



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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**BOARD OF SELECTMEN  
MEETING MINUTES  
February 2, 2009**

**PRESENT:**

Larry Ballin, Selectman  
Tina Helm, Selectman  
Jessie Levine, Town Administrator

**ABSENT:**

Mark Kaplan, Chair, Board of Selectmen

**ALSO PRESENT:**

Norm Bernaiche, Town Assessor  
Debbie Cross, Intertown Record  
Lauren Gifford, Valley News

Application for use of Sydney L. Crook Room:

- UVLSRPC for Lake Sunapee Scenic Byway Regional Planning Commission meeting – February 23 & 25, 2009 from 6:30 – 9:00 PM – Approved.

The meeting was called to order by Mr. Ballin, acting chair, at 8:00 A.M.

**MEETING MINUTES:**

The minutes of the 1/12/09 Board of Selectmen's meeting was amended as follows:

Page 4 line, three, the word "be" was inserted between the words "should" and "this." Line 10 "503(c) 3" was changes to 501(c)3. Page 5, line one, the word "be" was inserted between the words "not" and "eligible". Line 24, "Mrs." was changed to "Ms."

The Minutes of the 1/24/09 CAC meeting were amended as follows: page 6, line one, the word "not" was deleted. Ms. Levine clarified that the Town did need a vote in order to enact the vehicle registration fee.

The BOS meeting of 1/26/09 was amended as follows: page 4, last line should read "... the existing race tracks and gambling venues."

With these changes the minutes were accepted.

**SCHEDULED MEETING:**

Norm Bernaiche, Equalization Report- The Board of Selectmen welcomed Norm Bernaiche, Town Assessor, to the meeting. He presented information relative to the 2008 Equalization Ratio. He said that the annual equalization ratio is used by the State, Merrimack County and Kearsarge Regional School District to collect and distribute tax dollars based on assessed property values. He explained that the numbers are derived by the NH Department of Revenue Administration (DRA) for the time period of

October 1, 2007 to September 30, 2008. The State uses this date range to capture sales 6 months prior and 6 months after April 1 of every year, with April 1 being the effective date of property values.

Norm noted that in 2008 the weighted mean was 87.2, the median was 88.3, the COD (coefficient of dispersion) was 13.9 and the PRD (price related differential), comparing high priced property to lower priced property, was 1.01 (with 1.0 being perfect), based on 70 valid sales. He noted that the number of sales has decreased from the three previous years listed on his handout. He said that looking at the chart, the property values have gone down a little from previous years, but only slightly. His conclusion is that New London has been holding up well since the 2005 certification which was the last time the Town was certified. He said that the only areas of concerns were the COD and PRD. The COD is basically a measure of fairness and he said that the lower the COD that means that the sale price of a property exactly matched its corresponding assessment. Therefore, the further you get away from zero and the higher the number, the less equity you have among assessments compared to sale prices. The state standard is anything under 20, but we would shoot for something better than that. Preferably we would want to be under 10, but since we do not have that many lakefront sales on an annual basis and there is such varying characteristics of lakefront property, it is hard to bring that number under 10.

He said he did not see anything startling in the data. He looked at the sales that were represented as compared to the total population in New London in terms of the different types of property and everything is pretty accurately represented. For instance, looking at sales, the average residential assessment of \$397,893 and the total population average assessment for a single family residential was \$358,479. Ms. Levine asked what this told him regarding the average assessment being higher than the average property sold. He said that this means that the properties that are selling are a good representation of the total population. Ms. Levine asked if this was true for all four of his categories, and he said yes. He noted that the data for condominiums were very close since they are generally very consistent in size and location, except for Hilltop, since there are almost 60 different types of units in that complex.

Mr. Ballin said that he noticed that it seems that Hilltop Place values are a fair amount higher than the selling price. He wondered if the Town should make a sub-set in the condominium assessment due to the age of the Hilltop. Mr. Bernaiche replied that Hilltop is unique unto itself and that was something that is going to be brought back to the Board this year. He said mostly the smaller units are not meeting their assessments.

Ms. Levine said that he had said in his earlier remarks that the sale price data as related to assessment could come closer. She said that the assessed values of the Town are 87% of their sale price. Some sale prices are significantly higher than their assessed value overall, so even though there are fewer sales than in previous years, and the sale price is getting slightly closer to the assessed value, our assessed values are 87% of the market price. So, as a Town, we are still assessed lower than the market.

Mr. Bernaiche said that some realtors do a study on the ratio of asking-to-selling price and their averages run 90–91%. His office has confirmed that figure. To confirm this, his office has gone to the MLS comparing the asking price and the actual selling price to determine what that ratio is. If you look at the asking price and the actual sale price divided by the different types of properties, overall it is 92%. Looking at the properties that have actually sold in the past year, he takes the properties that are on the market this year to try and project where the market is going. Looking at all the properties that are on the market now, these were adjusted by 92%, reducing the asking price by 8% and then he compared that with the price to the assessment to determine what the future ratio might be. He said that some of the properties that are on the market now will be our sample that will perform next year's ratio study.

He referred the Selectmen to the document Projected Statistics for New London 2009, specifically Projected Median which was 90%, the Projected Mean was 83% and the Projected Average Deviation

was 16%. The COD becomes high at 17% and the PRD comes high at 1.06%. But he cautions them that when they look at this it shows that there is an imperfection in what people are asking for their property and the eventual sale prices that occur. This projection is using asking prices and people can ask whatever they want for their property, but it does not mean that is what it will sell for. He therefore, thinks that some of these numbers will become better because the market is not perfect. Ms. Levine said that she remembered last year that the percentage of asking price to sale price was about 90% so the asking price is coming down a little. Mr. Bernaiche said that some of this is because the asking price gets reduced and he has no way of knowing if the property price has been reduced several times before it actually sells. He said that this is part of the market correction process.

Ms Levine summarized that overall the town is performing well and that assessments are still lower than sales, except we are concerned about Hilltop Place. Mr. Bernaiche said that is correct and he said that the good news is that in terms of the high end of the market, there was a sale on Route 103A where a piece of property sold for \$2.9 million and it was assessed at about \$2.5 million. That was 85% or 87% ratio. He noted that there are very few high end properties on the market so it is an issue that unless it is a distressed sale we will not have any data to support a statement that that our high end market has fallen. He thinks that those properties are off the market until the market gets better. Ms. Levine noted in his data that a property on Stonehouse Road had sold for \$1.2 million with an assessment of \$700,000. She reminded the Selectmen that when a sale occurs the Town asks for the opportunity to inspect the property at the time of the sale in order to document what the value of that sale was. With the economy and sales data across the country, people are asking that assessments be reviewed.

She said that she thought this data means that New London is doing well and that our assessments are doing well, with the exception of Hilltop. But, if an adjustment was made to try and bring everything to 100% it would be across the board so there would be no individual relief in taxes. But, individually, there may be properties that were sold way under their assessment, and these property owners can apply for an abatement to have the assessment reviewed.

Mr. Bernaiche said his hope for the future is that we have 60 or 70 sales during the coming year to use for the data update for the coming year. The Town is required to update values in 2010. The State law requires that Towns have the assessments valued at between 90-110%. Ms. Levine said that this figure needs to be met every five years, and the last time we certified was 2005. In 2010 the Town has to certify to the State that we meet their standards. If we are at 87% now and if we want to hit a higher target that would require an assessment up, which is counter to what everyone is hearing regarding property values and the economy. If sales do come down the assessments stay where they are, then the ratio will take care of itself. Ms. Levine said it would be ideal if we could get to this ratio without increasing property values. Mr. Bernaiche said his ultimate goal is to treat everyone fairly which he believes can be done with just a little "tweaking..

Mr. Bernaiche said that the Town should be going live in the next few weeks with the GIS on the Internet. This will mean that the survey maps will be available on line to taxpayers, in addition to the assessments which are already available, increasing the transparency of the Town to its residents and being more user friendly. This service is provided by our mapping service and will be free for the first year. Mr. Ballin asked if there was a way to track the hits to this site for future reference, especially if we are going to ask to support this service as a line item next year. Mr. Bernaiche will check on this. Mr. Ballin also asked about those property owners who did not wish to have their information on line. Ms. Levine said that those property owners can ask to have the assessment information suppressed.

As a follow-up to an earlier issue, Ms. Helm asked Mr. Bernaiche about his relationship with the realtors. He said that there were no issues that he was aware of and that the letters that go out now have

incorporated their suggestions. He believes his office has addressed the concerns raised in previous meetings.

In conclusion, Ms. Levine said that Mr. Bernaiche will be attending the Singer appeal hearing at the Board of Tax and Land Appeals on March 3 in Concord. She invited the Selectmen to attend.

**NEW BUSINESS:**

\$5 Car Registration Fee: Ms. Levine said that State RSA 261:153 allows towns to raise up to \$5.00 per motorized vehicle for a registration fee and place those funds in a highway fund to be used for roads, bridges, parking. These funds would have to be deposited into a municipal transportation improvement fund which would allow the towns to participate in local or regional improvement project which would include roads, bridges, bicycle, pedestrian facilities, parking and inter-modal facilities and public transportation. She is bringing this to the attention of the Board again in consideration of the current economic situation facing the town. The decision to charge this fee would have to be voted on at Town Meeting by ballot. Ms. Levine said that if it goes on the ballot, there would have to be a public hearing 15 days before the Town Meeting, so a decision will need to be made regarding whether or not to move forward with this soon.

Mr. Ballin said he did not hear much comment about this issue when it was raised at a recent CAC meeting. He noted as point of information that there is a bill coming up before the state legislature that will allow municipalities to increase this fee up to \$25. Ms. Levine said that the law does allow the municipality to take up to 10% of this fee to cover administrative costs so a portion of this could go into the operating budget. Ms. Helm asked if this could be collected starting right after Town Meeting. Ms. Levine said yes, the collection could start then.

Ms. Helm moved that we propose to accept the \$5.00 motor vehicle registration fee. This was seconded by Mr. Ballin. There was no discussion. The motion passed.

Our Voices, Our Town: Ms. Levine said we still have approximately 20-30 cases of this book, written by Ann Page Stecker and documenting New London history from 1950-present time. The books are stored in the archives storeroom in the basement of the Town Offices, and the Archives committee could use additional storage space taken up by the boxes. This book originally sold for \$25. The Archives Committee has requested permission to start giving them away. Ms. Levine suggested that we lower the price to \$10 before giving them away. She spoke with the author and Morgan Hill Bookstore, where this book had been previously sold, to make sure there were no conflicting issues. She was assured that there were not, and is therefore requesting approval from the Selectmen to sell them. Ms. Helm suggested that some be brought to Town Meeting to be sold at \$10 for a limited time. Mr. Ballin suggested that we might consider putting them on E-bay.

Ms. Helm moved that we try to sell Our Voices, Our Town at a reduced price of \$10.00 at Town Meeting and other venues. This was seconded by Mr. Ballin. There was no discussion. The motion passed.

Review Town Holidays: Ms. Levine said that according to the Town's personnel policy there are 11 paid holidays, nine are listed specifically and 2 are floaters. She said that her staff has asked to have Columbus Day as a holiday in lieu of Veteran's Day. Since Columbus Day is not listed as a scheduled holiday in the Town, she wanted the thoughts of the Selectmen regarding amending the personnel policy to accommodate this request. Mr. Ballin asked if Columbus Day is a state holiday. Ms. Levine said it was not. He also asked if employees could use one of their floating holidays for Columbus Day and he was told that they could. He said that he did not see any need to change this, saying that with our soldiers in conflict right now, removing Veteran's Day off the paid holiday list was not a request he could approve,

noting that employees are allowed to take Columbus Day if they so choose. Ms. Helm agreed with this opinion.

**OLD BUSINESS:**

2009 Planning Priorities: Since Chair Kaplan was not at this meeting, discussion was tabled on this topic.

Lake Sunapee Rowing Club: Ms. Levine said that there was some concern expressed to her by an abutter about this initiative. She had also contacted the Little Sunapee Protective Association last week to discuss this, but met no objection there. However, she is proposing that given the concerns, she thinks the Selectmen should have a public hearing before this project moves too far along so that abutters could have a voice. She does not think that the use of the beach by the rowing club is incompatible with the idea of a public beach, but understands the concerns about the noise on the water and parking. Ms. Helm thought the idea of a public hearing was a good one. Due to the notification requirements of a public hearing, it was decided to wait until after Town Meeting to hold a public hearing, giving property owners more time to consider the proposal. The dates of March 16 and 23 were suggested as possible public meeting times.

February Meeting Schedule and Town Meeting Preparation: Ms. Levine noted that the February 23 Board of Selectmen meeting has been cancelled and a meeting has been added on Thursday, February 19 at 8:00 AM. The February 19 meeting will include a public hearing on the bond and the motor vehicle fee. On March 2, Town Moderator Cotton Cleveland will be meeting with the Selectmen for a Town Meeting walk-through, and March 9 is the last meeting before Town Meeting, which is on Wednesday, March 11.

**COMMITTEE MEETINGS AND REPORTS:**

Budget Committee, January 26: Ms. Helm reported that the 2.5% employee raise recommended from the Selectmen was presented. She said there was some concern that it should be either higher or lower, but the majority approved this raise. It was decided that the 2.5% raise, to include cost of living and merit, to be allocated by the Selectmen. Ms. Levine will provide more information regarding individual salaries and ranges at the next Board meeting.

Planning Board, January 27: Mr. Ballin reported that the Planning Board reviewed the zoning amendments and all were approved and will be voted on at Town Meeting. He noted that there was still some concern about the Workforce Housing amendment and that it might turn the R1 district into an over crowded area, but with the housing requirements and large tract of land, he does not think this is a possibility. He mentioned that on the State level, the workforce housing requirement maybe postponed and if so, we may need to craft the wording to follow the State's timeline.

The topic of the Community Center went before the Planning Board and a sub-committee was set up to discuss this center and the need for planning and zoning regarding it. Camp Wallula came before the Board with some changes and a decision will need to be made to determine if these are substantial or not, so a sub-committee was set up regarding that.

Ms. Levine said that she will be meeting with Ken McWilliams and Karen Ebel tomorrow to discuss the allocation of work in the contract. She also said that the Department Heads will be meeting with Mr. McWilliams to discuss the certificate of occupancy process. There are still problems occurring which seem to be along the lines of the site plan regulations require property owners to advise the planner or designee when a new use or tenant is going in. This is apparently not happening, or the planner is being notified but then the department heads are not being notified. Recent examples are the King Smith Building next to the Library and Nonni's Restaurant. These new businesses were not change of use, but there were issues regarding parking, fire exits, renovations done inside, sewers, etc. Ms. Helm asked if this is just for commercial property and was told by Ms. Levine that yes, it was.

Congressman Hodes: Mr. Ballin reported on a recent meeting with Congressman Hodes. This meeting took place in Concord and was dominated mostly by lobbyists, but he did get an opportunity to speak with one staff member who is very willing to come up to New London to meet with the Selectmen. He thought it would be a good idea to open up that channel of communication since the stimulus money is going to happen and we should get in the line. Ms. Levine said that he had mentioned that NH would only get about \$300 million, yet Vermont is expected to get about \$2 billion. He acknowledged that NH is getting a pittance compared to other state. Ms. Levine noted that Vermont has half our population, yet they are getting significantly more, which does not seem fair. Mr. Ballin said that the numbers are determined by the federal government. One message that came out of that meeting was that the municipalities would prefer to get the dollars directly rather than have them filtered through the state.

Municipal Advocacy Meeting, January 30: Mr. Ballin said that it was apparent from this meeting that the state is interested in down-shifting costs to the municipalities as a way of balancing the state budget. Mr. Ballin said that the gas tax proposal was approved. All the other issues were not discussed since most of the representatives did not understand they were to come prepared to make decisions. He noted that the issue of a sales and income tax were off the table so these issues were not addressed. There is to be a meeting on March 2 of the whole membership.

**UPCOMING SPECIAL EVENTS/MEETINGS:**

Budget Committee Meeting: February 9, 7:00 PM at Whipple Hall. Ms. Levine wondered if the basement to Whipple Hall should be opened and tours conducted regarding the renovation. Mr. Ballin suggested that the decision be deferred to the Budget Committee chair, but suggested that a tour might be made available prior to the meeting for those that were interested. Ms. Levine said it was too late to advertise this tour, but she would discuss this with the chair. Ms. Levine said that Bruss Construction wanted to know if they would be awarded the contract should the Town approve the renovation. Her response to them was that there had not been a specific discussion about that yet. She noted that if we did not have them do it, we would need to go out and get another general contractor to oversee the project. The Selectmen noted that this decision does not need to be made now.

Ms. Helm asked about the Water and Sewer Meeting held in Sunapee and whether New London sends a representative to every monthly meeting. Ms. Levine said that she receives the agenda every month, but New London's practice has been to go to the meeting if there is something that specifically involved New London. The Town does go to the quarterly held meetings that directly involve New London.

Filing for Town Elections: Ms. Levine noted that these filings are now closed and the slate was presented to the Selectmen.

The topic of employee compensation was deferred to the next meeting.

There being no other business the meeting was adjourned at 9:25A.M.

Respectfully submitted,

Kathleen K. Colby  
Recording Secretary