



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN  
MEETING MINUTES  
October 28, 2013

**PRESENT:**

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

**ALSO PRESENT:**

Phyllis Piotrow, Budget Committee Member  
Karen Ebel & Dave Kidder, New London Residents and State Representatives  
Bruce Hudson & Renate Kanler, New London Residents  
Merry Armentrout, *The Intertown Record*  
Larry Ballin, New London Resident  
Cicely Markoff, New London Resident  
Melissa and Rocky Saccento, Mangers, Market on the Green  
Leigh Bosse, *The Messenger*  
John Lewis, New London Resident  
Tom Murray, TDS Telecom  
Bill Granger, Facilities Manager

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

Market on the Green Update – Larry Ballin

Chair Helm recognized Larry Ballin who asked to speak on behalf of the Market on the Green. Mr. Ballin said he was asked to chair the new board of directors for Market on the Green after the Town turned it over from the Recreation Department. His group has since created their own 501(c)(3) to operate as a non-profit organization. Mr. Ballin reported that they had a lot of new vendors this year and business was quite good despite the fact that it rained most Wednesdays. He thanked the Town for allowing them to use the green and for keeping it maintained. There were 29 full-time vendors and four part-time vendors that participated. Lots of positive feedback was heard from the retailers on Main Street. Mr. Ballin said he was interested in feedback from the Board of Selectmen.

Chair Helm thanked the Market on the Green group for the work they did this past summer and fall and observed that the feedback she has received is that the market is a positive thing in the Town. The Selectmen gave it their blessing to continue with the market for next year. Ms. Piotrow asked if there were any complaints from people at all with regard to the market. Mr.

Ballin said the excess water on the green from the rain did cause some complaints. Ms. Markoff said they do the best they can with the topography they have to work with. Mr. Canolli said they also condensed the area in which the vendors were situated which made it easier for older patrons to get to see all the vendors. There had been complaints in prior seasons because the vendors were too spread out.

State Representatives – Karen Ebel, Dave Kidder

Chair Helm observed that Representatives Kidder and Ebel held a listening session to hear from their constituents just before the Selectmen's meeting. Mr. Kidder addressed the Board and noted that he and Ms. Ebel want to make sure the lines of communication are open between them and the towns they represent. He said the State of New Hampshire ended up with a \$76 million dollar surplus after the biennium but they weren't sure where it would go yet. He added that they would try to coordinate more interaction with the Selectmen, should any bills come forth with implications for the towns. Ms. Ebel said they are currently doing this with the Town of Newbury and it is working well. She added that she is on the Public Works and Highways Committee and that committee is working on the 10-year plan for the funding of the infrastructure in New Hampshire. Resources are dwindling and there is concern that adequate funding will be found for repairs of the state's roads. She observed that 1/3 of the roads in New Hampshire are deemed poor. The committee would like to repave about 500 miles of road per year but now it is looking to be about 300 miles. Route 103a is of specific concern in Newbury although it isn't even on the 10-year list. Mr. Kidder said revenues in New Hampshire are up about 17% which is considerably brighter than in previous years.

Ms. Kanler said she read that all the money raised through the road tax is being used for construction of roads and bridges. She wondered if this was true. Ms. Ebel said it is constitutionally protected that those taxes as well as road tolls and user fees are to be used between Department of Safety (DOS) and the Department of Transportation (DOT). They try to keep it at ¾ going to DOT and the rest to Safety.

Public Hearing: Kearsarge Telephone Company, aka TDS - Franchise Agreement, Tom Murray

Mr. Murray addressed the Board and noted that TDS is now ready to enter into a franchise agreement with the town, following the discussions started about a year ago. He explained that currently TDS offers a "triple-play" of services that include voice, video and data. To be competitive they would like to add their own TV product which will be called "TDS TV." New London is the first community in New Hampshire that TDS will be approaching for this new service, which will entail quite a bit of fiber optic infrastructure. He observed that a lot of the necessary fiber already exists in town. For those who subscribe, fiber optic cable would be installed from their home and is capable of very high speeds for TV and broadband.

Mr. Murray said the franchise agreement for TDS is pretty much identical to the one the Town has with the Comcast franchise agreement they granted in 2009. He said some of their attorneys have added some proposed amendments to the agreement which New London's attorney has signed off on all but two. Selectman Kidder wondered how long before people could start using the service. Mr. Murray said toward the end of the year they would do some trials with about

50% of the town. It would be about a year until they could make it available to everyone in New London.

Selectman Bianchi noted it looked like they would be getting the same percentage (franchise fee) as they do with Comcast. Mr. Murray agreed.

Ms. Hallquist read from RSA 53-C:3-a, I-VIII, addressing each element to be considered by the Board in making a decision on the request for a franchise agreement.

In response, Mr. Murray noted that TDS is a Fortune 500 company that exists in about 20 different states and owns US Cellular. They have been doing broadband and fiber optics for years. TDS is not just a telephone company anymore and they have extensive resources in Wisconsin where they have made a recent purchase. Mr. Murray explained that they have small, medium and large programming packages to offer, and their franchise allows them access to a PEG channel, which is a public access channel. They would work with Comcast to broadcast this channel to their subscribers as well. He added that TDS has many laws to comply with to insure safety, both federal and national. They also have a competent staff to provide prompt service and answer customer complaints. TDS has call centers and people in the Hopkinton office to help with customer issues.

Selectman Bianchi understood that Town Counsel was reviewing this document and said they have to make sure it is no more favorable than the existing cable agreement with Comcast. Mr. Murray agreed and understood that lawyers from TDS and the town were working on acceptable wording in some areas.

Mr. Lewis asked if TDS could follow through with their promise of high-speed internet. Mr. Murray said they are offering robust speeds which will be much faster than Comcast. He hoped their presence in the town would offer price competition and provide a good value to the residents. Chair Helm said she was in favor of giving their residents choices and noted they had not had a choice until now. She would defer to their attorney before proceeding with making a decision.

Ms. Piotrow said she was on the board of directors at Hilltop Place. The residents currently have a contract with Comcast and understood that they also had fiber optic cables. She wondered if TDS would need to put their own cables in or if they could use the ones that Comcast already has in place. Mr. Murray said he would have to talk to the technicians and see what would need to be done but they were not able to use Comcast's cables; they would have to install their own.

Ms. Piotrow noted that Comcast's base package excludes MSNBC which she felt was a bias. She offered that adding this station to the TDS base package may encourage some to sign up for this new service.

Mr. Hudson said there are multiple homeowners associations and condominiums associations that may be interested in finding out about the services TDS can provide. Mr. Murray said he would look into those areas.

Chair Helm thanked Mr. Murray for coming and said the final OK would come from the Town's attorney.

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Janet Kidder) to continue the hearing on the cable TV franchise for TDS until the November 4<sup>th</sup> meeting at 8am. THE MOTION WAS APPROVED UNANIMOUSLY.**

Billy Granger – Facilities Manager – Update on the Gazebo Roof Replacement

Mr. Granger said in looking at the bandstand he feels the reason it is in such bad shape is because of the way it was installed; without adequate ventilation underneath the shingles. He thought they should keep it wood but change the manner of installation to add ventilation and prohibit decay. The back side of the roof is fine and is in great shape because it sees no sun. Regardless, the entire roof should be replaced at this time.

Mr. Granger provided proposals to the Selectmen for the replacement. He recommended going with a wood shingle as opposed to synthetic. The lowest bid for the wood shingle was the Alaskan Yellow Cedar shingle which included installation with ventilation and used a felt based tar paper. It has a rubber roofing now which doesn't allow the wood to breathe.

Mr. Granger was asked about synthetic materials. He said they are guaranteed for life but the companies come and go and the materials won't be the same if replacement is needed. If done right, a cedar roof will last 30 years. Selectmen Bianchi noted that money was available in the capital reserve for this project.

The Alaskan Yellow Cedar roofing estimate was in the range of \$21,000. Mr. Granger said there was also a Red Cedar shingle that cost less that can be treated. He explained that this work can be started the week after Thanksgiving and the contractor would be able to finish as weather permitted. He would watch over the process to make sure it was done properly. The contractor would set up and pick up every day to keep the area looking tidy.

Ms. Hallquist said an official written proposal would be needed with proof of insurance before they can come up with a purchase order.

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Janet Kidder) to go forward with the recommendation of Billy Granger to use the contractor he chose to replace the roof shingles on the town gazebo roof with Alaskan Yellow Cedar, at a cost of \$21,282.95 understanding that additional underlayment work may be needed once the existing shingles are removed. This additional work may be completed as an add-on with prior approval.**

Mr. Lewis said Weathercheck did the roof on his father's home a couple years ago. He thought they should be asked to provide an estimate. Chair Helm said the Facilities Manager's position is to bring forth considerations to the Selectmen and perhaps Mr. Granger could comment on this request. Mr. Granger said he had contacted Weathercheck early on in his search for the right contractor.

**THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Granger was instructed to request a formal proposal and insurance documents from the contractor he would like to use.

Mr. Granger said he recently took down the community bulletin board, and sanded and painted it. There would be an electrician coming the next day to look at Whipple Hall which has been having an issue with the heat not working. Merry Armentrout asked if the electrical outlets in Whipple Hall could be covered as there is something called "Tot Time" held there weekly, where children are crawling around. Mr. Granger said he would check this out.

New Business

Chair Helm noted that they received the Supreme Court filing for the Deacon Family Trust.

John Lewis

Mr. Lewis met with the Board to discuss his concerns with a visit by a person presumably hired by the town to collect data for the assessing department. He noted that he was caught off guard by this person and was not told that he was there to take measurements for assessing purposes. Mr. Lewis was not happy with the manner in which the measurer performed his job. He noted that he did come in to speak with Ms. Hallquist about it previously. Ms. Hallquist noted that Mr. Bernaiche had offered to provide photographs of the people who may have been working the day Mr. Lewis' home was measured in an effort to pinpoint the offending person. Mr. Lewis said in the future, he would appreciate a phone call prior to these kinds of visits as this measurer caught him off guard.

Mr. Lewis summarized his objection to the person who visited his home: (1) he shouldn't have announced that he is going to go around the house; (2) he was never clear about his objective or who he worked for; (3) he proceeded to go through the house without escort; and (4) he took out a device and pointed it at his computer.

Mr. Lewis asked that the people call and give them notice before they come as he felt that his experience was not the way the town should collect assessment information. He thought searches should be done ethically and legally. Chair Helm thanked him for coming to make them aware of his concerns and she would follow-up on his concerns.

Old/Pending Business

Selectman Bianchi asked if there was a response from Mr. Bragdon from Health Trust (formerly LGC). Ms. Hallquist said she has received a response and Mr. Bragdon will attend the November 13<sup>th</sup> meeting at 8am which will be held at the Fire Station.

Selectman Bianchi asked if they had set the tax rate yet. Ms. Hallquist noted that the State is awaiting paperwork from the Water Precinct, which is needed to set the tax rate.

Selectman Bianchi asked when the engineers would be back to talk with them about the Elkins Project. Ms. Hallquist noted that the draft study was submitted on Friday afternoon. Once

Richard Lee has an opportunity to review it, the Selectmen can consider accepting it and sending it to the State DOT for approval. She noted that revisions have been made, correcting a calculation error and taking the road reconstruction work expenses out, bringing the project within budget.

Selectman Kidder asked if signage on the gate house would be re-done when maintenance is done on the building. Ms. Hallquist said it would be. She added that the signage and the railing would be done in the spring. The railing may be taken from the old railings in Elkins that will be removed. Selectman Kidder thought they should put "no swimming" directly on the concrete at the dam as swimming in that area is dangerous. This fact was made even clearer after the draw-down of the lake revealed the large, sharp rocks that are in the area.

Chair Helm observed that the school board voted to include the Resource Officer position within the operating budget. She wondered if the Board should send a letter to the school board saying they also support the decision to place the expense within the operating budget. Selectman Kidder thought they should wait until they get the information they had requested before providing this support.

#### Town Administrator's Report

Ms. Hallquist said she, Ms. Johnson and Ms. Rankins would be meeting with health insurance vendors the first week in November. They will get quotes and hear about programs.

Ms. Hallquist noted that the Pine Hill Ski Club has requested its yearly lease to use certain town property for cross country skiing. She noted that the insurance certificate was attached.

**IT WAS MOVED (Janet Kidder) AND SECONDED (Peter Bianchi) to sign the lease for the Pine Hill Ski Club to enable them to use the trails from September 23, 2013 to April 1, 2014.**

**THE MOTION WAS APPROVED UNANIMOUSLY.**

Ms. Hallquist noted that the auditors are in the office currently and the Selectmen were welcome to come speak with them directly about the town's audit.

#### Committee Meeting Reports

Selectman Bianchi said the Planning Board had a consultation with Town Counsel the day before the last Planning Board meeting. At the public meeting, the Planning Board decided that Dave Marshall should come in for a site plan review. Mr. Marshall was not present or represented at the meeting, but Mr. McChesney and his legal counsel were. Also, Tom Mills from the Flying Goose presented a final site plan for an addition to the restaurant. Many abutters were there who gave their input, many expressing various concerns with the plans. After a lengthy discussion, Mr. Mills decided to withdraw his application.

Selectman Bianchi indicated that the CIP plan was discussed and Ms. St. John provided the Planning Board with some examples of what other towns do for their CIP process. There will be a meeting on Oct. 30<sup>th</sup> to begin the CIP process. Lastly, Selectman Bianchi said the college is

slated to come to the November 26<sup>th</sup> meeting to present their master plan and he encouraged the Selectmen to attend as well.

Approval of Minutes

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Janet Kidder) to approve the minutes of October 16, 2013, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

Upcoming Meetings

Community Advisory Committee – Saturday, November 2<sup>nd</sup> at 7:30am

Board of Selectmen – Monday, November 4<sup>th</sup> at 8:00am

Planning Board – Tuesday, November 12<sup>th</sup> at 7:00pm

Budget Committee – Wednesday, December 4<sup>th</sup> at 7:00pm.

Application for Building Permit:

- Chris Bottinger/Wallula Homeowners, 16 Wallula Road (Map & Lot 033-016-017) demolish old cabin – Permit #13-115 – Approved.
- Matt Bickford, 118 Woodland Trace (Map & Lot 094-014-000) install solar panels – Permit #13-116 – Approved.
- Marie & Allan MacDonald, 1194 King Hill Road (Map & Lot 130-013-000) install solar panels – Permit #13-117 – Approved.
- Karen & Scott Slogic, 111 Shaker Street (Map & Lot 099-001-000) build garage/barn – Permit #13-118 – Approved.
- Kit & Nancy Tatum, 197 Maple Lane (Map & Lot 139-003-000) alterations to garage – Permit #13-119 – Approved.
- Elaine Murphy, 371 Hall Farm Lane (Map & Lot 076-009-000) add screen porch – Permit #13-120 – Approved.
- Los Cuatro Amigos, 370 Main Street (Map & Lot 084-004-000) build 24x30 building – Permit #13-121 – Approved.
- Bruce Muller, 138 Herrick Cove Lane (Map & Lot 091-020-000) demolish existing house and rebuild new – Permit #13-122 – Approved.

Application for sign permit:

- Friends of Market on the Green – sign at information booth – Winter Market – Approved.

Application to use Whipple Hall:

- Friends of Market on the Green – 1 Saturday a month (Nov. through April) – 8AM-2:30 PM – approved.
- New London Garden Club – member meeting & auction, June 9, 2014 9AM-12 - approved

Application to use Sydney Crook Room:

- Duplicate Bridge Group (Ladies Bridge) Monday afternoons, June through September 12:30 -4:00 – Approved.

Other Items to be signed:

- Sale of Surplus 2013 memo – Approved.

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Janet Kidder) to adjourn the meeting.**

**THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting adjourned at 8:05pm.

Respectfully submitted,

Kristy Heath, Recording Secretary  
Town of New London