



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES April 20, 2009

PRESENT:

Larry Ballin, Chair, Board of Selectmen
Mark Kaplan, Selectman
Tina Helm, Selectman
Jessie W. Levine, Town Administrator
Chad Denning, Recreation Director
Linda Hardy, Town Clerk/Tax Collector
Peter Stanley, Zoning Administrator

Also Present:

R. Peter Bianchi
Erle Blanchard
David Bowen
Lisa Carlin
Richard Clayton
Joan Cobb
Bob & Emma Crane
Joe & Laurie DiClerico
Michael Doheny
Danielle Dow
Bill Dowd
John & Donna Ferries
Charles & Carol Foss
Randy Foose
Bobbie Hambley

Laurie Jacques
John Kiernan, Jr.
Ron & Vicki Koron
David & Mary MacMillin
Molly MacNaughton
Tod Schweizer
Robert Scott
Pat & Jack Sheehan
Jerry & Elizabeth Shelby
Dan & Eleanor Snyder
W. Michael Todd
Jim Wheeler
John & Kittie Wilson
Steve Wolf

Chair Ballin called the meeting to order at 8:00 AM.

Meeting Minutes: With respect to the minutes of April 15, Chair Ballin filled in the blank that 17 were opposed. Tina Helm made a few corrections to the minutes as well, primarily that she had used "New London Rowing Club" instead of "Lake Sunapee Rowing Club" in a number of instances. Mr. Kaplan moved to approve the minutes as amended, seconded by Tina Helm and approved 3-0.

OHRV & Fishing License: The Selectmen welcomed Linda Hardy, Town Clerk/Tax Collector, who said that she had been in touch with Fish & Game, and there are a number of Town Clerks who are agents for Fish & Game to do ATV, snowmobiles and/or fishing license registrations. Every ATV and snowmobile license brings \$2 to the Town, and every hunting & fishing license brings \$1, so this would be another potential source of revenue for the Town. She does receive frequent inquiries so thinks that people would use this service. It involves manual paperwork and about one hour of training for her and Joan Pankhurst, her deputy. She said that there is no place in New London where ATV & snowmobiles can be registered; Andover and Newport are the closest. She did note that fishing licenses can be done at Village Sports and

in Elkins. Ms. Hardy said she recently attended a tax collectors' regional workshop and a number of her counterparts in other towns are already providing this service.

Chair Ballin asked whether it would be a prudent use of resources and questioned the amount of time that it would add. Ms. Hardy said that her office is not overly-taxed time-wise and this could fit within their existing work day with little difficulty. She noted that the Town only receives \$1.50 for boat registrations and they do those all day long. She said that many people come in with numerous recreational vehicles, and it would make sense for her office to handle them all. She said that she could see not providing the fishing licenses but thinks the other services would make sense. Chair Ballin said he hates to compete with local businesses and whoever buys fishing licenses may buy worms or other items from those businesses, whereas ATVs & snowmobile registrations are not currently handled by local businesses.

Tina Helm asked what we were talking about as far as income and Linda Hardy said she does not know at this point. Jessie Levine said that she thinks this is a good idea because it will bring in a little more revenue without adding to the workday of the Town Clerk's office and would be a good service for the citizens.

Chair Ballin asked for a motion approving the issuance of OHRV licenses, not fishing licenses. Mr. Kaplan made that motion, seconded by Tina Helm and approved 3-0. Erle Blanchard asked for that revenue item to be tracked separately, and Linda Hardy responded that is done for all revenue items. Mr. Blanchard said that he thinks it's a great idea for serving the citizens.

Planning Board: Chair Ballin welcomed Emma Crane to discuss her nomination to the Planning Board by the Conservation Commission. He asked Ms. Crane if she "knew what she was getting into," and explained the history of the Conservation Commission's seat on the Planning Board. Ms. Crane said that she had been on the Conservation Commission for five years and is always open to learning new things. Ms. Helm thanked Ms. Crane for being willing to take this seat. Chair Ballin asked if Ms. Crane will be taking over the tree cutting requests and Ms. Crane confirmed that she would. Chair Ballin suggested that she train with Dale Conly and Ms. Crane said that Mr. Conly and Peter Stanley have both offered guidance. Ms. Crane said that she understands that the Planning Board meets on the second and fourth Tuesday of every month, plus occasional subcommittees.

Michael Todd asked if Ms. Crane were aware of the statewide planning & zoning conference and Chair Ballin reiterated the importance of attending that conference. It is not required, but is recommended, and Mr. Todd said that it is very helpful.

Mr. Kaplan moved to appoint Emma Crane as the Conservation Commission representative to the Planning Board, seconded by Tina Helm and approved 3-0. The Board of Selectmen thanked her and wished her well.

Cell Tower Lease: Jessie Levine said that a cell tower leasing company has persistently asked for the Town's interest in lease space at the Transfer Station for a cell tower, which would provide revenue for the Town as well as possibly provide for the enhancement of emergency communications. She asked for the Board of Selectmen's approval to work on developing a cell tower lease, which would have to go to Town Meeting. She said that the most recent lease that she is aware of was approved by the Town of Stratham, and she has a copy of that agreement.

Mr. Kaplan asked if the agreements tend to be boilerplate. Ms. Levine said that while cell towers are regulated by the FCC, she does not believe that the negotiation process is as cumbersome and unrewarding as the process with Comcast for the cable franchise. Chair Ballin said that he used to work

for a company that leases cell towers, and in his experience there is a lot of flexibility in the process and there should be some benefit for the Town.

Erle Blanchard asked if this is something that might cause interest from more than one company, and Ms. Levine said that she was initially contacted by Verizon years ago, but they have not resurfaced. She said that while the Town can go out for bid, this company has shown interest and will re-sell service to other wireless vendors. She suggested that a provision in the lease include the Town's ability to capture a portion of the leasing fees to other providers.

The Board of Selectmen authorized Ms. Levine to proceed, and Mr. Kaplan advised "proceed with caution."

CAC Meeting: Ms. Levine said that she has received confirmation from Rep. Kidder and Senator Odell about the May 2 CAC meeting. This led to a discussion about the potential loss of school building aid due to the State's budget, which means that the District would not receive reimbursement for the new middle school, as well as previously-bonded improvements to the high school. Dan Snyder said that 55% of those numbers could have a dramatic impact on our tax rate. Jessie Levine said she would contact Larry LeBoeuf to get an idea of the total amount that we are talking about. John Wilson asked if this cut is just for this year. Jessie Levine replied that although the budget is for this biennium, she does not expect that these funds will be reinstated in future state budgets. Chair Ballin said that he is willing to testify in Concord on this subject if it becomes necessary.

With respect to refreshments for the CAC meeting, Michael Doheny suggested that the Town purchase a 30-cup coffee maker. Tina Helm and Michael Doheny will loan their 30-cup coffee makers for the May 2nd meeting.

Farmers' Market: Chad Denning introduced Danielle Dow of Andover, who approached Mr. Denning about six weeks ago to discuss the idea of a farmers' market in New London. The two brainstormed and brought the idea to Jessie Levine and the Department Heads, but wanted to talk to the Selectboard before going forward. Mr. Denning said that the first phone call he made was to Spring Ledge Farm, New London's very own farmers' market, and Greg Berger was very supportive and would like to be a part of it going forward.

Jessie Levine said that she polled other towns in New Hampshire to see how many allowed farmers' markets on town property, and there were numerous instances, some of which had formal agreements. Chad Denning said that the plan was to do it on Friday evenings prior to Bandstand concerts, so he also contacted members of the Bandstand Committee, who were supportive of that idea.

Danielle Dow said that she had spoken to the Department of Agriculture, who said that she needed permission from the Town. Chair Ballin said that there were requirements that the vendors have to be licensed by the State, and whoever's running the farmers' market would have to hold those certificates for each vendor. Ms. Dow indicated that she was aware of those requirements. Chair Ballin said there is also a requirement to have at least two non-related producers at every farmers' market in order to qualify for WIC. Ms. Dow said that they are too late for WIC this year, but that could be done next year. Chad Denning said that Don Bent, Health Officer, would like to be involved to make sure that the vendors are safe for the public. In response to a question by Ms. Helm, Chad Denning said that there is a division of the State Department of Agriculture that oversees these markets. Mr. Denning said he has also spoken to Cindy Heath, the Recreation Director in Lebanon, which is the only town-sponsored farmers' market. At this point, it has gotten so big that the city would like to step aside and let someone else take it over.

Ms. Dow said that she would place an ad in the Shopper and Intertown to seek vendors, who would have to provide their own tents, tables and other equipment. Mr. Kaplan asked where the site would be, and Mr. Denning said that he would like to use the Town Office's horseshoe driveway and close the driveway to vehicular traffic other than the vendors. Vendors would set up in the parking area in the back and along the sides, and those who did not want to be with their vehicle could use the ice skating rink. There would be no public vehicular traffic around the building; it would be foot traffic only.

Tina Helm suggested talking to St. Andrews Church because it is possible that visitors of the market would park in their lot. Ms. Levine agreed that St. Andrews should be consulted, although she noted a long-standing informal agreement with St. Andrews to share parking for Town and church events. Tina Helm asked about insurance and Chad Denning said that the vendors have to provide their own policies. Ms. Dow confirmed that most vendors already have this in place.

Mr. Kaplan said that if 10-15 vendors are invited and will generate revenue for themselves, will the Town receive a share of any revenue? Chad Denning said that there are cases where the Town grants the space for use and cases in which the Town leases the space to an association (not the individual vendors). Chair Ballin said that he does not see this as a revenue generator for the Town, but what it does for other towns is bring people into the downtown (for example, Wilmot and Newport are bustling on the days of the farmers' markets). He thinks it's a great idea, as long as it's a market-driven idea. He does not want it to be run by the Recreation Department or other Town staff, including responsibilities for set-up and clean-up afterwards, which would fall on the organizers of the market. Ms. Dow asked if this meant the vendors had to clean up their area, and Chair Ballin said that they would be responsible but at the end of the day, the association, if there is one, would be responsible. He encouraged Ms. Dow to seek additional support so that she was not the only organizer.

Chair Ballin said that Katie Crozer of Crozer & Crozer Orchids is interested in participating. Chad Denning asked if the Town could provide barricades, which Ms. Levine said would most likely be fine as long as they were picked up and returned to the DPW. Ms. Levine said that an additional benefit of closing off the driveway is the elimination of parking along the front of the Common, which has long been a problem on Bandstand nights. Chad Denning said that another question relates to the use of electricity that the farmers need for refrigeration. Jessie Levine suggested linking it to the pole for the skating rink, which is a separate pole and separate meter.

Peter Bianchi asked if this has to do with the Recreation Department. Mr. Denning said that he was approached with the idea, but it is not going to be a Recreation Department program. Peter Bianchi said that he thinks that if it is not a Town program, then it conflicts with the terms of the gift of the Town Common from Ausbon Sargent. Ms. Levine clarified that the market would be in the town driveway and on the New London Inn Common, not on Ausbon Sargent Common. Mr. Bianchi said that the for-profit nature of this event would contradict the spirit of using Town property for non-profit organizations. He thinks this proposal should be reviewed carefully because it proposes using the Town Common for profit. Jessie Levine said that this is similar to the New London Garden Club leasing spaces to antiques vendors for its fundraiser – the vendors are making a profit but the event benefits the Garden Club. While it is for the farmers' benefit, this is an agricultural use and an economic development tool for the Town of New London.

Mr. Bianchi repeated his objection to the use and said that the deed for the New London Inn property should be reviewed because he thinks it prohibited parking. Ms. Levine read the portion of the warrant article that authorized the purchase of the New London Inn property, which prohibited development but did not prohibit other uses.

Chair Ballin asked if the association would charge the vendors or not, and Ms. Dow said that would depend on what the town required as far as insurance and electricity. Chair Ballin said that his only other concern is that the Town not allow the market to compete with local businesses, and he suggested that there be no prepared meals sold that would compete with local restaurants. Chad Denning said that they were also intending to exclude crafts and would therefore keep it agricultural in nature, which a number of other towns do. Jessie Levine said that local restaurants may want to participate, and Chair Ballin repeated that he would like to stick to his suggestion and does not think that local restaurants will be interested.

Jessie Levine said that there should be insurance and she believes the organization can seek that as a rider to the Town's policy. She thinks that electricity would be nominal and Chair Ballin said that the Town should recover any costs involved there. Chad Denning will look into both questions. Chair Ballin said that he would like to see a more formal proposal. Ms. Dow said that she would like to have the market coincide with Bandstand concerts, which run from June 19-August 21.

Erle Blanchard said that trash collection is a problem on Bandstand nights and suggested that a solution be considered so that there is not more of a problem than there already is. Chair Ballin said that part of the agreement should be clean-up and removal of the farmers' market area. Mr. Blanchard said that some of their trash may make it into the trash cans on the Town Common, which are already overflowing on Bandstand nights. Chair Ballin said that should be the Bandstand Committee's responsibility. Chad Denning said there are issues on the beaches as well, which coincides with the Transfer Station being closed on Sundays.

John Wilson said that in looking at the Town Commons policy, he asked if the Selectmen had the ability to pull the plug at any time. Jessie Levine said that the Board of Selectmen had the right to place conditions on any use and to deny or terminate use. Kittie Wilson asked whether a portapottie would be required, and Jessie Levine said that the Town Office building is usually open on Bandstand nights and should be used.

Tina Helm said that the next step is to prepare a proposal, and Chair Ballin suggested that Ms. Dow reach out and seek other people to form a committee so that the burden is not all on one person's shoulders. He thanked her for coming in.

Lake Sunapee Rowing Club: At 9:00 AM, Chair Ballin returned to the discussion on the Lake Sunapee Rowing Club and referred to last Wednesday night's public hearing. He said that the Selectmen agreed to prepare a draft policy on the community use of public property and that policy was posted on the website last week and e-mailed to certain people who requested it in advance. Additional drafts were distributed at this meeting. Chair Ballin said that the draft proposal has been reviewed by Town Counsel, who is comfortable with the wording. Chair Ballin asked for discussion or comments from the Selectmen.

Mr. Kaplan said the proposed policy seems to cover the responsibilities and organizations that could use Town property and documents the Selectmen's method of carrying them out. Tina Helm said that Town Counsel made it clear that it's difficult to create a policy that fits everything and by definition this is a fairly general policy that covers a lot but does not preclude further discussion on the subject of a policy. Chair Ballin said that it can be amended as needed but it is a good start. He asked if anyone in the audience wanted to add anything.

Ron Koron said that it is a general policy and said that he thought there was going to be a policy that applies to the lakes in town, because the lakes are unique properties and he thought there would be something more specific to the lakes and beaches. He came up with a list of items such as compliance

with laws, zoning ordinances, deeds or other restrictions, use of the beaches for the benefit of town residents, restrict numbers of club boats or people, restrict noise, examine boats and exotic weeds. Chair Ballin said that more specific details could be included in an agreement, if one is reached, but that the policy is intended to be a broad framework of who can use Town property and what general conditions exist. Ron Koron said that when it comes to something specific like this, he would have hoped that there would be a lot of input from interested parties to develop a firm, good policy that we all can agree to. Mr. Kaplan said that becomes difficult because as soon as one person does not want something, we no longer have consensus; one policy can't be for all. Mr. Kaplan said that while one person may have good advice, the Selectmen have to look out for the entire community. Ron Koron suggested that a committee should be formed to come up with a policy and questioned whether we even need a policy this general.

Chair Ballin agreed that it is a general policy and said that after the policy is adopted, the Selectmen will take applications and address each use on a case-by-case basis. Tina Helm said that it would be prudent by the Board of Selectmen to create something that specifically addresses the Rowing Club's request, and thinks that this is a two-phase situation, where we start with a relatively general policy that is legally binding that would work for a short period of time, and go on to define phase two of an agreement. Tina Helm said that when something is defined too much, it may be too restrictive. She sees this as a two-phase situation.

Jessie Levine summarized the Town Counsel Bart Mayer's advice regarding the policy. Mr. Mayer stated that policies should be broad to allow the Board of Selectmen to exercise their authority to oversee Town property, and that the Selectmen could do so on a case-by-case basis. The policy does not preclude the Selectmen from going further into detail in a more specific agreement with a proposed user, as there are always going to be areas that are not covered in enough detail in a policy.

Michael Doheny said he appreciates the broad nature of the policy, which will allow use of Town property for the common good. One of the main points, to a speaker, was not against rowing but that we don't have a policy. He said that here we have a policy that enables this activity, and if we get too specific, we are starting to get to a rowing policy. He thanked the Selectmen for their hard work.

Pat Sheehan referred to item 8 regarding the locking of the beach and asked if the beach would be locked from now on, and the Selectmen assured her that it would be locked from now on and that they were not aware until this discussion started that the beach had not been locked. Ms. Sheehan asked if the Selectmen had looked into, or if they care, what surrounding towns might have as a policy for their beaches. Tina Helm said that she does care and that the Town has looked into what other town do. Jessie Levine said that she had surveyed all towns for their policies regarding the use of Town property, and that survey resulted in her receiving a copy of the agreement between the Town of Hooksett and the Amoskeag Rowing Club. She also spoke at length with the town managers in Newbury and Sunapee, and the Sunapee Town Manager mentioned that the Georges Mills boat launch might be worth investigating. Ms. Levine said that she had researched policies on the web-based library of the International City/County Management Association, and reviewed numerous examples of public-private use agreements. Ms. Levine said that recreational use of Town property is recognized as acceptable across the country.

Michael Todd said that the draft policy does not refer to deeds and said it might not be a bad idea to include reference to abiding by existing deeds. Jessie Levine said she thinks that make sense, although the Town would be required to abide by the deeds anyway. Mr. Kaplan said that the Bucklin Beach deed requires swimming use and prohibits private business and prohibits structures. Mr. Kaplan said that the shoreland ordinance prohibits structures in order to prevent stormwater runoff into the lake. The proposed boat rack does not cause stormwater runoff into the lake. This led to a discussion between Mr.

Kaplan and Mr. Todd regarding the shoreland ordinance and the definition of structure. Mr. Kaplan said that he believes that if the Town does not violate the purpose of the law, then it is not being violated.

Tina Helm asked if the chair could invite Peter Stanley, Zoning Administrator, to clarify. Mr. Stanley said that the deed refers to buildings, not “structures,” and noted that the structure definition in the Town’s Zoning Ordinance is broader than the term “building.” As an accessory structure, the rack would require permitting by the Department of Environmental Services and would be limited to 900 SF. The Town is exempt from its own zoning requirements for government uses. Ron Koron asked if a permit would be required, and Mr. Stanley said that it would be. If it were over 50 feet from the water or less than 150 SF in size, it would not need a permit. Mr. Stanley said that he received his information from Darlene Forst, head of shoreland for DES.

Peter Bianchi asked if it is the Board’s intention to vote on this proposed draft this morning. He said that he checked his e-mail at 7:30 this morning and he had not received a copy of it. He thinks that people have not had a chance to look at it and should be allowed to do so before the Selectmen vote on it. Jessie Levine said that it was e-mailed to Joe DiClerico and the Wilsons, among others, at 5:20 on Friday evening and recipients were encouraged to circulate it, and that it was also posted on the website at that time. Tina Helm said that she had also invited people to contact her over the weekend and received no phone calls. Jack Sheehan said that there should be a broader discussion and the townspeople should be allowed to comment. Pat Sheehan said that she was unable to open the website link to the policy on her computer.

In response to these comments, Mr. Kaplan said this draft policy only states what town administrations have been doing for years. What the Town did was document what we do in the ordinary course of business. On this particular proposal, we checked deeds and we talked to Town Counsel. Kittie Wilson is saying that we should come to the town and vote on it, and all we are doing is asking for affirmation. If we want to talk about the Rowing Club on a specific date, at a specific time, and in a specific manner, we can draw something up and everyone can read it. Kittie Wilson said that there is miscommunication here. WE do have specific guidelines for a number of things in our town, and that is what we turn to. Ms. Wilson said that she was expecting to see specific guidelines for our beaches, and we are happy to contribute to that, but this does not even apply to the beaches.

Joe DiClerico said he can appreciate the need to begin with a generalized policy and would like to follow-up on something Tina Helm said, which is that the next step can be policy-making for the beaches, which have been under increasingly intense use, particularly over the past few years. They are unique properties, and the Town owes it to itself to engage in planning for how these properties are going to be used under increasingly more pressure. He realizes that the properties cannot be micromanaged by policies so detailed that it takes away from a certain amount of discretion from the Board of Selectmen, but he does think that the Board can engage in careful planning to create recreational opportunities. We must move on to avoid engaging in ad hoc decision-making about the use, which is dangerous and not good planning. Tina Helm said that she would support what Joe DiClerico suggested as reasonable. Larry Ballin added this policy was meant to be a general, broad policy for Town property, not specific to the request by the Rowing Club.

Ron Koron said his expectation was that there was going to be a Town policy prepared for his review with respect to the beaches, and he thinks there should be something more specific than what is proposed. Tina Helm explained that the Selectmen had said they would go to Town Counsel and would commission the Zoning Administrator to do more research into zoning, and the Selectmen would come back with a policy. They did not necessarily say the policy would relate to the beaches alone, and she does think that

there is a phase two to this process. However, she does not see any reason why the Selectmen cannot move forward with this general policy.

Ron Koron asked for clarification on the draft: paragraph 3 – to whom does the term “Town” refer? Ms. Levine said that refers to the Board of Selectmen. Mr. Kaplan added that the Selectmen can approve the use of property for up to one year. Mr. Koron asked if the policy addresses Town property used by non-taxpayers or out-of-town residents. Mr. Kaplan said that it does not; for example, the Little Common, which has a parking lot, can be used by anyone. Chair Ballin said that there are not residency requirements for people to use the Town Commons for Hospital Days. Mr. Wilson referred to paragraph 4. Joan Cobb said that the draft policy prohibits the use by private groups, and Ms. Levine clarified that the policy allows use by public non-profit organizations, but not groups that are closed to the public or that are for commercial purposes.

Michael Todd suggested that there be consideration to including tax exempt, charitable, and non-profit rather than just non-profit. Ms. Levine said that her concern is that there are many valid non-profit organizations that may not be charitable, such as the Chamber of Commerce. She thinks that suggestion should be given some thought because it may have unintended consequences.

Peter Bianchi said that just the last 15 minutes should suggest to the Selectmen that there are many questions and that more time should be given before the Board of Selectmen vote on this policy today. Ron Koron suggested that the policy should include something regarding fees so there is no cost to the Town. Chair Ballin pointed out paragraph 15, which allows for the Selectmen to set a fee schedule. Mr. Koron said that he did not have the second page of the draft policy.

Tina Helm repeated that this is a general policy and said there would have to be a contract with the individual non-profit organization that requests use. Joe DiClerico said he understands that a contract would be kept separate from a policy and asked if the contract could be reviewed so the public could have some input. Larry Ballin said that the draft contract would be made public. Jessie Levine cautioned against an ongoing public process for drafting a contract and that the process could be dragged on for another two months if this becomes drafting by committee. She suggested that if the Selectmen approve the next step, it would be more efficient to allow her and the Rowing Club to develop a draft that would then be made public.

Randy Foose, who was in Florida for the last week and has returned for legislative business, said that this is a wonderful warm-up for the political process that makes New Hampshire so special. As the Selectmen continue their work, he is not sure that a year or two from now, someone dealing with a seasonal permanent use would look to this document and get guidance on whether, if they wanted to set up a program that worked just for the summer, or just for the winter, it would be subject to the wishes of the Town and not the Selectboard. That is, Mr. Foose suggests referring to annual use for seasonal programs so that long term but seasonal use is addressed. Mr. Kaplan said that there are annual uses that seek permission every year, such as Hospital Days and the Garden Club, and he does not think that we have to go to Town Meeting for ongoing approval. Randy Foose said that he thinks there is a major difference between a program that will happen for a matter of days on an annual basis and every day for a seasonal basis.

Vicki Koron said that no one has addressed the Town Master Plan questionnaire. Under the questionnaire, 72.8% of respondents support scenic vistas, lakes, mountains, and open spaces, which is closest to the heart of all 72.8% of New London residents. In New London, there are three lakes and four ponds, which is a lot of water, and only two town beaches. There are 350 feet on Bucklin Beach, and about one-quarter of that is open space with no picnic tables and no other stuff; it is small and significant,

and she asked why we're going to fill that up by storing boats that don't belong to us. She asked the Selectmen if that followed the results of the questionnaire from the Master Plan.

John Wilson said that he had mentioned to Jessie Levine that the policy should address beaches and beach use, and gave the example of the small mooring field that is accessed by Town property. Jessie Levine said that she initially broached the subject with Town Counsel but has not pursued the question at this time because it is a different subject with different ramifications. She explained that there is no mooring requirement on Pleasant Lake, and the boats are moored there legally. She said that she is having a difficult time in her mind finding the difference between someone parking at Elkins Beach and going for a swim, versus parking at Elkins Beach and swimming to their boat that is legally moored. She added that boat owners may also moor a boat adjacent to properties if they have the property owners' permission to cross their property to access the boat, and she believes that permission has traditionally been granted by the owners of the Point Cottages. Peter Stanley added that there is a mechanism for people to petition the State to have an unregulated water body become regulated, but to his knowledge no one has pursued that around here.

Tina Helm said that she would like to speak, and noted that this has been a stressful weekend. The Selectmen have received numerous unkind e-mails. In her younger days, she said, she did a lot of competitive sports, and one of the principles that her coaches always stressed was the importance of teamwork when it comes to winning a game, and she thinks that we have lost our sense of reason and teamwork in this discussion, and it has become a "we-they" situation instead of people working together as a team to come to a resolution that is best for this town. She said that this is a wonderful town that has been extremely well run for many generations, and above all, it is the Board of Selectmen's job to try to maintain some of these good things. It saddens her to think that friendships that she has had have been severed by this; we are a small town and should be working together as team. She asked if we could move forward as opposed to throwing barbs at each other, which is counterproductive. Incidentally, Tina Helm said that she was thrilled to hear that there were loons on Little Sunapee, as she has long been a supporter of the Loon Preservation Committee.

Tod Schweizer referred to Ms. Helm's letter regarding her discussion with Mr. Vogel of the Loon Preservation Committee, and asked the Selectmen if Mr. Vogel had property on Little Sunapee. Ms. Helm said that all she knows is he is a senior biologist and Executive Director of the Loon Preservation Committee, whom she was asked to call to research the impact of rowing on the loons on Little Sunapee. She suggested that someone from Little Lake Sunapee call him and let him know that there are loons on the lake. Mr. Schweizer said he does not have a lot of parchment framed in his office, but he takes issue with Mr. Vogel because there has been a pair of resident loons on Little Sunapee since he has been there in June 1990. He also mentioned that they have not been nesting or had babies recently, but five years ago, he was sitting on the porch with his daughter, an ornithologist, and they watched the loons teach their baby how to eat and swallow a fish. Mr. Schweizer said that loons do not procreate every year. There have been about five pair of visiting loons every single summer, which suggest that loons think it's a pretty nice place.

Bobbie Hambley added that there are not a lot of boats on the lake – mostly kayaks, sunfish, and infrequent use on the weekends. Ms. Helm asked those present not to blame the messenger, and said that she had done what she was asked to do by contacting the Loon Preservation Committee.

Kittie Wilson said that to close on the loon subject, she was on record in the minutes on speaking up about loons, given her work on Pleasant Lake. In defense of Harry Vogel, the Loon Preservation Committee is thinly spread and would not know the details of every lake. She said that Mr. Vogel does know that there is a territorial pair on Little Sunapee. Pleasant Lake is a much worse lake for loon

survival, and there have been nesting loons since 2002 due to a lot of caring and hard work. Ms. Wilson said that Little Sunapee has loons and Mr. Vogel certainly says that more boats in general would not be positive for the loons.

Ron Koron said that someone was going to talk to the Chief of Police and attorneys regarding the deed. Chair Ballin said that the attorney was consulted regarding the deed, and read from Town Counsel's letter:

It is my understanding that the Town will continue to use the property as a beach. The use for rowing would appear to be an accessory use to a beach. Moreover, the proposal does not contemplate any specifically proscribed activity, as enumerated in the deed, i.e. "no business of any kind is to be carried on or permitted on the said property; [and] no buildings are to be erected or permitted on the said property...." To the extent that there is a concern regarding the boat rack, it is not a building. One could argue it is a structure, but that does not appear to be inconsistent with the deed, given the presence of the jungle gym. Consequently, I cannot see that the use is inconsistent with the provisions of the deed.

Joe DiClerico asked for a copy of the letter from Town Counsel. Ms. Levine said that it is attorney-client correspondence and she would be happy to provide the information contained in the letter but not the letter itself. Joe DiClerico said he would like to have the deed reviewed by his own attorney and that his attorney would be interested in the Town attorney's opinion.

With respect to the policy, Chair Ballin said that he would like to address Michael Todd's suggestion that the policy should mention deeds, clarify between tax-exempt & charitable organizations, as well as Randy Foose's suggestion regarding annual seasonal use. He would like to have the policy circulated so that it can be finalized at the Town's next scheduled Selectmen's meeting.

Chair Ballin said that the Selectmen have heard a lot of testimony regarding what everyone feels. The Selectmen recognize that there are loons on the lake, as there are with many lakes nearby. If the Selectmen move ahead with this in limited fashion as a trial period, he does not believe that it is a precedent that is exceptional. Having said that, without a final written policy, he does not think that the Selectmen can move forward. Jessie Levine said that the Selectmen do have the authority to make a decision even without the policy in place.

Tina Helm asked if the proposed rowing route could be changed to be a straight line instead of a triangle to improve chances of avoiding the loon nesting areas, and Brenda Ballenger said that the route could be changed if required by the Selectmen. Ms. Levine reminded those present that the Board of Selectmen does not have jurisdiction over the use of the lake itself.

John Ferries said that there are loons on the lake, but there are humans on the lake too, and the humans will be affected by the rowers frequently. The triangular course takes the boats right outside a number of homes at a time early in the morning when people are trying to sleep, or in the late afternoon/early evening, when people are trying to enjoy their homes. Voices travel very fast on the water and residents will be hearing all of that. He said that the reason that there is passion on this side is that "we are the effected people" and most of New London is not. In fact, only half of the lake is affected. He is concerned that an organization can come in with wonderful purpose (Mr. Ferries reminded those present that he has a scull), and can be charged no fee (Ms. Levine stated that it has not been decided that no fee would be charged), and put their boats on the beach where citizens are not allowed that privilege, and ask if the Town motorboat be used as a pursuit boat, and the Town says "fine, what else do you want?" Mr.

Ferries said that this is swelling up and there is a broader agenda at stake now than at the get-go, and there seems to be feeling among the Selectboard that this sounds good. He said that at the very least the proposed triangular course is "arrogant" and the straight line would be less damaging to the summer of 2009.

Mr. Kaplan said he would like to see this tried and see whether all of these fears and concerns really do come to pass whether they are simply fears, and once the rowers are out there, people would say "gee, isn't that nice, I would like to see that, and it doesn't make as much noise as I thought." Mr. Ferries said that he is willing to do that, though he has never seen a coxswain and eight oarsmen and not single or double-sculls, as there exist now. The problem is that there are no other criteria that he can think of to avoid a similar meeting on another use in the future. If the Selectmen's choice is to go forward, he hopes that there can be certain requirements in the agreement that are resident-friendly. Someone from the audience asked if it is necessary to use a megaphone for coaching, and Chair Ballin said that he thought it had been discussed that a megaphone will not be used.

Bill Dowd said that when he first heard the proposition, he thought that it would not be too bad, but as time has gone on and he has had an opportunity to reflect on it, he has come to side on the position that it is not a good thing. He is troubled by the idea of a limited trial fashion, as the concept of a trial fashion would suggest a controlled experience where certain variables are being measured (milfoil, loons, visual appearance of the beach). But in fact, we are not going to do those things but the intensity of use will go up dramatically when considering two 60-footers, etc. That volume of usage triples or quadruples the amount of use at one time. If this becomes a permanent application for seasonal use, he suggested that some of the Selectboard's authority should be taken away and that a reasonable approach would be to take it to Town Meeting.

Jack Sheehan said that Tina Helm talked in terms of community teamwork, and Mark Kaplan talked about "we are a community," and what many of the people here find so frustrating is that they would think that the Board of Selectmen would reflect the needs, wishes and desires of people in the community. He looked at the numbers quoted the other night, in which 44% of the people interested enough to participate were in favor of it, and 56% were opposed. In a national election, 56-44 is considered a landslide, he said, and George Bush, Al Gore, and Barack Obama would have loved those numbers. He would like to think that this board would reflect the numbers of people who are interested in this issue and took the time and effort to participate. What he finds so frustrating about the process is that he does not sense that the Board is trying to do that, and if they want to reflect community spirit and teamwork, the way to do that is to be more sensitive to the majority of opinion of people participating.

Chair Ballin said that he appreciates Mr. Sheehan's comments, but added that if we were as insensitive as Mr. Sheehan suggested, the Selectmen would not have spent countless hours on this and taken as much public input as they have. It was on his mind between 1:00-4:00 AM today, and Tina Helm festered on this all weekend. This is getting a lot of attention from the Board of Selectmen and public comments are not being taken lightly.

Lisa Carlin, from New London, said she has three children who learned to row this year. Before they moved here, her family owned a large piece of property on the water in another state, and said she will never forget the day when she saw people picnicking on her beach and learned that she only owned up to a certain point, and that use by others was perfectly legal. She appreciates the point of those present that they are paying a lot of taxes and have to look at other people using the lake. But, she said, her daughter, who came with her to the hearing on Wednesday, asked what percentage of the town lives on the water and pays the taxes versus the percentage that does not live on the water and only gets a chance to use the town beach in a controlled fashion. As a mother of teens in this town, she begged the Selectmen to come

up with ways to use our natural resources in a controlled, supervised fashion. She said that the benefit of this program is that these kids are rowing with adults and are learning responsibility and team building, civil discussion, and that there are people on both sides of the issue. She said that there is an overall benefit to these kids in a community that does not necessarily think of kids first. She added that the Recreation Department has been a boon to the community because parents can no longer just let our kids go out and play. She begged the Selectmen to accept this as a trial run and look at all of these other issues raised at the end of the summer. Ms. Carlin said that here we live in a community where there are so many lakes yet many kids have never even been in a kayak. She thinks this is a great opportunity to show kids in this town that we care about them. This will also teach the kids to live-up, don't violate agreements, be careful of the loons, and to support beliefs and desires to keep the lakes pristine and useable by all.

Ellie Snyder said that she lives on a lake but the issue for her is the use of the public land for the racks. She would like everyone to be able to use our lakes, but she has an issue with using the public land to build structures for the boats. She thinks that some people believe that the homeowners that live around the lake feel that they own the lake, and that's the sense that she is getting and that is totally wrong. She loves Pleasant Lake, and the more people that she sees enjoying it, the better. She loves 100 sails day; she just does not think that people should be allowed to build private structures on public land.

Joe DiClerico said that the storage of boats is not a fear and not a figment of their imagination. This is something real that everyone can visualize; this is not something that we have to wait to see what happens on the lake. He does not know what rain on the structure will have to do with potential erosion. He heard what Ms. Carlin said and sympathizes with what she said, but said the Rowing Club will not go out of business if this is denied. They will go on this summer. If the Selectmen feel like they have to make a decision today, they should take a pause. This Board has put in a lot of time, and he understands the personal churning that has gone on, as he knows what it's like to make tough decisions.

Brenda Ballenger said that if they went back to Lake Sunapee, there would be a number of things that would have to be done that have not been pursued.

Laurie Jacques, Springfield resident, said that we are all passionate about this and many lakefront owners feel like they are persecuted by the "we have ours, you can't have yours" attitude. Many people initially thought that this was a good idea and the last thing they want to do is say "no" to a group, but she thinks that there are legitimate concerns and a fairness issue. She cannot use the beach as a taxpayer of New London, even though they own a fair amount of property. They cannot use the Transfer Station other than recyclables, and have to jump through a lot of hoops. One-third of the Twin Lake Villa property is in New London, yet when police respond to a call, the first thing they ask are what town they are in. She thinks that this is a matter of fairness. She thinks that if the Rowing Club is out there, we all have to work together. She thinks that sculling looks like fun and the boats are beautiful, but there are groups of people swimming across the lake at 7:00 AM and some negotiation will have to happen because no one has been on the lake at the same time.

Tina Helm asked to respond to Jack Sheehan's comments, and said that part of why the Selectmen are having sleepless nights is that they are trying to be sensitive to everyone, and she understands the passion people have for their properties on the lake, but, she said, she has never been a real fan of numbers because they do not always tell the real story. She thinks that when there's an issue like this, it will bring out bodies of people who are passionate about it. However, every time she goes to the post office, to the grocery store, and so on, she is accosted by people who ask for a decision to be made and to allow a trial year. She said there are people out there who are not reflected in the numbers Mr. Sheehan quoted earlier.

The Selectmen are trying to be sensitive to people who are on the lake, but thinks that a trial period would address some concerns.

Vicki Koron wanted to address being on the lake. She said that the Town has a lot of sailboats and kayaks available during the summer and people can go out with their children and be peaceful and enjoy the lake if they want. As far as she knows, there has been no opposition to the kayaking. She said she does not want people not to bring their children on the lake; we all have an opportunity to use the town kayaks and sailboats and there has not been opposition to that use.

John Wilson asked for confirmation that the boat rack is a structure and that the only way it could be allowed is if the town disregards its own zoning. Ms. Ballenger said that the wooden boat rack idea came up because it would have been an Eagle Scout project and she thought that would be a good community service. She said there are metal racks that could be purchased and set in the ground and are completely temporary. John Wilson said that would qualify as a structure as well, and Ms. Levine added that under that definition, the Town's boat racks and lifeguard chairs would as well. Mr. Wilson said that it is surprising how big of a space would be taken up by the racks, and he hopes that is considered by the Selectmen. The last thing is that he understands that some of these boats are donated or are on loan to this group, and it seems like there is a potential liability issue here that should be considered. He said that if there is vandalism and St. Paul's goes after the Town, we should be sure that we have liability arrangements with them as well. Mr. Kaplan said that would be ironed out in a contract.

Ron Koron said that the lake is for anybody and no one can restrict the Rowing Club coming onto the lake, and he asked why, if they have a trial period, why put up the racks rather than do a test without the racks?

Chair Ballin said that this is a wonderful opportunity for the Town and he thinks the Selectmen should start to discuss this amongst themselves. Mr. Kaplan said it sounds like the racks are a problem, and asked for that to be addressed. Chair Ballin said that his thoughts are to allow trial use of access to the beach but no storage, and asked Ms. Balenger if that would be a deal-breaker. Ms. Ballenger said that it would be, as the process of putting boats in the water is 10-15 minutes with the boats on-site. The idea of bringing a trailer from off-site would be problematic. She said that the Club does not own a trailer right now but could consider fundraising. Ms. Levine said that she thought that the remedy might be worse than the disease, and that bringing the boats in daily by trailer might be more problematic than leaving the boats on-site. She added that without a rack, she thought that the boats would take up more room on the beach. Ms. Ballenger said the boats were stored at the state park without racks; they were stored on the ground on cinderblocks and took up more area by spreading them out. A rack is more compact because they can be stored one on top of another.

Kittie Wilson said that she is still concerned about the milfoil issue. Chair Ballin said that this group has addressed their awareness of the milfoil issue. Ms. Wilson said that it is the impression that the boats have smooth bottoms, but that is a weak argument, as there are many places for sculls to collect weeds. Mr. Kaplan pointed out that the same boats were used on the State Beach without a problem; the experience of the Club is that they have been able to do it without transferring milfoil into Lake Sunapee. Chair Ballin said that there are plenty of boats that get launched onto the lake without proper inspection, including many from Colby Point, and he asked Laurie Jacques to speak to this. He said the Rowing Club has made it very clear that they understand and will address this issue. Laurie Jacques said that Twin Lake Villa gets occasional car top launches and does ask people to check their boats when they bring in a boat, and if they do not know what they're looking for then someone will check. John Kiernan puts in occasionally on the other side of Colby Point, and she does not know what his policy is, although he is a

weed watch captain on that side of the lake. She believes that he now launches all boats from the State boat launch.

Kittie Wilson said it does not make sense that the Selectmen would take this risk for Little Sunapee, and a trial period that could introduce milfoil really bothers her. She is sure the Selectmen have been to the site and have measured the length and width of the racks. It does not make sense why they would take the only natural area left on Bucklin Beach and turn it into a storage area for this regional club. She had no idea Bucklin had such little room until she looked, and she said that it's very sad. Ms. Wilson assured the Selectmen that "we do not all want to see these boats," and nothing that big has ever been on our lakes or our beaches. She invited the Selectmen to look at 40 to 60 feet along the shore and imagine it on the water. She said that this is an incredibly small area of water, and asked how long it will take the shells to move around the lake. She added that the shells do not go by their houses once, but again, and again, and again. She repeated that this is a small body of water, and the rowers will pass by again and again, with the Town's rowing boat. She thinks this is a poor choice by the Rowing Club and she does not get where this came from. She said that this is very odd that they have chosen this tiny little lake and chosen to take our one little natural stretch on the beach. She said that the only lake in our area that could possibly handle this level of use is Lake Sunapee, and she encouraged the group to look into using the Wild Goose site, which she understands would welcome them with open arms. Ms. Levine noted that the Wild Goose property belongs to Fish & Game, and she does not think it is accurate that they are currently inviting organizations to use the property while it is being planned for development.

Ms. Wilson said she thinks this use would dramatically change our lakes, and she does not believe that our zoning regulations and boat inspection policies can be ignored for the public good. She said that the public are the people of New London who have voted to put in these policies, and as our representatives, she thinks the Selectmen should be representing them. She begged the Selectmen to vote against this request, begged them not to try it, and begged them to protect Bucklin Beach and Little Lake Sunapee.

Randy Foose thanked the Selectmen and thinks they have a difficult decision in front of them. He is not going to be near Little Lake Sunapee this summer, but his concern, and the reason he is here as a citizen and husband of Ginny, is the real sense that this is an issue of proportionality and this is a program that does not fit the site that it is trying to be squeezed into. If it takes a year of trial, so be it, but he encouraged the Selectmen to think about how this would fit within the confines of the beach. He thanked the Selectmen and wished them luck.

Mike Doheny said that he wanted to make clear that there is no animosity against the lakefront owners. He does not want them to get the impression that there is any animosity. They have opposing positions but are still all residents of New London. He is concerned that it sounds like there are feelings that there is animosity there, but there is none from his camp. Steve Wolf said that there are lake hosts on the Little Sunapee boat ramp, and many fishermen enter the lake before the lake hosts arrive, and no one checks their boats, but he suggest that when the boats get put into Bucklin Beach, they be inspected. They are not going to leave for most of the season, so he invited the lake hosts to inspect the boats.

Carol Foss, who identified herself as point person for the lake host program and who manages the boat launch, said that with all deference and respect, sculls are pretty clean, although there is always a chance for something to hitch a ride. She understands that the boats will come in once and she would be happy to arrange to have someone come down and make an inspection. She did request that each time they go into a foreign water body, whether it be Lake Sunapee, Connecticut River, or somewhere else, that the boats be inspected by a lake host, whether they are manning the launch or not, volunteers would be available. Tina Helm asked if someone from the Rowing Club could be trained and Ron Koron said that all lake hosts go through a formal training program early in the season and suggested that members of the Rowing

Club could come to that training. He said they would like to work with the Rowing Club to make sure that “they do what we do.”

John Ferris asked where the boats are stored now and Brenda Ballenger said that the two that were loaned by St. Paul’s are in their boathouse right now, and the singles and doubles are stored in her back yard, Marylee’s backyard and garage, and other places.

Mr. Kaplan said that he would like to sit down with the Rowing Club to iron out these difficulties and make sure he knows what he is voting on. He wants to make sure an agreement follows the policy and that we will iron out difficulties such as the rack, etc. Jessie Levine suggested that as in the past, she be allowed to attempt to pull a draft agreement together using the Rowing Club’s proposal, existing policies, other leases, etc, and bring the draft back to the Selectmen.

Chair Ballin asked for a sense among the Board as to whether the boat storage rack should be allowed. Mr. Kaplan asked Peter Stanley for his opinion of the hand-built rack compared to the metal racks. Peter Stanley said that the State’s regulations have a 12’ height limit. The metal rack would theoretically qualify as a structure, as it does not have wheels on it; if it’s got a fixed location on the ground, it would qualify as an accessory structure under the state’s definition, which means that the area that the structure occupies is limited to 1.5 SF per foot of shore frontage, if in fact DES chooses to calculate the area in that manner. The overall size cannot exceed 900 SF and is subject to permitting by DES. Jessie Levine said that the Rowing Club had already agreed to seek state permitting for whatever was required. Mr. Kaplan said it would require DES approval, and Mr. Stanley agreed, unless the town sought a waiver or variance of that regulation from the State.

Chair Ballin said that when the request originally came to the Selectmen, it seemed simple and innocuous and he thought it was a great idea and still does, but he wants to proceed slowly. He thinks that the issue of storage on the beach is still a problem, and he would love to find some way to not store the boats at the beach, see if the lake is suitable, and find out if it is as offensive as portrayed to be. Mr. Kaplan said he would like to try it for a year if we can address the issues. Jessie Levine said that she thinks that some of the ways around the structure permitting would be worse than the structure itself; either bringing a trailer in and out or parking it on the beach to get around the permitting requirement. She thinks the town would be better served by treating it as a structure and applying for the proper permits. Mr. Kaplan and Tina Helm agreed and questioned the safety of bringing a trailer in and out of the parking area.

Brenda Ballenger said that another concern of bringing the trailer and truck in and out would be the need for more movement across the beach than simply taking a boat off the rack and walking it to the water. She said that she also wanted to address Kittie Wilson’s point as to why the Rowing Club is asking for permission to be here. This is a new club, she said, and many of the rowers had never rowed before. Beginners do not go fast, if they go anywhere at all; beginners do a lot of learning. The Club would love to have small boats (smaller than eights) on this lake, such as ones and twos, but the Club does not have those boats right now other than those used for the adaptive program. If the program were large enough to have big boats on the big lake and little boats on the Little Lake, that would be great. There are only two people running the program right now and the Club does not have the resources until the organization gets larger. Ms. Ballenger said that it took a while for the organization to convince her that this lake was ideal, but the organization is young and small and is not out there like the Upper Valley boats going up and down the river.

Ms. Helm asked if just the fours could be used this summer and no eights. Ms. Ballenger said that they could, but they do not own any fours and are looking into leasing them. They were loaned by St. Paul’s

last year and they are not sure they can get them again this year. Marylee Verdi has been looking for fours for the Club to lease or acquire.

John Ferries commented on parking a trailer, saying that the users plan arrive at 5:45 AM and leave at 8:30 PM, so he does not think that people will have a problem bringing a trailer into that space. Mr. Kaplan said he still thinks it would be simpler to have some sort of a rack. Jessie Levine repeated that she thinks it would be more intense to bring the boats in and out on a trailer than leave them on a rack.

Peter Bianchi said that it appears that they will need a state permit to put a temporary rack of any kind, so it seems that's an issue that would have to be addressed before we worry about anything else. Laurie Jacques said that when cell towers are going up, they fly a balloon to show how high the tower will be. She suggested that a mock temporary rack be placed so people can have an idea of what it will look like.

Steve Wolf asked if everyone present had walked the site, as he had not until yesterday. It looks like there is a lot of room left in the open space. He agreed with Ms. Levine that the idea of trailering the boats in and out would be more problematic.

Kittie Wilson said she applauds Larry Ballin's suggestion not to allow the boat storage, and she does not understand why the four people at the front of the room, including the Town Administrator, keep trying to make this proposal work.

Mr. Kaplan said that Jessie Levine needs to iron out a more formal contract with the boat club, and he would like to see that before he votes on it. Chair Ballin asked how long it would take to get a permit from the state. Peter Stanley said that with no waivers it would take 30 days, theoretically, once an application is complete. This should be a relatively simple application, assuming the request is permissible.

Chair Ballin said he is still troubled by the idea of private storage on public property as it has been proposed, and would love to see the group have an opportunity to access the lake from Bucklin Beach on a trial basis for the summer of 2009 to see how it affects them and the property owners who have shown so much concern. Laurie Jacques said that she thinks that is an extremely fair way to go about this. Chair Ballin said that he knows it does not please everyone and perhaps that is an unfair solution to everyone. Laurie Jacques said that one way to look at this is that the Club will not have invested time, money, energy, and resources into a rack.

Kittie Wilson asked how benchmarks will be determined for the trial period. Chair Ballin said that we can try to get this pot back down to a simmer and look for reasonable experiences. He senses that there are people on the lake that are not offended by the boats and that it's the storage that is the issue. He said that we keep coming back to the subjects of storage and overuse, and we need to have everyone get a sense and a feel for what it's going to be like on the lake. Chair Ballin said that he would like to think that some residents of Twin Lake Villa or children of lakefront owners may want to join, and that a year from now there might be agreement that this is not a bad thing, or that this is a nice try and did not work.

Mr. Kaplan says that works for him, and he was encouraged that Ms. Ballenger would like to start with the smaller shells and they may be more maneuverable and less of a disturbance than the big ones. Tina Helm asked if any other place had been considered for storage. Ms. Ballenger said that they have driven around every lake and public boat launch in the area and have looked and looked and looked. She likes the idea of going to the Sunapee Selectmen and will do that today.

Steve Wolf said that he is not a rower, but thinking about backing up a trailer with a 60' boat on it every day does not seem like an appropriate action, and it would be less disturbing to have a temporary rack system in place. Chair Ballin said he does not want to get into the discussion about which boats are ideal, and he has backed up plenty of trailers and it's not easy, but it's not impossible. He is trying to create a starting point. He questioned whether it could be backed into Bucklin Beach, and said it may have to be done by hand.

Brenda Ballenger asked if there is no dock and no rack, why they would even want to be at Bucklin Beach, which seems like what everyone is trying to get them to do anyway. She said that it seems like it is being made virtually impossible to do this. If they had a trailer, they would probably try to wet launch elsewhere. If the Town feels like this is an organization that the community and citizens would benefit from, and they are welcomed or wanted there, then why is it being made almost impossible for them to do this. Chair Ballin said that in his proposal, he does not wish to make it impossible and has expressed delight in doing this, but the issue he keeps coming back to, and thought about a lot, is the issue of the storage of private property on public property. Ms. Ballenger said that the proposal was for the rack to become Town property. Ms. Levine pointed out that Town Counsel advised about the private property and the public recreational use that would come from it. Ms. Levine said she apologizes if it sounds like she is advocating on the Rowing Club's behalf, but the reality is that there is well-established, nationwide public policy on programs like this that allow the expansion of recreational opportunities for the public.

Tina Helm asked if Chair Ballin's concern was a legal one or a moral, policy issue. Larry Ballin said that he is concerned about policy and precedent setting and that it is a small area that we are dealing with here. He said that he would love to buy the Point property and set it up there, but we do not have the resources for that. Tina Helm suggested that a compromise would be to allow only the morning programming, and Brenda Ballenger said that afternoon programming was being offered as a favor to the Recreation Department. Ms. Levine expressed her concern that there would be no public benefit without the afternoon programming. Ms. Ballenger said that the organization is insured (liability and personal protection) through US Rowing, so each participant must be a member of their organization and US Rowing, and the boats are insured through a private insurance company.

Joe DiClerico suggested parking along Dump Road and carrying the boats across Route 114 to Bucklin Beach. Ms. Ballenger indicated that this could be done if required.

Tina Helm suggested that the Selectmen hold off on a vote until their meeting next week, at which point she jokingly said that she will resign if there is not a vote. She thinks that the information needed for next week is: 1) a draft contract with the Rowing Club; 2) apply to DES for a permit for the rack to see if it is acceptable; and 3) then vote on whether permission will be granted. Ron Koron offered his notes for development of the contract. Mr. Kaplan made a motion to apply to DES for a rack on Bucklin Beach of a size to be determined, seconded by Tina Helm and approved 3-0. The other two Selectmen authorized Chair Ballin to sign the application on the Town's behalf.

Joe DiClerico asked for the contract to be made available before the next Selectmen's meeting, which is now scheduled for 4:00 PM on Tuesday, April 28, 2009.

John Ferris asked for clarification on the permit to the state. Ms. Levine said that the application will be straightforward based on state regulations.

Economic Development Committee: Chair Ballin said that there is a meeting coming up on Friday, April 24 of the group working on this proposal. He confirmed that the group will report back to the

Selectmen on May 5 in the hopes that the full Board of Selectmen will approve the recommendations, which currently is that there should be a committee of five and an advisory board of 15 that meets less frequently. Michael Doheny said that the draft might be available after Friday's meeting.

Shuttle Bus: Chad Denning said that he had approached New London Hospital about potentially using the shuttle that the Hospital used to move employees when the Hospital's parking lot was being constructed. The Hospital does not have a future use for the shuttle, so he started talking to them about whether the Recreation Department could use it. One of the hang-ups for the Recreation Department is the lack of transportation that allows the program more flexibility. Jessie said that the proposal is to lease the shuttle bus from the Hospital for \$250 per month beginning on June 1. This would be in lieu of the Recreation Department's expenses to borrow a school bus to bring children to and from the beach from the summer camp, which costs about \$1500 for the summer. Chad Denning said that the school bus would still require occasional use for longer trips with more kids, but that would be minimal cost. Another upside to the shuttle is that any licensed driver can operate it, whereas the school bus requires a CDL license, which he has obtained and which makes him the only Rec Department employee who can drive the school bus.

Chair Ballin suggested a training program that certifies that a driver has been checked out by a qualified training person. He is not in favor of having a van that one of the lifeguards could jump into if he needs to drive. He would like to have documented training. Jessie Levine suggested the drivers go through the safe driver training on June 17 with the Public Works Department. Peter Bianchi suggested a livery license, which is a special license for people who transport others. Chad Denning agreed to these suggestions.

Tina Helm asked if these expenses would come from the revolving fund, and Chad Denning said that it would be. The Board of Selectmen approved the concept and asked Jessie Levine to finalize the agreement with New London Hospital.

Municipal Advocacy Committee: Chair Ballin said that the budget has moved from the House to Senate, so lobbying will have to go to our Senator at this point. One of the major issues is the loss of school building aid. Other issues that remain are the retirement issues and it seems that state employees, as well as fire and police, are going to put their efforts in at the Senate level, so we've got to be aware of that. Chair Ballin added that Bob Odell is friendly and approachable and we may need to approach other senators as well. Tina Helm advocated for going on record on the use of federal stimulus funds, and Ms. Levine agreed and apologized for not having had a chance to send that letter to the State regarding the highway project.

NH Fire Academy: Jessie informed the Selectmen of a NH Fire Academy demonstration on May 2 for Public Officials. None of the Selectmen is available to attend due to the Citizen's Advisory Committee meeting that morning.

Bucklin Beach Fence: Jessie Levine presented the proposals of Superior Fence and Andover Fencing Company for the replacement fence at Bucklin Beach. The Selectmen approved the bid from Superior Fence, of Belmont, NH, to replace the Bucklin Beach fence for \$18,500 with a fence that included removable sections.

The Board of Selectmen signed the following:

Application for Building Permits:

- Town of New London, Whipple Hall, 429 Main St. (Map & Lot 085-002-000) remodel of basement – Permit #09-010 – Approved.
- Bruce & Tina Dorey, 115 Pingree Road (Map & Lot 023-002-000) remove roof and reinstall w/larger pitch & make deck into screen room. – Permit #09-011 – Approved.
- Valerie & Gary Suprenant, 67 Sutton Road (Map & Lot 123-001-000) build 8x10 garden shed – Permit #09-012 – Approved.
- Edward & Barbara Burt, 201 Little Sunapee Rd. (Map & Lot 059-040-000) install 3 solar hot water panels on south facing garage roof – Permit #09-014 – Approved.
- David & Alison Hennig – 64 White Pine Lane (Map & Lot 105-009-000) addition to single family home – Permit #09-015 – Approved.
- George & Katherine Crozer, 737 Burpee Hill Road (Map & Lot 056-007-000) in-ground pool with surrounding fence – Permit #09-016 – Approved.

Other:

- Disbursement voucher week of 4-20-09 - Approved.
- Superior Fence Co. – Quote for Bucklin Beach Fence Repair – (\$18,500.) Approved.
- Bruss Construction – Whipple Hall renovation project – Project #08-074 – Prime Contract Change Order (-\$839.00) – Approved.

There being no further public business, the Board of Selectmen moved to go into non-public session for a personnel matter pursuant to RSA 91-A:3 II (a), and invited Ms. Levine into the non-public meeting at 12:05 PM.

The Board of Selectmen resumed public session at 12:28 PM and adjourned the meeting immediately thereafter.

Respectfully submitted,

Jessie Levine
Town Administrator