



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## BOARD OF SELECTMEN MEETING MINUTES May 19, 2009

### PRESENT:

Larry Ballin, Chair  
Mark Kaplan, Selectman  
Tina Helm, Selectman  
Jessie Levine, Town Administrator

### ALSO PRESENT:

Peter Bianchi, New London resident  
Alexa Carlin, New London resident  
David & Celeste Cook, New London resident  
Katie Crozer, New London resident  
Joe DiClerico, New London resident  
Carolyn Ellison, New London resident  
Carol Foss, New London resident  
Jack Harrod, New London resident, Chair, Energy Committee  
Don & Liz Klingler, New London residents  
Bob & DJ Lavoie, New London residents  
Ann Loeffler, New London resident  
Ron Koron, New London resident  
Mike McChesney, New London resident  
Paul Nadeau, New London resident  
Robert Scott, New London resident

Chair Ballin called the meeting to order at 6:00 PM.

Meeting Minutes: Chair Ballin brought attention to the meeting minutes from the May 12 meeting and asked if there were any corrections that should be made. One correction on page 7 was noted. Other than that, no changes were requested. Chair Ballin asked for a motion.

**It was MOVED, Mark Kaplan, and SECONDED, Tina Helm, to accept the minutes from May 12, 2009 as amended. THE MOTION WAS ACCEPTED UNANIMOUSLY.**

Elkins Planning: Jessie Levine, Town Administrator, asked the Selectmen to revisit the discussion about the planning of Elkins with regards to short and long-term goals that should be met. The last discussion of this topic was on August 18, 2008 when a second charrette was done, gratis, from Clough Harbour & Associates. Ms. Levine noted that she had spoken to the engineer, who would be sending a visionary sketch of Elkins within the next couple of weeks. She noted that the goals and objectives suggested by the engineer in the August 18 meeting were all ranked at the highest priority by those present at the charrette. These items included historical integrity of the village, beautification, zoning and sewers to encourage mixed use, environmental protection and environmental sustainability, walkability, restoration to the dam, parking reorganization, pedestrian and bicycle safety, traffic safety, restore village as center of

civic life, create local jobs, improve tax base, help local businesses, and maintain diversity of housing types.

Ms. Levine said that she is interested in finding out what the town's role should be with regards to working on Elkins. This summer she would like to apply for a Transportation Enhancement Grant which, with Elkin's historic elements, would be a good fit for the grant. Chair Ballin noted that sidewalks were a priority in the town and was a great idea. He added that the Mesa building was a keystone of the village and they are still waiting for someone to take it over. Jessie wanted to know what the role of the town should be within Elkins. Mark Kaplan noted that money is tight and if a federal grant could be issued to do a project, how much would that money take care of? What were the exceptions? How much will be the responsibility of the town? He suggested that the town needs to prioritize the priorities for Elkins. Ms. Levine agreed to put together a plan to show the priorities, and informed Mr. Kaplan that the charrette from the engineers would help to figure out the cost of the projects. She noted that the grant covers transportation but even if the application is successful, the money would not be available until the 2011 fiscal year and would be required to come up with a 20% match. She added that the grant covers transportation improvement, pedestrian facilities, and historic resources so it is perfect for what Elkins needs, however, it is not going to restore old buildings or stimulate economic development.

With regards to buildings in Elkins, Mr. Kaplan opined that the town doesn't know what needs to be done with regards to buildings needing repair. How would the town raise funds for these things? He said he would like a list of all the projects that need to be done with estimated costs for the work to be done. Ms. Levine stressed that that is why she was bringing this to the board to see what we want to do and to what degree. Tina Helm asked if there was an Elkins committee that could help with the list of things to do. Ms. Levine answered that there was a committee in the past that could be consulted about these projects in the future. Ms. Helm also asked about the stimulus money in general. She wanted to know if there were guidelines for priorities for stimulus money. Ms. Levine noted that this was not stimulus money but an existing federal highway program that has just been re-funded. It is an existing grant program and there are specific requirements that have to be met to qualify.

Chair Ballin said that the town should look at reachable goals. New London resident Peter Bianchi asked about Elkins Post Office. He noted that town owned the building and was concerned that with the fiscal trouble today, it may be closed. Ms. Levine noted that the lease of the Post Office has been renewed as of January 1, 2010 for five additional years.

New London resident David Cook commented that the main issue in Elkins was a town sewer. He felt that the sewer should be number one on the priority list. He referenced the past sewer problem around Lake Sunapee and how it went from a low priority to a high priority when problems with septic systems arose. He wondered if the same type of thing would happen in Elkins. Mr. Cook opined that the town has the capability to borrow money, build a town sewer for Elkins, and then reclaim the money spent by taxing the abutters over several years. He believed that this sewer project should be taken care of even if grant money isn't used.

Tina Helm asked if there had been any studies done to the sewer system. Mark Kaplan said that in the 70's it had been studied. The citizens of Elkins were not in favor of the new system at that time because it was too expensive. New London resident Don Klingler asked if the engineer from Clough, Harbour had remarked on the system. Mark noted that this has been revisited many times on the best way to overcome the current or possible sewer difficulties in the town. New London resident Ann Loeffler remarked that she had spoken with Tommy Miller who said the leach fields were compromised near Mesa and that it was probable that the Blackwater River was being contaminated. She wondered if the state would be able to help fund a clean-up of this body of water and aid in the funding of a more stable sewer system for that part of town. Mark Kaplan commented that it depends if someone is using the body of water as a water

source. Since no one uses the Blackwater River as a water source, he does not think that it is on a state or federal list of high priorities to get it cleaned up or to help with the creation of a better sewage system.

Peter Bianchi noted that the town owned land on Laurel Lane that was once designated for a sewage disposal plant. He believed that the land would be a functional spot for such a plant and would serve the majority of the Elkins area. New London resident Mike McChesney remarked that people should look at contained sewer systems instead of a town-wide system and noted the system that the Mesa building uses. He shared that the systems are a bit more expensive than traditional systems, but that on the whole it would cost less than creating an entire new town sewer system.

Tina Helm asked what the #2 concern about Elkins was. It was the consensus that safety issues were the second main concern. Specifically it was noted that speed in the town was an issue and more patrolling was needed. Ms. Loeffler noted that the road is very narrow in parts, sidewalks end and begin along the roads, and it is very dangerous for pedestrians. Ms. Levine noted that at the charrette in August, it was agreed that a temporary speed table could be installed that would help slow traffic in one section of the road. Mr. McChesney noted that it was also agreed that more patrolling would occur in the town, but that there hasn't seemed to be an increase. Ms. Levine said that the Police Department had been informed of the request and it had been increased but it is impossible to monitor it as a resident who may be driving through occasionally. That is, if no one sees the police, it is assumed that they are not patrolling.

Chair Ballin noted that the board would forge ahead with the sidewalk and transportation plans, and speak to engineers about sewer possibilities in the town. Ms. Levine said that she would put out a bid to ask for proposals for studies of the sewer systems in the town of Elkins. Chair Ballin also indicated that she should consult with the Police Department on their patrolling of the town and whether it has been increased.

New London resident Liz Klingler asked if the town had any recourse regarding a house that is falling apart in Elkins. She wanted to know how one house in particular could be taken care of that seemed to be falling apart and looked dangerous, as well as being an eye-sore for the town. Ms. Levine said that the Fire Dept. had issued some requirements to keep it from being condemned but that the owner did not have the capability to take care of it at this time. Celeste Cook noted that there is an apartment in the house being rented currently. Once the occupants have moved out, which they are in the process of doing, she will work with the Health Officer to assess the residence and report on his findings.

Energy Committee: Jack Harrod came before the Selectmen as the new chairman of the Energy Committee. He wanted to bring to light that the founder of the Energy Committee, Chet Reynolds, had retired and he wanted to see if something could be done to thank him for all his work. He was informed that something was in the works that was customary for people retiring from offices within the town. Mr. Harrod also wanted to review what the committee had done in the last few years: 1) The creation and promotion of "No Idling" policy, as well as leaflets and signs, 2) a Library Energy Audit where they worked extensively with the Library to evaluate the building's energy loss, and also recommended books they should purchase, as well as arranged for wattage meters to be available for residents to use to help save energy in their own homes, 3) Regular articles appearing in the Intertown Record and The Argus – called "Energy Matters", 4) Natural Landscaping Project at the Transfer Station – continuing to look for ways to limit mowing, and 5) Created a liaison with the School District and Colby Sawyer College. He wanted to share with the board that he will be attending a conference on June 20<sup>th</sup> which will address what towns should focus on within their own energy committees. He also added that Peter Stanley, Zoning Administrator, would be a welcome liaison to the Energy Committee.

Mr. Harrod shared that there were two reasons for his attendance at the meeting: 1) To ask where the town would like to work on energy conservation, and 2) To get advice on potential new members of the committee. He noted that recently, there have been several turnovers within the committee and they are interested in adding new faces.

Tina Helm asked where the “No Idling” signs were to go. Mr. Harrod answered that the Post Office was one spot that had agreed to post the signs. The Transfer Station was another place that was suggested as a good spot for a sign. The cost for each sign is \$38, which Mr. Harrod said he would pay if there is no other budget for additional signs. New London resident Carol Foss had a suggestion about putting a sign at the Elementary School due to the fact that parents tend to sit and idle for long periods of time. Mr. Harrod noted that at the Bradford Elementary School, the children made their own “No Idling” signs. Ms. Levine opined that such a project in New London would be a great way for the Energy Committee to reach out to the children of the town. Chair Ballin added that school busses should also be alerted not to idle while waiting for their transfers. Ms. Levine said she believed this was already a School District policy.

The Selectmen thanked Jack Harrod for his time and efforts.

Beach Ordinance Review, Draft #2: Chair Ballin asked if there were any questions about the changes that were made to the ordinance since the last review.

Ms. Levine quickly went through each of the changes that had been made. She also noted that she had received recommendations from Ron Koron and Joe DiClerico regarding the storage of private boating vessels and the construction of holding devices on which to store them on the town’s beaches. Chair Ballin asked what is in place currently to prevent a person to leave their vessels. It was noted that there is really nothing in place at this time. It was decided that the section on personal property in the ordinance should have a sentence added that read “There would be no overnight storage of personal property on the beach.” Ms. Levine agreed to add this sentence.

New London resident DJ Lavoie asked what would happen with the personal property that is left at the beach. Ms. Levine said that it would not be disposed of. Currently there is a Lost & Found box at the beach for small items. Something large like a kayak or canoe would be moved to the Police Department or Public Works garage until claimed. Tina Helm asked if there should be a fee for leaving a boat on the beach. Ms. Levine noted the fines outlined in the ordinance for first, second and third offenses at the beaches and said those would apply to anything that violated this ordinance, including leaving personal items on the beach.

Ron Koron asked about adding something in the ordinance about constructing private or personal structures at the beaches. Chair Ballin said he didn’t think it would happen because they would have to ask for a building permit and since it is town land that is in question, a permit would not be granted. Joe DiClerico commented the board and Ms. Levine on how the ordinance has come together. He felt that they have all done a fine job.

Bob Lavoie asked if the ordinance would be posted at the beach. Chair Ballin said that copies of the ordinance would be made available and a copy would also be posted at the beaches. Ms. Levine noted that the signs at the beaches would have to be rewritten to reflect the new regulations. Ron Koron asked what they could do to help this ordinance pass at Town Meeting. Chair Ballin said that the removal of the warrant article #38 from 1986 would be voted on at Town Meeting, but at the June 2 Selectmen’s meeting the ordinance would be passed and would go into effect pending the Town Meeting vote. Tina Helm added that if someone representing the lake would stand at the meeting and note that they had worked with the board and are in favor of the new ordinance, that would help people to understand that the ordinance is a good thing to pass.

Ms. Levine noted that the Wild Goose project on Lake Sunapee is a much tougher battle and the Lake Sunapee Protective Association would appreciate it if there were some people who could weigh in on the issue.

Public Hearing on FEMA Funds: Larry Ballin opened the public hearing to accept \$62,780.47 in FEMA funds pursuant to RSA 31:95-b. Ms. Levine explained that the total eligible amount was \$83,707.30, and

FEMA reimburses for 75% of that amount, or \$62,780.47. . She referred to her memo of May 5, 2009, which outlines the emergency management purposes for which the Emergency Management Committee would like to expend the funds, as follows:

Department	Cost	Emergency Benefit
Police Department	\$30,000	Building on generator – likely pet shelter or and also could be back-up EOC
Fire Department	\$1,000	Replacement of cones & pumps lost/used during storm
Fire Department	\$7,500	4 small portable generators, additional cones & signs
DPW	\$850	Replacement of cones & barricades
Emergency Management	\$20,000	Portable generator to allow us to run Colgate Hall (for communication) or Ware Center (for shelter) – if we do not make this purchase, we should pay \$12,000 to CSC for use of the Ware center (included in FEMA reimbursement)
Emergency Management	\$7500	Shed to cover AHR supply trailer (we would like to keep the trailer in New London but it needs to be covered)
TOTAL	\$66,850.00	

She noted that the cost of these items exceeds the FEMA reimbursement, and the Town is not allowed to spend more than the funds allocated unless there is another budgeted source. Some of these costs may have to be revisited. Tina Helm asked if there was a possibility of getting more money. Ms. Levine said that the State is supposed to reimburse 12.5% of the disaster funds, but she does not think that it's likely that the Town will see that money, given the State's financial condition. Mark Kaplan asked if the amounts listed for each department/item were suggested amounts or firm. He wanted to know if the money requested would need to be spent right away or if it could be used for other things after it had been received. Ms. Levine noted that the prices have been set by the departments based on her request for their specific needs, but they are not absolutely firm. Chair Ballin asked for a motion.

**It was MOVED, Tina Helm, and SECONDED, Mark Kaplan, to accept and expend the distribution of FEMA funds in the amount of \$62,780.47. THE MOTION WAS APPROVED UNANIMOUSLY.**

**Farmer's Market Proposal:** New London resident Katie Crozer came with Alexa Carlin to request that a Farmer's Market be approved by the Selectmen.

Alexa Carlin felt that a farmer's market would be beneficial in this area. She felt that there was a nice proximity to the bandstand, and that it would promote economic stimulus in the town. She referred to the set of rules she had brought that would be necessary for the vendors to adhere to. She noted that Ms. Crozer was her advisor in this project and understood that this would be a large undertaking. Ms. Carlin said that she is putting together a committee to oversee the project as well. Chair Ballin asked about food prep for the vendors. Ms. Carlin said that there would be no food preparation allowed. She also added that electricity would be run only from the ice-skating hut and that vendors using electricity would pay the town a fee for the use of the service.

Chair Ballin liked the idea of the Farmer's Market and commended Alexa for her preparation. It was determined that the market would be on the Town Office property and New London Inn common and not in any part of the Town Common. At 4 PM the driveway to the town office would be closed off to the public, although vendors may drive in. Ms. Levine referred to the Tenant Users Liability Insurance

Policy (TULIP). Ms. Levine said that she talked to the insurance company and found out that if the Farmer's Market was sponsored by the town, it could be covered by the town's policy at no added cost to the town. She shared that she had been in touch with many surrounding towns to see what they do to for this type of activity and this is consistent with how other towns handle it. It is a rare instance for the towns to require an umbrella insurance policy for a farmers' market, although the vendors should have their own individual insurance.

Ms. Helm asked about the town trash receptacles for trash produced by this activity. Ms. Carlin said that she would stress to the vendors that the trash removal would be their responsibility. Ms. Levine said it would also be up to the committee to make sure the area is cleaned at the end of the night.

Ms. Levine talked about signage for the event. She noted that the Farmer's Market has requested that a sandwich board could be placed by the info booth one week before the event, and could be moved on to town office property the day of the event. Also, each vendor would be allowed to have a 6' square (2x3) sign advertising their wares. The Board of Selectmen agreed to that proposal.

Peter Bianchi asked if the Farmer's Market proposal goes against the town's yard sale regulations. Ms. Levine said it better fits under the agricultural ordinance. Also, since it would be held on town property, the Board of Selectmen could allow it.

DJ Lavoie wondered if vendors were already on board to participate in the market. Ms. Carlin said that she hadn't advertised the event yet because she wanted to wait until it was approved. She shared that the maximum number of vendors would be 20. It was noted that all the vendors would be of an agricultural nature. Jessie noted that the application should note that July 24 and August 7 were intentionally left out as there are other events being held at those times. Chair Ballin expressed that he hoped the market would be successful and thought it was a great idea. Chair Ballin asked for a motion.

**It was MOVED, Larry Kaplan, and SECONDED, Tina Helm, to approve the application of a Farmer's Market. THE MOTION WAS APPROVED UNANIMOUSLY.**

Alexa Carlin shared with the board that she had put together an online forum for people to talk about the Kearsarge area but wanted to stress that it is not related to the town. It is called "KearsargeSpeaks.com" and she wishes more people would use it. Ms. Levine noted that she wanted to get ideas on how to get the word out for people to use this forum.

Sign Warrant for Special Town Meeting –Ms. Levine presented the single article warrant for the Special Town Meeting on June 8. She noted that following the deadlines of the state statutes, the warrant must be signed by May 24 and this is the Selectmen's last meeting until after May 24. The Board of Selectmen signed the warrant calling for the Special Town Meeting on June 8.

Economic Development Committee: Chair Ballin noted that another member has been suggested but would like to wait until the next meeting to announce the proposed names for the EDC. Ms. Levine asked if he could also let her know when the EDC would be meeting so she can add those dates to the public meeting schedule.

Planning Board Report: Tina Helm noted that the last meeting consisted of a Master Plan discussion on the Transportation and Historical Preservation chapters. She noted that New London resident Gerry Gold had some very worthy suggestions regarding the Transportation chapter. He had been given the go-ahead to make his revisions and then give them to the Town Planner, Ken McWilliams. Both revisions would be given to the board at the next meeting to review changes and vote on them. Also discussed at this meeting was the second revision of the Historical Resources chapter. Ms. Helm noted that only minimal changes were made to this section.

**Wild Goose Hearing** – Chair Ballin noted that about 250 people were at the hearing. Several state reps were in attendance. Many pros and cons were expressed by people involved in the lake. He noted that they are still accepting testimony from concerned parties/individuals. Chair Ballin said that he spoke with Rene Pelletier and shared that the town of New London had a strong and interesting position that should be taken into consideration. Bob Lavoie asked what the feeling of the town was. Chair Ballin summarized that the town doesn't feel that it is an appropriate place for a large scale boat ramp/access. New London wants to support the town of Newbury in their efforts to prevent a large scale use of the property, but it should also be noted that its proposed entrance/exit is also a dangerous part of Route 103. Chair Ballin said that it is not the best place to put the access point to the lake. He wanted to stress that they are not trying to limit the access to the lake, but only to prohibit the access being put in the proposed site. It was noted that another option for an access point is the state park, which is also in Newbury. As representatives of a lot of lakeside property, the town of New London feels that they have a good voice in the matter.

**Municipal Advocacy Committee, Concord**: Chair Ballin stressed that the town needs to keep track of Rooms and Meals tax. Revenue sharing should also be protected too. He noted that the town needs to keep fighting for the school building aid funding, as the house decided not to support it. Chair Ballin opined that the Governor wants to bond the issue, but to him, it sounded like a risky proposition.

Ms. Levine added that the members of MAC voted 11-7 to support legislation for towns to call for a special Town Meeting reduce their budget in the event that the state reduces revenue to the town without going through the entire court process. The town could amend the budget at a special town meeting.

**Lakes Conference** – Ms. Helm has signed up to attend this conference on June 26.

#### **Other Business:**

DJ Lavoie asked a question about the budget committee that met the other night. She was interested in finding out who was voted in as chair. Mr. Ballin shared that John Wilson was now serving as chair and that at the meeting there were no budgetary items discussed.

Bob Lavoie asked about the sewer meeting. Ms. Levine said that the contract for the full design had not been signed yet. A draft was given out at the meeting in April and it was on the agenda for the May 21 Sewer Commissioners' meeting.

Peter Bianchi asked about the excavator deal. He had some concerns about the sort of thing happening again. There are some rumors going around about how the sale of a used excavator was handled. Mark Kaplan noted that Richard Lee had made a deal on April 28 to trade-in the excavator to Southworth Milton for \$15,000. His employee called them the following week and asked how much they would sell it for, and he paid \$18,500 and said he would get someone to take it to his place. The new excavator cost \$73,500 after the trade-in. Peter Bianchi said that it sounded like a town employee had an inside deal on the machinery and it didn't feel or look right.

Chair Ballin said that he agreed that the deal was not quality and that it didn't look good. Town resident Carolyn Ellison noted that there was a lot of conversation about the sale of the excavator. She had called Southworth Milton and they told her the excavator they had was sold and was a great deal. Ms. Ellison said the used machinery should have gone off the town property to Southworth Milton, and not onto personal property.

Ms. Levine said that the sale had been conducted legitimately but was bothered by the perception that something illegal was done. She said that it was not appropriate to suggest that more could have been gotten from the equipment. In this specific negotiation they got a better deal because they were trading two pieces of equipment at once. Historically, old machinery has been traded so that the money from

them stays into the capital reserve fund. Carolyn Ellison thought it could have been handled better and the town could have received \$5,000 more for the equipment.

Paul Nadeau from Quail Run commented that he was also disturbed by this situation and it made the town look bad.

Mr. Bianchi said that the equipment did not need \$15,000 worth of work and it was worth more and was in better shape than the other equipment on the lot at Southworth Milton. There was much discussion on the equipment and how the sale was handled. Ms. Levine said that the trade-in price was discussed with the CIP Committee, the Budget Committee, and was announced at Town Meeting, so it was not only inside knowledge.

Mr. Ballin said that in the future, he will insist that the trailer bringing the new equipment will take the old equipment away. Employees will also be discouraged from making deals on purchasing equipment that they are familiar with to avoid similar situations. Mr. Bianchi said that in the future more effort should be made to figure out the value of this type of equipment.

Paul Nadeau had a question about Quail Run being paved. Ms. Levine said it will be paved this year, most likely in the fall.

Several meetings were added to the Selectman's schedule. They consisted of:

June 30<sup>th</sup> 6pm

July 14 – 8:00am

July 21 – 6pm (Non-resident tax-payers meeting will occur at this time too.)

August 11 – 8am

August 2<sup>nd</sup> 6pm

Linda Hardy will review the lien list at the next meeting.

Application for Building Permits:

- Robert & Kathryn Ruggles, 823 Bunker Road (Map & Lot 077-004-000) add expanded deck, screen porch; garage and connecting mudroom (6 bedroom house) Permit #09-035 - Approved.
- Daniel & Lois Darrow, 42 Fox Run Lane (Map & Lot 043-010-000) add deck w/stairs to patio and add retaining wall – Permit #09-036 – Approved.
- John & Sally Hill Revocable Family Trust, 229 Lamson Lane, (Map & Lot 062-003-000) replace collapsed septic tank within shoreline overlay district – Permit #09-037 – Approved.
- Burton & Vickie Eisenberg, 76 Pond's Edge Lane, (Map & Lot 106-013-004) finish room above garage add dormer – Permit #09-037 – Approved.

Application for use of Sydney Crook Room:

- Adventures in Learning – Arthur Rosen – wrap up meeting June 24, 2009 9:00 am – 12:00 pm – approved.

Application for use of New London Inn Common:

- St. Andrews Church Fair – July 3 & 4, 2009 – Tents – Approved.

Application for Temporary Sign Permits:

- St. Andrews Church Fair – July 3 & 4, 2009 sign at info booth – Approved.
- The Fells Corporation, Annual Plant Sale June 20, 2009 sign at info booth – Approved.

Other:

- Disbursement voucher week of 5-18-09 - Approved.
- Warrant for Wastewater Charges – in the amount of \$349,443.25 – Approved.
- Special Town Meeting Warrant, Article 1, vote to repeal article 38, which was passed at the 1986 Town Meeting – Approved.
- Appointment Cards for Stephen Ensign & Richard Brady – Fire Wards – Approved.

There being no further business, the meeting was ADJOURNED at 8:13pm.

Respectfully submitted,

Kristy Heath, Recording Secretary