



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## BOARD OF SELECTMEN MEETING MINUTES November 10, 2008

### **PRESENT:**

Mark Kaplan, Chair, Board of Selectman  
Larry Ballin, Selectman  
Tina Helm, Selectman  
Jessie Levine, Town Administrator  
Richard Lee, Public works Director  
Richard Clayton, President, Pleasant Lake Protective Association  
Debbie Cross, Intertown Record  
Lauren Gifford, valley News  
Jim Ward, new London resident  
Bob & DJ Lavoie

The Selectmen signed the following documents at 7:55 AM.

### Applications for Building Permits:

- Jane Hollinger Trust, 443 Bunker Road (Map & Lot 063-002-000), permit to renovate existing house, replace doors & windows, add screen porch, new entry/porch to be added after all state and town approval. Permit #08-141 – Approved.

### Application for Temporary Sign Permits:

- NLOC, Ski & Skate Sale – 11/8/08 – info booth & Cougar Court – Approved.
- Kearsarge Community Presbyterian Church & VNA – King Hill Road – Craft Fair, Nov. 22<sup>nd</sup> 9:am – 2:00pm - Approved

### Application for Sydney Crook Room:

- Adventures in Learning – January 7, 2009 – 10am – 12 noon -- Approved.

### Application for use of Whipple Hall:

- New London Garden Club – Public meeting & Slide Show – Tuesday June 9, 2009 – 5:00 PM – 10:00 PM – Approved.
- SKIT– Improv nights – Thursdays, 1/22, 29, 2/5, 12/09 – 7:00-9:00pm - Approved

### Tax Abatements:

- Tax Abatement for New London Hospital, in the amount of \$993.09 for property granted tax exempt status for 2008 therefore an abatement is issued for the first billing in 2008.
- Tax Abatement for Colby Sawyer College, in the amount of \$2386.69 for interest abated on previous balance.

### Other:

- Disbursement & payroll voucher week of 11-10-08 - Approved.
- Certificate of Occupancy – Colby Sawyer College – dorm basement renovation – Approved.

- Extension of the Cable Television Franchise Agreement between New London and Comcast (4 copies) -- Approved.

At 8:00 AM, Chair Kaplan called the meeting to order and welcomed Richard Lee and Richard Clayton to discuss the Pleasant Lake Dam. Richard Lee said that he has come to bring the selectmen up to date on the gate installation. He said that during the month of September, when the water was being lowered, the gate company came to inspect the property a couple of times. Richard Lee said that the company that sells the gate does not install the gate, and the installation company disapproved of the conditions to set up the gate, and claimed that the gate needed new steel, new concrete, etc. Richard Lee said that the gate channel is 64" wide and the gate that arrived is 6'4", which made him wonder if that was not why they insisted on new steel for the gate. Richard Lee asked Paul Manson from Sunapee, an expert welder, to inspect the gate and he will help us install the gate.

Dick Clayton asked how the gate would be installed. Richard Lee explained that another set of steel poles will be affixed to the existing framework and the gate will be installed to the framework. Larry Ballin said that the company must have had the opportunity to look at the condition of the channel, concrete, and metal, and it should have been their responsibility in selling this product. It seems to him that they are trying to do some backpedaling on their due diligence. Larry added that he has known Paul Manson for years, and he is a world class welder, and if he is willing to do the job, then let's get it done. Richard Lee said that he will be available on Wednesday.

Richard Lee said that the owner of the valve company and the installer were here in July and crawled around the gate for an hour, measuring and inspecting. He had said that he could not see the bolts through the water, but the bolt framework was on the outside of the channel, and he would have been able to see all but the bottom bolt. Richard Lee said that this has been a trying experience for him; he thought he had hired someone to do a job that knows how to do it and he is being squeezed in the middle. If Paul Manson performs the work, he thinks that it can be done for the original estimate.

Bob Lavoie asked if the payment to the original supplier was going to be reduced as a result of the problems? Richard Lee explained that we have paid \$35,000 for the gate, and not \$15,600 for the actuator. Jessie explained that the letter she sent threatened that we would hold back the cost of retrofitting the gate from the final payment against the actuator. She asked the Selectmen if that is how they would like to proceed, and the Selectmen were in agreement.

Larry Ballin said that in his opinion, we should hire Paul Manson, get the job done and get it done this week so that the lake can be raised, send Allagash a check for their balance due less our cost to fix their mistake, and let them come back to us if they don't like it. If it ends up having to be negotiated, so be it, but it does not appear that they have given us the quality product that they promised, and it's going to cost us money as a result. In a way, we're on the lucky side that it's come this way, because if they installed it they would have made more of a mess of it.

Bob Lavoie asked if the original contract included installation. Jessie Levine explained that it did not, but that a second proposal included installation. She said the original contract did include commissioning, which will still be required of Allagash.

Larry Ballin made a motion to use the services of Paul Manson to do the installation with an electrician to do the wiring, and pay Allagash the balance due less the cost of the remedial work. Seconded by Tina Helm. Tina asked Dick Clayton if this sounded logical to the PLPA. Dick Clayton said that the most important thing is to get it done this year due to the ecological impact. Jessie Levine said that it looks like we will still need the \$8,000 from PLPA for the electrical work and will not need the \$14,000 that we had asked for on loan.

Dick Clayton departed the meeting.

Sewer Rate Setting: Jessie presented a spreadsheet showing the 2008 sewer budget, revenue from the first billing, connection fees, and other sources, and the resulting calculation of the amount due for the second sewer billing. The proposed rate is \$12 per 1000 gallons of sewer use, lowered from 12.50, and the loan and capital rate would stay the same for this billing. So overall, costs to the sewer users will go down. Bob Lavoie asked about the actual costs for equipment maintenance & repair and payments to Sunapee. Jessie Levine said that the payments to Sunapee were higher than budgeted but are complete for the year. The other lines will be spent before the end of the year.

Mark Kaplan said that the total warrant would be \$382,063.52. Larry Ballin moved to sign the warrant for that amount, seconded by Tina Helm and approved 3-0.

Larry Ballin said that as a matter of discussion, this is the second year that we have seen a decrease in sewer rates and he commended Richard Lee and the Public Works Department for their work.

Richard Lee said that he wanted the Selectmen's input on purchasing a second spare pump. He purchased one this year for the Georges Mills Pump Station and thought the cost had been withdrawn from the capital reserve fund, but there was room to take it out of the operating budget. He would like to take the second replacement pump out of capital next year, which would allow us to drop the equipment line by about \$20,000 in the 2009 budget. Richard Lee explained that we have two pumps in the main plant and two at GMPS, so if something happens to one pump, we are running on one pump, which is nerve-racking. He said that we have purchased a back-up pump for GMPS, so that we can drop in the new pump if one is pulled for repair. He would like to do the same for the main plant. Mark Kaplan asked how often the pumps go out for repair. Richard Lee said that the pumps can be monitored for wear & tear, but only have to go out if there is something the matter with them. Last summer, the GMPS pump was pulled for repair and the pump station operated on one pump for months, causing many sleepless nights. The trouble is that the pump company does not stock a lot of parts locally anymore, and when we had the one pump that was burned up, they had to order the parts from Sweden and it took 3.5 months to get the part here and get the pump repaired.

Richard Lee explained that the pumps at GMPS and the main plant are two different styles of pumps, and the pump for GMPS was purchased this year. Richard would like to purchase a spare pump for the main plant as well.

Bob Lavoie asked about the High Pine Pump Station repairs. Richard Lee explained that it was under review by Ed Rushbrook right now.

Tina Helm asked how often the pumps needed to be purchased. Richard Lee said that we should not have to buy another one unless it were hit by lightning or a power surge. The pumps can be serviced on an ongoing basis and rebuilt. It would probably be 10-15 years before a good rebuild is needed. If a seal goes and water gets into the electrical part, an alarm goes off and the pump shuts down and can be removed for service. The pumps are reliable, but the company, Flygt, is owned overseas and parts availability can be difficult.

Jessie Levine pointed out that the electrical charges reflect the reduced run times for the pumps due to the reduction of water pumping through. We are sending less water to Sunapee, which should be reflected in our future annual payments to Sunapee.

Bob Lavoie asked about the plans for the Sunapee Plant. Jessie said that Sunapee hired Wright-Pierce to perform a review of the plant and that presentation will be in November. Bob Lavoie asked if there is a budget estimate, and Jessie Levine said that there is nothing updated since the Stantech report a few years ago. Bob asked how that would be paid, and Jessie Levine said 65-70% would belong to New London, and would most likely have to be bonded. DJ Lavoie asked if the repairs would be paid solely by the sewer users, and Jessie Levine said it depended on how much the estimate was.

Meeting Minutes: Tina Helm moved to approve the minutes of November 3, seconded by Mark Kaplan. Jim Ward recommended the following corrections:

Page 2, Paragraph 1: Mr. Ward said that the draft minutes read “Mr. Ward thinks that there is a difference of opinion over interpretation of the rules, and he would like the Selectmen’s opinion.” Jim Ward would prefer that the language say that he “was here because there was a difference in opinion over whether the wetlands were jurisdictional.” The Selectmen let the existing minutes stand, as that is what was said at the time.

Page 2, Paragraph 3: Mr. Ward clarified that it was actually Jack Akin that submitted the building permit.

Page 2, Paragraph 5: Mr. Ward inserted that he stated that “the building does not touch any of the area in question.”

Last paragraph, page 2: Mr. Ward inserted that “he stated that when the new ditch was created, it was his understanding that the old one was supposed to be filled in.”

Page 3, first paragraph: at the end of the paragraph, Mr. Ward inserted that “he said that if Peter Stanley would read the last sentence of that e-mail thread, it said Peter Schauer strongly disagreed that the area was jurisdictional.”

Page 3, second paragraph: Jim Ward inserted that he replied something to the effect that “the ditch was shown as non-jurisdictional with a report by Bob Stewart explaining his position.”

Tina Helm moved to approve the minutes as amended, seconded by Chair Kaplan and approved 2-0. Jim Ward departed.

Fiber Meeting Report: Jessie Levine reported on the meeting. Chair Kaplan said that he came away with the end result; if we were to get it done, why it would be more advantageous than what we have today, and the difference is the amount of information that we can put through fiber optics versus anything that exists today at the speed that fiber offers. He gave the example of a 60-70 page document or graphics being passed back and forth. Jessie Levine said that the construction is expensive, but presumably the services provided to citizens would be less expensive. Larry Ballin said that nothing is free.

Larry Ballin said that it would be interesting to dialogue with other towns because perhaps by expanding it would lessen the burden on the eight towns that are already participating. Jessie Levine said that there are other towns interested, but the group had long ago decided to see what it can get done first and expand later. It does not make sense to expand at this point, when little is happening.

DJ Lavoie asked once the money part is taken care of, this has to be physically built, and how long does something like this take to be built? Jessie said that it will not take a lot of time to construct, as evidenced by the TDS fiber run. Depending on the size of the crew used, the construction could be done over the course of a summer.

Joint Assessing Board: Jessie Levine reported that overall, the 2009 budget will be reduced by cost of part-time data collector. Bob Lavoie asked for a follow-up on the question of whether the assessing records are updated based on a real estate ad. Mark Kaplan feels strongly that it is incumbent on us to make an effort to make a physical inspection if the information comes to us. If we are contemplating changing the tax card, then we should attempt to make a physical inspection. Tina Helm suggested that we table this item, which is extremely important, and invite the assessor to be present for the discussion, as well as some representatives of the real estate community. Tina said that realtors do have a code of ethics to which they subscribe, so rather than having this discussion from the seat of our pants, we should bring Norm in and have a vote on how we as the Selectmen feel.

Bob Lavoie does not object to updating the records, but objects to the timing. If he is inspected, everyone should be inspected, and he should not have to pay ahead of everyone else. Larry Ballin said that if Peter Stanley drives by someone's house and there's a dormer going on without a building permit, we're obligated to investigate that, just as we're obligated to investigate any information that comes forward that says a house is worth more than it is. That is part of the fairness of taxation.

Bob Lavoie said that he understands unless it's related to pure judgment call. Larry Ballin said that if we have a three-bedroom house that's being advertised as a five-bedroom house, then it should be taxed as such, and he does not even think that it needs to be inspected. Bob Lavoie said that if a room is painted, it should not automatically be upgraded.

All agreed that this should be tabled for another day.

Planning Board: Larry Ballin reported that the last Planning Board meeting was October 28, at which a number of applications were reviewed and proposed zoning amendments for the coming year. Tina Helm said that there was the discussion about the Master Plan and the follow-up about the subcommittee meetings, and how to activate those people who had shown interest. Tina said that tomorrow night's Planning Board meeting is focusing on the Master Plan. Jessie said that she has had some communication with Karen Ebel, Ken McWilliams, and Judy Condict about improving communication with interested folks, who had said people were being notified in advance of every work session and had chosen not to attend. DJ Lavoie said she thinks there has been some misunderstanding because she thought the Planning Board would be proceeding with subcommittees on each chapter, which never really happened. She thought the subcommittees would meet separately from the Planning Board meetings and report back to the Planning Board, and that is the link that is missing. She thinks there are people in the community who were fired up who feel left out now. Jessie said that the Planning Board e-mailed the chapters in advance of discussion, and their expectation was that people would attend the meeting for the discussion. Bob Lavoie said that the website still refers to the small working groups, which is not what is being done at all. Instead, the Planner is coming in with a chapter, and most of the discussion is typographical corrections and there is little discussion.

Tina Helm said that it might be the Selectmen's role to help the Planning Board to jump start this a little bit to build on the energy despite the lapsed time. DJ Lavoie said the survey results should help.

Jessie Levine asked for direction from the Selectmen. Larry Ballin said the Selectmen's curiosity of the process was discussed at the last meeting, and he thinks they are aware of it. He thinks the Planning Board has its method pretty well set, and if we can help within their meetings, that would be fine. Tina Helm asked if it would be appropriate to have the Selectmen make a motion to reinforce their support for the Planning Board to jumpstart the process to move forward. Tina Helm said that if the Board of Selectmen appoints the Planning Board, then it is incumbent on the Selectmen to support and help them with their charge. Mark Kaplan said that we stand ready to do it.

Jessie Levine suggested that all three Selectmen attend tomorrow night's meeting to express their concerns, since she has already communicated the concerns and nothing appears to be changing. Larry Ballin said that he thinks the process is set in stone, but moving forward, after this Master Plan is done, we should take the next few years to reinvent the wheel and re-energize the plan. This Master Plan does not seem to have the energy that it did 10-12 years ago. Jessie Levine said that she is concerned about a \$65,000 report that does not have the support of the community, and the Selectmen are stewards of the public money. She said that so far, these concerns have been discussed by the Board of Selectmen and the Lavoies, but the discussion has not been thoroughly vetted with the Planning Board.

Larry Ballin said that he thinks this discussion should be part of a larger look at our planning process. Bob Lavoie asked if it's possible to continue this process and have working groups review it at the end

when it is substantially complete. His point is that it might make sense to revisit the Master Plan when there are new census data available.

Joint Sewer Commission: Will meet November 20 at 5:30 PM in Sunapee.

Kearsarge Community Center: Larry Ballin reported that the KCC Board met last week, and with economy and fundraising the way it is, and with other capital campaigns in town, we are not going to hit the goals that we anticipated, and Larry said he has made it pretty clear that the bond issue will not be going forward this year. We are going to go into discussion with the School District regarding the building and its future and the ability of the Community Center to have the option to use the building and to extend the drop dead of the lease. Discussions are ongoing; the project is still there but it does not seem like the right time to move forward.

CIP: Mark Kaplan referred to the CIP meeting scheduled for Tuesday night, and said that if the Selectmen want to make any effort to save tax money, the capital items are the big ticket items, and he intends to bring it up. He said that if the Selectmen have any intention of holding down costs, this is the time and place. Jessie Levine said that this is not the only time, as the CIP recommendations are reviewed again before the Budget Committee. Jessie Levine asked if there are any areas in particular that Mark is concerned about, and he said there is not. Larry Ballin said that he will attend the meeting as the CIP representative for the Board of Selectmen, but all are invited for the discussion. He said that everyone is concerned about the coming budget, and agrees that it is a good place for discussion.

Jessie asked for a non-public meeting pursuant to RSA 91-A:3 II (a) for employee salaries and raises. The Selectmen went into non-public session.

Upon returning to public session, Jessie asked the Selectmen for guidance for employee raises for the 2009 budget. She said that the CPI for September was 5.2%, but she expects it to be lower for October. That number will not be known until November 19. Larry Ballin said that he thinks New London employees are very well compensated and are fortunate to have good benefits in this economy, and he would support no more than a 4% total raise in 2009. The other Selectmen agreed but also agreed this issue should be revisited when we have more CPI information.

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

Respectfully submitted,

Jessie Levine, Town Administrator