

**BOARD OF SELECTMEN  
MEETING MINUTES**

**August 7, 2006**

**PRESENT:**

Douglas W. Lyon, Chair, Board of Selectmen  
Mark Kaplan, Selectman  
Ruth I. Clough, Selectman  
Jessie Levine, Town Administrator

**OTHERS PRESENT:**

Senator Bob Odell, District 8  
DJ Lavoie, New London resident  
Debbie Cross, Intertown Record  
Carolyn Dube, Argus Champion  
David Seastrand, Chief of Police  
Carol Fraley, Finance Officer  
Richard Lee, Road Agent

Ginny Foose, Co-Library Director  
Linda Miller, Co-Library Director  
Chad Denning, Recreation Director  
Ann Bedard, Sewer Clerk  
Linda Hardy, Town Clerk/Tax Collector  
Peter Stanley, Fire Chief/Zoning Administrator  
Barry Cox, Local Government Center

Chair Lyon call meeting to order at 8:00 AM and welcomed Senator Bob Odell.

Senator Odell: The Board of Selectmen welcomed Senator Odell and gave him a letter regarding Steven Weiss, a resident of King Hill Road who does not have potable water due to contamination from road salt from the state highway system. Senator Odell said he would contact Mr. Weiss and also Executive Councilor Peter Spaulding.

Senator Odell said he is here this morning on his first of his visits with the Boards of Selectmen of the 20-plus communities he represents. The last session ended on a positive note with good finances and revenues that held up, and the state was able to find a rainy day fund to assist communities such as Alstead that were badly damaged last October. He will likely return to an agenda filled with Supreme Court and school funding issues, which could become political opportunities given the election season. He talked to Governor Lynch on Wednesday, who said that if the Supreme Court turns down the current funding law, he will plan to get something done through a bi-partisan approach. Senator Odell is concerned that it will be ruled unconstitutional that donor towns are not being asked to participate beyond their town needs. He said that if property values are being used to determine adequate education, then people are paying disproportionately. For instance, and using made up numbers, if Sunapee has \$1.5 million in property value behind every student and Claremont has only \$300,000, that could be an issue. He said the elimination of the donor towns with the last amendments to the law took pressure off legislators. He also said there is some discussion about having the state collect the education property tax directly. Ms. Levine said that municipalities are generally opposed to that idea due to the loss of interest income, and Senator Odell said he is aware of the "float" from sitting through testimony before the Senate Finance Committee.

Senator Odell said the issues facing the New Hampshire Retirement System will also come before the legislators this year. He said there is \$5 billion on hand for retirees but noted that the special account is at risk because of its dedication to a healthcare subsidy to employees who retire prior to July 1, 2008. If

nothing is changed, there could be a large number of teachers who will retire before that date to secure their benefit. The special account was created to provide for COLA increases for retirement benefits, and he said the longer retirees live, the greater the gap for keeping pace with cost-of-living increases. He noted that the economic health of the retirement system is determined by the length of physical health of its members.

Chair Lyon said he understands that one issue is the healthcare subsidy and the second is that the retirement plan has provided inadequately for cost-of-living increases. He asked if there is a trust fund, and Senator Odell replied that there is, and it is an actuarially secure pot of money that is invested. There is a set amount of return and excess returns are placed into the special account, so the special account benefits when the returns are in excess of what is needed for the corpus of the retirement account. The problem is, the returns have been lower and the special account has been dipped into over the years for other purposes.

Ms. Levine said that the New Hampshire managers are concerned with the makeup of the retirement board, since there is no public manager representation on the board. Labor unions are highly represented. Senator Odell said he is an advocate of having more public members, although the concept of changing the makeup of the board infuriated the labor unions. Senator Odell advocated having representation from the New Hampshire Municipal Association. Ms. Levine believes the topic is now in study committee. Senator Odell said the board makeup is a very complicated issue. Chair Lyon asked what the labor union position is, because it seems obvious that their members would be hurt if the system lost funding. Senator Odell said the unions seem to be focusing on the first battle of not losing their seats. The problem in the retirement system needs to be publicly acknowledged.

Mr. Kaplan asked Senator Odell if he were aware of the regional fiber optic project, which just received the completed feasibility study. Senator Odell said he is aware of it and has been following the progress of the broadband discussion, first in Keene and Hanover with the Merton Group, and then the Peterborough area. Part of being in the legislature is going to school every day. A study committee recommended entrusting communities to bond for broadband if they choose. He said that John Clements, the former head of DOT who lives in Croydon, has satellite broadband. Down the road from Senator Odell live two professors who also use satellite, which allows them to draw down rapidly but is slow to upload. This morning, Senator Odell received an e-mail from someone in Sullivan who cannot get high speed service and therefore cannot work at home. This leaves us at an economic disadvantage, yet no one is pulling together for a resolution, except for this regional group. He said the State of New Hampshire talks a lot, Verizon talks a lot, but ultimately it will have to be someone else who brings broadband to the areas that need it. He said Governor Balducci in Maine made a statewide commitment. The State is holding a "summit" on broadband on September 8 in Lebanon. Governor Lynch kept Stu Arnett on board as head of economic development for just this subject.

Senator Odell said that the cost of the regional fiber project did take him aback. The connection cost of \$3000 per household is expensive, but he felt that the major issue is whether the technology will last as long as a 25-year bond. Chair Lyon said fiber optics will not be obsolete, but the applications over it may be. Senator Odell said his point is that something needs to be done. People are coming here to live who are highly productive people who work from their homes and do business all over the world. This is not an issue faced in Salem. Chair Lyon said that Salem does not have fiber to every home; it is not an issue now but it may be.

Mr. Kaplan asked what the Board of Selectmen could do for Senator Odell. Senator Odell said Ms. Levine does an excellent job of keeping him informed of issues facing the town. He would like to continue to stay in touch and communicate, and asked the Selectmen to involve him and make sure he attends and participates. He wants to be able to give an informed perspective.

The Selectmen thanked Senator Odell for his time, and he departed at 8:40 AM.

Minutes: Mr. Kaplan moved to approve the minutes of July 24 and 29, 2006. Ms. Clough seconded and both were approved 3-0.

Regional Board of Selectmen's Meeting: Ms. Levine said that Laura Buono, Warner Town Administrator, had e-mailed her about setting up a joint meeting of the Kearsarge Regional Boards of Selectmen. The Selectmen suggested that late September would be a good time. Ms. Levine reminded the Selectmen of the Regional Fiber Joint Boards of Selectmen meeting of August 30 in Enfield.

Planning Board Update: Ms. Clough reported that the Planning Board met on July 25, and the agenda included a discussion on Jonathan Feins' proposed Harbor View subdivision in Sutton, off Stonehouse Road. The Planning Board listened to the traffic engineers and the attorney's opinion regarding New London's authority over the road and the intersection with King Hill Road. There are three differing opinions as to sight distance, and Ms. Clough said these issues will lead to technical and legal debates. Ms. Clough said Mr. Feins is willing to upgrade the road, but there is a debate over the level of upgrade and whether the New London Planning Board has the jurisdiction to require him to upgrade the road.

Ms. Clough said Peter Christian's owner met with the Planning Board for a preliminary site plan review to expand the kitchen and dinner area, which would require the installation of a full sprinkler system. Russ Sarles is working with the Fire Department on a schedule to gradually install the sprinklers. Robert Ewing on Main Street has proposed a small subdivision that created a small lot on Main Street and a larger lot below, accessed by Balsam Acres. There is a site walk on August 9<sup>th</sup> with a soil scientist to evaluate the wetness of the larger lot. Ms. Clough said Jim Alexander also met with the Planning Board for a concept site plan for his home business. He has been referred to the Zoning Board of Adjustment for six different issues and will return to the Planning Board when those have been addressed.

The Planning Board did not have time to work on the draft site plan or subdivision regulations, so that discussion will be postponed to a later meeting.

Selectmen's Meeting Schedule: The Board of Selectmen added the following meetings to their schedule

- Tuesday, September 6 at 8:30 AM
- Monday, September 18 at 8:00 AM
- Monday, September 25 at 8:00 AM
- Monday, October 2 at 8:00 AM
- Monday, October 9 at 8:00 AM
- Monday, October 16 at 8:00 AM
- Monday, October 23 at 8:00 AM
- Monday, October 30 at 8:00 AM

Pay & Classification Study: At 9:00 AM, the Board of Selectmen were joined by Town Department Heads and by Barry Cox, Human Resources Consultant with the Local Government Center. Chair Lyon introduced the Department Heads and turned the floor over to Mr. Cox.

Mr. Cox presented the final draft of the Pay & Classification Study that the Town contracted with the Local Government Center to complete. Three-quarters of the document comprise the job descriptions, which drive the rest of the analysis. He walked the group through the draft, explaining the factor evaluation system that makes the whole thing work. It was developed by the US personnel office to evaluate civil service jobs, using ten criteria that evaluate jobs from entry level to physicist level. Each criteria is weighted and applied a numerical value that creates a score. He included a blank worksheet

that will be useful when creating a new job or reclassifying an existing job, which he has already done for each job description.

He then referred to the labor grade conversion table. All jobs were compared using the same ten criteria to create internal equity. The analysis of each position resulted in total points, which determined the labor grades. There are some blank categories. He then referred to the comparative pay data from the 2005 wage survey, pointing out the average minimum and average maximum from the other towns selected for the purposes of this study. He said there are some positions that did not have comparable positions in the selected towns, but this did not turn out to be a problem because the job description allowed a labor grade to be established. Ms. Levine said that seems to be a better practice than searching for towns that have the position, which may end up being larger towns.

Mr. Cox said the goal of any pay and classification system should not be to pay more or less than what others pay, but to establish a target that is usually, but doesn't have to be, the midpoint. If a town pays below the minimum, it is hard to recruit, and if below the midpoint, it may be hard to retain. The Board of Selectmen can decide how to apply the actual pay plan. The next sheet shows the proposed salaries for the 15 labor grades with 20 steps for each grade. He said the reason for 20 steps is so employees would not "max out" through longevity. There is 3% between steps, and between 5-10% between labor grades.

The study concludes that there are nine positions that meet the Fair Labor Standards Act criteria for being exempt, with one exception: the Fire Chief position is non-exempt because it is part-time and does not meet the weekly minimum pay requirement. The study said that nine of the Town's positions are currently "highly competitive," six are at the midpoint, four are only slightly above minimum pay, and no positions are below the average minimum, which is good. He said New London has done a good job of keeping pace with the industry.

The appendix includes all of the job descriptions, most of which were reviewed by staff and he made revisions based on that feedback, especially from the Police Department. He said that the wording of the ten criteria may be awkward, as the source is the federal government, which had the task of developing a system that would apply to any job. Ms. Levine said that from here, the Department Heads and Selectmen should closely review the study and she will meet with Department Heads individually to make sure the study is accurate and to apply a step to every employee to determine their appropriate level of pay.

Chair Lyon said that the Selectmen's goal was to compensate employees fairly and create a system to objectively evaluate each position. There will always be people who fall over or under the norm. The Selectmen have been using a less formal system for a while, and this is more objective and can be more easily communicated to employees.

Barry Cox departed at 9:30 AM.

Transfer Station and Beach Permits: The Department Heads stayed to discuss the beach and transfer station permitting and enforcement process. Ms. Levine said the topic came up at the Department Head meeting two weeks ago, because the Town is accused of not enforcing enough or enforcing too much. She said that there does not seem to be as much of an issue with permanent stickers, but there is with temporary permits and people with no permits who walk to the beach. She asked whether the Selectmen want to take up the question of who should use the Town beaches. Chad Denning said there are many residents of other towns who use New London's beaches, raising questions from New London residents. He said swim lesson parents are given permits with specific dates and times for parking, but others can park nearby and walk to the beach. David Seastrand said parking along Dump Road is dangerous because people are crossing traffic to get to the beaches. He said people who are using the beach are argumentative and insulting to his staff, and some residents refuse to use the sticker. His policy has been

to write a ticket, and if they produce a sticker he will tear it up. He said his officers are harassed by people about their rights to park, and this is frustrating for the officers. He said people will circle at Elkins Beach and park as soon as the police car leaves. He said he would like to see better posting of the beach hours, as he receives complaints at night, especially at Elkins Beach.

Ms. Clough said that the Selectmen heard loud and clear to "leave Elkins alone" during the focused planning session. Chair Lyon said that he has safety-related concerns, and wondered if the Selectmen should set up a small subcommittee to decide on an approach to stickers, enforcement, and policies to recommend to the Selectmen. He wondered whether there is a "critical mass" for beach safety.

Linda Hardy said the current policy allows businesses to get a permanent sticker, which allows them access to the beaches in addition to the transfer station. There are more now who ask for the sticker to use the beach. She said that with swim lessons, if they are mostly being given to people from out-of-town, then why give them at all? Mr. Denning said the first two months of registration are blocked for New London residents, and then the registration is open to all towns at twice the cost. He said the swim lessons never topped off this year. He said this is an example of "loving it to death," which led to the institution of user fees at the national park service. He suggested charging fees that would support the work that has to be done to maintain the beaches. Chair Lyon said there are some policy changes that may require more manpower to enforce, so there would be macro and micro impacts.

Peter Stanley asked how many people the beaches can accommodate safely without the lifeguards risking losing track. Chad Denning said that twice this summer he had to send a lifeguard to Bucklin Beach to augment the forces there, and sometimes the lifeguards will go out to the rafts to better see swimmers. He does not know the actual number that would make it unsafe. Mr. Stanley said the Town should be prepared to close the beach when it reaches that level; we do not want to exceed the point of no return.

Ann Bedard said to keep in mind that the lakes are public and belong to all people. It is great to control access and parking, but people can jump in at any point. Mr. Stanley said it is also a sanitary issue, with both beaches being on the septic system. If we know we're hosting more people, we should have the septic systems evaluated and voluntarily upgrade. He added that as other communities grow faster than New London, we are footing the bill for other communities' recreation.

Ginny Foose said the Library has long used a non-resident user fee to support their costs. Chief Seastrand said many people have gladly paid the \$25 parking ticket to be able to use the beach, so a user fee would have to be much higher. Mr. Denning did not think that people would have trouble paying a user fee.

Ms. Clough said it is good to address the access issue in the short run, and in the long run we will need to consider acquiring more beach to accommodate our own residents. She suggested the Capital Improvements Plan Subcommittee should discuss the purchase of land for public beaches, and that if fees are established, a certain portion should go into a long-term acquisition fund. Chair Lyon said the Town can invent a fee structure, but may not solve the overuse problem. At some point, the beaches may have to be restricted to New London residents.

Ms. Bedard said the subcommittee is a good idea, and she wondered whether trash pickup would be considered. Chair Lyon said the Selectmen have looked at pay-as-you-throw for the future, but not curbside delivery. Peter Stanley said curbside pickup was evaluated when the new transfer station was built, and it was determined to be not economically viable. Richard Lee said it would require more equipment, more personnel, and would be complicated by plowing and bad weather. Ginny Foose suggested a gate pass system at the Transfer Station to regulate access, and Mr. Lee said that would be difficult with 600-700 cars per day using the facility.

Linda Hardy, Dave Seastrand, Peter Stanley, Linda Miller, Richard Lee, and Chad Denning volunteered to participate in the subcommittee review. Mr. Kaplan asked the committee to discuss permit parking and parking ticket prices. The Department Heads departed at 10:15 AM.

Hannaford Trash: Richard Lee said that Dave Allen of Gobin/Casella had asked for permission to install a compactor at Hannaford similar to those used by the Hospital and College. This would require Gobin to haul directly to Claremont, so they need permission from the Town before they could do that. The Town pays for the tipping fee. Richard Lee said that with the Hospital and College, the agreement is to call the Town first so the trips can be tracked and we have an idea of how often they go. He has no problem with the request, and in fact it might help ease traffic at the Transfer Station, which has increased quite a bit this summer. He said they packed out every day last week.

Ms. Clough asked if there has ever been a discussion about the major contributors paying for a portion of their tonnage. Richard Lee said the costs are spread across the taxes now. He said most commercial businesses pay to have dumpsters on their property, but the actual tipping fee for those dumpsters is paid by the Town. Wilmot does not include commercial trash, nor do many towns. Ms. Levine said this will have to be considered with the decision over what to do when the Claremont contract expires. Mr. Lee said he does not believe that the Hospital or College would be able to afford to take their trash directly to Haverhill, so something will have to be done.

Ms. Clough asked Richard Lee about his trial run to the Haverhill incinerator. Mr. Lee said Eric Allen made the round trip in 3 hours and 45 minutes, after being told it would be a 3-4 hour wait. Mr. Kaplan said that is still a feasible plan but is complicated by businesses who haul their own trash. This led to a discussion about the College's increased recycling and the Town's successful paper recycling program.

Chair Lyon suggested getting the larger organizations together to talk about the ramifications of the change in solid waste removal. Ms. Levine will facilitate that meeting.

Sidewalk Project: Ms. Levine said she had asked the Town's engineers, Clough-Harbour & Associates, for an estimate on what it would cost to design an extension of the County Road sidewalk from Newport Road to the first entrance of the Medical Center. She said the design cost would be \$4200, and the Town could then bid the construction as part of the intersection project. She asked the Selectmen if this is something that should be added to the project, and all agreed that it would be a good time to add that portion of the sidewalk. Ms. Levine affirmed that the request did not come from New London Hospital.

Richard Lee said that the Sidewalk Committee had identified County Road and Parkside Road as two areas that needed sidewalks, as well as a trail down the power line from Newport Road to Parkside Road. It sounds like the Hospital is willing to work with the Town to enable that trail to be developed. Mr. Kaplan moved to approve the additional \$4,200 design contract with CHA, seconded by Chair Lyon and approved 3-0.

Town Common: Ms. Levine said the Common had suffered more damage this year due to the Antiques Show and Hospital Days, particularly due to people driving onto the Common from the Town parking lot. She circulated a photo of the fence that had surrounded the Town Office building, and asked the Selectmen if that should be considered to regulate vehicular access to the Common. Richard Lee said he is not crazy about the fence, but he is also not crazy about constantly repairing the Common. He said it will look bad now until the end of September, and he does not like it because it is a reflection on the Highway Department and the town. He likes it to look nice for the Bandstand concerts on Friday nights. He said there are drainage problems and areas that have stayed wet over the past two years that are causing trees to die. He said it needs work, and he has considered shutting it down for a summer to rebuild the lawn. Richard Lee said he could add 14 loads of loam to the Common and have only marginal improvement.

The Selectmen suggested a subcommittee including people from the Bandstand Committee, Garden Club, and Hospital Days to talk about Common use. Chair Lyon said he had been a member of the Commons Committee some time ago that established policies for using the Common. He sees this as another volume issue. Ms. Clough volunteered to serve on a new committee.

Richard Lee said the current use agreement says that if the user damages the Common, they are responsible to help pay for the repair. Ms. Levine said she had spoken to a Garden Club member who acknowledged the agreement and seemed willing to help. She suggested looking at the damage with the Garden Club and Hospital Days, but added that paying for the repairs cuts into their profits. Ms. Clough said the Common is for all to use and needs to be kept in good repair. Richard Lee asked the Selectmen if the Town should pay for the repairs as it has always done, or charge for the cleanup work, such as that needed off Gould Road. He said it was nice three weeks ago, and now does not look very good.

Municipal Parking Lot: Ms. Levine asked why the municipal parking lot had a reverse traffic pattern, and asked if it related to the location of the mailboxes. Richard Lee said the reverse pattern was there before the mailboxes, and it was because it allowed for easier access to the parking spaces that would otherwise be difficult to reach. Ms. Levine said she has received two complaints about the traffic pattern this summer and wondered if it is a safety concern. Richard Lee said it has been laid out that way for a long time and there have never been any accidents.

**Building Permits:**

- Stuart and Victoria Gulker, 606 Wilmot Center Road (Map 053, Lot 004), permit for amendment and extension of building permit 05-072 – Approved (Permit 05-072)
- Aristotle and George Souliotis, 384 Main Street (Map 084, Lot 002), amendment to change bulkhead door with entry enclosure – Approved (Permit 06-008)
- Molly and Domenic Ferrante, 53 Lighthouse View Road (Map 126, Lot 005), permit to install landscaping within 50' of setback – Approved (Permit 06-095)
- Lucky Leprechaun, 34 Newport Road (Map 060, Lot 002), permit to build 12' x 12' blocked, unfixed shed. Some sand fill will be needed to level and block. – Approved (Permit 06-096)
- Rob and Caroline Bossi, 51 Putney Road (Map 011, Lot 002), permit to build 10' x 11' chicken coop – Approved (Permit 06-097)
- Anthony and Karen Seminara, 52 Bog Road (Map 094, Lot 002), permit to raise ceiling heights on first and second floors, change roof to gable and change rear garage into house square footage – Approved (Permit 06-098)
- Richard and Patricia Powers, 15 Scythe Shop Road (Map 078, Lot 016), permit to expand deck to 8' x 30'-3" on farmers porch – Approved (Permit 06-099)
- Wally Borgen, 138 Quail Run (Map 108, Lot 010), permit to build kitchen, powder and laundry room addition with a full unfinished basement under addition – Approved (Permit 06-100)
- Edward Johnson and Melody Fagan, 1359 Route 103A (Map 128, Lot 009), permit to rearrange various doors and windows and demolish shed addition to detached garage – Approved (Permit 06-101)

**Sign Permit Applications:** NONE

**Other Items for Signature:**

Selectmen's Meeting Minutes

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- Disbursement and Payroll Voucher for the week of July 31 and August 7, 2006 – Approved
- Pole License Petition for Verizon New England, Inc. – Approved
- Application for Use of Whipple Memorial Hall by the League of Women Voters of Kearsarge/Sunapee for a Forum for Candidates for State Senate and House to answer voters questions on Thursday, November 2, 2006 from 7:00 PM – 9:15 PM – Approved
- Application for Use of Whipple Memorial Hall by New London Barn Playhouse for rehearsal on Thursday, August 10, 2006 from 1:00 PM – 6:00 PM – Approved
- Application for Use of Whipple Memorial Hall by New Hampshire Master Chorale for Choral Concert on Saturday, November 18, 2006 from 4:00 PM – 10:30 PM – Approved
- Application for the Use of New London Town Common along with Application for the Use of Whipple Memorial Town Hall as back-up for the New London Bandstand Committee for June 29, July 6, 13, 20, and August 10, 17, 24, and 31, 2007 from 4:30 PM – 8:00 PM - Approved
- Application for Use of the New London Town Common by the New London Garden Club for Antique Show on Saturday, July 28, 2007 from 5 AM – 5 PM, set-up will start Wednesday, July 25, 2007 and take-down will be on Sunday, July 29 2007 - Approved

**Applications for Current Use:**

Ballin Family Trust, Andover Road (Map 087, Lot 003) - Approved

Ballin Family Trust, 244 Blueberry Lane (Map 087, Lot 003-001) - Approved

Ann Harris, Farwell Lane (Map 081, Lot 013, 014, 016, 017, 018, 019) - Approved

Debra Perkins, Bunker Road (Map 062, Lot 014) – Approved

There being no further business, the Board of Selectmen adjourned the meeting at 11:00 AM.

Respectfully submitted,

Jessie W. Levine  
Town Administrator