



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## BOARD OF SELECTMEN MEETING MINUTES June 4, 2012

### **PRESENT:**

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

### **ALSO PRESENT:**

John Wilson, New London Resident  
Chris McAllister, Assessor  
Carolyn Fraley, New London Resident  
Linda Jackman, Administrative Assistant  
Phyllis Piotrow, New London Resident  
Chad Denning, Recreation Director  
Jen Carson, Market on the Green Dir.  
Mike McChesney, New London Resident  
Gerald Coogan, New London Resident  
Dave Cook, New London Resident  
Jim Perkins, Archivist for the Town of New London  
Renate Kannler, New London Resident  
Bruce Hudson, New London Resident  
David Seastrand, New London Police Chief  
Celeste Cook, New London Resident  
Jim Wheeler, New London Resident  
Cicely Markoff, New London Resident  
Alice Field, SKIT

Chair Bianchi called the meeting to order at 6:00pm.

He explained that the first item of business would be to discuss an easement application for a historic barn, submitted by Jeremy and Emily Bonin. Ms. McAllister explained that this became legal around 2000 and lately, the media has taken interest in it. Easements on barns can be given for their historic value. For a 10 year period they can save on real estate taxes as the assessed value for tax purposes is lowered from 75% to 25% of the full assessed value. In this case, the Board of Selectmen has to make a decision on whether to grant the easement by July 1<sup>st</sup> and if they wish, may seek the advice of Town Counsel.

To offer some history into what prompted the easement becoming a possibility, Ms. McAllister explained that in the past, it seemed that assessors would over-assess agricultural buildings due to their high replacement cost. This didn't afford the tax payer the opportunity to restore their structure with it being just an out-building. This easement assists the taxpayer with putting some money back into the structure.

There is a test the structure has to meet to qualify for the easement, which is three-pronged. The structure must be historic in nature (75 years or older), it must give a public benefit (must be seen from a road or water body), and it should have some historic significance. Mr. Perkins, Town Archivist, said that the law was passed in 2002 and there is more media on the law now because they are upon the 10<sup>th</sup> year anniversary. He spoke with Nancy Dutton, formerly with the State Historical Preservation, who said the easement was offered to remove a disincentive for people to fix up their barns. If a barn is dilapidated and represents no economic benefit, there is no incentive to maintain it. Legislature did this to help preserve these kinds of historical agricultural structures.

Chair Bianchi said that the barn once belonged to the Friedlanders. It was noted that the house was built in 1792 and that the barn is very visible from the road. He asked the Bonins to share their plans for the barn.

Mr. Bonin said that they purchased the home which dates 1792 and the barn is not dated but could have been built before that time. It is a type of architecture called "Connected Farmhouse," where structures were connected over time. The bulk of these kinds of structures are located in Eastern Maine and wear out as they get closer to New Hampshire. This is not only a New London structure of significance, but it is also a New England structure of significance.

Mr. Bonin shared that he and his wife have a love of old buildings and barns and own an architectural business in town. The barn is currently leaning 18" away from the house but has been stabilized. The metal roof put on by the Friedlanders saved the building, as it kept it dry. He added that it served as a dairy barn at one time and the organic matter had built up over time and has since been removed to prevent decay. There is between 2,500 and 3,000 square feet of siding that needs to be repaired and will require quite a bit of work to be repaired just to keep it at a stasis. Ms. Bonin said their intent is not financial gain or to have animals. Their passion is timber-framing; they love the house and would like to restore the barn and try to save it.

Mr. Bonin added that the house has a significant historical value as it was a dairy barn for many years and they would like to preserve it for future generations. He noted that it was part of the Messer farm and goes back a ways into history.

Chair Bianchi said he is familiar with the house and wondered if there were any other long-term plans for the barn. Mr. Bonin said they are just interested in preserving it as a barn. They'd like to try and bring it back to plumb and true. He noted that the barn is 200+ years old and it has taken a long time to bow out and sag. They can't just repair it quickly. Cable systems and come-alongs need to come in and it will take 2-4 years to straighten it out. The preservation easement will help to allow them to do the necessary work.

Ms. Helm said she admired the Bonins' courage for taking on this project. She said it was a high-profile location and she was glad they wanted to preserve the barn instead of knocking it down. She asked Ms. McAllister about the easement form. She wondered if the rating she would come up with would determine the exemption. Ms. McAllister said that this was correct and that the grid and rating would be forthcoming. Chair Bianchi asked if the town would agree to tax them on between 25-75% of the amount the barn was worth. Ms. McAllister agreed. Mr. Bianchi replied that he didn't see how this would make the owners any money. Ms. McAllister said that it isn't about making money. She noted that the discount is also the land under the barn, and five feet surrounding it.

Ms. Hallquist asked Mr. Perkins if this barn should qualify for the easement. Mr. Perkins said he was excited when he heard about this as it fits the easement intentions perfectly. It meets all the criteria. In

1792 the house was built by James Colby, brother to Joseph Colby. It served as the Pleasant View Boarding House a boarding house, it has significance, and integrity. With proper documentation and homeowner's consent, the home could be put on the state and national register for historic homes.

Chair Bianchi said he hasn't seen this done before and thought it sounded like a good idea but he has had no experience with it before. He said he would tend to want to go slowly so they don't make a mistake and want to be fair to everyone. He opined that the Bonins' plan was well-thought out.

Ms. McAllister said the grid she is finalizing can be used for anyone else who comes in with such a request. She will provide a recommendation along with the grid.

Chair Bianchi said that the Board of Selectmen seems to be in favor of granting the easement, but they just need to decide the percentage they will reduce the taxes by. They can't make their decision that night as the grid and recommendation are not ready for their use. Mr. Perkins said that the first part of granting the easement is that they decide that the barn is worthy. The second part is the details of which they will apply to the easement. After this remark, Chair Bianchi asked for a motion.

**IT WAS MOVED (Janet Kidder) AND SECONDED (Tina Helm) to approve that an easement put upon the barn would serve as a public benefit and that they should continue to pursue the easement. THE MOTION WAS APPROVED UNANIMOUSLY.**

Current Use Application – Deacon Family Partnership and H&B Howard Trust

Ms. McAllister said there is a two-part application (2 parcels under same ownership). The first is a 14.46 parcel on Pilot House Road. It is completely unimproved (wooded), and qualifies for current use. She would recommend approving this application.

Ms. McAllister said she had a problem with the three acre waterfront parcel, some of which is improved. They would like to place the unimproved portions of the property into current use. The bulk of it is improved and the intent of current use is not to place an improved parcel in current use. Ms. Kidder asked if they were to merge the lots, could they place all the land they desire into current use. Ms. McAllister said that this would be possible.

Ms. McAllister explained that every waterfront lot has a 50' buffer that can't be built within. They have a boathouse and dock that they are trying to place into current use, but this is an improvement to the land. She said that the intent is not to escape taxation and she has difficulty with the amount of improvements on this lot to place it in current use. She noted there is a tennis court, a garage, and a 3,000 square foot home on the property. She would recommend denying the application for the second lot.

Chair Bianchi asked why the three acre lot was being considered for current use, as a lot has to be at least 10 acres in size to qualify. She said that it was because it would be a great tax relief. Chair Bianchi said that if the three acre parcel was not improved at all, would it qualify for current use. Ms. McAllister said that it would because it is contiguous to the other parcel and is owned by the same person.

Ms. Helm asked if the owners came back and put the parcels together to make a 17+ acre parcel and then asked for it to be put into current use, how would that work? Ms. McAllister said that would be a case for the BTLA to decide. She didn't agree with this method as it was going against the intent of the law. She didn't think it would be fair to the neighbors on the road and said that there is case law to back up her standing on the issue.

**IT WAS MOVED (Janet Kidder) AND SECONDED (Tina Helm) to approve the parcel of 14.46 acres of unimproved land going into current use status.  
THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Janet Kidder) AND SECONDED (Tina Helm) to not accept the improved three acre waterfront parcel for current use status.  
THE MOTION WAS APPROVED UNANIMOUSLY.**

Alice Field – President of SKIT

Ms. Field explained that SKIT is a local community theatre organization and would like a waiver or a drastic reduction for the use of Whipple Hall. They wouldn't be able to put on a show this year if they had to pay the fee that is being asked of them. Ms. Field said that SKIT is not for profit and are completely run by volunteers. They've been in existence for 20 years and their purpose is to raise money for other non-profits in town, for example COA, the VNA, and the Food Bank. All monies that come in are halved and given to the non-profit. The other half goes towards scholarships. They have a very small bank account and could not sustain the fee being charged. Ms. Field said that they always give a token donation to the town for heating and utilities, and it was all that they were able to give. She said that 99% of the money is given away to others. There are very few places in the town to be able to put on any entertainment or shows, which is why they would like to continue using Whipple Hall.

Ms. Kidder asked how often they would rehearse. Ms. Field said they are asking for two to three evenings per week from 7-9pm, and possibly a few Sunday afternoons from 3-6pm starting October 14. They have chosen the performance dates of December 7, 8, and 9, 2012. They are hoping to partner with the food bank for this show.

Ms. Helm said she spoke with someone from SKIT about the possibility of purchasing black-out curtains for Whipple Hall. Ms. Field said they would like to have black-out curtains so they could do matinee shows. They would try to partner with the town to raise money for the curtains. The possibility of a community center being created in town is the monkey-wrench in this, as it may end up having a closed theatre, in which case they wouldn't need the curtains for Whipple Hall. She plans to contact other groups who use the hall who may also be interested in helping raise funds for the curtains. They haven't gone forward with this as they are waiting to hear of the possibility of the Community Center.

Ms. Helm asked what their donation to the Town has been in the past for the use of Whipple Hall. Ms. Field said she recalled it being between \$100 and \$300 depending on how long they used the hall and how much money they brought in.

Chair Bianchi said it comes out to about 27 days, at \$25/day, which is \$675.00. Ms. Field said that this amount would be prohibitive to them. He mentioned that the Shakespeare group and the Barn Players had also come to ask for a waiver and the fees were not waived but rather, reduced. Ms. Field said that those groups have paid employees and charge more per ticket. All the money SKIT makes from their plays they give away to other non-profits in town.

Mr. Cook said that as a past-member of the bandstand committee, he knows that the Town does not charge them to use the bandstand. If it rains during a concert, they are able to go into Whipple Hall and are not charged to use it. He commented that the curtains are not the only issues in Whipple Hall and noted that the acoustics are sadly deficient. Part of the "to-do" list with that building is to do something about the acoustics.

Ms. Jackman said that when Ms. Field came in, they calculated it to be about 70 hours total that SKIT would be using the hall.

Mr. Wheeler asked if the fee structure was based on an hourly limit. Chair Bianchi said that they charge \$25 for a minimum number of hours, and \$35 if they use it for more than 12 hours.

Ms. Helm wanted to propose that a portion of their estimate of \$675 be charged to SKIT. If they have given up to \$300 in the past, that would be about half of what their fees should be. She likes the idea that each organization comes to request waivers as each organization is different and contributes to the quality of the town. There are costs to doing business and she recommends charging SKIT half of the \$675.

Ms. Helm said she'd like to get some estimates on the blackening curtains and she felt there were other organizations that would be willing to contribute.

Ms. Markoff asked if they had considered a blanket fee for non-profits. Chair Bianchi said that they only rent the hall out to non-profits. Ms. Helm recalled a pay-scale for profit groups. This was not confirmed.

**IT WAS MOVED (Tina Helm) AND SECONDED (Janet Kidder) to approve charging SKIT \$300 for the use of Whipple Hall for approximately 27 days from October 14 – December 9th. THE MOTION WAS APPROVED UNANIMOUSLY.**

Recreation Department – Chad Denning (Recreation Director) and Jennifer Carson (Market on the Green)

Mr. Denning said that Jennifer Carson was the marketing manager for Market on the Green, which is being run by the Recreation Department this year.

Ms. Carson offered some details about Market on the Green. She said that it would begin on June 20<sup>th</sup> and would run through September 12<sup>th</sup> (excluding July 4<sup>th</sup>), and would be held from 3-6pm. Vendors would arrive no earlier than 1:30 to set up, and would tear-down and be gone by 7:00pm. They have a new logo this year, as well as a children's author tent where local authors will be available to read to children and sign books. They have also added five "drop-in" slots for vendors who may want to try being a vendor without committing to the whole series. Each of these five spaces will cost \$20 per week. Returning this year will be music and children's performances. The vendor lists have been updated and on the website. There are currently 27 vendors signed up. Comprising the vendors are 12 artisans, 8 farmers, 6 prepared foods, and a massage therapist who will give chair massages. They still have some applications out waiting to be returned.

Ms. Carson added that she and Ms. Markoff attended the Newport Farmer's Market and handed out post cards to vendors to try and generate more interest for Market on the Green. They also have a Facebook page which will be updated for those interested in the event.

It was noted that Chrissy Wolf, a Recreation/Education major from UNH would be heading up the children's crafts and activities. Jimmy Sferes would be heading up the music. Larry and Annie Ballin, Ms. Markoff, Mr. Denning and several others were volunteers for Market on the Green.

Chair Bianchi asked how close they were to their estimate with regards to revenue from vendor fees. Mr. Denning said that they are just about right on the mark. They anticipated having about 35-40 vendors and he anticipated that they would be within this number. They are charging \$100 for the entire season and \$20 per drop-in vendor.

Recreation Department Update

Mr. Denning noted that the Recreation Department was gearing up for the summer and would be offering swim lessons, kayak, sailing lessons, a Kearsarge summer swim team, the Sun and Fun day camp (which is almost sold out), an Art Extreme camp, Junior Summer Adventures, Kearsarge Outdoor Adventures, Junior Golf Camp, an adult softball league, the triathlon, an Ultimate Frisbee League, and Ladder-Ball tournaments.

From last year, the revolving account is \$6,000 higher. Numbers are up over last year and the summer day camp is almost sold out. Mr. Denning said that he feels the program is gaining notoriety and they may need to grow the program slightly for next year but doesn't want to lose their small-camp feel.

Chair Bianchi asked why the adult softball league was playing their games in Grantham. Mr. Denning said that they can use the fields for free in Grantham and the location enables them to be able to team up with upper valley teams. The league currently has six teams. Each team pays \$350 which pays for the umpires, lining the fields, and balls. Dave Armstrong has managed the league the last three years and does a great job.

Mr. Denning opined that the Recreation Department has grown over the last six years. They are almost ready to open the beaches. On Memorial Day weekend they put the rafts out. Bucklin Beach had some work done (re-painted inside), and the bid process will be going out soon for the upgrades to the building. After working with Mr. Lee, they will submit the bid to the Board of Selectmen for review. Mr. Denning said that they'd like to start the rehabilitation of the building in October so they will be ready to go for the following summer.

Chair Bianchi asked about making the bath house at Elkins ADA compliant. Mr. Denning said that they are discussing this and might put the work into the bid for Bucklin. It wouldn't be as expensive to make Elkins ADA compliant because the structure there is wooden and easier to work with. The Bucklin Beach bath house is cement. At Elkins they would only need to put railings inside and enlarge the door ways. Chair Bianchi felt that this should be done to avoid a lawsuit.

Mr. Denning had provided a memo to the Board of Selectmen earlier in the week about the Recreation Department relocating to Whipple Hall. It included action items, benefits and discussion points. He explained that he felt Whipple Hall was a good location for the Recreation Department because right now, they are based in a town hall with no recreation in the building except for the department, itself. Other Recreation Departments exist within their recreation facility. Whipple Hall is not a recreational facility but is a facility that can have recreation within it. He will be overseeing the use of Whipple Hall, and could also try and identify/remedy the heating issues within that building.

Mr. Denning said that he sees this move as a pilot program for something that has been in discussion for a long time: a community center where the 1941 building is. If they can show a need for more space for recreation, it could further promote the idea of a community center.

Chair Bianchi said that the revolving account shouldn't be used to pay for the things in the memo which Mr. Denning had specified. He thought the advantage to having the Recreation office at the town office was that it was open during business hours, and that Ms. Jackman at the front desk could field questions and help people find Mr. Denning. He didn't think de-centralizing the Recreation Department from the rest of the town was a good move. He thought it would end up costing more and didn't think it was a needed move.

Chair Bianchi said he was worried about having no secretary able to assist people with questions. Mr. Denning said that he doesn't currently have set office hours as he is out and about checking on things

during the afternoon. The timeframe that works best for him for set hours from 9:00am – 12:00pm. In the afternoons he is at the beach, checking on the day camp, and is the only full-time employee of the recreation department. A kiosk would be at Whipple Hall, as well as an online registration computer terminal. Mr. Denning said that the second door into the hall would remain locked when he was not in the office, but the entry way would be a good place for brochures and information to be displayed. Right now in the Town Office building, there is not a central area for a kiosk. He opined that the internet is widely used now to answer people's questions or to register for things.

Mr. Denning said that this move will also promote more opportunity for internships with Colby-Sawyer College students. The hall is least used during the day (except for the summer) and it would be a perfect opportunity to have interns come in and assist with programming. He noted that there has to be someone on site when an intern is working with children, which would not be a problem if his office was at Whipple Hall.

Chair Bianchi asked if this was the first step to increase the scope of the Recreation Department. Mr. Denning said the intention isn't to increase the scope, but rather their offerings. With regards to the cost to move, it would be \$650, which could be paid for by the Town if the Board of Selectmen didn't think it should be paid for from the revolving account.

Ms. Helm asked if Mr. Denning envisioned him supervising interns. Mr. Denning said yes and thought it would make sense because he would have his office right there in the same building the programs would be held.

Ms. Helm said that she has been favorably inclined towards this idea. She asked about the conference room that was proposed as being utilized by the Recreation Department. Mr. Denning said that it was an 8x8 room and he would like to use it for storage. Additionally, the room with the glass front would be ideal to use for his office. The larger conference room and the back office would still be available for groups to use and/or rent.

Ms. Helm asked if there was any concern from dispatch, as they would be sharing the building. Chief Seastrand said that the only concern was that if Mr. Denning wasn't there, the dispatch personnel could get a lot of walk-in customers that they'd have to deal with. He commented that Mr. Denning said he would have information set up to answer questions so that dispatch wouldn't need to be bothered.

Mr. Wilson asked about heating the hall when it wasn't in use. Mr. Denning said that he would be able to monitor the heat and make sure it is turned down at night or when the room wasn't in use.

Ms. Markoff said that having the Recreation Department on a ground level floor office space would make it easier for people to come, ask questions, pay for programming, etc. She thought that the consumer-ship of the Recreation program would increase significantly as a result of the move.

Mr. Wilson asked if the main access would be used and if it was ADA compliant. Mr. Denning answered in the affirmative and said it was ADA compliant.

Ms. Kidder said she went through the building with Mr. Denning and they talked about the possibilities and the uses of the office space. Mr. Denning said that no one was using the spaces he wants to utilize. She felt it exciting to make the change and hopefully the programming could grow. A larger space, such as the old middle school, may present itself as an ideal space, as it is suited for the programming Mr. Denning wants to offer. She was in favor of the move. Ms. Helm agreed with Ms. Kidder.

Ms. Helm said they should discuss the bottom line topic as to whether they, as a board and as taxpayers, are going to encourage growth in the Recreation Department. It was noted that the Recreation Department and the Outing Club complement each other and do not duplicate programming so are not in competition. If so, they will need to support Mr. Denning in this initiative.

Chair Bianchi didn't think this would be a wise move at this time. He thought it was a first step to expand programs that may or may not be needed. He didn't agree with Mr. Denning's figures in his memo, and he didn't think the fees to move should be taken out of the revolving account. It didn't seem to him that it would make Mr. Denning's accessibility any easier.

Ms. Helm said that she has a desire to understand from their taxpayers what their vision for their community is. If they don't try some of these things to work towards a vision for quality of life in the town for all ages, they won't know if it will work or not. This seemed a perfect example to try it as a pilot program to see if it fulfills a need in town. Chair Bianchi said that this wasn't a debatable topic regarding a vision. He said that they need to find out if the town feels they are inadequately provided with recreation. He thought there was more than one side of the discussion and opined that they would be wasting time and money. Chair Bianchi thought there would be a problem with heating, access, bothering dispatch, etc.

Ms. Kidder asked if Mr. Denning had room in his current budget for this move. Mr. Denning said he would, if they did it by June 30<sup>th</sup>. He wanted to have something in place for when school started up. He added that he'd like to have programs available in the fall for toddlers. Mr. Denning commented that they do a lot within the Recreation Department with minimal facilities. They use the church, the school, the college and the Outing Club. They even go to Grantham to use a facility. Having a facility on site adds to what they can do.

Ms. Fraley (past Finance Officer) suggested encumbering the funds from Mr. Denning's budget for this year into next year for the move.

Ms. Cook said that following along the lines of the pilot program and the community center, she felt they should move away from New London being known as a retirement community. They need to offer more things to the younger families to entice them to move in. If they don't offer recreation and more opportunities the younger families won't come.

Ms. Piotrow thought the unique niche of New London is that it is a special place that offers recreation, arts, health, and education. Recreation brings people to the area and it is terribly important. She enjoys seeing people having fun, not just older people. Linking recreation with education (Colby-Sawyer College) seemed to be a perfect opportunity to help the programming expand. If it can be done without any major increases to the town it is the kind of direction they should move towards. She suggested using this move as a pilot program for a year to see how it works. There might be opportunities to expand the concept of a community center.

Chair Bianchi said that the young population in town is decreasing and is happening all over New Hampshire, not just in their town. He didn't think that a recreation program would make more people move here. The price of real estate in town is keeping the younger people away. Even the people who work in New London can't afford to live here.

Ms. Carson said that recreation isn't just for the young families who live in New London. Other towns' kids can come and participate in the programs. Before her family moved to New London, they looked around to see what was available for their kids, so this was important for her. Chair Bianchi said that New

London Recreation Department is not a regional YMCA. They have to consider if they want New London to supply recreation for all the surrounding towns.

Ms. Kidder said they didn't feel recreation, itself, would draw thousands of people to New London, but it is a piece of the puzzle. The more people they can get to come into town, whether they live here or not, the better, as they will support the town. They have lost huge segments of the population that supported the businesses when they lost the middle school and King Ridge. If they stay with the status quo they won't have anything for the future. It doesn't sound like it will be a huge expense and she thought they should try it. Maybe they should try it for a couple of years to determine if it works. Not trying this would be regressive. Ms. Helm agreed with Ms. Kidders' sentiment.

Ms. Kannler said she could support what Mr. Denning was proposing as long as it didn't raise the taxes. The more her taxes are, the less she can afford to shop in town. Mr. Denning said that he hopes to utilize the college students more as they need the credits for their majors. They do not get paid, except maybe a stipend for gas. The students want to help, as they get a lot out of working with the kids and the programming.

Mr. Hudson asked if the Recreation Department charges user fees for everything. Mr. Denning said that the Halloween activities and the Easter Egg Hunt are free; it doesn't matter where participants are from because they like people coming to the town to be festive. The beach programming and day camp, etc have set fees. There is no programming money in the budget except for winter programming (Dinner with Jack Frost). The rest comes from their revolving account and they pay \$30,000 between the staff and renting the school facility.

Mr. Hudson asked if the Outing Club was self-sufficient. Mr. Denning said they were and that they are sustained by a membership program. New London offers resident and non-resident fees. Mr. Hudson asked if the two organizations worked together. Ms. Kidder said that the idea was to get the programs to work together but they do their own programming and are separate entities.

Chair Bianchi said he wasn't ready to vote on the issue. He wanted to speak with dispatch and find out more information.

Mr. Denning said a timeline would be appreciated in the interest of encumbering the funds for the move. Chair Bianchi said he would consider it. Mr. Denning asked if he could have an idea when they would discuss this further and vote. It was determined that the issue would be discussed at the next meeting, which was scheduled for the following Tuesday at 6pm.

Chair Bianchi said Mr. Denning would need an obligation and purchase order to encumber funds. Mr. Denning said that it didn't cost as much to open the beaches as he thought, so there is some money left over that could be used if encumbered before June 30<sup>th</sup>. He could get purchase orders for hardware, and for running a line from the Town Office to Whipple Hall to enable the continued use of necessary software.

#### Approval of Minutes

May 29, 2012

**IT WAS MOVED (Janet Kidder) AND SECONDED (Tina Helm) to approve the minutes of May 29, 2012, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

Page 5, second sentence: delete "a."

Page 6, Chair Bianchi "special" driver's license.

Page 7, Chair Bianchi said they should advertise for “the” following week.

Page 8, Ms. Hallquist responded that the Board of Selectmen..no discussion “has” been held.

Page 9, CAC: Ms. Helm said they would ask for “general” recommendations.

June 2, 2012 – CAC

**IT WAS MOVED (Tina Helm) AND SECONDED (Janet Kidder) to approve the minutes of the June 2, 2012 CAC meeting, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

Page 2: there has “been” some public discussion

Page 4, Mr. Bianchi said that “those” issues...

Discuss Memo from Arnie Vesilind of the Bandstand Committee

Chair Bianchi said that he, Ms. Hallquist and Mr. Vesilind met with State Office of the Attorney General staff on May 4<sup>th</sup>, with regards to charitable trusts. The Town was given a memorandum by Mr. Vesilind about the meeting, which everyone seemed to agree was a fair and accurate representation of what was discussed and agreed upon. Another letter has since come from the Bandstand Committee regarding the concerts and the amounts they wish to spend. The letter stated that if the Board of Selectmen doesn't appropriate \$14,900 they will cancel the concerts for the summer. Mr. Cook said that if they don't get the money for the bands, they have to let the bands know that they can't be paid. That was the intent of the letter. Chair Bianchi said this was not expressed in the letter. He felt New London was being put in the middle. He thought they would have to instruct the trustees of the trust fund to get this money to the bandstand committee. He offered to go through discrepancies he found in the two letters they received privately.

Ms. Helm shared Chair Bianchi's frustration with the different budgetary quotes. She didn't think it was their purview to give the entire amount requested. At the very least they should allocate the money for the summer concerts. There is a secondary interpretation of the trust to extend the concerts throughout the year, from March through November. Ms. Helm asked if the \$700 for the Outing Club concert and \$700 for the Colby Sawyer concert had been paid for. Mr. Cook didn't believe this money had been released and paid yet to the band.

Ms. Helm thought they should pay for the bands and the publicity for the summer. She calculated 10 concerts from June – August. She offered that \$2,000 for publicity might be sufficient, and thought they should exclude the cost for the rental of performance space.

Ms. Kidder said it wasn't their judgment to decide how the money was to be spent. She didn't think there was misuse of money. They should try and find out who has control of the funds. Whoever has control should get them.

Mr. Cook said he was the treasurer of the Kearsarge Band and is Treasurer-in-departure of the Bandstand Committee and has studied the numbers. He has looked at the Mendelson trust documents. The money was left for promoting the use of band music. This means more than just what has been happening on the bandstand. He understands the difference of opinion on these matters. As someone who has been the trustee of about 15 trusts, he knows that the trust can only do what the language permits. He looked at the Mendelson trust and to go beyond the bandstand series to include other concerts inside the area meet the definition of what Mr. Mendelson was after in the language of his trust. If they don't grant the full funds that day, the argument would be that the Board of Selectmen was specifying when concerts could be held. He saw an encouragement of band music throughout the year in the area. In the \$14,900 was the broader interpretation of band music in the area throughout the year. That is what Mendelson had in mind, they

believe. No part of this money was voted on or will ever be voted on at Town Meeting but is a matter of decision of the Trustee of Trust Funds and the Board of Selectmen, as they are the owners of the bandstand facility.

Chair Bianchi said that at the meeting with Terry Knowles, Trust Division of the Office of the Attorney General, she pointed out many things the bandstand committee wanted to spend money on that were not appropriate. Mr. Vesilind's requests have changed from \$14,890 to \$14,900. More band concerts were added and the expense for hiring the Kearsarge Community Band has increased by \$150 per event. There are more discrepancies from one letter to the last one they received. In the future they will probably be looking into having a probate court go through the will to decide who the money belongs to. Mr. Cook felt it important to have a resolution so both sides can agree. They don't want to put any undue pressure on the Board of Selectmen but they have signed contracts with people. Ms. Kidder said they will approve the amount going forward but going forward they need guidance to figure out who controls the money. Mr. Cook agreed.

**IT WAS MOVED (Janet Kidder) AND SECONDED (Tina Helm) to approve \$14,900 be paid from the restricted account as requested by the New London Bandstand Committee for the 2012 band concert programming. THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Bianchi said there are two accounts, restricted and un-restricted. Restricted is what they are all referring to that was in Steve Mendelson's Will. Mr. Cook said it has to be paid by the money earned from this account.

There was some discussion about who should and who has taken care of the bandstand's upkeep. Ms. Hallquist said that it is a town building so the town is responsible for it. The bandstand committee had done some work but there was no indication of where the money came from to do this work.

#### Appointments

Ms. Hallquist said she emailed the chairs of the boards and committees to see who want to be reappointed and who else would like to join. It appeared that all whose terms were expiring would like to be re-upped. Doug MacMichael would like to be appointed to the Economic Development Committee. Ms. Helm suggested that Jim DeAngelis become a member of the CAC as she had been contacted about him wanting to participate, although no one had heard from him directly. It was noted that Sue Clough wanted to join the CAC.

**IT WAS MOVED (Tina Helm) AND SECONDED (Janet Kidder) to appoint Doug MacMichael to the Economic Development Committee. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Tina Helm) AND SECONDED (Janet Kidder) to reappoint Michael Doheny and Janet Hutchins to the Economic Development Committee. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Tina Helm) AND SECONDED (Janet Kidder) to reappoint Rich Anderson and Hardy Hasenfuss to the CAC, and to appoint Sue Clough to the CAC. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Janet Kidder) AND SECONDED (Tina Helm) to reappoint Bill Green to the Zoning Board of Appeals. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Janet Kidder) AND SECONDED (Tina Helm) to reappoint Michael Doheny as an alternate to the Planning Board, and Michele Holton and Emma Crane to the Planning Board. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Janet Kidder) AND SECONDED (Tina Helm) to reappoint Andy Deegan, Rick Anderson, Dan Allen, and Terry Dancy (alternate), to the Conservation Commission. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Janet Kidder) AND SECONDED (Tina Helm) to reappoint Steve Ensign and John Ryan to the Board of Firewards. THE MOTION WAS APPROVED UNANIMOUSLY.**

Finalize Job Description of Planning & Zoning Board Administrator

Chair Bianchi said under “essential duties” where it says that the administrator will be appointed to the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC)” he would like to change it to “may serve” and not make it obligatory. Ms. Kidder agreed and said the members of the Board of Selectmen should perhaps take turns going to the UVLSRPC meetings to see what they are doing.

Chair Bianchi said that under the minimum qualifications it says that they should be under “possession or eligibility to obtain...” and this should be changed to: “Possession of a valid drivers’ license.”

**IT WAS MOVED (Tina Helm) AND SECONDED (Janet Kidder) to accept the Planning and Zoning Administrator job description, as amended.**

Mr. Hudson asked if there was anything in the description about following up with building permits. It was noted that this was included.

**A vote was called: THE MOTION WAS APPROVED UNANIMOUSLY.**

Chair Bianchi said that pay and job classification were the last things to determine. He thought they should start the person as non-exempt. Ms. Helm asked how they would monitor a non-exempt person. Ms. Hallquist said they have to fill out a time sheet just like everyone else in the office. She said everyone, salary or not, has to fill out a time sheet. Ms. Helm asked if they could change to “exempt” after a period of time. Ms. Hallquist said that they could and that it is about the job and the level of independent judgment they allow. She said that everyone is considered non-exempt and it is a big deal to prove that they are exempt. She didn’t feel this would make a difference to applicants but that they would have to be careful because they will need to pay overtime.

Chair Bianchi said no other town the size of New London had full-time code enforcers except for New London and Tuftonboro. He wondered if they wanted to advertise the job for 40 hours per week. Ms. Kidder said once they determine their needs this was a decision they could make. It is being advertised as full-time. They will determine this before the interview process as it will surely be asked by the applicants. Chair Bianchi said everyone else is 40 hours per week so he thought this one should be too.

Chair Bianchi said they will have a month or two without anyone in the office to process building permits as Mr. Stanley had been doing. He felt it prudent to put a small ad in the Kearsarge Shopper and the Intertown Record to let people know that while the Town is in search of a new Zoning Administrator, building permits may take longer than normal to be approved and acted upon. Ms. Helm and Ms. Kidder didn’t feel this was necessary and didn’t think attention needed to be brought to the issue. It was decided not to place an add.

New Business

Ms. Hallquist explained that Ms. Hardy (Town Clerk/Tax Collector) asked for them to sign a warrant for civil forfeiture for dog owners.

**IT WAS MOVED (Tina Helm) AND SECONDED (Janet Kidder) that the Board of Selectmen sign the warrant for civil forfeiture of unregistered dogs as presented by Town Clerk/Tax Collector, Linda Hardy. THE MOTION WAS APPROVED UNANIMOUSLY.**

#### Town Administrator's Report

With regards to the bandstand, which needed some work, Ms. Hallquist said that the Town Hall Maintenance and Repair fund had \$2,700 left in it. Chair Bianchi said that to replace the finials it would be between \$300-\$400. He said he would place an order for these. There were other things that needed to be maintained on the bandstand and the Board of Selectmen and Ms. Hallquist would take a look at it and decide what needed to be done.

Ms. Helm said that when JL Toner was there to ask for a waiver for the use of Whipple Hall for October 30<sup>th</sup> she said that they'd like to use the hall for other meetings, for example, to discuss possible constitutional amendments. Ms. Toner wondered if she had received a blanket waiver or if they would need to come in every time to request one. Ms. Kidder thought they could have a blanket waiver as people will always be running for office. She said there is no greater thing towns can do than educate the voting public. Ms. Helm agreed to call Ms. Toner to let her know this.

The next Board of Selectmen's meeting is scheduled for Tuesday, June 12<sup>th</sup> at 6:00pm.  
The next Planning Board meeting is scheduled for Tuesday, June 26<sup>th</sup> at 7:00pm.

#### New Business

Ms. Kidder thought that one person from the Highway Department should become certified in using pesticides. Chair Bianchi wondered the cost for this and what it involved. Ms. Hallquist said she was planning to do some research on this and would provide details soon.

#### Application for Building Permits:

- Adams Living Trust – 65 Castle Lane (Map & Lot 130-015-003) build steel garage on cement pad – Permit #12-051 – Approved.
- Patricia Freeman, 371 Little Sunapee Road (Map & Lot 046-012-000) enlarge present deck add railing – Permit #12-052 – Approved.

#### Application for Temporary Sign Permits:

- Wilmot Bandstand Committee – sign at information booth – Approved.
- Kearsarge Arts Theatre – sign at information booth – Approved
- Council on Aging – sign at information booth

#### Application for Permanent Sign Permits:

- Lindsay Hartzell - Active Nature Gear & Recreation Hub – 464 Elkins Road – approved.
- Kristin Burgess – eb by Emily B – 10 Lovering Lane – approved.
- Visiting Nurse & Hospice of VT & NH – 256 Main Street – approved.
- American Cottage LLC – 256 Main Street – approved.

#### Application for use of Whipple Memorial Town Hall:

#### Application for use of Sydney Crook Conference Room:

#### Other Items to be signed:

- Disbursement voucher
- Discretionary Preservation Easement Application – 64 Little Sunapee Rd – Approved
- Warrant for civil forfeiture for unregistered dogs.

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

The meeting adjourned at 9:30pm.

Respectfully submitted,

Kristy Heath, Recording Secretary  
Town of New London