



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES March 10, 2014

PRESENT:

Tina Helm, Chair
Peter Bianchi, Selectman
Janet Kidder, Selectman
Kim Hallquist, Town Administrator
Wendy Johnson, Finance Officer

ALSO PRESENT:

Norm Bernaiche, Chief Assessor
Minette Sweeney, *Intertown Record*
Sara Colson, *Argus-Champion*

Chair Helm opened the public hearing to amend pole licenses. The purpose of the public hearing is to determine if it would be in the best interest of the public good to amend all of the existing pole licenses issued by the Town of New London through March 10, 2014 to include language regarding taxation pursuant to RSA 72:23. Chair Helm noted receipt of written correspondence from Public Service of NH (PSNH) dated March 5, 2014. PSNH does not object to the extent that the amendments seek to make language changes consistent with current law, however, it does object to amendments that require licensees to provide the town with names and addresses of entities that place equipment on the poles.

Norm Bernaiche, Chief Assessor, explained that PSNH objects to any amendment in the pole license that would require it to identify the users on its poles. Mr. Bernaiche noted that the Town is obligated to fairly tax all entities using or occupying the right of way and the owner of the poles is in the best position to say who it allows to attach to the pole so it is not unreasonable to require this information as part of the pole license by finding it is in the public good. The Board pointed to the increased cost to the Town should it have to dedicate the personnel necessary to try and determine all of the users of the pole as a compelling reason to require the licensee to provide the information as being in the public good.

The Chair asked if anyone in the audience wanted to speak to the issue. There were none. The public hearing was closed.

Chair Helm read the proposed resolution:

A RESOLUTION

Pursuant to the provisions of RSA 231:163 and 43:2, the Board of Selectmen held a public hearing on March 10, 2014 to determine if it would be in the best interests of the public good to amend all of the existing pole licenses issued by the Town of New London through March 10, 2014 hearing to include language regarding taxation pursuant to RSA 72:23.

As a result of the public hearing, the Board of Selectmen have found it is in the best interests of the public good to amend these existing pole licenses to include the following language:

In accordance with the requirement of RSA 72:23, I (b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.

In addition, the Board of Selectmen has found it to be in the best interests of the public good to adopt a revised Pole License form to be used by the Town of New London effective March 10, 2014 that includes the same language noted above for all future pole licenses to be issued in the Town of New London.

IT WAS MOVED (Janet Kidder) AND SECONDED (Peter Bianchi) to adopt the resolution as read. THE MOTION PASSED UNANIMOUSLY.

Equalization Ratio

Mr. Bernaiche referred to a memo dated January 10, 2014 regarding the ratio study he prepared. He explained that some properties, especially condos, seem to be all over the map requiring a lot of analysis and study. The upper end of the market is fine (\$400,000+) but the workforce housing is usually where there are foreclosures and other issues. The waterfront is still strong. Every five years they have to study each property and create a manual explaining the new values and the rational for those values. This manual is submitted to the State Department of Revenue Administration. Mr. Bernaiche informed the Board that he anticipates having the necessary information to the Selectmen for preliminary approval sometime in July. He anticipated they would be on schedule to submit their MS-1 by September 1, 2014.

Chair Helm asked how often there were large variances in the assessed value and the market value. Mr. Bernaiche said out of about 80 sales, maybe four or five. This is usually because they (the assessors) haven't been inside the property. It also may be because of the market and how people bargain when selling their property. He stressed that one sale doesn't make a market.

Turning to the issue of the town's reassessment scheduled for this year, Selectman Bianchi asked if they would be assessing the Town of New London this year so he and Ms. McAllister (Assistant Assessor) wouldn't need to evaluate two towns at the same time. Mr. Bernaiche agreed that this was one reason, but it was also because they want to address the issues they have been having with condo assessments.

Mr. Bernaiche noted that assessing personnel will not trespass on property and will not go on property without obtaining permission from the owner. Mr. Bernaiche noted that properties not visited will not be

assessed as accurately as possible, so he hoped all property owners would cooperate and allow a physical inspection so the best most accurate data can be used in determining the assessment for tax purposes.

Mr. Bernaiche said they have an open-door policy for taxpayers who want to come and discuss their assessment. They also publish all the information they obtain.

Old Business

Chair Helm noted the receipt of a letter from David Marshall regarding his recent dealings with the Town with regard to his business in Elkins. She noted that the Board would withhold comment until they get a response from the Planning Board, who also received a copy of the letter. Selectman Bianchi noted that Ms. St. John was only trying to enforce the Town's zoning ordinance; they are not rules made up by Ms. St. John, herself.

Meeting Changes - April

Chair Helm requested that the Board consider changes to some of the scheduled meetings in April. It was also noted that the April 15th 1941 Building Information session would be moved to April 16th. The time of 7pm would remain. Selectman Kidder noted that she did not have her calendar so the proposed new dates for other Selectmen's meetings would be confirmed by the end of the week. The Citizen's Advisory Committee was scheduled for April 5th, although Chair Helm noted she would not be there. It was noted the New London Community Center group would come to speak with the Selectmen on March 24th at their 6pm meeting.

Warrant Articles

Chair Helm said there were two warrant articles to discuss. Both had to do with equipment for dispatch.

Dispatching Simulcast Matching Grant

Selectman Kidder said this grant was something the Selectmen had asked dispatch to apply for last fall. If there were questions, they should have been raised at that time; not now. Selectman Bianchi asked if any new information had come in. Ms. Hallquist said there hadn't been any new information. She warned that if they don't take advantage of the grant at this time, there won't be another opportunity until 2016. Selectman Bianchi said it didn't seem to be any major increase or decrease for the Fire Department's coverage in New London if they do or do not add these repeaters. It wouldn't affect the Police Department at all. He worried that the Town may need to come up with associated costs once they accept the grant. Ms. Hallquist said they should assume that there will be additional costs. There is a possibility that it will be free, but not likely. Ms. Hallquist suggested that the request be included on the Warrant, if the Town can't get permission to install the equipment then the money will not be spent.

Chair Helm said she agreed with what Chief Lyon said at the last meeting; if they don't support those applying for and writing grants, people will no longer pursue them.

IT WAS MOVED (Janet Kidder) AND SECONDED (Peter Bianchi) to put the dispatching simulcast grant for \$37,563 in matching funds on the warrant and note the recommendation of the article by the Board of Selectmen. THE MOTION PASSED. Kidder: Yes, Helm: Yes, Bianchi: No

Dispatch Consoles for \$97,000

Ms. Hallquist said no matter what they decide to do with dispatching, they will need one console replaced. They may get both through the grant, they may buy one on their own, or they may get a 50/50 grant and could purchase one and get the second with grant funds.

Chair Helm felt they should put the article on the warrant for one console for \$48,500. Selectman Bianchi said the model for dispatching is still up in the air. By putting these two articles on the warrant, they are exposing themselves to \$86,000 in capital costs without any promise from the neighboring communities to help pay for or even to continue with their being part of the service. He said they voted not to put this in the operating budget previously. He would not be in favor of this article at this time.

Chair Helm reminded Selectman Bianchi that they needed one console for the Police Department no matter what; the current console has, at most, two years left of service. Selectman Bianchi thought another vendor besides Beltronics should be consulted. He didn't think this had gone out for bid but he wasn't sure this was the best route to go. Ms. Hallquist said putting this article on the warrant didn't preclude them from going out for bid.

Selectman Kidder worried that the current console has lived past its life expectancy and the Town could be in real trouble if they didn't take care of it now. This was another instance of deferred maintenance and they should take care of this problem now. Chair Helm opined it was better to be proactive instead of reactive in this situation.

Ms. Hallquist agreed with Selectman Bianchi that not all of the information is known at this time, however, what is known and what could be accepted as fact today is the information received from the town's technical experts (Beltronics) that the age of this equipment is such that it should not be considered as totally reliable taken together with the fact parts are no longer manufactured for the equipment, which means that eBay would have to be used for parts, which is not an ideal position for the town to be in. These facts could lead to the conclusion that now is the time to replace the equipment. Selectman Kidder said in every position where they have had to react quickly, they have ended up paying more. She opined that that type of technical equipment is fraught with difficulties and the Board has information that the lifespan of this type of equipment is 10 years. The town's equipment is over 10 years old now.

IT WAS MOVED (Janet Kidder) AND SECONDED (Peter Bianchi) to present a warrant article that would ask for one dispatching console at 48,500. THE MOTION PASSED.

Kidder: Yes, Helm: Yes, Bianchi: No

Selectman Kidder wondered if the Selectmen could put funds back into the budget once they had been cut by the Budget Committee. Ms. Hallquist noted that it is the Budget Committee's budget that is presented to the town, but the Selectmen's recommended budget is presented as well. Selectman Kidder said if the department heads feel the appropriate amount was, and the Budget Committee slashes it, why do they bother coming up with a budget? She explained that voters of the town voted to have a Budget Committee. Voters do this when they want another body to prepare the budget, to review what the Selectmen and department heads are asking for. The Selectmen and department heads are required to give their recommendations to the Budget Committee. Some towns don't have a Budget Committee and instead rely on the Selectmen to come up with the budget, but that is not the case in New London.

It was noted that the Budget Committee has taken \$61,000 out from the budget the Selectmen prepared. Ms. Hallquist said it is the job of the Budget Committee to consider the recommendations of the Selectmen and department heads and then determine what they (Budget Committee) think the Town needs to operate. The Budget Committee has the ability to decrease or increase the amounts recommended by the Selectmen and department heads as they deem appropriate and then the budget goes to Town Meeting and voters have the final say on the amounts that will be appropriated.

Chair Helm thought there should be more collaboration between the Selectmen and the Budget Committee in the beginning of the budget process when the Selectmen meet with the department heads. She thought the Selectmen and Budget Committee should hear the presentations together and felt they take too much time from the department heads, who end up making multiple presentations.

Dispatch Meeting

Ms. Hallquist wondered if the Selectmen wanted her to start trying to nail down a date for a meeting with the other towns in regards to dispatch. Selectman Bianchi thought that New London needed to get a better idea on how they wanted to organize the committee first. Who do they want representing their committee? Ms. Hallquist suggested they begin by meeting with the Selectmen in the towns as so far, only the public safety personnel have participated in meetings.

Selectman Bianchi reminded his colleagues that dispatching was not a regional program or an inter-municipal program, like the school or the assessing arrangement they have with Newbury and Sunapee. It is a New London department. If the other towns would be willing to create a model similar to the school or assessing department, New London was open to those ideas.

Ms. Hallquist would contact the other towns' Selectmen to see when they could meet.

Meeting Update

Recreation Commission Meeting

Selectman Kidder said there had been some discussion of the Budget Committee's cuts made to the Recreation Department's budget. There are some concerns that these cuts may impact their ability to address some safety measures at the beaches, add sand and other items they had planned. They have decided to increase the swimming lesson prices to \$30 for residents and \$50 for non-residents. The lessons would be reduced from 12 to 10 lessons and will be held in three, two-week sessions. The day camp fees increased to \$130 for residents and \$140 for non-residents. The Easter egg hunt is planned for April 12th at 9am. A father/daughter dance will be held in May, and the theme of this year's Hospital Days is "Dancing through the Decades."

Selectman Bianchi offered that fees for swimming lessons go into the revolving account but instructors are paid from the operating budget. Selectman Kidder said they are looking into this and are trying to get as much money coming out of the budget and not the revolving fund as they can. Selectman Kidder said they should keep in mind that the Recreation Commission/Department wants to do the right thing.

Upcoming Meetings & Special Events:

- **Swearing-in ceremony for Police Chief Edward G. Andersen** – Thursday, March 13th – 7:00PM – Whipple Memorial Town Hall. The public is encouraged to attend.
- Next regular Selectmen's Meeting – Monday, March 24th – 6:00 PM
- Zoning Board of Adjustment – Public Hearing – Wednesday, March 12th – 6:30 PM.
- Planning Board – Tuesday, March 25th – 7:00 PM – **Public Hearing** on zoning amendments
- **Kearsarge Regional School District Elections and Special Election for Executive Councilor** – Tuesday, March 11th, Polls open 8:00AM-7:00PM-Whipple Memorial Town Hall

Budget Changes

Ms. Johnson distributed a print out of the new budget numbers after the Budget Committee meeting the prior Wednesday. She noted that the operating budget was now up 1.4%. Taking out the 27th pay period and taking into consideration the \$92,000 for the Sunapee sewer bond, it was a wash.

IT WAS MOVED (Bianchi) AND SECONDED (Helm) to enter into non-public session, pursuant to RSA 91-A:3, II(d) to discuss the 1941 Building lease. THE MOTION WAS APPROVED UNANIMOUSLY. Yes: Bianchi, Yes, Kidder, Yes: Helm

The Board returned to the public session at 11:25am.

Application for use of Town Common:

Kearsarge Conservatory of the Performing Arts – “Mayfest” fundraiser. Sunday, May 25, 2014 2pm – 7pm.

Other Items to be approved and signed:

- Application for Elderly Exemption for Paul C. Fyfe
- Application for Elderly Exemption for Margaret H. Birch
- Appointment Card for Edward G. Andersen for the position of Police Chief
- 2014 Forest Fire Warden/Deputy Reappointment Form
- 2014 Forest Fire Deputy Forms: Geoff R. Daley & James MacKenna

IT WAS MOVED (Janet Kidder) AND SECONDED (Peter Bianchi) to adjourn. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 11:30am.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London