity to the police department.

Larry Ballin expressed on behalf of the Town his embarrassment that this happened and will encourage respect on both sides. Ms. Smith asked the Selectmen to take out an ad in the Shopper and Larry Ballin agreed that would happen. Chair Kaplan said we are embarrassed and do not want it to happen again. Ms. Holton said that regardless of who did it, a college student or resident or whoever, is appallingly sick and because of the blemish to the town, we are moving forward and everyone is much more aware that this will not happen again. Chair Kaplan said we have a long history of civility in the town and people's opinions are respected, and we do not want to see that deteriorate.

Mr. Lavoie said that what's come out of this is lessons learned, and what to do about it should it happen again.

Septic Project at Bucklin Beach: Jessie Levine said that there was one bid to replace the septic tank, from John Ohler at \$4800. After some discussion, Larry Ballin moved to accept the proposal, seconded by Mark Kaplan and approved unanimously.

Energy Committee response: Larry Ballin said he has read the Energy Committee response and it sounds like a good dialogue. Mr. Lavoie asked what the conclusion on the assessment piece is? Mr. Ballin said that the Energy Committee is willing to carry out the mission of energy conservation and energy creation ideas that they can distribute to the general public, including business and homeowners. This would include cost-sensitive solutions such as putting plastic over windows, etc.

Mr. Lavoie asked about the features used by homeowners to save energy. Jessie Levine said that the decision had been that if a property owner invests in solar or wind, the cost of that improvement would not be added to their property value. Chair Kaplan asked if that would include investments of \$250,000, for example, and Ms. Levine said that could be hammered out when the warrant article is discussed before Town Meeting. Chair Kaplan said he is in favor of it in principle but wants to rethink it prior to going to Town Meeting.

Municipal Agent Fees: Mr. Kaplan recognized Linda Hardy regarding Municipal Agent fees. Ms. Hardy said that for many years, the Town charged \$2.50 per motor vehicle registration. A new bill has gone into effect as of September 9 that allows municipal agents to charge up to \$3, effective any time. She proposed that since it is allowed, it is a good time to raise the fees that the Town receives, and that additional \$0.50 would have given the Town \$2,728 additional revenue in 2007, so she proposes starting the new fee in New London on January 1, 2009. She said that she needs to work with the State to get the renewal notices updated, the computer system updated, etc. Larry Ballin said that he does not have a problem with it at all, and suggested that for \$3 the Town probably spends \$6. Mr. Kaplan agreed.

Crockett's Corner: Jessie said that she has sent notice to abutters

Kearsarge Community Center: Larry Ballin said that fundraising is ongoing, and there is a movement to start looking at a scaled down capital cost for the project, which would not only reduce the fundraising

but the bonding as well, so we will look at different options. The group itself is becoming much more organized and well-oiled. Also looking into hiring an executive director.

Budget Committee report: Larry Ballin reported that the Budget Committee discussed the Library, Recreation, and Fire Departments and all are moving forward with their budgets.

New Selectman: Tina Helm, of Main Street, has agreed to step in and become a member of the Board of Selectmen, so the Selectmen intend to proceed with that and hope she can join the Selectmen next week. Chair Kaplan said that her acceptance has been approved unanimously.

There being no further business, the Board of Selectmen adjourned at 9:45 AM.

Respectfully submitted,

Jessie Levine, Town Administrator