

**BOARD OF SELECTMEN
MEETING MINUTES
March 26, 2007**

PRESENT:

Ruth I. Clough, Selectman
Mark Kaplan, Selectman
Lawrence B. Ballin, Selectman
Jessie Levine, Town Administrator

OTHERS PRESENT:

Debbie Cross, *Intertown Record*
Caroline Dube, *Argus Champion*
David Seastrand, Chief of Police
Richard Lee, Road Agent
Conservation Commission members
 Les Norman, Chairman
 Dale Conly
 Bob Crane
 Emma Crane
 Ruth White
 Dan Allen
 Vicki Koron
 Peter Stanley, Alternate
 Terry Dancy, Alternate

Sue Clough opened the meeting at 8 a.m.

1. Minutes-March 12, 2007—Mark Kaplan moved to accept. Sue Clough seconded. Motion unanimously approved with Larry Ballin abstaining.

2. Chairman of the Board of Selectmen—Mark Kaplan nominated Sue Clough as Chairman of the Board of Selectmen. Larry Ballin seconded. Sue Clough accepted.

3. Conservation Commission

- o Les Norman said the Commission has been approached by Eric Schultz, the owner of a tract between Old Main Street and Clark Pond, regarding the possibility of the Town purchasing the back area of his property—approximately 60 acres bordering on Clark Pond. Peter Stanley provided an aerial photo of the area in question, as well as a color coded lot plan showing the area along that pond which the Town has acquired in the past—43.8 acres, and the Schultz land is contiguous to, and would be added to that. This would lengthen the protected area along the southerly shore of that pond. He noted that Clark Pond is New London’s only completely undeveloped body of water.

Les Norman said that no numbers have been put on the table yet, and the owner understands that the Town cannot pay more than the appraised value. Sue Clough asked if the appraisal would be paid for out of the Conservation Fund. Yes. Larry Ballin asked if this would be a lot line adjustment? An annexation? Peter Stanley said that the Schultz property would have to be subdivided and the back 60-acres would then be merged with that property the Town owns now. He agreed that this is not one

of the properties in the top six listed for protection in the 1998 Master Plan, because at that time (1998), the opportunity for acquiring it had not presented itself, and it was not clear that this would even be a possibility. Larry Ballin pointed out that the land along Clark Pond is named in that Master Plan as “worthy of protection.”

Jessie Levine asked if there would be public access. Peter Stanley said they do not plan that at this point, probably not. The piece is too far from Bog Road to create a trail in, and it consists mostly of wetlands. He added, however, that this is not necessarily the end of the Conservation Commission’s objective for protecting Clark Pond. At some point in the future, an opportunity may offer itself to acquire some of the Green’s property there, and that might allow a long loop trail along that side of the pond. But the Commission has no desire to see vehicles driving right down to the edge of the pond to launch boats.

Larry Ballin cautioned that in acquiring much land there, they may begin to encounter ADA issues. Peter Stanley agreed, and suggested that there may be some potential on the relatively level portion of that area to address those. Also, he mentioned that they would be working with more than just Town funding. Jessie Levine asked if the owner has given any indication of an interest in donating some of this. That has not been discussed, but at this meeting, Selectmen recommended that the Commission encourage that during negotiations. Jessie Levine added that negotiations for a real estate purchase can occur in non-public session, but the concept and the long-range vision for the pond can be discussed during public meetings.

The Selectmen gave the Conservation Commission approval to have an appraisal done, and to go forward with negotiations.

- o Les Norman reminded Selectmen that Town Meeting approved the land swap at the southern end of the Low Plain Area, and upon consideration, the Commission feels that as long as they must have the entire area surveyed, they should put that into a conservation easement to protect it in perpetuity. Jessie Levine said that will require a Town Meeting vote. The Commission understands that and they will develop the language for the easement over the course of the year, and present it at next year’s Town Meeting.
- o Three Conservation Commission members’ terms expire this year, and all three incumbents wish to be reappointed. Sue Clough suggested that the Commission develop a written description of what a Conservation Commission member does. Les Norman said the Commission meets once a month, but there are activities that individual members take on between meetings. Nevertheless, he agreed that a written description including a need for individuals to contribute within their unique areas of interests, could be developed. Also, the annual Town Report provides a good summary of the Conservation Commission’s activities.

Larry Ballin asked if there are statutes that pertain to the Conservation Commission as there are for the Zoning and Planning Boards. Jessie Levine said there are statutes that stipulate the limitations of what the Conservation Commission can do, but no guidelines that are as specific to duties as statutes relating to the other boards.

4. Selectmen Assignments—Mark Kaplan suggested that since he has had some years experience on the Budget Committee, there would be some advantage to his continuing as *ex officio* there, and since Larry Ballin has had some years experience on the Zoning Board, that background would serve the Planning Board well. Sue Clough suggested that if Larry is interested in working with the budget process, he could be one of the Planning Board’s representatives to the Capital Improvements Committee that will begin meeting in June.

For Larry Ballin's information, Jessie Levine explained that by statute, the CIP falls under the purview of the Planning Board, but the Committee itself consists of representatives from the Planning Board, Selectmen, and Budget Committee. She said that Town Planner Ken McWilliams will schedule the meetings on an ad hoc basis. He tries to accomplish everything in three meetings and historically those have all been held in September. This year, however, since the Budget Committee struggled with some very large last minute expenditures within the sewer department budget and the library budget, there has been general agreement that the CIP work will begin as early as June.

She added that Larry Ballin could also represent the Selectmen on the Budget Committee's Personnel Subcommittee.

Selectmen agreed that Mark Kaplan will continue as *ex officio* to the Budget Committee, and Larry Ballin will serve as *ex officio* to the Planning Board, as well as to the Budget Committee's Personnel Subcommittee.

Sue Clough added that the Master Plan work should really get rolling this spring and summer. Relative to that, Mark Kaplan opened some discussion on the Town's acquisition of property, referring to the Inn property purchase that was just approved at Town Meeting, and the Clark Pond parcel that was under discussion at today's meeting. He said the current Master Plan indicates that the Town would like to acquire more, and he noted that there are six parcels listed as priorities for protection in that Master Plan, and this Clark Pond parcel is not one of them. He suggested that the new Master Plan work should include taking a long range view of the impact of the Town's owning all this—on the tax base, and on limitations for growth. Both Selectmen Sue Clough and Larry Ballin agreed that the Master Plan must look at achieving balance.

4. Messer Pond Protective Association—Jessie Levine reported that the MPPA would like to beef up their protective programs against milfoil, and hire a part-time lake host this year to work at the boat launch. There is some question about how that could best be handled since part of the boat launch is in Town property including the road's right-of-way, and part of it—just over the gate and about a foot of the shoreline, is on private property. The MPPA understands it would need that owner's permission to place a lake host there. Jessie Levine said the questions for the Town are, where would the host park and sit, what would the hours be? Bob Crane said they have discussed having the lake host there during the early morning hours—about 7 to 9 during the week and 7 to 10 on week-ends and again in the evenings—the hours during which fishermen usually launch boats. Mark Kaplan asked where the fishermen park. Bob Crane said in the road, the right of way. Larry Ballin observed that early morning is probably the time that traffic on that road is at its busiest, but Sue Clough said that traffic would be coming into Town, so would be on the other side of the road from where the fishermen park. Jessie Levine noted that there would be a very small overlap of fishing season and the school year, and all agreed that that road is a bus route.

In conclusion, Selectmen agreed on the following three points: (1) taking protective action against milfoil is critical; Messer Pond is not an isolated pond, but connects to other streams and ponds, specifically Clark Pond, (2) parking is a concern that must be addressed, (3) MPPA President Bob Brown will be invited to a Selectmen's meeting for further discussion.

5. Appointments—Jessie Levine distributed a list of current Board and Committee members with those whose terms expire this year highlighted. Mark Kaplan observed that the NH/VT Solid Waste Project will be dying out. Jessie Levine agreed, but pointed out that there has been a surge of interest for developing a Recycling Committee or Solid Waste Committee. Town Meeting also required the formation of an Energy Committee, and there is the idea of a Master Plan subcommittee evolving as well. She said that over time, she has accumulated a list of names of people interested in those new committees.

Included in Selectmen's packets for today's meeting is a draft of the Board Appointment Process. She reminded the Selectmen that in previous years, they have advertised for volunteers and at one point developed a volunteer application form and initiated a process for interested persons to meet with the Selectmen. She suggested that the process be carefully thought out so that people do not take time to apply and come in to discuss their interests with Selectmen, only to have the open positions filled with the incumbents. At this meeting, the Selectmen agreed that as recommended to the Conservation Commission, there should be written job descriptions developed for these Board and Committee positions. This item will be placed on the agenda for next Monday's meeting.

Larry Ballin opened some discussion on the question of whether or not committees such as the Master Plan Subcommittee should be limited to residents. Mark Kaplan pointed out that business owners are stakeholders, too. Jessie Levine agreed that in the past, some business owners have indicated that they have felt excluded from the process. She suggested the possibility of some middle ground, perhaps a business subcommittee of the Master Plan Committee. Sue Clough agreed that business owners should be included in the process, but primary concern is the residents. She added that committees as the CAC could be more diversified, and could possibly include more summer residents.

Police Special Operations Unit: At 9:00 AM the Selectmen were joined by Police Chief David Seastrand, whose primary purpose this morning was to discuss the Central NH Special Operations Unit, which his department would like to join. This is basically a mutual aid unit that costs \$2500 per year and includes 96 hours of specialized training for member officers, including barricaded subjects, high risk warrants, hostage negotiations, etc. By being a member, New London could call on the SOU to respond in a critical incident that requires a larger force, with the expectation that the membership will "muster" up forces quicker than the state police can respond for backup. We could also provide an officer to respond to other towns, although that it not a requirement for membership.

Chief Seastrand said that in the past four years, the trained officers who were part of the SOU responded to 25 incidents in member towns. The town that needs the assistance pays nothing beyond the \$2500 membership, other than paying its own staff. Additionally, the town would be responsible for the cost of sending its staff out to another community, but that is part of the mutual aid relationship. The SOU has its own liability coverage.

The other towns that participate in the Central SOU include Hanover, Enfield, Canaan, Alexandria, Bristol, Northfield, Boscawen, and Concord. Chief Seastrand has an officer who is interested in the training and has signed up for acceptance in the program. Chief Seastrand proposed that the membership fee be paid for by the federal drug forfeiture funds that the Police Department received a few years ago in connection with a drug bust.

After questions and discussion, Mr. Kaplan moved to approve Chief Seastrand's request to join the Central NH Special Operations Unit, seconded by Mr. Ballin and unanimously approved. Chief Seastrand left the meeting at 9:40 AM.

Legislative Update: Ms. Levine referred to the attached legislative Update provided by the New Hampshire Municipal Association staff. She said that she would try to include this in the Selectmen's weekly meetings to seek their input on legislation that affects municipalities.

Meeting Schedule: Ms. Levine said she has a conflict with the April 30th meeting. The Selectmen moved the meeting to an evening meeting, subject to necessity. The Selectmen added 8:00 AM meetings on May 7, 14, and 21.

Department of Public Works: At 10:00 AM, the Selectmen were joined by Road Agent Richard Lee. The primary purpose of the discussion was to create a Department of Public Works and discuss the merger of

the Wastewater Department. Mr. Kaplan made a motion to form a Department of Public Works to include highways, transfer station, wastewater, cemeteries, beaches, and grounds, effective immediately. Mr. Ballin seconded the motion and it was approved unanimously.

Ms. Levine said that the Board of Selectmen should appoint both a Director of Public Works and a Road Agent. Mr. Kaplan moved to appoint Richard Lee to serve in both capacities, seconded by Mr. Ballin and approved 3-0.

Richard Lee said that a town the size of New London should have a public works department, which makes sense in terms of sharing equipment and staff. He said there will be a benefit to the town in terms of cost savings in the long run. Ms. Clough noted that the study performed by Municipal Resources, Inc., included this recommendation. She mentioned that the study also recommended forming a Sewer Advisory Committee, and suggested that be included with next week's discussion about board appointments. She asked Ms. Levine to draft a job description that outlined the duties and parameters of the committee. Mr. Ballin suggested that the committee should not be formed until our ducks were in a row in the wastewater department. Ms. Clough asked Ms. Levine to continue working on a letter to sewer users, updating them on the status of the merger.

Mr. Ballin asked about current issues in the wastewater department, and Ms. Clough informed him about the meeting in Sunapee on Thursday night and the ongoing discussion with Sunapee about the meters and geobags. The Selectmen hope that the new management will result in a better relationship with Sunapee.

Landfill Project: Ms. Levine referred to a letter from Nobis Engineering that summarized the bids received for the landfill repair. The bids were:

BUR Construction: \$206,885
United Construction: \$189,900
Latulippe Construction: \$143,500

Mr. Lee referred to Nobis's summary of the contractor bids and said that Nobis has recommended awarding the low bid to Latulippe, based on their bid and on Nobis's positive working experience with that contractor. Richard Lee had questions about the bid, primarily the amount of material included in some of the bids, and he is comfortable with awarding the bid to Latulippe. Ms. Levine said that Nobis is working on its contract oversight contract, but she expects the overall project to come in under the estimated \$250,000, which means the Town would not have to fully draw on the bond.

Mr. Ballin moved to award the project to Latulippe at a price of \$143,500. Mr. Kaplan seconded and it was approved 3-0. Mr. Lee departed the meeting.

Old Business: Ms. Levine briefly reviewed projects that are in the works.

There being no further business, the Selectmen signed the documents below.

Building Permits:

- Susan and Steven Immelt, 473 Route 103A (Map 080, Lot 022), permit to construct a 28' x 32' cottage with two bedrooms and a bath with no kitchen – Approved (Permit 07-011)
- Julie E. Tibbetts, 94 Squires Lane (Map 096, Lot 037), permit for extension of Existing 5' x 7' covered front porch by adding 5' x 12' to each side – Approved (Permit 07-012)

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- Michael and Paige Oristano, Bunker Road (Map 061, Lot 014), permit to build a new single family, three bedroom home – Approved (Permit 061-013)
- Francis and Judith Duffy Rev. Trust, 266 Brookside Road (Map 122, Lot 025), permit to construct 7.5' x 13' dormer on second floor bedroom, the floor dimension will not change – Approve (Permit 07-014)

Sign Permit Applications:

- Temporary Sign Permit Application by New London Garden Club for a 6' square sign to be placed at the Information Booth indicating "Flower Show on Saturday, June 16 from 9:00 AM – 4:00 PM-
Approved

Other Items for Signature:

- Disbursement & Payroll Vouchers for the weeks of March 19 and 26, 2007 – Approved
- Report of Appropriations Actually Voted on March 13, 2007 – Approved
- Raffle Permit for New London Garden Club on Saturday, June 16, 2007 raffling several donated flower arrangement during Flower Show at Whipple Memorial Town Hall – Approved

Application for Current Use:

- Application for Current Use by the New England Forestry Foundation, Burnt Hill Road (Map 030, Lot 014) – Approved

Application for Tax Abatement:

- John Lightfoot Trust, 510 Bunker Road (Map 063, Lot 008) - Approved

There being no further business, the Board of Selectmen adjourned the meeting at 11:10 AM.

Respectfully submitted,

Sarah A. Denz
Recording Secretary