

**BOARD OF SELECTMEN
MEETING MINUTES**

November 14, 2005

PRESENT:

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

OTHERS PRESENT:

Bob & DJ Lavoie, New London residents
Bob & Lynne Bell, New London residents
Bill Clough, New London resident
Gordon Bingham, Little Cove Road resident
John Harris, Little Cove Road resident
Richard Lee, Road Agent
Carolyn Dube, Argus Champion
Debbie Cross, Intertown Record

Chair Kaplan called the meeting to order at 8:05 AM.

Meeting Minutes: Mr. Lyon moved to approve the minutes of November 7, 2005. Second Ms. Clough and approved 3-0.

Kearsarge Regional Middle School: Ms. Levine said this item is on the agenda to talk about the School Board vote last week on the middle school location, and in talking to Chair Kaplan he suggested that it might be a good time for the Joint Boards of Selectmen to meet. Ms. Levine said she has no quarrel with the School Board's decision, but thinks there should have been more public discussion about the consultant's report prior to the vote. Ms. Clough agreed that after the time and effort spent to arrange for the reports, the public should have been well-informed on the contents prior to the vote. Mr. Lyon said he has spoken to Dan Wolf, chair of the School Board, and Mr. Wolf would be willing to meet with the Joint Boards to explain the board's decision. The School Board felt it was under time constraints due to bond posting requirements (Chair Kaplan said they had to notify the bond bank by December 8). Ms. Levine said that KARMA members have also asked to meet with the Selectmen again and have asked for a night meeting on November 21. Mr. Lyon suggested having a joint meeting of the Boards of Selectmen and School Board to which all members of the public are encouraged to come.

Bob Lavoie asked about the purpose of the meeting, if the School Board has already made its decision. Ms. Clough and Chair Kaplan explained that they want an opportunity to hear the School Board's explanation about the process, and Mr. Lyon said it would also be an opportunity to discuss the petitioned warrant article that KARMA has talked about submitting. Mr. Lavoie asked if the Selectmen's goal was to change the School Board's minds, and Chair Kaplan said that if seven towns think the School Board did wrong, then it might change a lot of minds. Ms. Clough said the public forum is an attempt to let other to let other voices be heard, whether it or not changes the decision. Chair Kaplan said "we owe it to the people to let them come and ask questions." He said the report came out on Wednesday and the vote took place Thursday, and we ought to give the public the opportunity to weigh in. Mr. Lavoie agreed that sufficient time was not given to discuss a complicated report.

Mr. Lyon said that the Selectmen like to keep stories fact-based, and currently there are many rumors circulating about the School Board's activities. He would like to give the players the opportunity to discuss the facts and have a full airing of the issues. He said his interest is in getting a new school built, and if this further splits the vote then we won't have a school in any location. He noted that the old middle school building needs \$100,000 of immediate roof repair performed, and the HL Turner report said that the building could not be rehabbed but must be torn down. He wants to get moving on building a new school. Mr. Lyon said that interesting questions have been raised about the HL Turner report. For instance, the proposal to build a new school on the same site in New London includes filling about an acre of wetlands, which the consultant claimed could be done by paying a \$100,000 fine. If that's untrue, then the proposal is not doable. Ms. Levine said she has not heard that the law changed to allow people to fill wetlands. Mr. Lyon said he had spoken with Peter Stanley, who also had not heard that it was allowed.

Ms. Levine asked for confirmation that the Selectmen would like her to contact the other six towns and arrange a joint meeting of the Boards of Selectmen and School Board. Mr. Lyon said it would be useful if the School Board's consultant could be available as well to answer specific questions. Mr. Lavoie clarified that the purpose of the meeting was to explain the report and the basis for the School Board's decision and to give the public the opportunity to ask questions. He said he expects that the emotional aspect of the issue overrides the facts. Mr. Lyon said it would be the job of the moderator to keep the discussion fact-based.

Mr. Lyon said that the consultant's report projects a lower cost to build on the New London site, but the plan includes the removal of the SAU building and does not include the cost of a new SAU building, which will have to be constructed somewhere. He said the proposed plan also does not take into account the 35-foot height restriction in New London, a height that was determined for safety reasons. Chair Kaplan said we know of some negatives about the New London site, and they should come out at the public meeting. It may be that the Sutton site is better, and the discussion should take place. Mr. Lyon said right now the community thinks there are two viable proposals, either of which could be done, but the New London site is cheaper. The community does not know that 1) there is a wetlands issue in New London and 2) it may not be cheaper once the SAU issues are counted. He said he is willing to listen to either proposal, which is viable and which is cheaper?

Bob Lavoie asked if someone could be contacted to find out about the wetlands, and Ms. Levine said her office will contact the State Department of Environmental Services. Ms. Lavoie asked if the New London proposal included temporary housing for the students, and Mr. Lyon replied that the proposal would allow the school to be used while the new school was being constructed. Ms. Clough said that three or four years ago, the superintendent had mentioned the high school or double sessions if necessary.

Bob Lavoie asked if the report is available, and Ms. Dube said it is on the School District's website. Mr. Lyon said based on what he is hearing from various sources, people need to hear the facts. Ms. Levine asked the Selectmen if Monday, November 28, would be too soon, and the Selectmen approved that date. Mr. Lyon said he would like to make a good faith effort to have all of the Boards of Selectmen involved. Mr. Lyon will call Dan Wolf and tell him what we have in mind. Ms. Levine noted that November 28 was the first day for the new town administrator in Warner, and she hoped that didn't preclude the Warner Selectmen from coming. The Selectmen asked Ms. Levine to find a location large enough for the whole district, such as the high school auditorium.

LGC Insurance Resolution: Ms. Levine said she has received paperwork from the Local Government Center regarding the three-year agreement for worker's compensation and property-liability insurance. She read aloud a resolution that needed to be approved by the Selectmen, and the Selectmen approved the solution 3-0. The Selectmen authorized Ms. Levine to sign the insurance documents. Chair Kaplan asked if the property-liability insurance would cover the refurbishment of Whipple Town Hall. Ms. Levine said

that all of the Town's buildings had been reappraised by the insurance company within the last year, and the Town had drastically underestimated its coverage needs. Bob Lavoie asked if there were an automatic adjustment to building values, and Ms. Levine said she is not sure but she will check the insurance policy. Mr. Lyon said some insurance policies cover individual buildings and some cover the entire plant, so costs could be spread among the buildings.

NHMA Meeting: Ms. Levine said she would be attending the annual meeting of the New Hampshire Municipal Association on behalf of New London, and asked the Selectmen to appoint her as voting delegate for the Town. The Selectmen unanimously approved the delegation.

Employee Holiday Bonuses: The Selectmen reviewed a memorandum from Finance Officer Carol Fraley asking for approval for annual holiday bonuses of \$100 for full-time employees, \$50 for part-time employees, and \$25 for lifeguards. The bonuses cost a cost of \$4,686.60. Mr. Lyon said this is an annual bonus and the employees deserve the gesture. He moved to approve the bonuses, seconded by Ms. Clough and approved 3-0.

ATV Regulation: Ms. Levine referred to an e-mail from residents near Main Street reporting their neighbors' ATV use in their dense neighborhood. Ms. Levine said she has e-mailed other managers asking if any towns regulate ATV use or address these concerns through a noise ordinance. She suspects that the Town may not be able to regulate ATV use on private property, as long as it is not of a commercial nature. Mr. Lyon asked about noise ordinances, and Ms. Levine said she had gathered examples from other towns following the Selectmen's discussions in the past, and said that most towns seem to regulate noise by time and not by decibel. She said she just wanted the Selectmen to know that she has put out the feelers on the question and will report back. Ms. Clough said that noise could be addressed through screening, and she believes that if we are going to encourage people to live in the center of towns, then we need to keep the center of town livable.

The Selectmen took a five-minute break.

Fieldstone Lane/Little Cove Road: At 9:00 AM, Chair Kaplan called to order the public hearing on the petition to layout Little Cove Road and a portion of Fieldstone Lane as Town highways. He read aloud the following notice:

Upon the forgoing Petition, the New London Board of Selectmen, having given notice to the Petitioner and all persons across whose land the proposed highway is laid out, and having posted notice to the public to appear at the New London Town Offices on Monday, November 14, 2005 at 9:00 AM to show cause, if they had any, why said Petition should not be granted; having met at said time and place and having fully heard all persons interested who attended; having asked the Road Agent to examine the proposed highway; and having duly considered said Petition, are of the opinion that there is occasion for the layout of two new highways, described as follows:

A certain tract or parcel of land, with any improvements thereon, situated in New London, County of Merrimack and State of New Hampshire, being the roadways consisting of that portion of Meadow Lane, now known as Fieldstone Lane, which has not previously been conveyed to the Town of New London and all of Little Cove Road, as the same are shown on survey plans entitled "Country Meadow Phase 5", dated October 2001, prepared by Clayton E. Platt, L.L.S., approved by the New London Planning Board February 12, 2002, recorded as Plan #15777 in Merrimack County Registry of Deeds on February 19, 2002 and "Country Meadow Phase 3", dated July 1997, prepared by Clayton E. Platt, L.L.S., approved by the New London Planning Board January 6, 1998 and

recorded as Plan #14330 in the Merrimack County Registry of Deeds on May 15, 1998. The within conveyance includes the 60 foot wide right-of-way for the entire remaining length of Meadow Lane, now known as Fieldstone Lane, not previously conveyed to the Town of New London, the turnaround at the Southeasterly end of Meadow Lane, now known as Fieldstone Lane, the 40 foot right-of-way for the entire length of Little Cove Road, the entrance area at the northeasterly end of Little Cove Road at its point of intersection with the southeasterly side of Fieldstone Lane, and the turnaround at the Southeasterly end of Little Cove Road.

Ms. Clough asked Bob or Lynne Bell to show the roads on the plans, and invited abutters to see the plans. Mr. Bell showed that Fieldstone Lane is currently maintained by the Town up to White Pine Lane, and the proposal is to turnover the remainder of Fieldstone Lane up to the turnaround, and Little Cove Road to its end. The roads were paved to meet the Selectmen's requirements.

Gordon Bingham, a resident of Little Cove Road, said there are five houses on Little Cove Road. Ms. Clough asked if there were any undeveloped lots, and Mr. Bell replied that there were not. He said the road was designed as a service road, which is 14 feet wide with 2-foot shoulders, and it has been constructed to that specification. Ms. Clough said she understood there were concerns about the width of the road and the shoulders, and Mr. Bell said the shoulders were brought up to the level of the pavement and that has addressed those concerns.

Chair Kaplan asked Richard Lee for his opinion, and Richard Lee said he has approved the road with one comment: the last house on Little Cove Road is installing a raised bed that will be partially in the Town's right-of-way. He said that will have to be removed, and there should be granite bounds on the line between the owner's property and the Town's right-of-way. He said where it is, the garden will be hit by the Town plow and the property owner's plow. He also said that near the pull-off for the dry hydrant is a large brush pile that belongs to a private property owner. Ms. Levine said she will contact the owner of that property.

Ms. Levine said she has faxed the deed to town counsel and is awaiting his comments. She asked the Selectmen if they approve the road, to approve it contingent on the deed being approved by counsel.

Mr. Lyon said he has heard no complaints or comments against having the Town accept the roads, and he moved to layout the roads contingent on deed approval by town counsel. Ms. Clough noted Richard Lee's satisfaction with the roads and seconded the motion. The roads were accepted by the Selectmen, 3-0, and they signed the return of highway. The Bells, Mr. Harris, and Mr. Bingham departed.

Grace Road/Whitney Brook Road: At 9:20 AM, the Selectmen were joined by Bill Clough, a New London resident who owns property on Whitney Brook Road and on the other side of the town line in Wilmot. Chair Kaplan asked for an explanation of the issue. Richard Lee said Wilmot plans to widen Grace Road and install drainage by taking some property that the Cloughs own and putting the drainage down hill. He is concerned that the water will discharge down hill, towards the town line and eventually onto Whitney Brook Road. He thinks we should be involved in designing the plan so that it does not cause a mess down hill.

Chair Kaplan asked if this was being contemplated or if it was actually planned, and Bill Clough said he had received a letter from the Town of Wilmot indicating their plans to go ahead this spring. He said a year ago the town expressed interest in straightening the road to handle the traffic coming from increased development. There are construction trucks, deliveries, etc., and the narrow road creates a bottleneck. The slippery conditions in the winter cause vehicles to slide into the ditch. The town wanted to straighten out the corner and eat into the Cloughs' land, and he went to a Wilmot Selectmen's meeting to express his

concern. He questioned the decision because it would allow vehicle speed to increase, and the drainage would increase the water that runs onto his land. Richard Lee said it would cause problems for the culvert near town line.

Ms. Levine said she wants to point out that this would be an issue for New London even if Sue Clough were not a Selectmen. Ms. Clough agreed that she should tread carefully as she is related to Bill Clough and she now lives on Whitney Brook Road.

Bill Clough said he is concerned about the speed from traffic using the road and he had hoped they would go the other way (to Route 4A), but more maintenance of the road would probably increase traffic. Chair Kaplan asked if the road is paved or gravel, and Richard Lee said it is gravel on both sides of the town line. Ms. Clough asked if it's a scenic road, and Richard Lee said he does not believe it is.

Chair Kaplan asked what legal issues are involved if a neighboring town makes a change. Ms. Levine said that Wilmot would have to abide by the same laws that apply to New London in constructing its roads. If they change or increase drainage, they would have to have New London's acceptance. Ms. Levine asked Richard Lee if he had spoken to the Wilmot Road Agent, and Mr. Lee said he has not been directly notified of the project and wanted to talk to the New London Selectmen before getting involved.

Chair Kaplan said it is possible that these changes could affect the roadways in New London. Ms. Levine asked the Selectmen if she should draft a letter to the Wilmot Selectmen asking for New London to be included in the planning. Mr. Lyon said the letter should mention that the New London Selectmen are concerned about safety and drainage aspects.

Mr. Clough said there is a third issue: the speed and volume of traffic will affect the road in New London and increase the maintenance need and associated costs. Ms. Levine asked if the Town should take a traffic count to determine the use. Chair Kaplan questioned the usefulness of that information if the goal is to alleviate problems caused by the construction.

Mr. Lyon suggested that the letter ask the two Road Agents to work together on the design. Chair Kaplan said we should find out Wilmot's intentions and how they would affect the flow of water, speed, and road maintenance. Richard Lee said a minor change in drainage could be a major change at town line. This is another example of water running down hill.

Transfer Station: The Selectmen approved Richard Lee's request to close the Transfer Station at noon on Saturday, December 24 (Christmas Eve) and Saturday, December 31 (New Year's Eve). There was some discussion as to whether the Transfer Station should be closed on these Saturdays and opened on Monday, but Ms. Levine said that Monday is the actual holiday and residents may assume the Transfer Station is closed. Richard Lee was also concerned about a short-term change, which might be more confusing than an early closing.

Richard Lee departed at 9:40 AM.

Building Permits:

- Elizabeth Chidsey, 25 Birch Acres Road (Map 074, Lot 014), permit for various additions and renovations – Approved (Permit 05-146)
- Lucky Leprechaun LLC, 34 Newport Road (Map 060, Lot 002), permit for extension to finish work – Approved (Permit 04-172)

Sign Permit Applications:

- NONE

Other Items for Signature:

- Disbursement & Payroll Voucher for the week of November 14, 2005 – Approved
- Application from the Department of Environmental Services Annual Installment of State Grant for scheduled payments for wastewater grants in Calendar Year 2006 – Approved
- Application for use of room behind Whipple Memorial Town Hall for New London Garden Club on July 22, 2006 from 8:00 a.m. to 4:30 p.m. – Approved
- Application for use of the Town Office Sydney L. Crook Conference Room for Wednesday, December 7, 2005 from 12:00 p.m. to 1:30 p.m. for Adventures in Learning - Approved

The Selectmen voted to adjourn the meeting at 9:45 AM.

Respectfully submitted,

Jessie Levine
Town Administrator