



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES

June 20, 2011

PRESENT:

Mark Kaplan, Chair, Board of Selectmen
Tina Helm, Selectmen
Peter Bianchi, Selectman
Linda Hardy, Interim Town Administrator
Kim Hallquist, Town Administrator

ALSO PRESENT:

Doug MacMichael, New London Resident
Jim Wheeler, Budget Committee Chair
John Wilson, New London Resident
Terry Dancy, New London Resident
Bruce Hudson & Renate Kannler, New London Residents
Ann Loeffler, New London Resident
Celeste Cook, New London Resident
Liz Klingler, New London Resident
Laura Kiefer & Gary Stanhope, New London Residents
Dave Marshall, New London Resident
Neil Wallace, New London Resident
Paul Messer, New London Resident
Jim Presher, Concord Co-Op
Maureen Prohl, New London Resident
Pat Trader, the *Intertown Record*

Chair Kaplan called the roll for those individuals who had signed up to participate in the Elkins Subcommittee portion of the meeting. A few people were missing, but the majority was present. Chair Kaplan said that they would discuss how they would bring to fruition the Elkins project. He hoped they would come out with everyone being satisfied. There were 16 people on the subcommittee. Nate Miller, rural planner from Upper Valley Regional Planning Commission (UVRPC) who was involved in the initial planning to obtain the grant and who would be volunteering his time to serve on the committee, was not able to come but was eager to meet with the subcommittee the next time.

Mr. Marshall said it would be helpful to get a clarification of what the money could be used for to keep them on track. Chair Kaplan said they could improve the sidewalks, traffic flow and plantings and added that they were not permitted to go onto someone's private property to make improvements. Mr. Marshall said he understood they couldn't address parking. Ms. Helm said it was for the planning, design and engineering, archaeological impact, right of way (safety issues), construction and engineering, totaling \$862,500. She said that the State approved the Town being awarded 80% of the total (\$636,720) and the Town would be responsible for \$159,668. The dilemma is that since the original request was put in, the request for the historical impact is no longer part of the project, and a building purchase is also not included. This is all because the Mesa building has been removed. Ms. Helm said they could stick to the

sidewalk improvement and can talk about the safety issues, but they have to be careful how much more they diverge from that. They need to be in constant contact with DOT about their intentions.

Mr. Dancy asked if the project would still be funded if they decreased the scope of the project. Mr. Bianchi said the UVRPC said that they can tweak the plans a bit but if they change it too much it won't fit within the guidelines of the grant.

Mr. Bianchi suggested making a list of questions the committee members have and noted that there was a file of information from which these questions could be answered. He got the impression that substantial changes in the scope of work would not be acceptable. They have to keep in constant contact with the State to make sure they are complying with the guidelines.

Mr. Dancy said he was surprised that there was a mention of stormwater runoff in the purpose of the grant. He wondered if that would include dealing with the dam behind the old Mesa building. Mr. Bianchi said that he talked with Mr. Lee (Public Works Director) about that but he didn't think that would be covered under the grant.

Ms. Kiefer said that they had mentioned that after the first plan was proposed there were some differences of opinions about the plans. She wondered what the particular complaints were. Chair Kaplan said he was referring to the opposition that came about at Town Meeting regarding the project itself. It was not because of specific details of the plans. Ms. Helm remembered one specific complaint, which was on the original conceptual design, including landscaping. Someone thought it was too gentrified. Mr. Bianchi said others have mentioned to him that there are already a half mile of sidewalks in that area of Elkins. Most are not ADA compliant and will need to be ripped out and rebuilt as a 4' wide sidewalk. There were also positive comments that have been heard, such as traffic safety changes including stop signs or traffic lights. His take was that everyone was concerned with safety issues and slowing traffic down.

Chair Kaplan said that the last time they talked about having a crosswalk; they were told that it must be placed between one sidewalk to another. In some cases in Elkins, this is not possible and things would need to be redesigned to fit this guideline. He opined that these were the sorts of things the committee has to hash out. Mr. Dancy said it was evident that some negotiation was inevitable with this issue. Mr. Marshall asked if it was unreasonable if the gentleman who knows the parameters could be at the meetings. Chair Kaplan said that Mr. Miller will be present, but was just unable to come to the meeting that night.

Ms. Helm suggested that the group identify a point person to call meetings, reserve the meeting room, etc. She added that the subcommittee would need to be notified of meetings and as soon as they are comfortable doing so, each person could go in and read the file to pick out items that they would like to know more about. She was confident that Mr. Miller would be able to answer their questions.

Mr. Wallace stated that when Ms. Helm went through the list of things included in the grant, the Mesa building was noted. Only the land is there now and he wondered if that land would ever be purchased by the Town and/or improved in conjunction with this grant. Chair Kaplan said that at this time the Board of Selectmen do not have any plans for the Town to purchase the land. Mr. Bianchi noted that when the Town gave Ken Miller permission to take the building down, they gave him permission to rebuild with the same setbacks.

Ms. Prohl asked what constituted a public notice for these sorts of meetings. Mr. Bianchi said it would be 24 hours and that the Town would take care of it. It would be posted on the website and on the bulletin

board outside the Town Office. Ms. Hardy said that they should contact Linda Jackman before their meetings to be sure the room was available and to ask her to post the notice for them.

Chair Kaplan noted that the grant money would be ready October 1st. They should be ready with the plans before then. Ms. Kiefer asked if there was a bidding process that they had to go through for this work. Mr. Bianchi said they would like recommendations and input into plans and then give them to the Board of Selectmen. An engineer would be hired to draw up plans from these recommendations. Chair Kaplan said if they depend upon Mr. Miller, who has gone through this before, they would be in a good place. He can give advice and call DOT for them to find out if things are OK if he doesn't know. Ms. Helm added that plans would need to go out to bid for the engineering.

Ms. Cook asked if the grant money was coming from the State and if the money was going to be there. Chair Kaplan answered in the affirmative on both accounts. He added that they were notified that the grant was approved and that beginning October 1st they can start spending the money.

IT WAS MOVED (Ann Loeffler) AND SECONDED (Celeste Cook) to nominated Maureen Prohl as the subcommittee leader. THE MOTION WAS APPROVED UNANIMOUSLY.

Mr. Bianchi noted that minutes for these meetings would need to be posted within five business days of the meeting.

Mr. MacMichael asked about the maintenance of the sidewalks. Mr. Bianchi said they have to be plowed. Mr. Wheeler said they have to budget for more plowing time because of this requirement. Mr. Marshall asked if this was the case with the sidewalks now. Mr. Wheeler said it was not, as the sidewalks they have now were not built with Federal money. Chair Kaplan said that the Town would take care of this maintenance issue.

Mr. Bianchi thought it best for people to make a list of things they need information from and then those things could be gleaned from the file. Mr. Dancy suggested making a meeting soon and contacting Mr. Miller to see when he was available. Ms. Prohl agreed to do this. Ms. Helm asked for the Board of Selectmen to be kept in the loop regarding meetings and any issues that may arise.

Approval of Minutes

CAC Minutes of June 11, 2011

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the minutes from the June 11, 2011 CAC meeting, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

Amendments were:

Add Ms. Helm and Ms. Hallquist to the attendance list.

Mr. Hasenfuss introduced "Linda Reinish" and "Paul Linehan."

Page 5, Ms. Helm thanked COA...and "thought"...

Minutes of June 13, 2011

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the minutes of June 13, 2011, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

Amendments were:

P. 5 it was "minoved" (spelling error)

P. 4 Tomie (mis-spelled name)

P. 6 2nd paragraph: Merrimac “k”

Last paragraph: the Conservation Commission was not obtaining a parcel of land, but rather working on a parcel of land already owned by the Town

June 13, 2011, non-public

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the non-public meeting minutes of June 13, 2011, as circulated.
THE MOTION WAS APPROVED UNANIMOUSLY.**

Abatement Requests

Ms. Hardy said that they had not received anything new from Mr. Bernaiche (Assessor) on the three abatement requests that the Board of Selectmen did not approve at their last meeting. Mr. Bianchi said he spoke with Mr. Bernaiche for about 45 minutes about the requests, as he was the one who had the questions. He asked his questions, they were discussed, and he assumed that Mr. Bernaiche would take or disregard his recommendations but has not heard anything further. Ms. Hallquist said she would contact Mr. Bernaiche to ask where they were with these requests.

Chair Kaplan said he determined that the requests were within the \$30,000 in the overlay budget. Ms. Hardy suggested they get these issues wrapped up by next week, as they are due July 1, 2011. Mr. Bianchi said that one of the reasons there was a drop in one of the valuations was because Mr. Bernaiche didn't think that a particular lot was buildable. Mr. Bianchi said that every lot should be assumed buildable until a building permit is denied. It has to be proved as such.

Single Stream Recycling

Mr. Bianchi said he read everything over again and he is not interested in entering a 15-year contract with Single Stream Recycling (SSR). He didn't think it would drastically increase the amount of recycling in town and thought there would be a financial loss. He opined that if they decide to enter into SSR now, they will never be able to go back to any other kind of recycling. Chair Kaplan said that they don't want to lose the money, but as the town grows and grows, they won't be able to keep up with things the way they are recycling now. Ms. Helm said she was taking a more long term view. In the short term it appeared they would be losing some money but she felt it irresponsible of them not to think over the long term. At some point they have to encourage people to be more responsible about their usage of disposable items. She sees this as a way of starting the “Pay As You Throw” (PAYT) program and if using both programs they will have more people recycling. She finds it frustrating that there are many types of plastics they cannot recycle right now, but felt they could do so with Single Stream. She noted that Mr. Lee is in favor of SSR.

Mr. MacMichael said he does a lot of recycling in his business and easily brings in 100 pounds/day of glass. He wondered if they would be moving to PAYT, as his business is garbage disposal/recycling and he needs to know. Ms. Helm said they don't have immediate plans for the PAYT program right now but remembered him being in favor of SSR because it would make his job easier. Ms. Helm referred to a memo that Mr. Lee had provided the Board of Selectmen a couple of years prior, explaining the benefits of SSR in New London.

Mr. Wilson said that at the January 10, 2011 Board of Selectmen's meeting he presented a write-up as to why they should go slowly with SSR and with signing on with the Concord Co-Op. Chair Kaplan had agreed with what Mr. Wilson had said at the meeting, except for the relationship the Town had previously with Casella in Claremont. Ms. Levine had prepared the minutes for this meeting and no part of that conversation appeared. He reported that 24% of the town recycles and finds no evidence that this percentage would increase with SSR. Considering product contamination, there is a good chance that the

recycling could actually go down, as town motivation may decline. He noted that they have to set a practical limit of the trash that can be recycled. Not all trash can be recycled and they should be suspicious of claims that recycling would go up 20% with SSR. He felt that this was practically impossible for the town to accomplish. Mr. Wilson asked if the Town had ever reviewed the economic analysis that had been created for New London and wondered what assumptions had been put into analysis. He wondered what the true liability and obligation was for their need to collect "all acceptable recyclables in the borders of the municipality". Mr. Wilson opined that the Town should wait for the Co-Op to prove themselves and wondered what the pricing advantage they would lose was for not being one of the first members. He had continued concern with going into long term agreements with companies that use new and rapidly changing technology. His recommendation was to hold off joining the Co-Op now and went back to Chair Kaplan's comment from January 10th, where he said the Town would have made out much better with Claremont incinerator if they just used the facility and were not a partner. He closed by saying that there was no going back if they decide they don't like SSR.

Ms. Hardy asked what it meant when it was approved at Town Meeting that they could sign the contract. Chair Kaplan said that it meant that if the Town said it was OK to go forward, then they would. Ms. Hardy wondered if it meant they "could" or "would." Chair Kaplan said that they were authorized to enter into a contract. He wondered if they hold off on this, were they in the right to do so considering the decision made at Town Meeting. Ms. Hallquist said they would need to look at the minutes but if they held off and if people were angry at Town Meeting, they could go back to the issue again; it could be petitioned in the future. Mr. Bianchi thought the approval was to explore and authorize the Board of Selectmen to enter into an agreement if they felt it was the right thing to do. He wasn't ruling SSR out forever, but for right now he didn't think it was a good idea.

Ms. Helm said that they will need to build a new structure to store the recyclables if they don't go through with this SSR. She wondered if they were they prepared to authorize the building of a structure. Mr. Bianchi said he was prepared to look into the situation. He commented that there is an old house on the transfer station property that could be renovated to store recyclables. Chair Kaplan referred to the memo Mr. Lee wrote in 2009 and said he'd like him to come before the board again to see if he still feels the same way. He'll also need to explain what sort of building they would need if they did not go with SSR.

Mr. Wilson wondered about the financial advantage of joining the Co-Op now. Mr. Presher said the advantage was that in joining now, the Town would be considered a founding member of the cooperative. There would be no cost to join and they would not be responsible for capital costs. The best pricing is obtained by the original members for the life of the facility. Their current analysis shows that the Town would be paid between \$70 and \$75 per ton. If the Town joins after the facility is in operation, they will get less. They will offer both short or long term contracts but these will not be guaranteed reconciliation on a regular basis, and will be guaranteed a solid price only a year or two at a time. As original members, the Town will have a voice to represent the community no matter what the stance is. They will make decisions as original members.

Mr. Presher went on to say that the processing methods and equipment continue to improve and get better. They can now take films out of plastic, paper cartons and milk cartons. The recyclable list keeps growing and they can take more and more out of the waste stream. He noted that 60% of trash is recyclable. Very seldom is that reached, but the potential is there.

Currently, Mr. Presher indicated that for glass, the Town gets \$0. By sending their glass to the Co-Op, they will receive revenue for it, which is included in the \$70-\$75 per ton. He added that New London's participation in the project is critical to it moving forward. He understood they had to go to Town

Meeting to get approval and noted that the reason the Co-Op is not progressing quickly is because they have to wait for most communities to go through these channels.

Mr. Hudson said that if there is no cost to sign up for Co-Op, what is the cost the Town would need to incur? Ms. Helm said that they have to purchase a compactor to push recyclables into a trailer. There is also a potential loss in revenue, some minor remodeling to the transfer station, and extra trucking.

Mr. Bianchi said the college is going to do SSR this fall. He wasn't sure what the minor remodels would have to be at the transfer station. Chair Kaplan said he'd like some numbers attached to these changes, as well as the costs for another building, should they not move forward with SSR. He wanted to hold this discussion off until the following week.

Ms. Kannler asked if they had decided they could let someone go at the transfer station with SSR. Ms. Helm said they probably could get by with two employees but would try to find a place in town for that third person.

Mr. Presher said they did an economic analysis, which was included in the original discussion they had with the Town regarding SSR. If they need an updated analysis he was happy to do one. He noted that typically, communities have reassigned people when the work force is not needed at the transfer stations. Savings is going to be increased recycling rates, decrease in solid waste, and avoiding paying \$44 to \$45 per ton to dispose of solid waste. In his experience, anyone who does recycling doesn't want to go backwards. The town will need an education program, which will be done by the Co-Op. The good will regarding recycling that has built up over time will not be crushed.

Mr. MacMichael said they need to look at what they'll have to spend on upgrades to the transfer station to get it ready for SSR.

It was decided to ask Mr. Lee to come in the following Monday to talk about SSR. They would then take a vote.

Mr. Wilson asked what the best current rate was in the area for people who are doing SSR. Mr. Presher said that Franklin and Laconia's recycling rates went up about 20%.

Mr. Bianchi said that the fact is by the figures that Mr. Lee has provided in the town report, they won't recycle 1,200 tons, as is figured into the Co-Op's figures. He said that if their numbers are this off this much with New London, they could be off this much in other towns; it could be years before the facility is up and running. Mr. Presher commented that the numbers he provided were because, at the time, they were considering the PAYT program, which stimulates increased recycling.

Mr. Presher said that his offer to re-do the economic analysis included the necessary changes to the current transfer station, advertising, etc. He had an engineer come and look at their transfer station to get an accurate estimate.

Chair Kaplan asked Mr. Presher for an estimate of what the Town would be paid per ton for recyclables. Mr. Presher said it would be between \$70 and \$75 per ton for mixed recyclables. This came to revenue of \$38,500 for the 550 tons the Town recycled the previous year. Mr. Wheeler said they'd have a little more tonnage because people would recycle more. Mr. Presher strongly suggested putting the glass into the recyclables so they'd avoid the costs for handling, crushing and storing it.

Mr. MacMichael said he can't control his customers and if they aren't recycling, would he be fined. It was noted that he would not be fined as SSR is voluntary.

Letter from Upton & Hatfield

After receiving this letter with many questions regarding the inter-municipal agreement with Sunapee, it was determined that Mr. Mayor (Town Counsel) needed to be contacted again and instructed to speak with Sunapee's attorney to hash out the details, as required by RDA for Sunapee's portion of the Wastewater Treatment Facility grant.

Upcoming Meetings

Ms. Helm said that the Hospital is ready to attend their July 11th meeting and has asked to be put early on the agenda. It was determined that they would be put first on the agenda, at 6:00pm.

July 25 at 8am – Non-resident taxpayer meeting (as part of the regular Board of Selectmen's meeting).

August 8 6pm

August 22 6pm

Ms. Hardy updated that a follow-up letter to Wright-Pierce was needed to congratulate them on winning the contract for the Elkin's Dam work.

Ms. Hardy also indicated that the status of the home in violation was in settlement agreement. Peter Stanley (Zoning Board Administrator) said that they complied but did not notify the Town. It was felt that they should drop it and let it go.

Committee/Meeting Reports

Planning Board – Ms. Helm reported that COA was asking for a Site Plan Review for a storage pod to house yard sale items be placed on their property. Mr. Stanley was clear that the rules and regulations are there and this has been turned over to the board of appeals for decision. Ms. Helm opined that it seemed like the town was asking COA to do more fundraising but won't make a concession for them to house items to sell at their largest fundraising effort. She said she understood if they make allowances for one group they would then have to make allowances for everyone else who comes along. Mr. Bianchi didn't know why COA has been given such a hard time over the last two years. Ms. Helm suggested they look for a storage space at the former middle school, where the sale is held. She thought it would make sense to do this.

Ms. Helm indicated that there were two tree-cutting requests that were approved. There was also a request from Springledge Farm for the waiving of a Site Plan Review for a "hoop house" to grow crops all year long. This was approved. The Flying Goose Pub also requested to build an ADA compliant bathroom in the bumped out space in the front of the building, across from the current bathrooms. This was approved. The Telecommunications Chapter for the Master Plan and the Application for cell towers was also reviewed.

Economic Development Committee - Mr. Bianchi reported that there would be no midway this year. He also noted that it has been four months since they've had any minutes submitted. Ms. Hallquist said that she would look into this.

Other

Ms. Helm said that Rob Bryant of the Chamber of Commerce asked her to speak to some Granite State Ambassadors recently. The people learned about the area, went on Little Lake Sunapee, Pleasant Lake Inn, the Ice House, Historical Society, etc. They wanted to get them to know that New London is a nice

place to visit. Mr. Bianchi said he was surprised that the ambassadors did not know of or had not heard about New London or the Upper Valley.

Ms. Helm said that Bruce King, Bill Helm and Terri LeBlanc would be attending the meeting on July 11 to speak for the hospital.

The Board of Selectmen thanked Linda Hardy for her work filling in as the Interim Town Administrator.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to move into non-public session pursuant to RSA 91-A. THE MOTION WAS APPROVED UNANIMOUSLY.

Upon returning to public session, Mr. Bianchi asked how the others thought about Ms. Hallquist being granted permission to sign building permits. Chair Kaplan said that once she gets into the job and if she feels comfortable doing so, she could let them know. Ms. Helm said the purpose of this was that they were meeting every other week and builders were waiting on the permits. They made an allowance for the easy cases to be signed by Peter Stanley or Ms. Levine.

IT WAS MOVED (Bianchi) AND SECONDED (Helm) to adjourn. THE MOTION WAS APPROVED UNANIMOUSLY.

Application for Building Permit:

- The Nestler Family Trust, 39 Sherman Street, Elkins (Map & Lot 078-013-000) replace foundation under barn – Permit #11-051 – Approved.
- Thomas & Vicky Mills Trust, 40 Andover Road (Map & Lot 122-001-000) add ADA compliant bathroom – Permit #11-052 – Approved.
- Calerin, LLC (Greg Berger) 37 Main Street (Map & Lot 073-053-000) 22'x 96' cold frame tunnel – Permit #11-053 – Approved.
- David & Jamie Webster, 427 Forest Acres Road (Map & Lot 119-013-000) dig trench for generator hook up – Permit #11-054 – Approved.
- Perkins Family Trust, 332 Parkside Road Unit 28 (Map & Lot 072-020-028) replace tub/shower unit with walk in shower – Permit #11-055 – Approved.

Application for sign permit:

- Center for the Arts, Market on the Green, 1 sign on the green – 1 sign at the information booth – Approved.

Other items to be signed:

- Disbursement voucher for week of June 20, 2011
- June 2011 surplus sale items

The meeting adjourned at 8:20pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London