



TOWN OF NEW LONDON, NEW HAMPSHIRE

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BOARD OF SELECTMEN MEETING MINUTES May 26, 2022, 6:00 PM Kearsarge Professional Development Center

PRESENT:

Nancy Rollins, Chairman
Janet Kidder, Selectman
Bill Helm, Selectman
Kim Hallquist, Town Administrator
Lynn Lewis, Finance Officer

ALSO PRESENT: Emily Cobb, Police Chief; Will Kidder, Town Clerk-Tax Collector; Jay Lyon, Fire Chief (via Zoom), Janet Haines, Peter Nichols, Steve Root, Steve Ensign, Joe Cardillo, Bob Bowers, Kathy Barth, Maureen Prohl, Karen Ebel, Nancy Putnam, Nancy Kingsley, Marilyn Soper

Selectman Rollins called the meeting to order at 6:00 PM.

Public Hearing: Fireworks Ordinance

Chair Rollins stated the public hearing tonight is to discuss the possibility of instituting a fireworks ordinance. Chair Rollins stated the first discussion they had relative to concerns around the use of fireworks was last August. There was also a concern at that time regarding a cannon that was being set off but there have not been any recent incidences of that and that is a separate issue.

Chief Cobb stated this has been a conversation that she and Chief Lyon have had with Town Administrator Kim Hallquist over the past several months and there are several options. One of the concerns is if an ordinance with a permitting process is to be put into place, that would be an administrative layer of governance and that would create issues. She and Chief Lyon are in favor of not instituting an ordinance.

Chief Cobb looked at calls for service from January, 2020 to now and there were five fireworks complaints and none of those were after 10:00pm. She also looked at noise complaints related to fireworks and there were 8 or 9 total and only 3 of those were after 10:00pm.

Chief Lyon agreed with Chief Cobb's statements and noted that a fireworks ordinance would not be the best answer as people are still going to be shooting them off, they will just be required to have permit. Chief Cobb stated having an ordinance of any kind either banning them or requiring permits would not be the best use of the Police Officers time. Rather than chasing fireworks complaints throughout the summer, their time could be better utilized with motor vehicle enforcement or other things.

Chair Rollins stated they have received a lot of feedback from individuals about fireworks and their concerns. Kathy Barth stated it's important to know the difference between class B (display fireworks) and class C fireworks (consumer fireworks). The town of Newbury and Sunapee both

require permits for the use of class C fireworks, but New London does not currently regulate the use of class C fireworks. There are 22 towns in the state of NH that prohibit fireworks and 62 towns that require permits or require further restrictions. Class C fireworks are extremely loud, alarming, sudden and without warning. This is terrifying for young children, pets or people with PTSD. There are also concerns about the impact of fireworks and contamination of our clean lakes. Regulation of fireworks would help to maintain the peaceful, serene and healthy quality of our lakes and ponds, as well as maintain respectful relationships between neighbors and the community. She urged the Selectmen to consider some form of regulation in New London.

Steve Root is the Director of Little Sunapee Protective Association and advised the town that that Board has adopted a resolution urging the Town of New London to adopt reasonable regulation of fireworks. Steve Ensign feels the protective associations for our lakes in New London are very important. He stated a suggestion was made that consumer fireworks be permitted only on certain holidays. There was also concerns expressed about the debris from fireworks falling on old cottages around the lake and washing up on the shores of the lake. Vahan Sarkisian stated this is a live free or die state and the police department shouldn't get involved in this.

Nancy Putnam would be in favor of not having any fireworks or doing it only on designated holidays. Fireworks are a problem and go off at all hours which is disturbing.

Peter Nichols stated there are a lot of concerns mostly coming from waterfront property. He is concerned that there might be an over-reaction to this issue. There are statutes in the state whereas disturbing the peace is defined and someone who is setting fireworks off during certain hours would be in violation of the statute and this is enforceable. In 2013, the Selectmen took this issue up and decided that the disturbance of the peace clause in the statute was sufficient. He would encourage a call for civility with the hope that we would not have to overregulate.

Steve Ensign is on the Board of Firewards and after a lengthy discussion the Board concurred with the position being taken by the Fire Chief and also were in support of the Police Chief. While common courtesy would be encouraged, it is not always exhibited. He feels there should be some notice to the public about what is expected of them.

Nancy Kingsley stated she has been hearing fireworks all throughout the year. She is fine with being a good neighbor but would like to be able to see it on a website or somewhere so she knows when it is happening and can be prepared.

Selectman Kidder asked Chief Cobb what people should do if they have an issue regarding fireworks if an ordinance isn't instituted. Chief Cobb stated it depends on the time of night but anything after 10:00PM is a noise disturbance, especially if they are going off for a long time. The Police would go out and have a conversation with the people setting off the fireworks.

Chief Cobb spoke with the Sunapee Police Chief and they have never issued a fine, only warnings. In Newbury, they issued fines around the time that they enacted their ordinance, but they haven't issued any fines in many years.

Selectman Helm stated he sees no benefit to putting another permitting process in place that requires more paperwork. He recommends doing more education and working on this issue with our neighbors. If that doesn't work, we can revisit this in another year but he is inclined to support not

taking any action.

Chair Rollins disagrees and a compromise would be to limit fireworks to certain holidays; there would be an outright ban on fireworks except for specific designated holidays. No permits would need to be issued but it would be limited to New Year's Eve, Memorial Day, July 4th, and Labor Day with the expectation that they would be within a reasonable timeframe of up to 10:00pm. Chair Rollins does not feel that doing nothing is the right thing to do. She would also like to hear more about what kind of continued education campaign could take place around the safe use of fireworks.

Selectman Kidder agrees with Chair Rollins and feels we need to be sensitive to the people who have brought this to the Board's attention. She doesn't want an ordinance that falls unfairly on our Police and Fire Departments so only allowing fireworks on certain holidays would be a good compromise. She recommends publicizing this on our town website and the *Intertown Record* so people know when it is permissible. If this doesn't work then it will have to be revisited. Chief Cobb suggested doing four-day weekends for Memorial Day and Labor Day and then for New Year's, she suggested New Year's Eve and New Year's Day.

Selectman Helm asked what is going to happen when fireworks are being set off on all the other days. In his opinion the issue doesn't rise to the point where we should be trying to fashion an ordinance like we are trying to do. Providing education and being courteous should be a starting point. Chair Rollins understands the desire to have people take responsibility but unfortunately there are far more that choose to do as they will. Education is the way to address that. She doesn't want to put more of a load on the police department but there should be some parameters around this.

IT WAS MOVED (Bill Helm) AND SECONDED (Janet Kidder) to ban fireworks in New London with the exception of recognizing four major holidays (Memorial Day, July 4th, Labor Day and New Year's). THE MOTION WAS APPROVED UNANIMOUSLY.

Chair Rollins stated some of the language needs to be more detailed to address concerns and language that states a permit is not required. Selectman Helm recommended passing the general motion tonight and the the Board can work on the details to be brought back for review.

PUBLIC COMMENT – Janet Haines asked about the electrical panels on the town green. She feels they are unsightly and asked if anything could be done about them. In other places, these panels are boxed in and is that possible for us to do. Selectman Kidder responded that they had looked into putting landscaping around those panels to hide them from view but it was quite costly. They've been painted green to try to camouflage them. Kim Hallquist noted that the panels were required by Eversource to be in compliance with regulations for safety to have power at the Town Green and skating rink; the panel for the Town Green was installed several years ago, the skating rink panel was being installed now.

Discussion of strategy for going forward with panels as recommended by Selectman Helm

Selectman Helm stated he spoke with Phil Sherman who is the chair of the current Whipple Hall Subcommittee. Mr. Sherman had previously provided a memo regarding questions that should be answered prior to proceeding with the Whipple Hall project. Items they discussed were how would the chain of command work and who is responsible for reporting and to whom; what will be the charge for the group or will it be the same as the current subcommittee; who will approve the scope and the schedule once it has been determined. Selectman Helm feels it would be wise for one of the

Selectmen to sit down with that committee and follow through on these questions. Once that has been done, the Board should determine what the intent of the Whipple Hall renovation is: is it short term to meet functional needs or are we trying to set it up for the next several decades as a historical place that could be used for many other purposes. The town meeting passed a bond for \$600,000 and the intent was that this would be for one project, and it would be done, not done in phases.

Chair Rollins thinks it makes sense to follow what Mr. Sherman suggested and it is critical to go over all of this during that initial meeting. Chair Rollins would like to participate in that committee. She has a vested interest in seeing the Whipple Hall project get completed. Selectman Kidder agrees and thinks that initially all three Selectmen should meet with the committee. She does not think some of the things that were proposed need to be done to Whipple Hall. Selectman Helm stated his goal would be to have the Whipple Hall project report directly back to the Board.

With regards to waste management, Selectman Helm feels they should be focusing on pages 27 and 28 of the master plan that are related to recycling and composting. They also need to think about the existing facility for treatment of waste and understand what the limitations are. The same discussion between the Selectmen should happen with this topic regarding scope and time tables, etc.

Karen Ebel is the chair of the Solid Waste Oversight Committee for the State and shared she is working with environmental services on the development of a long range solid waste plan which hasn't been done since 2003. This plan will include a lot of recommendations. Last year the State adopted new solid waste diversion goals by weight and they are seeking to decrease solid waste going into landfills by 25% by 2030 and by 45% by 2050. Municipalities need to think about how they are going to divert this waste and composting is one example of how to do this. There is also a lot of interest in New London in getting plastics out of the waste stream.

Police Department grant agreement for Phase 3 Mount Sunapee Communications Repeater

Chief Cobb stated they still don't have the grant agreement but hopes to have it in the next few weeks.

TOWN ADMINISTRATORS REPORT

Kim Hallquist provided the following report:

- A feral hog was reported in New London so the USDA came to the town office to get permission to put game cameras on town property to try to catch the hog.
- The vendor supplying sound equipment for Whipple Hall notified the town that it should arrive by June 10, 2022 which is earlier than expected.
- The school does not have all of the funds to replace the bleachers so if they are going to replace them in time for the town's use for Town Meeting, they will need the town to contribute. They estimate the cost of the bleachers to be \$65,000 and there is a cost of \$6,000 to remove the bleachers that are currently there. If the Selectmen are in agreement to assist the district in replacing them, she would ask that they agree in principle tonight, and at the June 9th meeting she will come back with the identification of where in the budget the funds would come from. Selectmen Kidder stated she is in support of this as it is very important that they have appropriate seating for Town Meeting. The other selectmen agreed as well.

COMMITTEE MEETINGS & REPORTS

Selectman Helm stated a Budget Committee meeting was held on May 18, 2022 and began organizing themselves for their fall meetings. They agreed they would like to continue with the joint meetings with the Selectmen and will also schedule meetings with department heads to do tours.

MEETING MINUTES

IT WAS MOVED (Janet Kidder) AND SECONDED (Bill Helm) to accept the minutes of the May 12, 2022 meeting. THE MINUTES WERE APPROVED UNANIMOUSLY.

UPCOMING MEETINGS & SPECIAL EVENTS

- **Next Regular Selectmen's meeting – Thursday, June 9, 2022 – 6:00pm @ 165 Main St**
- Planning Board – Tuesday – May 24th – 6:30 PM – Whipple Town Hall
- Housing Commission Workforce Housing Panel Discussion – Wednesday, May 25th – 6:00 - 7:00PM @ Wheeler Hall, Colby-Sawyer College
- **Town Offices CLOSED – Memorial Day – May 30th**
- Supervisors of the Checklist – Tuesday, May 31st – 7:00 PM -Whipple Town Hall
- Energy Committee – Wednesday, June 1st – 7:00 PM – Syd Crook Meeting Room
- Citizen's Advisory Committee meeting – Saturday – June 4th – 7:30 AM – Whipple Town Hall
- Listening Session – Reps Ebel & Wolf – Monday – June 6th – 5:00 – PM – Syd Crook Meeting Rm

APPROVAL OF PAY VOUCHERS, PERMITS etc.

Items to be signed:

- Accounts Payable Forms
- Yield Tax Levy (3)
- Lessee Resolution
- Property Tax Abatement

Applications Approved &/or Denied

Zoning Permits-approved

- Heidelberg Lodge 92 IOOF, TM 084-068-0-0-0. Rebuild approx. 14 linear ft of the frost wall. ZP 22-05. Approved. 5/20/2022.

Temporary Event/Sale Permits – approved

Sign Permits – approved

- Christine Donovan, TM 085-044-0-0-0. TEMP SIGN - The Creation Place. Approved. 5/20/2022.
- NL Rotary Club, TM 085-044-0-0-0. TEMP SIGN - Food Truck Festival. Approved. 5/20/2022.

IT WAS MOVED (Bill Helm) AND SECONDED (Janet Kidder) to adjourn. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 7:34PM.

Respectfully submitted,
Trina Dawson
Recording Secretary
Town of New London