



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES

January 19, 2010

PRESENT:

Larry Ballin, Chair
Mark Kaplan, Selectman
Jessie Levine, Town Administrator

ABSENT:

Tina Helm, Selectman

ALSO PRESENT:

Michael Doheny, Skate Park Committee
Jim Wheeler, Skate Park Committee
Jen Nurme, Skate Park Committee (& children)
Steve & Malaika Sidmore, Skate Park Committee (& children)
Ernie Tyler, Skate Park Committee (& child)
Mary Wicenski, Skate Park Committee (& children)
Kathy Van Weelden, Skate Park Committee (& children)
Richard Lee, Director of Public Works
Bob Meck, Budget Committee
Bob & DJ Lavoie, Residents
Jack Harrod, Energy Committee Chair
Laura Chestnut, Clean Air – Cool Planet
Russ Aney, Energy Committee
Bill Spear, Energy Committee
Debbie Cross, Reporter for *The Villager*
Pat Trader, Reporter for *The Intertown Record*

Chair Ballin called the MEETING TO ORDER at 6:02 PM. He welcomed those in attendance to the meeting.

New London Multi-Purpose Park: Chair Ballin recognized Michael Doheny to speak regarding plans for a Multi-Purpose Park in New London. Mr. Doheny began by explaining that a couple of months ago some people got together to discuss the possibility of a multi-use park in the area. They have been looking at sites and the one they favor most is “Little Common” (behind the Chamber of Commerce). He wanted to come to the Board of Selectmen’s meeting to explain their vision with hopes of getting the “go ahead” from the Board to ask permission to put the project on a warrant article to be voted on at Town Meeting.

Mr. Doheny showed several pictures of a park in Marshfield, Mass., which had been built in a vacant parking lot. The park to included an outdoor amphitheatre surrounded by attractive fencing, landscaping, including some green space, and picnic tables with built-in chess, checker board and backgammon boards. It was also built into a bowl shape so that the majority of it sat below the street level. This feature eliminates distraction from motor vehicle traffic. Mr. Doheny mentioned that the facility in Marshfield included a handicapped ramp that had to be put in after the rest of the project was completed. He said that they would learn from Marshfield’s mistake and would include such a ramp as part of the original design.

Mr. Doheny explained that there was available seating for 400 people in the amphitheatre and said it was a great venue for open-air lectures, projected movies on a big sheet hung from a pergola, and band concerts. He added that the material used at foot-level was asphalt. Mr. Harrod asked what kind of drainage was used. Mr. Doheny said he didn't know but that drainage would need to be considered due to the bowl-shaped design.

Mr. Doheny explained that the committee working on the multi-purpose park planned to funds that would cover a maintenance fund so that money would be available to keep the park in working order for 20 years or so with no impact to the Town budget. There would be no cost to the Town for the construction or maintenance of the park.

Mr. Doheny said that with this information in mind, he was here to ask the Selectmen to allow Town Meeting to vote on the use of the Little Common for a multi-purpose park that would include a skatepark and other elements similar to the design in Marshfield, Mass.

Chair Ballin asked if anyone had talked to the abutters of the proposed site at this point. Mr. Doheny said that they had not talked with them yet, as they wanted to get a sense from the Board of Selectmen about whether they should proceed, and then they would speak with the abutters. Chair Ballin felt it was a great initiative and supported them going forward with it. He thought it was great to see all the young people at the meeting who were interested in the possibility of having such a facility in Town. He said that in his opinions they should go forth, and he wished them good luck.

Mr. Kaplan agreed that it was an exciting project. He said that at first he was concerned with the cost, but believed that if they would be able to raise their own funds, then it wouldn't be a problem. He also felt they should be cautious when considering the neighbors of the proposed park. He thought people would ask them at Town Meeting whether or not they had asked the abutters. Mr. Doheny said that if they didn't get an "okay" from the Board of Selectmen, they would not go forward with this site, and so he did not want to bring the subject up with the abutters if it didn't look promising from the Town's point of view.

Mr. Harrod said he felt that the most persuasive way to convince the neighbors that this would be a benefit to the Town would be to emphasize the many alternatives for the park, such as concerts and lectures. Chair Ballin agreed and said that if the park included a simple walking path around the outside of it, that perhaps residents from Woodcrest would be able to use the facility as well. Mr. Doheny said that another use for the facility would be to cover the drainage in the winter, remove the skateboard ramps, and create a skating rink.

Mr. Ballin noted that there were some memorial plantings in the Little Common area. Mr. Doheny acknowledged the plantings and said that the families would be approached to see if there could be alternative arrangements made.

Mr. Doheny mentioned that their goal for fundraising for this project would be between \$300,000 and \$400,000, which would include the endowment for maintenance.

There were many children present at the meeting, accompanied by their parents. Chair Ballin asked if any of them had any comments about the park. Emerson Tyler wanted to know if there would be any pools to skateboard in. Mr. Doheny said that he wasn't sure of the details of the design yet, but that there was a design committee that would be working to make these decisions and he encouraged Emerson to participate.

Parent Steve Sidmore said that kids used to go down South Pleasant Street on their skateboards, which was very dangerous. He felt that this alternative would get them off the streets and would give them a safe place to ride. Parent Mary Wicenski said that she has also seen kids riding their skateboards on Pleasant Street. She shared a bit of wisdom that she had heard: "If your town doesn't have a skateboard park, your town *is* a skateboard park."

Parent Jen Nurme said that a central location for the park, such as the Little Common would be ideal so that the police could keep track of things.

Mr. Lavoie asked how the size of the Little Common compared with the space used in Marshfield. Mr. Doheny said that the space was a bit smaller in New London but that it would still be large enough for a multi-use park. He opined that they could design it to be an attractive gateway to downtown.

It was asked whether the Selectmen needed to have a motion to put the article on the warrant. Ms. Levine said that they would be able to review the warrant prior to making a final decision. They didn't have to take a formal position because there was no dollar amount associated with the warrant article.

Both Mark Kaplan and Chair Ballin were both in favor of the idea and gave their blessing to Mr. Doheny to move forward with it.

Minutes from the January 11, 2010 meeting: There were no amendments to the minutes from January 11, 2010. IT WAS MOVED (Mark Kaplan) AND SECONDED (Larry Ballin) to approve the minutes of January 11, 2010, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

Transfer Station Fire: Chair Ballin acknowledged Richard Lee's attendance at the meeting and reported that there had been a fire at the Transfer Station last Wednesday. Apparently, a fire began in the trailer while inside the compactor building. They believe that someone threw something combustible into the container, such as construction debris, hot ashes, or chemical-soaked rags. Attendants were quick to react and called Richard Lee immediately so he could bring the tractor from the Public Works garage to the Transfer Station. He was able to get the trailer out of the building and the Fire Department was able to extinguish fire with foam and dismantle the contents of the trailer immediately.

Chair Ballin wanted to recognize the three employees from the Transfer Station who were quick to do the right thing: Supervisor John Early and Attendants Robin Lachance and Steven Tighe. Chair Ballin said that their quick thinking was a huge asset to the Town; had the fire happened at night they would have lost a tremendous amount of equipment, and had it happened during the day and not been attended to appropriately, there could have been a lot of damage. Chair Ballin extended a huge note of thanks to Mr. Lee and his crew.

Mr. Lee said that if it hadn't have been for his workers doing the right thing, they would have had a lot more of a mess than they had. Mr. Kaplan said they acted competently and as a result a very serious matter was averted and that they should be commended.

Ms. Levine asked Chair Ballin if he would like her to draft a letter on the behalf of the Board of Selectmen to all three employees to thank them. Chair Ballin answered in the affirmative.

Chair Ballin said that this prompts the Selectmen to consider changing their regulations with regards to what can be deposited at the Transfer Station. He felt they should discuss the issue further and closely monitor what people are dumping and noted that construction debris should not be allowed to be dumped. Mr. Lee said they allow one bag of construction debris to be dumped, but only for people who are doing a small job at home. He noted that they have recently had people dumping bags of sawdust and other

things that were not generally allowed. Mr. Lee felt that they need to reinforce to the public that they do not take construction items (sawdust, bags of wood and nails, paint shavings). He said that about seven bags of construction materials were found near the site where the fire started and he hypothesized that the fire started as a result of some rags that combusted near or within the sawdust bags, as some of the sawdust was scorched. He added that they were about five minutes from losing the Transfer Station to fire. Ms. Levine asked if the Selectmen should vote now, prior to completely revising the regulations, to not accept construction debris at the Transfer Station. Mr. Lee said that perhaps they should just publicize it that they can't accept things like this in the trash.

Mr. Kaplan said that he feels sometimes polyethylene pieces are thrown out by people and if a flame begins, the fumes from the burning plastic pieces can cause a risk. He felt they should change the regulations and make them stricter or else they will have to open every single bag and examine it.

Russ Aney said that Mr. Lee's hypothesis was probably accurate. He noted that a lot of the chemicals used in furniture stripping and refinishing state that rags that have been used with the chemicals can be thrown out if they are completely dried out. He said that in New London there is no way to get rid of those solvents because the Town doesn't host a Hazardous Waste day. As a result, he opined that perhaps people are trying to sneak some of these items into the trash. Ms. Levine noted that this waste removal day was not held last year and will not be held this year due to budget cuts. There are opportunities to dispose of this type of waste but that they would have to do it at their own cost in other towns. Mr. Aney said he felt Mr. Lee's hypothesis of what happened was correct and perhaps there was a greater risk building because people aren't encouraged or given the opportunity to dispose of the items properly.

Energy Committee: Jack Harrod, Chair of the Energy Committee, announced that New London had applied for a grant through the Municipal Energy Assistance Program (MEAP) and was chosen in the second round of selections to receive an audit. The program funded 48 towns to do audits and make recommendations on how energy and money can be saved. Laura Chestnut, representative from Clean Air-Cool Planet, was present at the meeting to explain what would be involved in the audit & recommendation process.

Ms. Chestnut began her presentation by explaining that she is the Upper Valley representative for Clean Air-Cool Planet. She added that New London was included with other towns such as Lebanon, Cornish, Enfield, Danbury and Grafton. Details of the grant are included in the presentation slide packet attached to these minutes. Before Ms. Chestnut went any further with her presentation, Mr. Harrod noted that there were two DVDs available at the library that include tips on how to "Button Up" your house for energy conservation.

Some points that Ms. Chestnut made were:

- The MEAP program is new and is funded from money generated by Regional Greenhouse Gas Initiative Auctions. There were four auctions last year, which brought in \$18 million dollars.
- WAP (Weatherization Assistance Program) has been around since the 1970s to help low-income people weatherize houses to save on fuel and electricity.
- Ten years ago a program called "NH Saves" began. Money was generated from the utility companies that would give funds depending on how many kilowatt hours were paid for by customers.
- More initiatives have been shown recently at all levels of the government to create a Carbon Challenge. In this challenge, towns track their energy consumption and emissions to compete against other towns, and commit to carbon reductions and energy savings. Goals are set to save energy over the next 25 years.

Mr. Wheeler asked about local energy generation. Mr. Aney said that there were programs around and that if anyone were interested, he would be happy to point them to the right direction.

Ms. Chestnut explained that her main role in the program would be to gather information from the Town with regards to energy consumption. She hoped that in future years, someone from the Town could take over the data collection to keep track of the Town's costs. Mr. Aney added that it is very easy to maintain the data collection; the more difficult and time-consuming part of this project is in the beginning. Mr. Harrod explained that when they want to apply for grants, this sort of analysis/audit is necessary to be able to get appropriate recommendations. Mr. Aney added that baseline information is important to have but many Towns haven't done it because it is hard to get all the data organized.

Mr. Aney noted that they would be creating an Energy Committee website linked from the Town's website to give more information to people looking for energy conservation ideas or sources.

Ms. Chestnut explained that the building audits that are done through the MEAP are not entirely cost free but perhaps only 10% of what the cost would traditionally be. She indicated that sometimes the fees for the audits are waived. Ms. Chestnut said that there are two types of audits available -- decision-grade and investment-grade -- but was not sure how it is decided who gets which type of audit. Mr. Aney said the audit that had been done previously at the Tracy Library was a decision grade audit, which did not include the financial information that is included in a more thorough investment-grade audit.

Ms. Chestnut said that the assessment report would be done by the end of March. Ms. Levine explained that the next 4-6 weeks were very intense for the Town due to Town Meeting preparation and end-of-year procedures and close-outs, and she asked if there was a deadline for getting this work done. Mr. Aney said that it didn't need to be done right away but that they would work with the Town to gather the information they needed at a more convenient time.

Ms. Levine noted that funds had already been approved in the Energy Committee's 2009 budget for the cost of the investment audit. They understood the fee to be between \$50-\$500 dollars.

Chair Ballin thanked Ms. Chestnut and Mr. Aney for their presentation.

Pleasant Street Sidewalk: Ms. Levine and Mr. Lee gave an update on the Pleasant Street Sidewalk project. Ms. Levine explained that she, Mr. Lee and Chad Denning had met with engineer Rob Faulkner of Clough, Harbour & Associates to discuss the sidewalk and review the preliminary plan, which she shared with the Selectmen. Changes have been requested and they still need to talk to the owners of the Kearsarge Shopper building and the other abutting properties from Cougar Court to Job Seamans Acres.

Mr. Lee explained that the sidewalk will be asphalt and will be 5' wide with a 1' gravel apron. Ms. Levine added that there would be granite curbing if the budget allowed for it. Landscaping was not planned at the moment but Mr. Lee said that the project would not require any cutting of trees. He noted that this would all be done within the Town's right-of-way. Abutters will be educated and will be asked for approval for this project, although their approval is not required. She added that the point of this grant is enabling safe routes to school and that the proposed changes would make it a safer route.

Ms. Levine said that they are contemplating creating an access to the Clough-Cleveland-Kidder trail from the sidewalk. This area is one of the steepest slopes off the back side of the area. The final design is still being formulated and the Public Works Department will be constructing it. Mr. Lee said that construction would not start before April. Chair Ballin said it was a good project and the people in the neighborhood are excited about it. Mr. Lee said more people would walk in the area if it were safer.

Chair Ballin thanked Mr. Lee for coming to the meeting and presenting the information regarding the Pleasant Street sidewalk project.

Town & School Elections: Chair Ballin referred to the list of elected positions attached to the agenda. Ms. Levine said that the filing period was from Wednesday at 8:00 AM to Friday, January 29, at 5:00 PM. Ms. Levine noted that there were going to be some positions at the elections this year in which the incumbents would not be running. Open positions include one on the School Board (Mark Christensen would not be running again), and one Municipal Budget Committee member (Diane Chadwick would not be running again). There was also an opening for the position of Town Moderator, which would be hard to fill.

Ballot Clerks: Chair Ballin referred to the list of proposed Ballot Clerk received by current Town Moderator Cotton Cleveland. There were five people interested, all of which Chair Ballin felt would be valuable additions. The five to be appointed were: Bill Clough, David Royle, Gena Edmunds, Vicky Meck, and Ben Cushing.

IT WAS MOVED (Mark Kaplan) AND SECONDED (Larry Ballin) to approve Bill Clough, David Royle, Gena Edmunds, Vicky Meck, and Ben Cushing as ballot clerks for 2010. THE MOTION WAS APPROVED UNANIMOUSLY.

Selectmen's Meeting: Ms. Levine requested the addition of a Board of Selectmen's meeting for Monday, March 1 at 8:00am to serve as a review of the Town's warrant before Town Meeting. The members agreed on holding the additional meeting.

Draft Quicklink: Ms. Levine distributed a copy of the latest QuickLink draft and asked Mr. Kaplan and Chair Ballin to review it and get any input they may have to her by the end of the week. They agreed to do so.

Legislative Activity: Ms. Levine said that the WCNH.net group is still working with Dartmouth/UNH project to bring broadband to the region. She had testified just that day for HB1242, which was their attempt to undo the broadband bonding changes that were passed in 2006. The bill would allow towns to bond for broadband if they wish. Rep. Randy Foose, a sponsor of the bill, testified as well as Rep. Pierce from Hanover/Lyme, Julia Griffin, and Susan Olson from LGC. Ms. Levine said they heard testimony from Fairpoint, Comcast, TDS, which were all opposed to the bill. She felt the committee members seemed very favorable to the wishes of the towns, but the committee chair did not seem warm to it. All they were asking for was to be able to bond if they wanted the service; there would be no competition.

Ms. Levine noted that last week she testified for HB1179, which would allow for reverse notification system to be implemented. Fire Chief Jay Lyon, spoke in favor of the system, as well as Donna Nashawaty from Sunapee. Ms. Levine said that there was one representative in opposition only because she wanted a state-wide program. Ms. Levine said there was some concern from the telecommunication companies regarding the sharing of their information, but they were not opposed to sharing the information at a cost to the Town.

Chair Ballin said that the Portsmouth Coalition meeting discussed HB1674 and HB1677, which would be coming up for testimony before the House Finance Committee on January 21, 2010. They would vote on extending the collar on the statewide property tax. He opined that this collar being extended was the only solution working for them at this point. Mr. Kaplan said he was interested in going to the hearing. Ms. Levine said she would put something brief together for his testimony at the hearing.

Budget Committee, January 11: Mr. Kaplan shared that he had read aloud the memo that the Selectmen had agreed upon and had it entered it into the record. The Budget Committee further reduced their suggested budget by \$20,000 by cutting deposits into the Sidewalk Capital Reserve Fund and Intersection Capital Reserve Fund.

Ms. Levine said that the QuickLink did not explain the difference between the Board of Selectmen's budget and the Budget Committee's budget, but that she could add something in there if they felt it was appropriate. She still needed to put something in there that Ms. Helm had requested that the Town would eventually have to fund the deposits that had been cut over the past two years.

Chair Ballin felt the Budget Meeting was a long one, but he was happy with how it ended. It included funding for the Elkins project so they can now move forward in good faith with the State. They were also able to get the Planning Board budget back to where they felt comfortable with it. In addition, they were able to give a modest increase in salaries this year to help off-set the increase in the health insurance. Given the current state of the economy, he felt what came about was good.

Ms. Levine agreed with Chair Ballin's sentiments and added that the CPI was 2.8% at the end of the year, which was not used in configuring the budget.

Mr. Wheeler asked Mr. Kaplan what he felt Randy Foose's position on donor towns was. Mr. Kaplan said he didn't know. Chair Ballin said that he felt he would continue to work as a representative of the leadership but hoped the leadership would shift a bit. Another idea was to force the DRA to do their own billing. The Town would not be agents for them. Ms. Levine said the Towns would the small amount of interest from collecting it themselves but that it would not amount to much in the long run compared to what the taxpayers would pay as donor towns.

Mr. Kaplan said that the DRA would automatically directly bill each property owner for the statewide property tax. The impact of getting a second bill would likely make a dramatic change about how the citizens feel about the statewide property tax. Chair Ballin said that this would help people to understand that the State is responsible for most of their tax bill.

MAC Meeting: Chair Ballin said that he had attended Friday's Municipal Advocacy Meeting and they are looking at different legislation for municipalities. Attorneys are now involved and a lot of frivolous spending is being looked at.

Joint Board of Selectmen's Meeting, January 21, 2010: Ms. Levine said that the Public Works Directors and Road Agents would be present at this meeting at 6 PM at the Warner Town Hall.

Bob Meck asked if Hazardous Waste Disposal events would be discussed at this joint meeting. He thought that as groups of towns, each town should sponsor a hazardous waste disposal event each year. Ms. Levine said that they already do that but that it is not free and costs about \$9,000 per year. She added that the last one that New London hosted was two years ago and it has been removed from the budget. She said that hazardous waste collections will still happen regionally and residents may dispose of waste at their own expense.

Chair Ballin asked if there was any other business.

Mr. Lavoie read the following remarks regarding cost allocation for the treatment plant:

Because the number of sewer customers is about 1/4 the number of town taxpayers, a treatment plant cost allocation of 1/3 for the town and 2/3 for the sewer customer group

would result in an individual sewer customer typically paying 8 times as much as the non-user for the community's treatment plant. I do not consider this reasonable. I suggest that the Selectmen reconsider the following more equitable cost allocation options:

- A. An allocation of 1/2 for the town and 1/2 for the sewer customer group would result in an individual sewer customer typically paying 4 times as much as the non-user for the community's treatment plant.
- B. An allocation of 2/3 for the town and 1/3 for the sewer customer group would result in an individual sewer customer typically paying 2 times as much as the non-user for the community's treatment plant.

I consider the latter option reasonable, and what I meant but misapplied in the context of the previous meeting's discussion. The cost imposed on the typical individual sewer customer is a more equitable measure of the treatment plant cost burden than using the sewer customer group (collectively all users) as the basis for comparison.

The suggested reconsideration is based upon:

- The town's sewer customers already pay one of the highest rates in NH.
- The whole town benefits in many ways from having a higher density commercial core permitted by the treatment plant, which is an asset like schools and roads.
- The town is liable for heavy daily fines and potential lawsuits if the current outdated treatment plant is not upgraded to meet near-term environmental standards to control pollution. Also, potential grants are currently available to subsidize part of the upgrade cost.”

Mr. Lavoie asked how the sewer plant bond would be presented in a warrant. Ms. Levine said she didn't think the allocation would be in the warrant. It would say they would be seeking approval for a bond subject to receipt of no less than 35% from the grant and the usual wordage seeking permission for the selectmen to negotiate the deal.

Mr. Lavoie said that at some point they would have to say something about the tax impact of the bond. She agreed but that it did not have to be in the warrant. Chair Ballin said they'd have that information available to the public, but that it would not be part of the written warrant.

Ms. Levine said that it could be part of the warrant if he felt it was important to have restrictions be part of the warrant. She didn't feel that the Board of Selectmen would do something other than what they announced at Town Meeting.

Mr. Lavoie said that he felt the 1/3 - 2/3 allocation was misleading. Chair Ballin said that they are very clear with saying that 1/3 would be paid by taxpayers and 2/3 would be paid by the sewer users. Mr. Lavoie was concerned that 1/4 of the Town would be responsible for the largest amount of the cost. Mr. Kaplan said that through the last two bond issues, they have had the entire amount put on the sewer users. He said they felt a 1/3 - 2/3 split was reasonable. Mr. Lavoie pointed out that the last two bond issues involved extending the sewerage system to specific neighborhoods which differs from the treatment plant which is a town facility benefiting the whole town

Ms. Levine said it is hard to quantify the value of the sewer system to non-sewer users. Mr. Kaplan said that in the explanation, it will explain the split. It would not and should not be in the warrant.

Ms. Levine said that she hasn't ever been at a Town Meeting where the Board of Selectmen has not honored what they have said at Town Meeting.

Mr. Kaplan said that Mr. Lavoie was risking making the sewer users ending up paying 100% of the cost because they are in the minority and those in the majority won't want to pay any at all if it was a choice.

Mr. Wheeler noted that sewer lots are more valuable because they are allowed to have as many bedrooms as they want, whereas a lot with a private septic system is restricted to a certain number of bedrooms.

Mr. Lavoie requested that instead of separating the allocation between groups, to point out how much the sewer user would pay more than a non-user. He felt it was a more equitable way to present the information. Chair Ballin said he would revisit the information.

Application for use of Whipple Memorial Town Hall:

- New London Garden Club, flower show – Thurs. September 16, 2010 1:00 PM until Saturday September 19, 2010 6:00 PM – Approved.
- New London Democratic Committee, Biannual Town Party Caucus, Thursday March 25, 2010 6:30-9:00 – Approved.
- Sutton Central Schools, fundraiser – retail sales – Saturday & Sunday, January 30 & 31, 2010 10:00AM – 4:00PM – approved.

Application for Permanent Sign Permit:

- Go Lightly Consignment Boutique – Colonial Place Building – (Map & Lot 059-008) Approved

Other:

- Disbursement & payroll voucher week of January 18, 2010 - Approved.

IT WAS MOVED (Mark Kaplan) AND SECONDED (Larry Ballin) to adjourn the Board of Selectmen's meeting of January 11, 2010. THE MOTION WAS APPROVED UNANIMOUSLY.

The MEETING ADJOURNED at 7:55pm

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London