



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## BOARD OF SELECTMEN MEETING MINUTES April 16, 2012

### PRESENT:

Mark Kaplan, Chair, Board of Selectmen  
Tina Helm, Selectman  
Peter Bianchi, Selectman  
Kimberly Hallquist, Town Administrator

### ALSO PRESENT:

Wendy Johnson, Finance Officer  
Peter Stanley, Planning & Zoning Administrator  
Doug Homan, New London Resident  
Michael Gelcius, Elkins Fish & Game Club  
Merry Armentrout, *Intertown Record*

Chair Kaplan called the meeting to order at 8:00am. He offered the floor to Mr. Michael Gelcius of the Elkins Fish & Game Club (the Club).

Mr. Gelcius asked the Board to consider a standing agreement between the Club and the Town for the use of a town-owned parcel of land located near where the landfill was on Mountain Road to be used for parking during the Club's events which occur about 5-6 times/year. They have used this parcel in the past after asking for permission from the Town. He noted that Mr. Lee (Public Works Director) went to the site with him and had no problems with the area being used for parking. Mr. Gelcius said that the Club would happily maintain the area and cut the grass in the few areas where it was growing.

Mr. Stanley said the Kidder land is adjacent to this property and there is a temporary access located on the Town's land to gain access for timber harvesting. It was determined that this would not impact the request for parking. Mr. Gelcius said that there aren't usually more than 20 cars that would be parked in the area at once.

Mr. Homan said it sounded like an expansion of the use of the range and thought maybe they should talk to the neighbors about an expanded use in that area. Mr. Gelcius said that it isn't an expansion; they have used the property for parking before and have called the Town when they have an event. Mr. Homan said the original purpose of the range was to sight rifles before deer season. It seemed that the use has expanded. Mr. Bianchi said that the range is located in Wilmot and not New London. Mr. Homan said that he didn't think New London should support the expansion of the use. Chair Kaplan said that it wasn't an expansion of the use and that they have been approving the use of the property for parking in the past. The Club just wants to be able to do the same thing without having to ask every time.

Mr. Homan suggested that Chair Kaplan go down to the range and observe the noise that is created from the range. Perhaps that would change his mind. Mr. Gelcius said they have had problems with the neighbors complaining in the past but they have kept records and have come up with statistics regarding

when there is shooting and when there isn't. They have calculated the usage of the facility and it has come to less than 10% of the total hours when it is open. The number of people coming there has decreased and there has not been increased usage. Mr. Gelcius said that it was remarked by a neighbor that they were surprised at how quiet it was around the range. They don't have a lot of shooting events, but they have a lot of events promoting hunting and fishing.

Mr. Bianchi said that he heard that Sturm-Ruger was using the range which had increased the use. Mr. Gelcius said they have never had any relationship with Ruger. When Ruger gave up their own range in Newport, some of those club members came to the club in Wilmot. During that time they instituted policies to bring people into the club who were responsible. The numbers then dropped as the "casual" shooters were no longer coming. They wanted people to come and belong to the club. At the high point they had 175 members and now have at most 130 members.

Mr. Stanley felt this was a parking issue and noted that people can park on the road if they want to but that it makes more sense for people to park on the Town's parcel of land, off the road, as they have done for many years. Since 1992 it has been much more than just a place to sight guns. This is a legal non-conforming use in the Town of Wilmot and there are State statutes that protect shooting ranges and it would be best for New London to not get involved in deciding whether or not a shooting range in the Town of Wilmot is a good idea.

Mr. Homan asked Mr. Stanley if he was a member of the Club. Mr. Stanley agreed that he is a current member and noted that he has also served as President in the past. Mr. Homan said that Mr. Stanley was speaking as a private citizen and should have recused himself from the discussion, as he is a member of the Club. Chair Kaplan did not feel this was necessary. Mr. Homan said that he didn't think they should support an expanded use. Ms. Helm said that Mr. Stanley was giving perspective and appreciated him doing so because she didn't even know there was a shooting range in the area they were discussing. The fact that the area has already been used for parking makes a lot of sense because it gets the cars off of the road. All they are being asked to do is to approve the parking. They are not approving the expansion of a program. She felt they should stay focused on the request the gentleman has expressed, which is to allow parking in an area that has been allowed in the past.

Ms. Helm wondered how long ago the Club met with the neighbors to discuss the noise issues. Mr. Gelcius said they haven't had a meeting with neighbors, but have written letters to neighbors a number of times to try and organize a meeting but have not heard from any of them who want to meet. The Club put in for a permit to do some work at the range recently and whenever their name comes up on the town's agenda, neighbors come to remark on the usage. Ms. Helm applauded Mr. Gelcius for trying to clear the air with the neighbors and urged him to continue to do so.

Mr. Bianchi said that New London has strict parking regulations. He wasn't concerned if they allow for parking on the lot or not but thought it neighborly to check with the Wilmot town officials to see if there is any problem with New London offering parking for a pre-existing, non-conforming, grandfathered use. If they have no problem with it, then neither did he. Ms. Hallquist agreed to contact the Town of Wilmot to see if this agreement was acceptable to them. Mr. Stanley suggested creating a written agreement that could be renewed annually.

#### Master Plan

Mr. Stanley met with the Board to discuss the Master Plan. He noted that when Ken McWilliams left last September, they hired the Regional Planning Commission (RPC) for \$11,600 to complete the Master Plan which included finishing two chapters, creating another chapter, and editing it down from 400 pages to 300 pages. The Master Plan was finished on December 27<sup>th</sup>. The Master Plan is still huge and not "user

friendly” as there is no summary and no practical way to easily locate information within the document. The Planning Board has funds available in their current budget and wanted to hire the RPC to create a summary document but were asked not to spend the money this spring because the town’s operating budget was pretty tight, and the excess funds might be needed elsewhere. Since that time, Ms. Hallquist came to Mr. Stanley and notified him of \$4,300 remaining for use on the Master Plan that had been encumbered. Therefore, the Planning Board would like to use the encumbered Master Plan funds to have a 30-50 page summary prepared by the RPC at a cost of \$4,300. This work can be accomplished by amending the original scope of work plan with the RPC to include a summary for \$4,300 to be spent of the encumbered funds.

Mr. Bianchi said he reviewed the minutes from the town reports. In 2004 the Town started a capital reserve account for a Master Plan update. They have added \$69,250 in total. If there is \$4,300 left in the account, that means they have spent over \$65,000 on this Master Plan update. He didn’t know how it became encumbered because every time they wanted to spend money out of the account the taxpayers had to vote on it. He wasn’t sure how this money could be available. Another concern he had was that he thought they had thrown enough money at the Master Plan and didn’t think it necessary to spend more. He didn’t think that the document was something the public was clamoring to have in a more condensed form. Mr. Bianchi asked how much was left in the account. Ms. Johnson said that as of 12/31/11 it was \$18,800.

Ms. Helm said that encumbered means that the Town Meeting has already agreed to spend the money and they are just waiting for a bill to pay it. This money was already approved to be spent. Perhaps a bill came in a little less or they were waiting for the work to be finished. Mr. Bianchi said there has been no activity or withdrawals since 2010. He thought that the remainder of the funds should be considered seed money for when they have to create the next Master Plan. Ms. Hallquist said that to be encumbered, the money must have been promised to someone and for some reason, it was not paid out. Mr. Stanley said that they are up to date with payments for the Master Plan thus far.

Mr. Stanley said that the original contract was with Ken McWilliams and it was only until after he left that he began managing the project. He was happy with the ultimate result. When they started the Master Plan he was opposed to the approach of it and how it was being done. It didn’t compare favorably with what the RPC was putting together for other towns. He felt that this summary would make the Master Plan a more usable and friendly document. This summary will also help serve as a road-map for future versions of the Master Plan which they would like to make smaller and less expensive to produce.

Ms. Helm said that it was her understanding when they concluded the Master Plan in December that this summary would be a part of it. She was in favor of doing it as long as the funds were encumbered.

**IT WAS MOVED (Tina Helm) AND SECONDED (Peter Bianchi) to sign the amendment from the original Master Plan contract from 2011 with the RPC to add a summary document for an increase of \$4,300 using encumbered funds from the Master Plan project.**

Mr. Bianchi wasn’t sure that the funds were really available. If they were found to be encumbered, they should save the funds for the next go-round with the Master Plan. He didn’t think it was well-understood where exactly the funds were coming from.

Chair Kaplan felt that if the Planning Board wanted a summary, he would have to agree.

**THE MOTION WAS APPROVED.**

Tina Helm: Yes, Mark Kaplan: Yes, Peter Bianchi: No.

Mr. Stanley said that he would not proceed until they were certain that the money was available as encumbered funds. Ms. Hallquist said that it is on the books but they were not sure exactly where it was from so more research would be done to make sure the funds are available for this purpose

Review of Minutes

*April 2*

**IT WAS MOVED (Tina Helm) AND SECONDED (Mark Kaplan) to approve the minutes of April 2, 2012, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.**

*April 6*

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the minutes of April 6, 2012, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

There were two small changes that Ms. Hallquist agreed to amend.

Mr. Bianchi noted that he was chided in the minutes for allowing people to enter a town building without the department head present and he wanted to clarify his position that he didn't think it was necessary to wait for a town employee to let him in. He felt he had the ability to do this without insulting any employees.

Chair Kaplan said that the issue was courtesy and respect for the town employees whether they are a Department Head or not. He thought that what Mr. Bianchi did (when he visited the Bucklin Beach building) was going over Mr. Denning's head. Mr. Bianchi said that it was noted in the minutes that the building at Bucklin Beach was "his", meaning Mr. Denning's but that it was not his building. Chair Kaplan said that Mr. Bianchi should have asked permission to unlock a building; he should have come to the Board of Selectmen first. Mr. Bianchi said that he came to the Selectmen's Office and asked for the key and no one was sure where a key was, not even the Police Department. He added that if he wants to go into a town building, he shouldn't have to ask for permission.

Mr. Bianchi said that they also hadn't come to a conclusion regarding the waiving of fees for the use of Whipple Hall. He said that he was always in favor of letting the Board of Selectman waive or modify fees as they felt appropriate.

The Barn Playhouse – Request for Waiver for Whipple Hall Fees

The Board reviewed a letter as submitted by the Barn Playhouse for use of Whipple Hall for rehearsals. No one was there to represent the Barn Playhouse. Ms. Helm said that part of coming to the Town to ask for a waiver means that someone needs to attend the Selectmen's Meeting in person so that they can articulate why they are requesting a waiver. She thought they should wait on this issue until someone from the Barn could be present. Mr. Bianchi agreed. He said that he is happy to give some latitude to organizations but noted that the fees they were asking to be waived came to almost \$1,500 and that this would be the use of Whipple Hall for the better part of three months. Ms. Helm understood that the Barn Playhouse would be flexible and that they may want to indicate to them that if another use of the hall was necessary during the extensive time they want to use it, they would need to comply. Mr. Bianchi commented that in the past there has been excessive wear and tear on Whipple Hall after the Barn Players had used it. It was determined that they should, in fact, wait for a representative to come discuss the issue.

#### Other Whipple Hall Fee Discussion

Ms. Helm said that the Board should discuss whether groups doing a public service, such as “Candidates Night” should be charged for the use of Whipple Hall. It was noted that there would be easy instances when they could waive fees, but there would also be more difficult instances to determine. She added that every instance should require someone coming forward in person to the Board of Selectmen to negotiate the fee or request a waiver.

Ms. Hallquist said that there is a rental fee in place currently, which hasn’t really ever been collected. The maintenance deposit has routinely been given back as well. Ms. Helm felt that it was their job to be willing to compromise in some way while still being true to what they are trying to do, which is cover the cost of maintaining the building.

#### Promoting Voting

Ms. Helm said that they should be sure to put on the Town’s website, and other publications they discussed at the last CAC meeting, the importance of voting, when and where polls are open, and information about candidate’s night. There was discussion of a drawing for a prize being held at Town Meeting as a way to encourage and publicize attendance. The prize would be a tee-shirt with the town seal on it. Ms. Hardy didn’t think it was fair to try to get more people to come to Town Meeting in May by offering a drawing. The whole point of moving the meeting to May was to see if more people would be able to come. She thought they should have done things like this when they had the meeting in March to get more people to come. It didn’t seem fair to her to do this and added that it probably wasn’t a good use of Ballot Clerk time. Ms. Helm said she has spoken to many “snowbirds” that are looking forward to being able to attend Town Meeting this year because it is in May instead of March.

Mr. Bianchi didn’t think it was necessary to do a drawing and that it was taxpayer’s responsibility to attend Town Meeting; he didn’t think it necessary to try to draw people with a prize.

#### Tax Bill Reminder Request via a letter from Nancy Gelotti, Hilltop Resident

Ms. Hardy said that her office received a lot of negative feedback about them sending out reminder notices about the four tax-bills and when they were due. Sending two bills at once was intended to keep the expense down for postage. Every reminder and mailing is very expensive as there are 2,700 tax bills. She feels as though sending notices out is a little too much hand-holding and they have taken several measures to get taxpayers familiar and knowledgeable about the process. This woman who sent a letter in wanted to have a 30-day notice letter sent before the bills are due. Ms. Helm wondered how many phone calls Ms. Hardy had received in complaint about the billing process. Ms. Hardy said she had received four or five but she would not like to send reminders to even these few as it would set a precedent. They wouldn’t be able to do this for everyone. She suggested putting an ad in the Shopper to remind people about their bills coming due. Mr. Bianchi said he had no problem putting a quarter-page ad in the Shopper to remind people. Ms. Hardy said that quite a few people pay both tax bills that come in at once so they don’t have to remember to pay the second one later on. Ms. Helm commended Ms. Hardy on her work and felt that she had the process down. It was decided that Ms. Hallquist would send a letter to Ms. Gillate thanking her for her letter and suggesting that she put the due-date for the next tax bill on her calendar.

#### Abatement Request for Interest Paid

Ms. Helm read the letter to the Board of Selectmen explaining that the owners were new to town and were not aware that their taxes were behind. They were also not notified of their unpaid bill when they came in to pay another bill. Ms. Hardy noted that new residents are not always given their tax bills by the realtors but it was determined that this was the taxpayer’s responsibility even so. The residents wondered if they

could apply the \$36.61 they had paid in interest towards their next tax bill. Mr. Bianchi did not think this should be done.

Ms. Hardy explained that if a payment comes in and if the taxpayer has a previous tax bill due, they apply the payment to the oldest bill due. This did not happen in this case. This was an error made by the office. It was a policy that was not followed. Mr. Bianchi said that in this case, he had no problem rectifying the situation because it was an office error. Ms. Hardy asked for something in writing to allow for this abatement for interest. Ms. Hardy said that closing agents need to make sure the tax bills are passed along to the new owners. Ms. Helm wondered if they could provide a generic letter to the agents asking them to make sure this is done. Mr. Bianchi said they can't be responsible for this and that it should be something everyone is aware of during the closing process.

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) that for this instance, they grant an abatement for \$36.61 to be applied to the next tax bill. THE MOTION WAS APPROVED UNANIMOUSLY.**

#### Kearsarge Community Bandstand

Ms. Hallquist said she has a call in to Terry Knowles from the State to set up a meeting in Concord with members of the Bandstand Committee as they discussed last December to figure out what they are to do with the requests for money. Mr. Bianchi said they have discussed this before. The Bandstand Committee wants to spend money on some items that he wasn't sure fell under the programming costs, which was specified in the Will of Mr. Steve Mendelson. Last year they took out \$13,250. They want to use \$16,000 for 2012 and that will use up the rest of the interest and they won't have much funding left. Ms. Helm asked to put this off until April 30<sup>th</sup> and thought they should also alert Dave Cook or Art Vesilland to come help determine what each of these pieces are in their budget and how they translate to the terms of the Trust as specified in the Will. Mr. Bianchi said that he would not like to expend any money from the account until this has all been cleared and approved.

#### Request for June 11, 2012 be Proclaimed Ausbon Sargent Day

Chair Kaplan said that Ausbon Sargent was the man who bought the green from the college and then donated it to the Town of New London. The Ausbon Sargent Land Preservation Trust (via Peggy Hutter, who is organizing the 25<sup>th</sup> Anniversary of the ASPLT) would like the Board of Selectmen present at the celebration to make this statement.

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to proclaim June 11, 2012 Ausbon Sargent Day. THE MOTION WAS APPROVED UNANIMOUSLY.**

Chair Kaplan said that since the makeup of the Board of Selectmen will change before June 11<sup>th</sup>, they should wait to deciding who would read the proclamation at the celebration.

#### Sewer Bill Extension Request

Ms. Hardy said that in the past, due to some unique circumstances, the Board of Selectmen allowed someone to pay a large sewer bill down without interest, instead of allowing for abatement. This person is requesting an extension. Ms. Hardy said this account is in the name of the property owner who has requested that the bills be sent to the tenant who has agreed to make payments. She noted that the Town is entering the lien processing season and the tenant was told that payments needed to be made by May 1<sup>st</sup> to keep it out of this processing. She needs to move forward with the lien processing and a lien will go against the property owner and not the tenant. Ms. Hardy said that there hasn't been a payment made in April yet and this agreement began in January. There is a balance of a little over \$400 in principal. Lien notices will go out on Friday which will include additional costs for notifications. At that point, interest

will go from 12% to 18%. Ms. Hardy said that the property owner understands that an agreement was made with the tenant to have it paid in full by May 1<sup>st</sup> but so far it has not been paid off. Chair Kaplan said that they would not be issuing an extension. Mr. Bianchi felt they had been lenient but they could not give an extension in this case.

#### Partnership Agreement with New Hampshire Regional Planning Program

Chair Kaplan said Ms. Walker came to explain the partnership. She only asked for the Board to support their efforts but not for monetary support. Mr. Bianchi said that there is an internal cost to provide information to them. Ms. Hallquist said that if it became too burdensome, she would let Ms. Walker know that they could not continue. She didn't feel that this forced them to do anything other than to be a team player in the program.

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to sign the agreement with the New Hampshire Regional Planning Program.  
THE MOTION WAS APPROVED UNANIMOUSLY.**

#### Engineering Contract for Lamson Lane

Chair Kaplan signed this contract. The details of which had already been discussed at a prior meeting, but this contract had to be signed by the chairman.

#### Tri-Town Assessing Meeting

Ms. Helm said she and Ms. Hallquist attended the meeting in Newbury on April 11th. It was announced that Norm Bernaiche, Chief Assessor, would be leaving to take a job in Keene, NH. Mr. Bernaiche indicated that his reason for leaving was not due to with working in the Tri-Town environment, it has to do with his desire for more time with his family and commuting from Acworth to Keene will be easier for him to do so. Ms. Helm noted that this will be a huge loss to the Town. Mr. Bernaiche has agreed to be as cooperative as necessary to help with the transition. Mr. Bianchi said they are in legal process with three taxpayers and he wondered if they would be cleaned up before Mr. Bernaiche has left. He also wondered if he had gone before the Board of Land Tax and Appeals yet. Ms. Hallquist said she has not but that Kris McAllister, Assessor, was already assigned the BTLA cases so that will not change. She also indicated that Mr. Bernaiche's contract states he must give three months' notice but that this can be negotiated, and she anticipates that there will be negotiation with respect to his following-up on the pending court cases.

Ms. Helm said that this announcement took everyone by surprise. The Town Administrators will be meeting that day and would come together with a recommendation on how to proceed. The Board of Selectmen's representative will now come from Sunapee for the next two years. Representation rotates every two years. The Tri-Town agreement will remain; it will just be a change of personnel.

#### Town Administrator's Note

Ms. Hallquist said she would be out of the office Thursday through Monday.

The Town Report has been sent in and it is being printed. Ms. Hallquist said that Ms. Jackman did a very good job with it and she worked hard to get it to the printer in plenty of time for printing so it will be available for citizens to pick up.

#### Committee Meeting Reports

Ms. Helm thanked Mr. Bianchi for going to the Planning Board in her place on April 24<sup>th</sup>.

Application for Building Permits:

- Peter & Susan Roos, 496 Knights Hill Road (Map & Lot 095-041-000) 8x8 deck addition – Permit #12-027 – Approved.
- Mike & Sheri Zyla, 62 Fox Run Lane (Map & Lot 043-009-000) in ground swimming pool – Permit #12-028 – Approved.

Application for Temporary Sign Permit:

- Kearsarge Chorale Concert – May 6<sup>th</sup>, 2012 – 3:00 PM @ Colby Sawyer College – Approved.
- Salute to Families w/disabilities - Colby Sawyer College – April 21, 2012 1-5PM – Approved.

Other Items to be signed:

- Disbursement voucher

With no other business, Chair Kaplan called for a motion to adjourn.

**IT WAS MOVED (Tina Helm) AND SECONDED (Peter Bianchi) to adjourn the meeting.  
THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting adjourned at 10:00am.

Respectfully submitted,

Kristy Heath, Recording Secretary  
Town of New London