



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES January 23, 2012

PRESENT:

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

ALSO PRESENT:

Richard Lee, Public Works Director
Doug MacMichael, New London Resident
Merry Armentrout, Reporter for the *Intertown Record*

Chair Kaplan called the meeting to order at 6pm. He noted that the first appointment, Peg Birch and members of the Garden Club, have decided not to attend as planned. Mr. Bianchi said that Whipple Hall should be used for the school elections and that the Garden Club, who had reserved the hall for the same date previously, will have to make other arrangements. The Board of Selectmen agreed to discuss this matter later on in the meeting.

Elkins Transportation Improvement Project - RFQs

Richard Lee was present to discuss the Elkins Request for Qualifications (RFQs) that had come in. He said that he went through all nine RFQs and chose four that he thought were the most in-tune to what they were looking for. He concentrated on who the companies would put on the job, and what their qualifications were and what their experience with sidewalks and walkways was. He felt that all the firms he chose were ones who would work with and listen to the requests of the town. Holden Engineering was one of the firms that he favored. Mr. Lee said that he has worked with them in the past in Wilmot, and he felt that they had engineers who were in-tune to smaller municipal projects. Clough Harbour & Associates (CHA) was another firm he favored as they have worked with New London in the past. Other firms he was interested in were CLD Engineering (Charlie Hirshberg from CLD has worked in New London previously), and Pathways Consulting out of Lebanon. Mr. Lee felt the Elkins committee and the Board of Selectmen could perhaps make a decision from these four he had chosen.

Mr. Bianchi said he also reviewed all nine RFQs. He looked at the company profiles, experience on similar projects, and the comments they gave on the process. He and Mr. Lee both agreed on two: CLD and Pathways. He was concerned with Holden as he felt they would over-think the project. He didn't prefer Clough Harbour as it was a very large company and their main selling points were the past projects they have done in New London. Other firms had estimates that were outrageously high or had cemeteries and boat launches in the wrong places as depicted in the maps that they included in their proposal. Some had incorrect numbers with regards to the length of sidewalk that was to be built.

Mr. Bianchi only knew of Charlie Hirshberg from CLD, who is local and has a better familiarity and interest in the area. He has come before the Planning Board in the past and has worked with the Town on the dam in the 80's.

Mr. Lee said he has worked with Bill Rosignoll at Holden in the past with the Campground Road bridges in Wilmot. He felt he had a good working relationship with him and that they would work well with the town. He said the firms he chose weren't going out to hire surveyors; they were all on staff. Mr. Bianchi felt Holden gave the best presentation and had the best pictures but he continued to have reservations about them doing this particular project.

Mr. Bianchi said one firm offered that they had an archaeological expert on staff, which he didn't feel was a huge selling point because they would only be digging 1' down. Mr. Lee said that they have to do the historical portion of the project to satisfy the requirements of the federal grant.

Ms. Helm said that Mr. Lee had mentioned in earlier discussion that Holden was helpful in getting waivers for the project they worked on in Wilmot. She wondered how important this element would be for the Elkins project. Mr. Lee said he was using that example to illustrate how Holden was able to work with them to get things done to meet certain requirements. He felt they were knowledgeable enough to come up with the waivers and knew what needed to be done. He felt some other firms would go through the process and then decide to get a waiver after the project had been started; Holden knew right off the bat what needed to be done.

Mr. Bianchi said if the town had hired an engineer on a retainer basis to make sure all the disability transitions on the sidewalk were done appropriately, the Town could have done this project perfectly well by themselves. Now they have a grant and have to spend all this money, go by Bacon Davis laws, etc. He didn't feel this project was very complex. Mr. Lee agreed and said that they need to make it clear to the engineers that this project could not get carried away. There are many checks and balances that need to be made throughout the project and with certain people along the way. The Board should define its goal for this project and then keep the engineers within the scope of the project.

Mr. Lee said that it was requested that the engineers indicate whether or not they could meet the time frame that was given for the project. He stressed that it had to be completed by fall of 2013. They plan to go out for bid Jan/Feb of next year and the sidewalk would be constructed in the summer of 2013.

Ms. Helm suggested they eliminate some of the nine RFQs to better narrow down the choice of firms to be interviewed.

Mr. Bianchi said that besides Pathways and CDL, he had chosen Debois and King and Provan & Lorber. Mr. Lee said that Dubois and King was a firm as large as Clough Harbour, although this wasn't clear in their RFQ. Mr. Bianchi said he wasn't aware of this fact. The Board of Selectmen agreed to interview the firms of: CLD, Pathways, Holden, Provan & Lorber and Clough Harbour.

Chair Kaplan felt they should bring in the Elkins committee to be involved but wondered if they should decide on the firm and present their decision to the committee or if they should allow the committee to help decide who to choose. Mr. Bianchi felt the committee should send two representatives to the Board of Selectmen, as working with the entire committee would be too difficult. The representatives would be able to attend the interview meetings and ask questions if/when the firms are brought in to discuss qualifications.

Ms. Helm asked if they wanted to have two universal questions they all focus on as they look at the firms. Ms. Hallquist said there is a checklist that they will go by. Mr. Lee said the checklist includes questions that are asked of every firm and then there were different follow-up questions asked, as appropriate. Mr. Lee said that they could scale the firms 1-5 in their own mind as they go through the process. At the end

they could all hopefully agree on who they would choose. Ms. Hallquist said that the ranking they come up with must go to William Rose at the State level before negotiations are started or offers are made.

Mr. Bianchi thought they should know what the Elkins dam status was and where it was going. If they have a problem with the dam, it will take priority over the sidewalk. Chair Kaplan agreed that this was no question. Mr. Lee noted that Wright-Pierce is scheduled to come to the February 6th selectmen's meeting to present their findings and recommendations to date.

Mr. MacMichael asked if they are going to change the stop sign at the intersection at Wilmot Center. Mr. Bianchi said that was one issue the firms all tried to address as it is a safety issue that the grant is supposed to improve.

Mr. MacMichael asked what would be done with the bridges by the dam. Mr. Lee said it depended on what the engineers would come up with. They would have to work with the engineer chosen to make sure that the town's wishes are heard and that the project didn't end up costing too much or creating additional conflict.

Chair Kaplan said that after the two representatives from the Elkins committee have reviewed the five RFQs, they should meet with the Board of Selectmen to discuss further and move forward. Mr. Bianchi said that once they narrow the firms down to three, they should have them come in to talk about estimates. Once they speak with the firm and are given a figure for the work, they must either hire them then, or move on to the next firm. They can't go back to that firm once they are passed over.

Ms. Hallquist noted that the grant requirements are that the town selects the engineering firm based on qualifications first, and then negotiate the price. Mr. Bianchi felt any of the nine firms would be fine to do this small project. The difference between them is cost but they can't choose the lowest bid because this is a grant. Mr. Lee said that Mr. Rose will explain that these are the rules when using a grant. The firms must be hired based on qualifications only; not on price. He said that the town can negotiate the price with the firm when they are considering them, but once they have been passed over, they cannot be considered again. The State wants to see the rankings that the firms are given by the town before there is any talk of cost. Then the firms have to be negotiated with in that order; first to last.

Chair Kaplan said the next meeting they will have should be with the two representatives of the Elkins Committee and should be given the five RFQs to review. Mr. Bianchi suggested meeting with the committee on Feb. 21st at 8am to narrow down the choices. Mr. Rose will be requested to attend this meeting so he can explain the rationale behind the selection process of the firms. They can then set up a time to interview the top choices. It would be part of the agenda for the 8am Board of Selectmen's meeting. It was noted that \$149,000 was approved at the 2011 Town Meeting for engineering costs for this project.

Wastewater Bill Abatement Requests

Mr. Lee said there were three requests for waste water bill abatements.

One is from Sandra Fajans on Cricenti Lane who has an outdoor sprinkler system. Three summers ago it was discovered that the meter was put in backwards (which was then fixed) and in 2010 the meter stopped working. Last summer they put a new meter in. The homeowner applied for abatement because the previous bill she received was for considerably less than what she had actually been using. Mr. Lee recommended an abatement of \$455.00. He suggested sending her a letter explaining that the readings were incorrect but it wasn't the town's fault that the meter was put in backwards to begin with. She was billed for 7,000 gallons that went through the sewer, which is average for what she had been billed for in previous years.

The second abatement request was from Robert Ewing for property on Main Street. Mr. Ewing planted 40 new trees and used 40,000 gallons of water through the summer to water them. He did not have a deduct meter and so was billed for 40,000 gallons going into the sewer. Mr. Lee said that he was asked if they could reduce the bill to 13,000 gallons, what the normal usage was. This would be an abatement of about \$435.00. Mr. Lee said that Mr. Ewing will be sent a letter requesting that if he was to do this kind of outside watering again, he would need to get a deduct meter to show that the water was pumped outside, and didn't go into the sewer system. Otherwise, this sort of bill would not be forgiven by the town again.

The last abatement request was from Mark Brady on Little Sunapee Road, who used 6,000 gallons of water in a swimming pool. He did not have a deduct meter but the water didn't go into the sewer. This would be a \$78 abatement. Mr. Lee suggested that Mr. Brady also get a letter explaining that he would need a deduct meter for the future or he would be required to pay for the sewer charges, as calculated by the water precinct.

Mr. Lee noted that these were all one-time abatements and in future years they won't be forgiven for these properties. He explained that unlike some requests for abatement that have been denied in the past, in these cases the water was used outside, and never went into the sewer system for treatment. Mr. Bianchi asked if they could include a note in the sewer bills explaining that if these sorts of things are going to be done (watering trees, filling pools), deduct meters should be used. Mr. Lee said that they could put something on the bills. He noted that they have installed many more of these meters over the last few years as people are watching their money more closely.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to grant sewer abatements to the following people: Sandra Fajans (\$455.00), Robert Ewing (\$435.00), and Mark Brady (\$78.00). THE MOTION WAS APPROVED UNANIMOUSLY.

Approval of Minutes

January 4, 2012 – 8am

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the minutes of January 4, 2012 (8am), as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

Amendments were:

Ms. Hallquist said that on page 5, the library approval should read \$433,420.

Chair Kaplan said on page 7 it should clarify that Mr. Denning was referencing Little Lake Sunapee.

Chair Kaplan said on page 8, Mr. Bent should be replaced with Dr. Bent. This would be a global change.

January 4, 2012 – 6pm

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the minutes of January 4, 2012 (6pm), as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

Amendments were:

Mr. Bianchi said that on page 3, second to last line: the cost should be \$1,508.

Mr. Bianchi said that on the last page, the correct spelling should be "Langner." Also, "Mr." Bent should be replaced with "Dr." Bent.

Chair Kaplan noted that when talking about FEMA, the word storm was misspelled as "strom."

January 7, 2012 – CAC Meeting

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the minutes of January 7, 2012, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

Amendments were:

Mr. Bianchi said that on page 5 it should say "...the morning "of" the deliberative session."
Also, in the fourth paragraph it should read "instituted" instead of "instilled."

January 9, 2012 – 8am

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the minutes of January 9,, 2012 (8am), as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

Amendments were:

Chair Kaplan noted that on the second page, Wright-Pierce was misspelled.

January 9, 2012 – Board of Selectmen/Budget Committee Meeting

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the minutes of January 9, 2012, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

January 9, 2012 – non-public minutes

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the non-public minutes of January 9, 2012, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

January 13, 2012

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the minutes of January 13, 2012, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

January 13, 2012 non-public minutes

IT WAS MOVED (Peter Bianchi) AND SECONDED (Tina Helm) to approve the non-public minutes of January 13, 2012, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

Amendments were:

The word "interest" was spelled incorrectly.

Joan Lamson's Letter

Ms. Helm believed that she had been misquoted by Ms. Lamson in the letter. Mr. Bianchi thought many of her facts were not correct but that she should be thanked for sending in the letter. Ms. Hallquist said that she would write an acknowledgement letter to Ms. Lamson and perhaps suggest she join the town's email list to keep abreast of meetings and notices coming from the town.

LGC

Ms. Hallquist informed the Board that LGC inquired if a member of the Board of Selectmen would be interested in contacting Senator Bob Odell, or in assigning the task to her, to speak to him regarding pending legislation having to do with RSA 5-B regarding pooled risk management programs (including Primex, Schoolcare and LGC). LGC's position is that the legislation, if passed, will make it difficult for adequate reserves to be kept within the pooled risk groups. All insurance companies must keep reserves, and the policy of LGC has been to keep reserve high enough to be able to avoid big swings in rates for their policyholders (New London is one such policyholder). Mr. Bianchi noted this was an ongoing battle with LGC and other institutions.

Chair Kaplan said he has a friendship with Senator Odell and plans to get together with him in the next few weeks. He could bring it up should the board desire. Mr. Bianchi said he didn't know what the right answer was with regards to the reserves. Ms. Helm agreed. Ms. Hallquist noted that the Board could request that someone from LGC come and talk to the Board about it if they wanted. Chair Kaplan said he has always dealt with companies that have high reserves and he has been in favor of the practice. Mr. Bianchi said it looked like LGC was fighting the state.

Chair Kaplan said he could discuss the issue with Senator Odell on behalf of the Board and see if he can find out the details and clarify the issue. Ms. Helm and Mr. Bianchi said that Ms. Hallquist should let LGC know that they are looking into the issue and that the Board may request that someone from LGC meet with the Board for further clarification.

West Side Drive

Ms. Helm asked where they were with West Side Drive as she heard that Harry Snow was still plowing for them. Ms. Hallquist said that Mr. Chiarella, attorney for Mr. Snow, took exception to some of the language that is in the deed as suggested by the town's attorney. The town is awaiting the properly executed deed from Mr. Snow, at which time it will be recorded and the town will begin maintenance of the roads.

February 4th. CAC meeting topics

Ms. Hallquist asked if the Board had suggestions of topics for the next CAC meeting so that members could be told when the meeting reminder goes out. Ms. Helm noted that possible topics could include a discussion with the new Chamber of Commerce Director. Mr. Bianchi suggested an Elkins project update might be useful. The Board said they would think about possible topics and contact Ms. Hallquist later in the week so that e-mail reminders could be sent to the committee.

Garden Club

Chair Kaplan said the Board would have to inform the Garden Club to move their function from Whipple Memorial Town Hall, scheduled for March 13th, to accommodate the school elections. Ms. Helm asked what the rules were that made it so the school election had to be on the second Tuesday of the month. Ms. Hallquist said it is because it is part of the Charter and state laws setting election days. There is no choice but to have it on the second Tuesday in March (for the school, the town's election is the second Tuesday in May).

Mr. Bianchi said that the Board of Selectmen approved the Garden Club's request in error and agreed with Ms. Helm that this is part and parcel of getting used to the new Town Meeting timeframe. It was suggested that a letter be sent to the Garden Club from the Board of Selectmen apologizing for the error.

Sewer Meeting

There would be a meeting at 9:00 am on January 26th at the Sunapee Wastewater Treatment Plant. People from DES and Rural Development will be in attendance. Chair Kaplan wanted to attend because he wanted to express his concern once again that they not go over budget. Mr. Bianchi said he wasn't interested in going if they were just going to go over specifics of the project that weren't up to them, such as valves and the like. Ms. Helm indicated that she planned to attend.

Application for Building Permits:

- Sarah McCann, 93 Wilmot Center Road (Map & Lot 053-001-000) build roof over porch – Permit #12-001 – Approved.

- Linda & Brian MacKenzie, 246 Birch Acres Road (Map & Lot 074-029-000) close in cathedral ceiling add room above – Permit #12-002 – Approved.

Application for use of the New London Town Commons:

- Ausbon Sargent Land Preservation Trust, Celebration of Ausbon Sargent's birthday – June 11, 2012 - 9AM-2PM – Approved.
- New London Bandstand Committee, Yankee Brass Band, Wednesday, July 25, 2012, 6:30-8:00PM – Approved.

Application for use of the Whipple Memorial Town Hall:

- New London Bandstand Committee, Yankee Brass Band, Wednesday, July 25, 2012, 6:30-8:00PM – Approved.
- Tracy Memorial Library, Wednesday, July 18th, 2012, 5:00 – 8:00 PM – Family night program – Approved.
- NL Rec – Tuesdays – February through March (except 3/13/12) 3:30-5:30 – Approved.

Application for Sign Permits:

- NLOC, Comedy night, sign at Chamber Booth, February 4, 2012 – 8:00PM - Approved.
- New London Historical Society, continuous signs at Chamber Booth for events throughout the year – Approved.

Other Items to be signed:

- Disbursement voucher
- Land Use Change Tax – Map & Lot 070-044-000 - Approved
- Petition & Pole Licenses (3)

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

The meeting adjourned at 8:20pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London