



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## BOARD OF SELECTMEN MEETING MINUTES June 15, 2015

### **PRESENT:**

Nancy Rollins, Chairman  
Peter Bianchi, Selectman  
Janet Kidder, Selectman  
Kim Hallquist, Town Administrator  
Wendy Johnson, Finance Officer

### **ALSO PRESENT:**

Rob Prohl, Budget Committee Chair  
Bruce Hudson, Budget Committee member  
Renate Kannler, New London Resident  
Minette Sweeny, the Intertown Record  
Bob & Emma Crane, New London Residents  
Phyllis Piotrow, Budget Committee Member  
Jack & Pat Sheehan New London Resident  
Bill Helm, Planning Board Chair  
Vahan Sarkisian, New London Resident  
Tina Hem, New London Resident  
Ed Andersen, Police Chief  
Nicole Densmore, Chair of the New London Bandstand Committee  
Noel Weinstein, New London Resident  
David Breed, Non-Resident Taxpayer

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

### Bandstand Committee Response to Bandstand Bids – Nicole Densmore, Chair

Ms. Densmore said with regards to the bandstand repairs she was fine with either company but would like to cap the amount being used by the Bandstand Committee at \$60,000 regardless of what the amount comes out to be. It was noted that both quotes were over \$60,000 and it was understood that there was enough funding available to cover the expenses. Selectman Bianchi said the minimum balance of the restricted fund must stay at \$100,000. The interest from that fund is to be used for band concerts. The unrestricted fund, however, can and has been used to pay for other things, as needed. Ms. Densmore said she understood from prior communication with the Town that \$60,000 was the amount the Bandstand Committee was permitted to use. This was not the same recollection that the Selectmen had.

Selectman Bianchi said it has been determined in the past that the Bandstand Committee has control over the funds and the Town only invests the money. He noted that this is an interesting dilemma that the Town does not have authority to spend the money as they see fit, although they do manage it.

Ms. Densmore said she would speak with the Bandstand Committee and come back to the Selectmen with an answer.

David Breed, Moyahs Lane – Violation of Shore Land Overlay District Ordinance

Mr. Breed met with the Board as requested to explain the work he did on his property at 47 Moyahs Lane. On May 21<sup>st</sup> town staff observed a bobcat backhoe on the beach at the Breed property and asked Mr. Breed to immediately cease all operations. On May 26<sup>th</sup> Mr. Breed was sent a letter having to do with the waterfront buffer zone being violated. Mr. Breed explained that he has contacted the State and received a four-page form to fill out. He is trying to get assistance from the State in filling it out as he doesn't want to fill it out incorrectly. He noted that he had replaced a stairway with a ramp for his mother so she could access her home. He wasn't sure how to resolve the matter of his actions causing a zoning violation, but would prefer not to remove the ramp. Mr. Breed explained that there were four rocks, smaller than a car motor, that he was moving in an effort to put the beach back to how it looked in the 1880's. He wants the waterfront to look like the property next door.

Selectman Bianchi said the Town of New London and the State of New Hampshire have adopted the shoreline protection act which states that the first 50' from the shoreline cannot be disturbed with hands, backhoe, etc. He opined that he hasn't seen a more blatant disrespect of the shoreline than what Mr. Breed has done. Mr. Breed said he has grown up on the lake and doesn't wish to harm it. He understands there are permit applications to be able to move things around. Selectman Bianchi said he feels strongly that this is a violation and Mr. Breed should be subject to penalty. He added that they all love the lake but what was done is against Town and State regulations. Mr. Breed said he has made a mistake and apologized for it. He asked how he can correct it.

Chair Rollins said that Mr. Breed has received a cease and desist letter and has been asked to comply with the proper permitting. Mr. Breed said he has the wetlands permit form but has not been able to fill it out because he does not understand it. He will go to the State office to get assistance and will then submit it. He said he has photos of before and after the work that was done to the beach; he will do whatever he needs to make things correct.

Selectman Bianchi said the fine for the zoning violation in the ordinance is \$275 for first day and \$500 a day afterwards. He feels there should be a fine or penalty applied for what happened. Even though it was a mistake, ignorance is no excuse. It is easier to ask for forgiveness than permission. Mr. Breed said he would be fine if the town made precedence of him so others don't do similar things. He was informed by the State that the form needs to be submitted by the 29<sup>th</sup> of June. He plans to comply and will contact Ms. Hallquist when the Wetlands Permit has been submitted.

Town Administrator's Report – Kim Hallquist, Town Administrator

Ms. Hallquist said the Request for Qualifications (RFQ) for the work to be done to the Academy Building went out that day by Frank Anzalone and are due by July 10, 2015. She noted that Mr. Anzalone sent requests to Cobb Hill, Milestone, Trumbell-Nelson, DeNior Construction, Talbot Builders and Granite Roots Construction.

Ms. Hallquist noted receipt of four proposals for engineering for replacement of the culverts (on the State's red-list for bridges) on Brookside Drive. A memo from Richard Lee (Public Works Director) was received that day with his recommendation that he believes either of the two low bidders (one was low if the two locations are done together versus the other being lower if done separately) would be acceptable. More discussion on this topic would be part of the agenda for the next Selectmen's meeting, once the Selectmen can review the proposals.

Ms. Hallquist noted the recent resignations of Kristy Heath, Office Assistant and Chris Work who covers the hours that Ms. Heath does not work. Ms. Hallquist prepared a memo to the Selectmen outlining her

plans to fill the two part-time positions. Ms. Heath will continue taking minutes for the Town. Ms. Hallquist will bring the issue back to the Selectmen if efforts to hire part-time people are not successful to see about going back to full-time.

The Board received the May figures of New London's sewage flows to the Sunapee Wastewater Treatment Plant. In May New London accounted for 60% of the total flow into the plant. Ms. Hallquist reported that after nine months, New London's flows to Sunapee average just over 60%.

Ms. Hallquist said that the previous Friday, the Elkins Bid opening took place; there were two bids that appear to be responsive: L&M Services Contractors of Orford, NH and B.U.R. of Claremont, NH. Pathways is now reviewing the bids in more detail to see if the bids are responsive and how much they are over the budgeted amount. It appears that the project could come in about \$80,000 over. 20% of this would have to come from the Town. Therefore, about \$16,000 would have to come out of somewhere in Highway Department's budget. Selectman Bianchi said they have to accept the lowest bid as long as Pathways determines they are acceptable. Ms. Hallquist confirmed this was true unless someone from the town knows something about either bidder that would cause the town to reject them. The Selectmen were not aware of anything on either firm to request rejection. The State will give the final OK. After September, any change orders will be the responsibility of the Town of New London and will not be eligible for an 80/20 percent match.

Ms. Hallquist said that the reception for Jerry Frew, retiring superintendent of SAU 65 would be held the following day at the New London Inn.

#### New Business

##### *Memo from the Planning Board CIP Subcommittee*

Ms. Hallquist said the CIP Subcommittee has recommended that the Board of Selectmen begin negotiations to acquire the 1941 Building and site. Mr. Prohl, member of the CIP Subcommittee, said the subcommittee toured the Town's buildings and the 1941 Building and were unanimous in agreement that there is a storage issue in town. The 1941 Building and site are in a central location within the town with ample parking. Since the building is the property of the school district, all seven towns would need to agree. Mr. Prohl believes this is a necessary step to take for the future and could help solve many space issues in the present time and in the future.

Bill Helm, Planning Board Chair, said that storage issues and operational issues will require more space over time. It is very clear that there is no site in town that would be better suited for municipal activity than the 1941 building site. Other land for purchase in town have been researched but the prices were high and were not reasonable for what they wish to do. He feels the Town should quickly make sure they can secure the site. Mr. Sarkisian added that the Town gave the building to the school district and historically when buildings in the district are no longer being used for schools, the district gives the building back to the town for \$1. He agrees that it is in the Town's best interest to try and secure the building and site for \$1.

When asked the maintenance costs for the 1941 Building per year, Mr. Prohl said he thought it was \$50,000. Mr. Helm noted the Town is already paying a big portion of those costs through the school district and feels it just makes sense to acquire the building and property.

Selectman Bianchi expressed his surprise at receiving the recommendation, noting that he felt that the concept of the Town acquiring the 1941 Building had been put to rest. He noted that the cost to take it down is over \$250,000; to renovate, it would cost several millions of dollars. He noted that to want to

take on another old building that isn't anything but a money pit astounds him. If the school district took the building down, he would be open to the idea to acquire the land. He would not like to negotiate for the property as it sits now. The Town already spent \$10,000 to study the idea in the past to acquire the building and he didn't think it was a good idea. The Town has too many old buildings already.

Mr. Helm said Selectman Bianchi is focusing on the building. He recalled what happened with King Ridge and losing that site. He noted that the plans are not for a community center. They have things that will need to be done to the site, no question, but the site is important to the Town. Selectman Bianchi said that King Ridge was a private entity in Sutton and wasn't New London's problem that it folded.

Chief Andersen asked how much the Town paid for the land where the ice skating rink was. It was noted that the property was \$300,000. Chief Andersen said he feels the property at the 1941 Building site, even if they had to pay to take it down, would cost less than the skating rink land.

Mr. Sarkisian thinks it imperative that they, as a board, negotiate with the school district to get the building back for \$1 like other towns have gotten their school buildings in the past. They should be talking about the site, not the building. It is central to their community and important that they retain that property. He feels it is a benefit to the community.

Noel Weinstein said \$250,000 to take the building down doesn't seem to be a lot if they were able to save on expenses with other buildings. He wonders what the school board has in mind for the building. Selectman Bianchi said they had threatened to tear it down earlier. He agreed it is a beautiful building but feels it is too expensive to maintain.

Mr. Prohl said thinking long term, the property will be worth more than \$250,000 and they need to think about the needs of the town in the next 10 years. Selectman Bianchi said there are too many questions floating around. Chair Rollins said the question they are being posed with is to try to research the possibilities.

Mr. Sarkisian said he has rehabbed many buildings in his life. In this case, they shouldn't worry about the building, but rather the acquisition of the property.

Selectman Kidder said this is an opportunity for the town and they will be remiss as selectmen if they don't at least talk with the school district to see what they can do to participate in the use of the property. They need to know what the school board has intended for it.

**IT WAS MOVED (Janet Kidder) AND SECONDED (Peter Bianchi) that the Board of Selectmen meet with the Kearsarge Regional School District to discuss the 1941 Building and site.**

Mr. Sarkisian suggests they talk seriously about going into negotiations with the school district. Selectman Kidder said at this point they need to start the conversation and get an idea.

**THE MOTION WAS APPROVED. Peter Bianchi voted NO.**

*Consider Requests for Abatement of Sewer Charges*

The Board reviewed requests for abatement of sewer charges are recommended by Public Works Director Richard Lee. Ms. Hallquist noted that Woodcrest Village was asking for abatement of \$33,299.80 due to the water meter incorrectly calibrated.

Ms. Hallquist noted that the Dennis Aufranc's assessment card says they have four bedrooms but they actually have just three, so an abatement of \$135.50 reflected the 4<sup>th</sup> bedroom is requested.

Ms. Hallquist said the Muriel Deacon Trust asked for abatement due to a broken water pipe. Water didn't go into the sewer system, it was pumped out of the basement. It was reported that 300 sq' of water was removed from the basement and deposited off site. The abatement was for \$459.

**IT WAS MOVED (Janet Kidder) AND SECONDED (Peter Bianchi) to grant the abatement requests for Woodcrest Village, Dennis Aufranc, and the Muriel Deacon Trust as recommended by the Public Works Department. THE MOTION WAS APPROVED UNANIMOUSLY.**

Receipt of Grant from the NH Highway Program for a laptop – Ed Andersen, Police Chief

Chief Andersen showed a laptop that they currently use in one of their patrol cars. A grant from the past enabled the Town to purchase the laptops, which are now obsolete. Officers use their touch screens to communicate with dispatch, run motor vehicle records, and see where Sutton, Sunapee, Goshen, Newbury and Wilmot officers are. Chief Andersen noted that the company they want to purchase the new laptops from guarantee the computers for six years. At six years, a \$1,000 upgrade can allow them to be used another six years. He explained that he was able to get a special deal through the company to get a new system for \$4,000 instead of \$5,000. The grant will pay for half of the computer, so the request is to spend \$2,000 and accept funding of \$2,000. Chief Andersen said that there are three patrol cars, one of which had a new laptop installed (with grant assistance) and they are now looking to replace another laptop. They will look to replace another laptop next year. Chief Andersen said he has the funding for this purchase in his budget.

Selectman Bianchi asked Chief Andersen if he would buy the computers without the grant. Chief Andersen said he would; they are needed.

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Janet Kidder) to accept the grant and authorize the matching funds needed for the acquisition of a new laptop. THE MOTION WAS APPROVED UNANIMOUSLY.**

Selectman Kidder said that recently, the fourth graders of Kearsarge Regional Elementary School in New London visited the Ice House Museum and she thanked Sergeant Anderson, Chief Lyon, Gena Edmonds and Ben Cushing for making it a great day. She asked Chief Andersen to pass on her thanks for the participation of the PD.

Old/Pending Business

*Change Order from Nobis Engineering*

The Board reviewed additional information from Nobis Engineering concerning the change order request in the amount of \$1,450. Selectman Bianchi said he understood from the last meeting that they would only agree on the change order after someone from Nobis Engineering attended a meeting to answer their questions. Chair Rollins said that Wendy Johnson, Finance Officer, had mentioned that it would cost additional money for an engineer to attend a meeting, so it was discussed that they would see about getting more information on the change order over the phone. Selectman Bianchi said he has other questions he wants to ask and won't vote on the change order until he meets face to face with them. Chair Rollins asked her colleagues if they have enough information now to act on the Nobis Engineering change order, or should the Board request that they come to a meeting. Selectman Kidder noted that the additional information submitted answered the question she had, which was what the additional money

was for (a survey of the property). She doesn't feel Nobis needs to come in in order for the Board to act on the change order.

Ms. Hallquist said she and Richard Lee (Public Works Director) have met with Nobis and have no outstanding questions or concerns at this time. She suggested that the Board ask Nobis to attend a meeting when they have something to report on; at this point they have not finished their field work on the project as they are awaiting a response on the change order. She noted that the work listed in the change order should have been included in the original contract, it is not additional work needed as the result of their investigation so far. Selectman Kidder said she feels waiting longer will be an unnecessary delay and that they need to move on this.

**IT WAS MOVED (Nancy Rollins) AND SECONDED (Janet Kidder) to go with the proposal from Nobis Engineering which includes a \$1,450 increase. THE MOTION PASSED. Peter Bianchi voted NO.**

#### Committee Meetings & Reports

Selectman Kidder said at the last Planning Board meeting there had been a tree cutting request, a lot merger, and a site plan application for the Millstone was approved. Selectman Bianchi said he heard there was some discussion on the college changing a dorm into offices. Selectman Kidder said the college would be coming in to discuss this.

#### Approval of Minutes

**IT WAS MOVED (Janet Kidder) AND SECONDED (Peter Bianchi) to approve the minutes from June 1, 2015, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.**

#### Upcoming Meetings and Special Events

Selectmen's Meeting – June 29th – 6:00 PM

Conservation Commission – Wednesday, June 17 – 8:30 AM

Dispatching Subcommittee – Wednesday, June 17 – 2:00 PM

Planning Board – Tuesday, June 23 – 6:30 PM

Solid Waste Management Committee – Tuesday, June 30 – 9:00 AM

**TOWN OFFICES WILL BE CLOSED ON FRIDAY, JULY 3<sup>rd</sup>**

**IT WAS MOVED (Nancy Rollins) AND SECONDED (Janet Kidder) to enter into nonpublic session, pursuant to RSA 91-A:II(c): matters that would likely affect adversely the reputation of any person.**

**Janet Kidder: Yes, Peter Bianchi: Yes, Nancy Rollins: Yes**

The Board entered nonpublic session at 7:05pm.

The Board reentered the public session at 8:10pm.

#### Application for Building Permit

- Our Lady of Fatima, 74 Main Street (096-009-000) – Replace doors/windows and repair floors, wall and railings in rear entry – APPROVED
- Matthew & Kelly Spanos, 46 Stoney Brook Road (128-012-000) – Construct foundation under existing structure – APPROVED
- Samuel Drive, LLC, Seamans Road (086-022-007) – Construct new home – APPROVED

- Peter & Melissa Hamel, 50 Barrett Road (084-040-000) – Construct new home – APPROVED
- Michael & Gaitia McChesney, 195 Camp Sunapee Road (045-034-000) – Demo screen porch – APPROVED
- Steven & Nancy Allenby, 28 Lamson Lane (049-031-000) – Add master bath and a porch – APPROVED
- Leverett & Linda Flint, 284 Old Main Street (107-012-000) – Placement of 160 sq’ garden shed on property – APPROVED
- Mervin Baylon & Catharine Biuso, 288 Barrett Road (095-013-000) – Placement of 10’ x 12’ play house on property – APPROVED
- Lisa Hoke/David Bemis, 117 Sunset Shores (091-015-001) – Add 2 shed dormers to existing garage – APPROVED
- Susan P. Nichols, 86 Porcupine Ridge (035-018-000) – Construct new home – APPROVED
- Steven \* Tracey Godin, 148 Fairway Lane (124-005-000) – Add dormer, replacing porch and upgrading bathroom - APPROVED

#### Temporary Sign Permit

- New London Hospital – 5 sandwich board signs in various locations and banners on the Green to promote Hospital Days and direct foot traffic to events July 22-August 1, 2015
- New London Hospital – Directional signs for safety during annual triathlon – July 31 – August 2, 2015
- Wilmot Community Association – Sign at Info Booth 6/16-27 – “Imagination into Art” event.
- Ladies Benevolent Society of Elkins – Info Booth & Elkins Chapel 7/18 & 8/8, 2015 – Bake Sales
- COA Chapin Senior Center – 37 Pleasant Street 7/18 & 19, 2015 – Book Sale
- New London Historical Society – Info Booth 6/22-29, 2015 – Strawberry Festival
- Wilmot Bandstand Committee – Info Booth Saturdays from 7/11 – 8/15, 2015 – Bandstand Concerts

#### Permanent Sign Request

- Lake Sunapee Bank – 116 Newport Road (059-029-000) 2 signs to replace current.
- Lake Sunapee Bank – 321 Main Street (084-087-000) 2 signs (1 for bank and one for McCrillis & Eldredge Insurance)

#### Requests to Use Town Property

- New London Hospital – New London Inn Common & Town Common/Bandstand – Hospital Days 7/29 – 8/3, 2015
- Douglas Lyon – New London Inn Common – Committee to honor Jessie Levine – July 16 & 17 (16<sup>th</sup> only if a tent is required due to weather)

#### Other Items to be Signed

- Tax Abatement Form – Gold Family Trusts - 525 Shaker Street (124-001-000)
- Tax Abatement Form – Bruce & Shirley Avery Trusts – 780 Pleasant Street (049-008-000)
- Tax Abatement Form – Sonja Philips – Pleasant Street Shared Access Lot (049-008-000)
- Tax Abatement Form – Peckham New Hampshire Real Estate Trust (049-008-000)
- Tax Abatement Form – Small balance adjustments for 107-018-000, 035-034-000, 084-063-002, 119-012-000: totaling \$17.06
- Intent to Cut – 101-009-000
- Petition & Pole License – Burnt Hill Road, NL

- Warrant Yield Tax Levy
- Payroll Authorization Voucher
- Raffle Permit (2) Elkins Fish & Game, and NH Kittens
- Wastewater Tax Abatement Request – Dennis Y Roberta Aufranc (056-012-000)
- Wastewater Tax Abatement Request – Woodcrest Village, LLC (084-008-000)
- Wastewater Tax Abatement Request – Muriel Deacon Trust (145-001-029)

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

The meeting adjourned at 8:26pm.

Respectfully submitted,

Kristy Heath, Recording Secretary  
Town of New London