

FINAL

BOARD OF SELECTMEN'S MEETING

September 10, 2012

7:30 P.M. – MUNICIPAL OFFICE BUILDING – HANOVER, NH

The meeting of the Board of Selectmen was called to order at 7:30 p.m. by Chairman Peter Christie. Present were: Peter Christie, Chairman; Athos Rassias, Vice Chairman; Bill Geraghty, Selectman; Nancy Carter, Selectman; Jay Buckey, Jr., Selectman; Julia Griffin, Town Manager and Walter Mitchell, Town Attorney.

1. PUBLIC COMMENT.

Chairman Christie asked for Public Comment. There were no comments from the public.

2. PUBLIC HEARING PURSUANT TO A REQUEST BY DANA AND JOHN ROBES TO ALLOW THE IMPROVEMENT OF THE ROADWAY FOR VEHICLE ACCESS ON PASTURE ROAD, A CLASS VI ROAD IN HANOVER, FOR THE PURPOSE OF ACCESSING THEIR PROPERTY. PUBLIC TESTIMONY WILL BE INVITED DURING THE HEARING.

Chairman Christie opened the Public Hearing. Ms. Griffin stated that the purpose of this Public Hearing is under Ordinance #4 to consider the request by the property owners to do private construction on a Town Class VI road which requires that the Town notify abutters as the Select Board considers this request. This is something that is rarely requested; to allow construction on a Class VI Road. The property is jointly owned by the Town of Hanover and Dana and John Robes. Ms. Griffin noted that there are a lot of issues surrounding this request and there are a whole series of approvals that will be required.

Chairman Christie noted that the Board has had extensive background information on this request including a site visit, input from the Hanover Planning Board, Hanover Conservation Commission, Hanover Conservancy, Upper Valley Trails Alliance, numerous interested parties including abutters and there was also a comprehensive article in the *Valley News*.

Chairman Christie announced that this hearing is solely on the request by Dana and John Robes to do private construction on a Class VI road as allowed by RSA 236-9 and the Board needs to determine whether this request is consistent with the Town of Hanover Ordinance #4 standards which include cutting and clearing, grading and drainage, gates and bars and stone walls; this is not a hearing about whether the land should be subdivided or how; it is not a hearing on whether a zoning variance or special exception should be granted by the ZBA relative to the potential of a seasonal dwelling on the abutting land. Chairman Christie asked the audience to try to focus on the input specific to the Class VI road application and noted that the Town's attorney, Walter Mitchell, was also present.

Chairman Christie wanted to recognize the applicant, then the abutters and then other interested parties. Chairman Christie stated that the Board has collected a lot of input from abutters and others which are being collected in a binder.

Brad Atwood introduced himself as the attorney representing the Robes Brothers. He stated that he has been involved in the project for approximately 3 years as has James McClammer (President & Senior Environmental Scientist for Connecticut Valley Environmental Services) and Chris Rollins, Surveyor. Mr. Atwood stated that this is probably the most complicated land use case that has come through this Town process. Mr. Atwood also felt that they should try to keep the discussion surrounding the permit. Mr. Atwood noted that he supplied a memorandum to the Board for tonight's meeting.

Mr. Atwood stated that the Robes brothers acquired their interest in the property from their Uncle Elmer in 1988 and the Town acquired their interest from the Robes' Uncle Ernest in 1991. One of the complicating factors is that when the Town acquired its interest 3 years after the Robes, Ernest conveyed the property subject to numerous restrictions and covenants which greatly reduce the use of the property. The Robes recognize that they are getting older and their children will presumably inherit this property and they wanted to deal with the land issues now. This application was filed after considerable thought and there have been consultations with the Town to discuss the Robes' interest which is to partition the property into parcels of equal equitable value. One of the main problems with this parcel is access; right now the property is landlocked. Moose Mountain Road is a Class V Town highway comes up from Dana Road and approaches this property. Between Moose Mountain Road and the 130 acre parcel is a strip of land owned by Elisha and Anne Huggins.

Mr. Atwood stated that the Robes initially approached the Huggins about a driveway easement but as is their right, they declined so the Robes were left to look for other access. Mr. Atwood noted that the access for the property is through Town Highway #47 which is a Class VI Town Highway that was discontinued in 1932 subject to Gates and Bars. Sometime after Mr. Huggins moved in, in the early 60's he reintroduced beavers to the area. There were subsequently beavers that dammed up the water which caused the submergence of access over Pasture Road from Moose Mountain Road into the lot. Currently, the Class VI Pasture Road is basically under water. There is a small beaver pond under Moose Mountain Road. Mr. Atwood noted that Chris Rollins, Surveyor has delineated the right of way on Pasture Road after a great deal of research.

Mr. Atwood stated that in consultation with the Town they had some alternatives with how to deal with the access issue. They wanted to avoid taking an abutters property for a private roadway which can be done under RSA 231-22 which would allow them to relocate an existing highway onto a more suitable route. There is less environmental impact if they were to go over the abutters property, there are no beaver dams there and there would be fewer impacts on wetlands. Mr. Atwood noted that the Robes were trying to respect the abutting property owners' rights. They now want to improve Pasture Road to allow for access.

Mr. Atwood noted the Rights of Legal Access under RSA 231-43 which deals with the power to discontinue a highway and this highway was discontinued by vote of the Town in March of 1932. The Statute provides that ‘no owner of land shall, without the owner’s written consent be deprived of access over such highway at such owner’s own risk.’

Mr. Atwood stated that RSA 231-22 also provides that any owner who has no access to his land by public highway may petition the Selectmen to lay out subject to gates and bars a highway located where any previously discontinued highway was located. Mr. Atwood stated that they have not done this. Mr. Atwood stated that the Robes filed an application under Ordinance #4 which provides that there are certain criteria that if the applicant meets it, the Town is obligated to grant a permit to improve the roadway to certain standards to provide vehicular access. There is no other access into this property for the Robes.

Jim McClammer, President of Connecticut Valley Environmental Services, Inc. & Environmental Consultant, introduced himself and stated that he has been doing this type of work for over 20 years and is the 3rd person in the State to be certified as a wetlands scientist. He has also been working with the Robes brothers since 2009 and they started with a site visit in the fall of that year. The Robes are interested in building a seasonal home on their 135 acres and needed to determine a proper location on the property. After consultation, Mr. McClammer stated that it was his opinion that they should locate the structure on the westerly side of the property so as not to disturb the area on the eastern side of the property. Mr. McClammer stated that this would also make conservation parcels to the south and north of the 135 acre parcel contiguous preserving a “green belt” that will be important for wildlife corridors and travel corridors.

Mr. McClammer noted that this is a complex project and it was his recommendation that they come up with a conceptual way to divide the parcel before they focused on the access with the least amount of environmental impacts. Mr. McClammer noted that there is an extremely large pond which was a mill pond but has been co-opted by beavers and they have built a series of log dams that have created smaller ponds. He provided the Board with an aerial photo of the ponds including the beaver pond which is within the right-of-way on Pasture Road. As they were looking for alternatives, the easiest way was to access the common driveway and 45 feet of property belonging to Mr. & Mrs. Huggins but this is not a practicable alternative. So the applicants are requesting to improve Pasture Lane (a Class VI Road), seeking authorization from the Public Works Director to allow improvements to the Class VI Road. Specifically, the proposal was to follow Moose Mountain Lodge Road, crossing the beaver pond/beaver dam and then between two retaining walls and onto the 135 acre parcel.

Mr. McClammer stated that under Ordinance #4 there are 5 criteria for approval: Clearing/Cutting; Grading; Drainage; Gates and Bars; and Stone Walls.

- Clearing/Cutting

Mr. McClammer stated that the proposal is to clear trees within a 30-foot corridor that would be entirely within the right-of-way of the Class VI road.

- Grading

Mr. McClammer stated that they propose to do very little grading on this site and would follow the existing contours of the proposed road that currently exists.

Mr. McClammer referred to a photograph of the area and noted that even where it crosses the beaver pond, there is a tree in front of the pond which is where the Class VI road goes; the beaver dam is in the way and they would need to remove the beaver dam to find out how much fill they would need in that area. The travel way will be limited to 12' and there is no other way to get to the parcel without going through the beaver pond. The project will require heavy equipment so they will need a 12' roadway.

- Drainage

Mr. McClammer stated that there would be no redirection of water; they would place approximately 8 culverts – with 2 located at the beaver dam.

- Gates and Bars

Mr. McClammer stated that there are no gates and bars on the Class VI roads today. The Robes will install gates and bars to keep vehicles (other than the Robes) out.

- Stone Walls

Mr. McClammer noted that there are a number of stone walls on either side of the right-of-way and the proposed drive has been laid out to avoid the stone walls.

Mr. McClammer stated that the permit approval will not create any obligation of repair and maintenance by the Town. The Public Works Director could impose a bond if he chooses.

Mr. McClammer stated that Public Works Director, Peter Kulbacki, suggested that they consider using the shortest length of the right-of-way which is feasible. He noted that the Robes are proposing minimal improvements to the Road.

Attorney Atwood introduced Chris Rollins who researched the right-of-way who prepared a written response.

Chris Rollins, land surveyor, introduced himself and stated that the Robes hired him a couple of years ago to help with this project. His purpose was to survey the property boundaries and locate the old Town highway and wetlands. He wanted to thank the

Huggins and the Shumways for being helpful as he worked in the area. This is his 40th year working in this field. He has surveyed the entire perimeter of the property and located the portion of Pasture Road that passes by the pond and exits at the Town Highway. He stated that it was a long process as he looked up the highway records and he has collected 150 pages of Town records himself and he did go to the State archives in Concord as well. He noted that Pasture Road makes up portions of 3 roads in Hanover. It started on the Canaan town line on the east side of the Mountain and traveled north to Goss Road until it was opposite of Lovejoy Brook where it would ascend the mountain on a steep southern slope. At a certain point there is a 260 degree turn to travel up over the mountain to get to the crest.

Mr. Rollins noted that historically in 1817, 1826 and 1848 the road was listed as being “3 rods wide.” He stated that he had the benefit of using a survey from 1908 which shows the perimeter as he has found it. It also shows where Pasture Road passing between the stone dam and the westerly line of the property. In his efforts to confirm what he’s found, he surveyed a portion of Moose Mountain Road running westerly to Dana Road and located the termination point of Moose Mountain Road at Old Dana Road which is the termination point of the 1817 layout. This is how he knew he had a definite point and then he took the original layout description and he was able to drop this information onto the survey coordinates and of all the roads he has surveyed and he has never seen one that matched up as well as this.

Chairman Christie clarified with Mr. Rollins that he found the definitive point on the northern side and then he was able to compare with the old records which matched the markings. Mr. Rollins confirmed this and noted that he could show them the layout in documents that he has prepared.

Selectman Buckey stated that he understands how they determined the site for the seasonal home but asked whether there was any formal division of the property that recognizes that. Attorney Atwood stated that there is nothing formal but they had to have a starting point. He stated that the Town has hired an appraiser to ensure that however this is done, it is equitable and fair. Attorney Atwood stated that he wanted to recognize that the Shumways and Huggins have been very cooperative in spite of their differences.

Chairman Christie asked Peter Kulbacki to speak to the Board. Chairman Christie asked if Public Works has provided input as to whether the criteria under Ordinance #4 have been met or if they have concerns. Mr. Kulbacki stated that his concerns surrounded minimizing the amount of Class VI Road that is disturbed and to put a gate on the roadway since it’s not built to handle vehicular traffic. Mr. Kulbacki noted that they did talk about the crossings and how it could be minimized and suggested alternatives such as bridging it and some of it is not practicable. Mr. Kulbacki suggested having improvements removed after construction. Mr. Kulbacki stated that they discussed the utilities that would need to be brought to the site and having it underground would have less visual impact and would be less likely to be damaged by falling trees.

Chairman Christie asked Mr. Kulbacki whether the application complies with the 5 criteria within Ordinance #4. Mr. Kulbacki stated that the plans are within the guidelines of the Ordinance.

Walter Mitchell, Town Attorney, stated that the way that the applicants represented this, the standard requirement in Ordinance #4 is no clearing beyond the existing traveled right-of-way, but the applicants plan to clear 30' within the right-of-way which is almost 50' and after walking up there, it doesn't seem like there's 30 feet cleared currently. Mr. Kulbacki stated that he recommends minimizing the width; the 12' travel width is construction width and a driveway doesn't need to be that wide. It does need to be wider to allow larger equipment and they could build temporary roads.

Mr. Mitchell stated that within the context of the application for approval, the Board is going to be looking to Mr. Kulbacki for specific guidance for what is necessary beyond the width of travel way and why. Mr. Kulbacki stated that he suggested that they look into timber retaining walls to narrow the causeway so there would be less impact. This is going to guide how much clearing they would need to do because of the fill extension. If there is a 5' crossing, the fill extensions could start approaching that area. Areas where there is a cleared road, they wouldn't have to clear anything.

Mr. McClammer stated that with regard to cutting, clearing and grading the Ordinance specifically says that cutting and clearing shall be limited to the existing travel way. The Public Works Director may approve cutting and clearing outside the travel way but still within the Town right-of-way if reasonably required in connection with grading and existing drainage. Mr. McClammer stated that if they can clear less than 30' they would do that but being involved in construction projects, it's usually better to clear a larger area and then do improvements and then let the vegetation grow back.

Mr. McClammer stated that with regard to grading, there will be no change in the horizontal and vertical alignment and the existed traveled way. If they look at the 20' of width with only 5' on each side, from his experience this would be the minimal amount of clearing. With regard to the crossing of the wetland area, the beaver dam is considerably taller than the tree in front of it. If they put a bridge over the beaver dam, they would increase the horizontal grade of the area and they will not be able to get a permit from the State wetlands bureau if they exceed the grade.

Elisha Huggins introduced himself and stated that he is totally opposed to construction in this area. Mr. Huggins stated that in May, 1962 he and Elmer Dana walked around the land and he remembered specifically standing at the top of Moose Mountain Lodge Road. He noted that Chris Rollins surveyed the entire pond and he came back to the starting point within a 1/4" using GPS which he never thought would be possible. Mr. Huggins stated that Mr. Rollins is a professional but he can't know exactly what was happening 100 or 200 years ago. Mr. Huggins stated that he and Elmer Dana stood at the top of the hill and noted that the Town Road bends in the opposite direction from Mr. Huggins's house. Mr. Dana's description places Moose Mountain Road 50' north of where Mr. Rollins has indicated.

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Mr. Huggins had several questions for the Board. He asked how many houses are in Hanover. He asked the Assessor who told him that there are 2,445 houses including condos. Mr. Huggins then asked the Assessor how many seasonal dwellings there are in Hanover. He learned that there were 70 on the east side of Moose Mountain which are under the restriction of a Seasonal Dwelling. He was told that this was done so that the Town of Hanover wouldn't have to transport children from the east side of Moose Mountain into Hanover for school.

Mr. Huggins asked the Board what area in the Town of Hanover has the following properties:

- 1) 4 connected beaver dams; he noted the craftiness of the Beavers that made a curved structure that made the dam stronger.
- 2) What is out there, what is unique? There are hiking and skiing trails that connect to the Appalachian Trail. The trails would be pre-empted by this road.
- 3) Historical – the foundations of the old mill are there and they are beautiful. There are 16 saw holes for the vanishing town of Ruddsboro.
- 4) Parking access.
- 5) The views. He noted that he has yet to see a book about the Appalachian Trail where there isn't a picture of the sunset from Moose Mountain.

Mr. Huggins stated that the Town of Hanover has 50% ownership of the land but 100% responsibility for maintaining this by not dividing it; he is not for the division.

Mrs. Kay Shumway approached the Board. Mrs. Shumway read the following statement to the Board:

“Tonight, the Town is considering a very important decision affecting the long term health and character of Moose Mountain. Over the last twenty years, as a result of generous donations and carefully crafted town policy, Moose Mountain has become one of the most important places for outdoor recreation and wildlife habitat in our area. With the stakes so high, it is important that Hanover residents have the background information they need to consider this issue in context.

To understand the decision, we need to consider the history of two brothers, Ernest and Elmer Dana, with very different attitudes towards their legacy on the land.

Ernest and Elmer grew up in hard times. Their father died when they were very young. Life did not get easier from there. But, they were both good, hardworking men. By the time they were adults, Ernest was a school teacher and administrator and Elmer was running the family farm.

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Both men married but neither had children. Their younger sister Sarah, who married a skier and outdoor enthusiast named Bill Robes, had three sons who are proposing to build a new road and seasonal dwelling on Moose Mountain.

Ernest and Elmer were close, but very different. Ernest bought land near his Etna home during his career as a teacher and administrator in Colebrook, NH. Elmer sold pieces of the family farm. In 1937, Elmer sold 40 acres that became Moose Mountain Lodge. In 1962, the Lodge was sold to Agnar and Anah Pytte. The honeymoon cottage was sold to Lish and Anne Huggins.

In 1974 Elmer sold 200 acres of the family's farm to Agnar and Anah Pytte for the home they built. Elmer gave a former employee a quarter acre on Moose Mountain that was later sold and permitted by the Town for a 'seasonal dwelling.' Here's what happened to the seasonal dwelling. (There is a picture attached to the letter provided to the Board).

Land stewardship is what this whole issue is about, except that now the stewards are no longer Ernest and Elmer, they are the Town of Hanover and Elmer's nephews. Ernest donated all of his land to Hanover, (his home and six acres to his alma mater, Brown University). He wanted the land conserved for non-motorized recreation and forestry, forever. He gave about 100 acres along Ruddsboro Road to the Town that is now in conservation. He gave more land near the Dana Road cemetery to the Town, also to be conserved forever.

Finally, Ernest gave his 50% interest in the Huntington Lot he'd bought with his brother decades earlier to the Town, with clear restrictions. The Town agreed to those restrictions when they accepted Ernest's generous gift. It's worth reading the deed but here are some of the main points:

"The Town of Hanover, by acceptance of this deed, agrees that the property described herein shall be held and used consistent with the covenants and restrictions and shall be under the supervision of the Hanover Conservation Commission."

The land "...shall be used for forestry, outdoor recreation and conservation, and for no other uses..."

Finally, Ernest also stipulated – and the Town agreed – that the land could not be subdivided and could only be transferred to an organization such as the Society for the Protection of New Hampshire Forests.

The nephews already own their family house on Three Mile Road, and will likely inherit Elmer's home on Old Dana Road at the bottom of Moose Mountain. The Town has to consider all this history, Ernest's generosity and the commitments the Town made when accepting his gift. At the Town's behest, Jim Baum bought 200 acres of land on Moose Mountain and deeded it over to the Town for conservation. He might not have done so if he had known the Town would turn around and allow development in the same area.

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The land may be accessed "...by foot, horseback, snowshoes and skis (to enjoy the land)....consistent with the purposes of preserving and protecting the present natural condition of the property."

In fact, the Town should shelve this particular application because the proponents do not control the land they are asking to access. They have put the cart in front of the horse with this application to improve a road with an unknown location.

Two days before he died, Ernest told me that his fondest memory was hiking up on Moose Mountain in the full moonlight and seeing a moose silhouetted against the moon at the beaver pond. Ernest left more than 300 acres to Hanover, including his half of the Huntington Lot. The Town agreed to conserve this land when they accepted it from Ernest. We cannot change our minds now, or turn our backs on decades of conservation efforts, no matter how much a few people would like us to."

Jim Baum introduced himself and noted that he and his wife live in Illinois. Mr. Baum stated that 12 years ago he purchased property in VT to have a home over there and his intention was to retire in Hanover. In 2005, the Town of Hanover came to him to ask him to help protect part of Moose Mountain and at that time he purchased 240 acres for preservation. He asks the Board to turn down this request; there are legal issues, environmental issues and for the stewardship of the land. The line of Pasture Road ends on his property and he will need to connect with Mr. Rollins because he has not been able to find anyone who can determine where Pasture Road is. He has used Harwood Forestry in Tunbridge and John O'Brien from Orford and they are baffled as to the location of Pasture Road. The issue of Pasture Road may be moot once they determine the division of the property. Mr. Baum noted that the attorneys have been talking about this and saying that they have been working on this for about 3 years but he had not heard about it and he finds it interesting that there haven't been discussions among the Conservation Commission or the Trails Alliance. This has been done under a cloak of secrecy which he finds offensive.

Mr. Baum stated that the letter that went out in May noted that the Town has come to a "conceptual agreement" about the division of this property. Mr. Baum questioned who made the agreement. Why would the Robes family spend \$10,000-\$20,000 in engineering fees on something that they had not been encouraged to do? He would suggest that the lack of transparency should give the Selectmen grave concern. The issue of dividing the land is more important. What makes the Robes family entitled to all of the good property and leaving all of the back property for the Town of Hanover? This needs to be debated in a way that is transparent.

Mr. Baum expressed concerns about the environmental issues. They have talked a little bit about Pasture Road itself but they haven't talked about the wetlands; he stated that he doesn't claim to be an expert but he does have some experience in the core of engineers. What is proposed simply may not be permitted and until that is dealt with, why would they deal with the access first? They haven't talked about utilities and the fill necessary to improve the road. The fill was going to come from the Robes property and he hasn't

calculated what it would take to do this project but it sounds like they would be mining on the property which is prohibited on the adjacent piece of property that he owns.

Mr. Baum stated that with the issue of stewardship, the history of his involvement begins because it is the Town of Hanover that came to him and asked him to help protect Moose Mountain. There were meetings with the Select Board and the Conservation Commission and many people in Hanover wanted it to be preserved and a management plan was to be prepared. The first page says Goals and Objectives “to protect a critical part of the Moose Mountain Ridgeline; to further enhance and enlarge the scope of protected land in the vicinity; to preserve open space, particularly the forest and ridgeline for the scenic enjoyment of the general public.” The Town approved this and currently the area that they are considering developing is already recorded in Concord in State records as a preserved piece of land. In 2009, the Town of Hanover Trail Map was published which shows the property as being protected land open to the public.

Mr. Baum feels that there is an obligation on the part of the Town to look at this from the public standpoint. He noted that he was quoted in the Valley News as saying “there are people who don’t think that the conservation of this property is as important as they led me to believe when they had me buy it.” Mr. Baum stated that the Board is in a tough position because it has been characterized as a decision between the rights of the individual versus the rights of the Town. Mr. Baum stated that he has served on Planning Commissions and a lot of Boards in the past and the temptation is to try to make everybody happy. He noted that this is not an option in this case. The public good trumps individual rights. He suggests that the Board do the right thing and deny this application.

Chairman Christie clarified that there is no conceptual agreement relative to this property. The Town did take exception to that sentence in the letter.

Walter Mitchell, Town Attorney, stated the he doesn’t see that the Town is abandoning the stewardship or commitment that Mr. Ernest Dana asked for as a condition. Mr. Mitchell stated that when Ernest deeded the land to the Town, he included the restrictions including not allowing the subdivision of the property. The Town accepted those restrictions but in accepting the deed, neither the Town nor Ernest could impose any restrictions on the property that was owned by Elmer Dana.

Mr. Mitchell noted that Attorney Atwood referred to a Statute in NH law that allows for one joint tenant to apply to the court to allow for a petition of partition which basically requests of the court that the court make two determinations; 1) can the property be divided so that each party can have their own piece and 2) and if not, will the Judge order that it be sold. This issue is hovering over the whole process. Mr. Atwood has suggested to the Town that he is going to have to go through this process to force a division. The Robes have no promise and no assurance that if they go to court and there is a fight over it, that they will end up with one particular piece of the property in contrast to another. The reality is that if such a petition is filed, it is likely that the court will order the property be divided or sold. The Town Selectman can argue this but it will not be

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effective in the court because the Town cannot impose its rights to take away the rights of a co-tenant. Mr. Mitchell has made it clear to Mr. Atwood that the Town will not request a subdivision because of the deed. Sooner or later, Mr. Atwood will have to file a petition for partition.

Ms. Griffin clarified that the reason that the Town had to sit down to speak with Attorney Atwood, Jim McClammer and Chris Rollins was because the Robes brothers want to talk about dividing the property and in consulting with the Town Attorney, the Town may not have a lot of choice if the Robes want to pursue that legally. The Town was then faced with the prospect of a line being drawn somewhere and the court might divide the property evenly in half by acreage. So that is why the line is drawn where it is on the property map and it seemed important that the Town maintain the portion that is contiguous for the conservation land already in existence and to retain the pond. The Class VI road will remain on the Robes property. Ms. Griffin stated that the Town is not saying that this is a wonderful thing to do at all but the Town might be facing the property division by force.

Mr. Mitchell noted that the Board of Selectmen has authorized the hiring of an appraiser to advise the Town about this property. The question being does the division of the number of acres equal the division monetarily.

Clyde Watson from Etna asked if there is an appraisal for the property. Ms. Griffin stated that the appraisal is not done yet. Ms. Watson wanted to know if the appraisal would be made public. Ms. Griffin stated that this will be used as a negotiation tool. Ms. Watson wanted to know in the case of a forced sale of the property. Ms. Griffin stated that another option would be to try to buy the property from the Robes.

Chairman Christie stated that the goal tonight is to focus on the application to develop a Class VI road in connection with Ordinance #4 and they need to continue to focus on that.

Chairman Christie asked for input from organizations.

John Taylor, Upper Valley Trails Alliance, noted that the Alliance submitted a letter to the Town to express their concern dated August 21st. He wanted to reiterate that they expressed how important this is as a key network between Enfield to Moose Mountain and beyond to the Appalachian Trail and the connectivity between cabins on both the east and west side of Moose Mountain for Dartmouth Outing Club activities and the ridge line for consideration as a loop option in a project being led by the Society for the Protection of NH Forests for long distance trail running from Quabbin Reservoir to Cardigan Mountain. This is an important corridor area and Class VI roads are key to connectivity to tie in the trail network. He understands the complexity in determining how to proceed in a public forum. Mr. Taylor asked whether the Town would need to be on the request since they are part owner of the property.

Chairman Christie noted that they will need to look into this.

Ed Chamberlain, Chair of the Hanover Conservation Commission, stated that the Board has been provided with the Commission's input recommending that the Town buy the Robes' interest in the property. He understands that the Robes are not interested in this. Mr. Chamberlain stated that the 2nd recommendation is that the alignment for Pasture Road be determined; there are 3 different opinions on the placement of the Road. The Board has heard from Mr. Rollins and Mr. Huggins as to the placement of the road but he offered another opinion provided by Alan King who chaired the Hanover Conservation Commission in the '70s. It was Mr. King's opinion that Pasture Road traveled up and around the pond which would be located away from the beaver pond. Mr. Chamberlain is a Civil Engineer and when he looks at this, it does make sense that it would have gone in that direction but there are no physical features on the land that would justify that. There is also no description of Pasture Road that indicates that it ever went over the mountain. The Commission took issue with the alignment.

Mr. Chamberlain stated that the 3rd recommendation is that they present an analysis with an alternative that provides the least impact. Mr. Chamberlain stated that the 4th recommendation had to do with details and noted that there were some details that were left off the plan and they needed to know more regarding fill and drainage. The applicants know that they can't change the grade of this road.

Mr. Chamberlain stated that the last recommendation made was that if the Town approves the private use of this Class VI road, the Town needs to provide restrictions on that use. The Commission recommends the Town use the precedent of the Cory Road case from 1990.

Mr. Chamberlain wanted to respond to Mr. Baum's comments. Mr. Chamberlain was on the Conservation Commission when Vicki Smith contacted him to purchase this property to conserve the land; where all people in Hanover can go and hike and snowshoe. The Conservation Commission has not been derelict of their duties but they have been asked to be quiet about this issue. He is sympathetic to him and this situation.

Monte Clinton, Ruddsboro Road in Etna, stated that he was a member of the Planning Board for 3 years. During that time the Planning Board developed a Master Plan and addressed issues surrounding Class VI Roads and seasonal homes. A seasonal home allows for an owner to occupy the home for 6 months out of the year. He recommends that the Select Board refer back to the Master Plan and see how the Plan ties into this issue.

Bill Baschnagel, Etna, stated that it is his understanding that the ownership of the property is split between the Town and the three Robes brothers. Ms. Griffin clarified that one brother was bought out by the other two. Mr. Baschnagel said it was unfortunate that the Town didn't have the opportunity to speak to the third brother to see if they could purchase his interest in the property. It is his understanding that the property is made up of square feet so every square foot of the 132 acres is owned by the three parties; 50% by

the Town and 25% by each of the Robes brothers. In the terms of split ownership of every square foot, each foot is owned by the three parties.

Mr. Baschnagel stated that this is the first public meeting about this property in which the public has been able to provide any input. If indeed the property is to be split up, the Town has to decide how it's going to be split before they can impact any square foot of this land. There has to be agreement between the 3 owners as to how it is to be split. It is also his understanding that the Town cannot make decisions relative to the disposition of Town property without Town Meeting approval. If this is true, the Town can't make a decision if it impacts Town property. Mr. Baschnagel stated that this meeting needs to be terminated or tabled until the determination has been made as to the ownership of the property that will be accessed by the applicant on Pasture Road.

Mr. Baschnagel feels that the only viable solution from the Town's perspective and the public is to acquire the balance of the property. This may never be possible but his recommendation to the Board at this time is to recognize that a decision has to be made relative to the allocation of the property. His recommendation is that the Board recognize that the decision has to be made by Town Meeting. The process has to be gone through and he recommends that the Board table the discussion and appoint a body that can look at the interests of the parties and come forth with a recommendation as to how the property might be split. Mr. Baschnagel stated that there are good attorneys in the area that understand the land issues and look at the broad public interest in maintaining the property in its current state. Both parties have an interest but he doesn't feel it's a balanced interest. Mr. Baschnagel recommended that the Town do the homework in a transparent process but to continue with the hearing is really not appropriate. He doesn't think that such a move would conflict with the interest of the Robes.

Doug McIlroy, Trails Chairman of the Conservation Commission, noted that he has spent a lot of time in the area and Moose Mountain Ridge is without a doubt the best set of trails in Town. The Commission has been aware of the case from the start and they have been consulted a bit but not a lot. They have not been consulted about the set of values on this land so certainly before the property is divided, the Town needs to decide what it's being divided for. Mr. McIlroy agrees with Mr. Baschnagel that hearing about the Class VI road before deciding how the property will be divided is backwards. Mr. McIlroy stated that the Town could condemn the land in the public interest in order to preserve the continuity of Moose Mountain Ridge. He feels that it's important that the Board wrestle with the problem of whether they divide the property before they figure out access.

Mr. Atwood stated that he agrees with the comments made by the Town Manager and Walter Mitchell. Mr. Atwood stated that this was not something that his clients or the Town envisioned in the '80s when this situation was created with co-tenancy and this is like a divorce. There are two types of divorce, one is the ugly custody battle and the other is finding a civil way in recognizing the interests and rights in the property. The Robes' would rather take the latter route and would like to address the issues as time goes by.

Chairman Christie closed the Public Hearing and started a 5 minute break.

3. PUBLIC HEARING TO CONSIDER AND ADOPT AN INTER-MUNICIPAL AGREEMENT WITH THE CITY OF LEBANON FOR THE TREATMENT OF WASTEWATER BY THE HANOVER WATER RECLAMATION FACILITY. THIS AGREEMENT UPDATES AND FORMALIZES THE WASTEWATER TREATMENT AGREEMENT CURRENTLY IN PLACE BETWEEN THE TOWN OF HANOVER AND THE CITY OF LEBANON.

Ms. Griffin noted that the Inter-Municipal Agreement is one that the Town has been negotiating with the City of Lebanon for the past 18 months to treat wastewater from Centerra, DHMC, Quail Hollow and Sachem Village north. This agreement allocates a percentage of the remaining wastewater capacity for the City which is not nearly enough to serve the entire Route 120 corridor at full build-out. This agreement addresses the issues related to maintenance of transmission lines and chemical makeup of the wastewater, etc. There was a public hearing earlier in the year on the first draft. The City of Lebanon held a public hearing in June. This is now before the Select Board for this final hearing and if approved it will then go to the Attorney General's Office for review and approval and then on to the Department of Environmental Services (DES) for formal review, consideration and adoption.

Chairman Christie opened the Public hearing and asked for public input.

Vice Chairman Rassias clarified with Ms. Griffin that the Public Hearing process is set up by the State statutes. Ms. Griffin confirmed that this is true and when an Inter-Municipal Agreement is adopted it requires the public hearings.

Selectman Buckey noted that this is a 10 year agreement and there are insurance requirements in a flat amount that don't account for inflation. Ms. Griffin noted that this is standard language.

Chairman Christie noted that there was no additional public comment and closed the public hearing.

Selectman Buckey MOVED to adopt the Inter-Municipal Agreement with the City of Lebanon for the Treatment of Wastewater by the Hanover Water Reclamation Facility. Selectman Geraghty SECONDED the Motion.

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE INTER-MUNICIPAL AGREEMENT WITH THE CITY OF LEBANON FOR THE TREATMENT OF WASTEWATER BY THE HANOVER WATER RECLAMATION FACILITY.

4. APPROVAL OF CHANGES TO SUMMER PARK HOUSING RULES AND REGULATIONS AND REVISIONS TO TENANT SELECTION PLAN AS REQUIRED PURSUANT TO HUD FACILITY AUDIT.

Ms. Griffin stated that the Summer Park Housing adjacent to the Community Center are HUD (U.S. Department of Housing and Urban Development) funded facilities. Residents are eligible for Section 8 certificates and the Town contracts with the Lebanon Housing Authority to comply with HUD responsibility because they know the HUD rules and regulations. HUD does an annual audit and there were some minor recommendations for changes which are in the document provided to the Board.

Selectman Carter MOVED to Adopt the Changes to the Summer Park Housing Rules and Regulations and Revisions to the Tenant Selection Plan as Required Pursuant to the HUD Facility Audit. Selectman Geraghty SECONDED the Motion.

Vice Chairman Rassias asked why this is so complicated. Ms. Griffin stated that this is a federal standard that applies to the local level for every management and tenant selection plan covering a HUD facility across the nation.

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE CHANGES TO THE SUMMER PARK HOUSING RULES AND REGULATIONS AND REVISIONS TO THE TENANT SELECTION PLAN AS REQUIRED PURSUANT TO THE HUD FACILITY AUDIT.

5. RECOMMENDATION TO AUTHORIZE TOWN MANAGER TO NEGOTIATE AND EXECUTE LEASE PURCHASE AGREEMENT FOR HOWE LIBRARY COPIER.

Vice Chairman Rassias MOVED to Authorize the Town Manager to Negotiate and Execute the Lease Purchase Agreement for the Howe Library Copier. Selectman Carter SECONDED the Motion.

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN MANAGER TO NEGOTIATE AND EXECUTE LEASE PURCHASE AGREEMENT FOR THE HOWE LIBRARY COPIER.

6. REQUEST FROM THE HANOVER SENIOR CENTER TO DEDICATE CRAFT ROOM IN THE R.W. BLACK COMMUNITY SENIOR CENTER.

Ms. Griffin noted that the Senior Citizens Advisory Committee would like to dedicate the Craft Room at the Senior Center in honor of Chrysanthi Bean. Ms. Bean has been a longtime Chair of the Senior Citizens Advisory Committee and she's stepping down in September. The Select Board supported the dedication of the Craft Room in honor of Chrysanthi Bean.

7. CONSIDERATION OF INTEREST ABATEMENT REQUESTS.

Ms. Griffin reported that there is just one request. The Hanover Terrace provided evidence that their June tax payment was mailed but never delivered to the Town. The abatement is in the amount of \$1,004.29.

Selectman Buckey MOVED to Approve the Abatement Request from Hanover Terrace. Selectman Geraghty SECONDED the Motion.

THE BOARD UNANIMOUSLY APPROVED THE ABATEMENT REQUEST FROM HANOVER TERRACE.

8. APPOINTMENT OF BALLOT CLERKS FOR THE NH STATE PRIMARY.

Ms. Griffin noted that tomorrow is going to be a busy day for the ballot clerks. Ms. Griffin stated that they are expecting that there will be a fair amount of interaction between ballot clerks and individuals that will be coming to vote that may not wish to show identification.

Ms. Griffin stated that the questions will likely come from individuals asking about the voter ID law that maybe coming in November and beyond. The photo ID requirements become more onerous when a Dartmouth ID won't be a valid form of identification; the requirement would be a NH ID or an out of state Driver's License. One issue is requiring the ID but the other issue is which IDs are acceptable. Ms. Griffin noted that another issue surrounds registering to vote in NH at which time you have to sign a document that you will secure a State driver's license and register your vehicle in NH within 60 days. This is currently on the Voter Registration Form which the State just supplied to the Town 3 weeks ago. There is another section of the motor vehicle law that states that if someone is attending college in the State of NH, you don't need to register in the State. It's been a bit of a legal hot potato and her concern is that the ballot clerks are just volunteers but they are on the front lines and will be in November.

Ms. Griffin stated that this will be very lively in November and worse next year. Selectman Geraghty suggested having someone that is having issues speak to someone on the side and not the ballot clerks on the front line. Ms. Griffin stated that there would be senior staff taking the lead as the "go to" people for this.

Selectman Carter asked if the Town runs the risk of having staff interpret the laws when the forms themselves seem to conflict with each other. The State of NH seems to be asking people whether they intend to become a resident of the State of NH when they are simply a student and even those on the Select Board may be asked to explain.

Ms. Griffin explained that there are two pieces of paper handed to every voter. The Town is not in the position to coach or advise them. The people tomorrow will be going to register to vote. Chairman Christie asked what happens if someone refuses to sign.

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Ms. Griffin stated that the Supervisors of the Checklist would have to decide whether they would be able to vote. Ms. Griffin stated that they will provide the Dartmouth students the form to decide whether they want to sign the form to register to vote. If they don't sign, they can't vote.

Ms. Griffin stated that on the contrary, a person who comes in for an absentee ballot doesn't have to show their ID so tomorrow is a test run. Ms. Griffin stated that for tomorrow's event a Dartmouth ID will work but in November there will be two representatives from the Attorney General's present during voting.

Selectman Carter asked if they are anticipating any civil disobedience tomorrow. Ms. Griffin stated that they have had some statements made that people will be pushing back.

Selectman Geraghty wanted to thank the Ballot Clerks for their support.

Selectman Carter MOVED to Appoint the Ballot Clerks for the NH State Primary. Selectman Buckley SECONDED the Motion.

Bob Maue	Leslie Henderson	Maureen Hanley
Lisa Baldez	Nancy Collier	Winnie Zappala
Yolanda Baumgartner	MaryGail Neroni	Ruth Harvie
Jonathan Edwards	Laura-Beth Goodman	Kate Connolly
Walter Noll	Aileen Chaltain	Caroline Levy
Alison Gorman	Beverly Balch	Sandra Hoeh
Pat Hill	Harry Bird	

THE BOARD VOTED UNANIMOUSLY TO APPOINT THE BALLOT CLERKS FOR THE NH STATE PRIMARY.

9. REVIEW OF FLOOR PROPOSALS AND APPOINTMENT OF REPRESENTATIVE FOR 2013-14 NHMA LEGISLATIVE POLICY CONFERENCE.

Ms. Griffin stated that there were two floor proposals that she wanted the Board to review and appoint the representative for the September 21st conference. Ms. Griffin noted that Kate Connolly is not available but she can attend to represent in her absence.

Vice Chairman Rassias MOVED to Appoint Julia Griffin as Town Representative for the 2013-2014 NHMA Legislative Policy Conference. Selectman Geraghty SECONDED the Motion.

Chairman Christie asked the Board as to whether they have any issues with the floor proposals. There were no issues noted.

THE BOARD VOTED UNANIMOUSLY TO APPOINT JULIA GRIFFIN AS TOWN REPRESENTATIVE FOR THE 2013-2014 NHMA LEGISLATIVE POLICY CONFERENCE.

10. REVIEW OF REVISED GOALS AND OBJECTIVES FOR FY 2012-2013.

Ms. Griffin stated that there were minor changes to the Goals and Objectives stemming from the last meeting.

Selectman Buckey felt that the Rental Ordinance should be a goal rather than an administrative effort since they are just going to be researching this issue. Ms. Griffin stated that after the last discussion it was determined that there were enough legal issues surrounding adopting a Rental Housing Ordinance that before the Town can decide to adopt one, Town staff needs to bring in the Town attorney to look at the pros and cons of this. Selectman Buckey felt that this could be left on the list.

Chairman Christie stated that they were also thinking that they almost wanted to go back to square one since there are so many new members on the Select Board. Ms. Griffin noted that they could add to this that the Board intends on ultimately adopting the Ordinance. Selectman Carter asked if they have this as a goal and ultimately decide not to adopt, have they not reached their goal. Ms. Griffin stated that because Town Staff deal with the rental housing issues all the time, they would like to see something in place to address this but they recognize that there may be large hurdles that prevent it from coming forth.

Selectman Bucky suggested adding wording to “decide on the approach to rental housing regulation based on an update on options available to the Town to implement.”

Selectman Buckey stated that for the energy goal he suggested wording such as “while recognizing that energy costs are unpredictable, provide the Board with an overview of where the Town is financially vulnerable to short term fluctuations in energy costs and what the Town is doing to reduce the exposure to that vulnerability such as moving away from fossil fuel dependence and negotiating long term contracts, diversifying fuels, etc.” to make it more general.

**Selectman Carter MOVED to Approve the Goals and Objectives for FY 2012-2013.
Selectman Geraghty SECONDED the Motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE GOALS AND OBJECTIVES FOR FY 2012-2013.

11. BANNER REQUESTS:

- Howe Library – *Howel Classic*
- Dartmouth College – *Year of the Arts*

Ms. Griffin noted that the Town can accommodate these requests.

Vice Chairman Rassias MOVED to Approve the Banner Requests of the Howe Library and Dartmouth College. Selectman Bucky SECONDED the Motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUESTS OF THE HOWE LIBRARY AND DARTMOUTH COLLEGE.

12. APPROVAL OF MINUTES:

- August 6, 2012

There were no recommended changes to the Minutes of August 6, 2012.

Selectman Geraghty MOVED to Approve the Minutes of August 6, 2012. Selectman Carter SECONDED the Motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED, 1 ABSTAINED TO APPROVE THE MINUTES OF AUGUST 6, 2012. (Vice Chairman Rassias abstained from the vote).

13. ADMINISTRATIVE REPORTS.

Ms. Griffin stated that she misses Ms. Levine and it's been very busy. Ms. Griffin reported that there are some very strong applicants for the Human Resources Director position. The interview panel will include herself, Betsy McClain, Frank Moran and Peter Kulbacki on Thursday and Friday. As soon as this is settled, she will work on the replacement for the Planning and Zoning Director position.

Ms. Griffin has been providing support to Betsy McClain as it is a very busy time with the election.

14. SELECTMEN'S REPORTS.

Bill Geraghty

Selectman Geraghty had nothing new to report.

Athos Rassias

Vice Chairman Rassias reported that the Park Street improvements look wonderful with the pedestrian corridor, bike lanes and it is now safer.

Jay Buckey

Selectman Buckey stated that he likes the new police cruisers. Ms. Griffin noted that they have been a little controversial with the change to the black and white colors but they are much more fuel efficient and all wheel drive.

Nancy Carter

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Selectman Carter had nothing new to report.

Peter Christie

Chairman Christie reported that the Finance Committee met today and focused on the School budget offering guidelines relative to the cost per student trends and class size trends. Chairman Christie reported that the Town budget would be the next discussion.

15. OTHER BUSINESS.

Ms. Griffin went over the assignments and poll times for the Select Board.

Selectman Carter would start the polls at 7:00 a.m. to 9:30 a.m. Selectman Geraghty would cover from 9:30 to 1:15. Chairman Christie will be there from 1:15 until about 4:00 p.m. Selectman Buckey and Vice Chairman Rassias would work out the 4 p.m. to 7 p.m. shift and then Selectman Buckey, Vice Chairman Rassias and Selectman Geraghty would certify the vote.

Chairman Christie MOVED to Follow the Request for a Non-Public Session to Discuss Items Pursuant to RSA 91-a:3, II (c) and (e).

CHAIRMAN CHRISTIE VOTED YES; SELECTMAN CARTER VOTED YES; SELECTMAN BUCKEY VOTED YES; VICE CHAIRMAN RASSIAS VOTED YES; SELECTMAN GERAGHTY VOTED YES. THE BOARD WENT INTO NON-PUBLIC SESSION AT 10:22 P.M.

Selectman Rassias MOVED to Exit the Non-Public Session. Selectman Carter SECONDED the Motion.

THE BOARD VOTED TO UNANIMOUSLY EXIT THE NON-PUBLIC SESSION AT 11:05 P.M.

16. ADJOURNMENT.

Selectman Rassias MOVED to Adjourn the Meeting. Selectman Carter SECONDED the Motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 11:05 P.M.

Respectfully Submitted,

Nancy A. Carter, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Selectman Buckey MOVED to adopt the Inter-Municipal Agreement with the City of Lebanon for the Treatment of Wastewater by the Hanover Water Reclamation Facility. Selectman Geraghty SECONDED the Motion.**

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE INTER-MUNICIPAL AGREEMENT WITH THE CITY OF LEBANON FOR THE TREATMENT OF WASTEWATER BY THE HANOVER WATER RECLAMATION FACILITY.

2. **Selectman Carter MOVED to Adopt the Changes to the Summer Park Housing Rules and Regulations and Revisions to the Tenant Selection Plan as Required Pursuant to the HUD Facility Audit. Selectman Geraghty SECONDED the Motion.**

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE CHANGES TO THE SUMMER PARK HOUSING RULES AND REGULATIONS AND REVISIONS TO THE TENANT SELECTION PLAN AS REQUIRED PURSUANT TO THE HUD FACILITY AUDIT.

3. **Vice Chairman Rassias MOVED to Authorize the Town Manager to Negotiate and Execute the Lease Purchase Agreement for the Howe Library Copier. Selectman Carter SECONDED the Motion.**

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN MANAGER TO NEGOTIATE AND EXECUTE LEASE PURCHASE AGREEMENT FOR THE HOWE LIBRARY COPIER.

4. **Selectman Buckey MOVED to Approve the Abatement Request from Hanover Terrace. Selectman Geraghty SECONDED the Motion.**

THE BOARD UNANIMOUSLY APPROVED THE ABATEMENT REQUEST FROM HANOVER TERRACE.

5. **Selectman Carter MOVED to Appoint the Ballot Clerks for the NH State Primary. Selectman Buckey SECONDED the Motion.**

**Bob Maue
Lisa Baldez
Yolanda Baumgartner
Jonathan Edwards
Walter Noll
Alison Gorman
Pat Hill**

**Leslie Henderson
Nancy Collier
MaryGail Neroni
Laura-Beth Goodman
Aileen Chaltain
Beverly Balch
Harry Bird**

**Maureen Hanley
Winnie Zappala
Ruth Harvie
Kate Connolly
Caroline Levy
Sandra Hoeh**

THE BOARD VOTED UNANIMOUSLY TO APPOINT THE BALLOT CLERKS FOR THE NH STATE PRIMARY.

- 6. Vice Chairman Rassias MOVED to Appoint Julia Griffin as Town Representative for the 2013-2014 NHMA Legislative Policy Conference. Selectman Geraghty SECONDED the Motion.**

THE BOARD VOTED UNANIMOUSLY TO APPOINT JULIA GRIFFIN AS TOWN REPRESENTATIVE FOR THE 2013-2014 NHMA LEGISLATIVE POLICY CONFERENCE.

- 7. Selectman Carter MOVED to Approve the Goals and Objectives for FY 2012-2013. Selectman Geraghty SECONDED the Motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE GOALS AND OBJECTIVES FOR FY 2012-2013.

- 8. Vice Chairman Rassias MOVED to Approve the Banner Requests of the Howe Library and Dartmouth College. Selectman Bucky SECONDED the Motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUESTS OF THE HOWE LIBRARY AND DARTMOUTH COLLEGE.

- 9. Selectman Geraghty MOVED to Approve the Minutes of August 6, 2012. Selectman Carter SECONDED the Motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED, 1 ABSTAINED TO APPROVE THE MINUTES OF AUGUST 6, 2012. (Vice Chairman Rassias abstained from the vote).

- 10. Chairman Christie MOVED to Follow the Request for a Non-Public Session to Discuss Items Pursuant to RSA 91-a:3, II (c) and (e).**

CHAIRMAN CHRISTIE VOTED YES; SELECTMAN CARTER VOTED YES; SELECTMAN BUCKEY VOTED YES; VICE CHAIRMAN RASSIAS VOTED YES; SELECTMAN GERAGHTY VOTED YES. THE BOARD WENT INTO NON-PUBLIC SESSION AT 10:22 P.M.

- 11. Selectman Rassias MOVED to Exit the Non-Public Session. Selectman Carter SECONDED the Motion.**

THE BOARD VOTED TO UNANIMOUSLY EXIT THE NON-PUBLIC SESSION AT 11:05 P.M.

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**12. Selectman Rassias MOVED to Adjourn the Meeting. Selectman Carter
SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING
AT 11:05 P.M.**