

FINAL

BOARD OF SELECTMEN'S MEETING

December 14, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager. Absent: Athos Rassias, Selectman.

1. PUBLIC COMMENT.

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

2. PUBLIC HEARING TO CONSIDER AMENDMENTS TO ORDINANCE #33, THE NOISE ORDINANCE, TO REGULATE USE OF ENGINE BRAKES.

Ms. Griffin noted that Lt. Michael Evans from the Police Department is present to speak to this issue. The truck traffic has picked up through Town and in the areas where they slow down, there is noise associated with the engine brakes.

Lt. Evans reported that a couple of complaints came in with the construction of the roundabouts regarding the use of the loud engine brakes of trucks coming through the area. The brakes in question are used to slow the engine down without using the service brakes on long downgrades. This is not the situation in the Town of Hanover. At the roundabouts, traffic coming south by Kendal the speed limit is 35 mph and they probably need to slow down to 10 -15 mph to pass through the roundabout. In downtown, the 'blat' can be heard where the trucks are stopping from 15 mph to a stop. It is unnecessary to use the engine brakes to slow the vehicle so that they can navigate through the roundabouts or downtown traffic conditions. The trucking industry will claim that these engine brakes reduce the amount of wear and tear on the service brakes. Lt. Evans stated that they have asked the companies to turn these engine brakes off when travelling through the compact area. The scope of the area targeted was within the compact area and he is working with Jonathan Edwards to map the area the former ordinance that defines the compact area to be in compliance with the RSA that defines compact. Lt. Evans provided the board with a rough map depicting the compact area. Lt. Evans noted that there are other areas in different parts of the Town which will most likely qualify as their own compact area due to their density.

Chairman Walsh felt that he would like to keep the lines of the compact area simple: the Lebanon line to Chieftain Hill and the river to Balch Hill. He left Greensboro Road out because he felt that there should be further conversation about that.

Ms. Griffin noted that staff is looking at the area to meet with the RSA and they are also looking at hunting in the area. They are trying to figure out a way to clearly manage where hunting can and cannot happen with regard to the RSA so it's clear that in looking at this, Lt. Evans is trying to be clear with regard to the compact area lines and the RSA.

Ms. Doherty asked how the truckers would know that are in a compact area other than signage. It seems like the areas that have lower speed limits would go along with the compact area which would encompass any road in town. If the compact area includes areas within a certain speed limit, it might be helpful to define it with those criteria.

Lt. Evans stated that the local truckers will probably figure it out but he agrees that the distance truckers are probably not aware of the compact area in the Town of Hanover. He's not sure how it would be conveyed clearly on a sign. At the time they were considering the compact area for hunting issues, Town staff decided to look at the definition of the compact area and make it clearer for people coming into Town. Lt. Evans wasn't sure how the City of Lebanon's ordinance is written but it may be defined as being within the City Limits. Ms. Doherty felt that it would be more reasonable if it is in line with neighboring communities so that everyone would understand.

Ms. Griffin stated that if they were looking at banning the use of engine brakes within the Town, they would be looking at a separate ordinance and not adding it to the noise ordinance. Lt. Evans stated that there are not really long downgrades in Hanover but the closest ones are Chieftain Hill and River Hill and potentially the area near Centerra on Route 120. These are areas that have higher speed and longer grades that might necessitate the engine brakes more so than South Main Street.

Chairman Walsh was looking at the map and felt that the area from Hanover Center to Etna might be a logical place but the Greensboro Road area is pretty flat. He had trouble finding areas where they would use the brakes versus the areas where it wouldn't be natural to use them. Lt. Evans stated that the trucking ordinance has No Thru Trucking zones but a moving van equipped with an engine brake would be a rare occurrence since the Board approved a No Thru Trucking in those zones. Lt. Evans stated that the change in that ordinance has been very successful.

Ms. Griffin noted that there is a lot of engine brake noise on Lyme Road. The complaints received have been largely in-town complaints. Ms. Griffin confirmed with Lt. Evans that there have been fewer complaints in the more rural areas.

Selectman Christie asked why the Board wouldn't just address the areas of concern and why they are taking a broader view. The Town could put signage up to deal with those specific. Ms. Griffin listed the areas in Town that had been the subject of previous complaints.

Vice Chairman Connolly noted that the compact area has been defined by those areas that receive wastewater treatment. Ms. Griffin stated that they will be working on a revised compact area to present to the Board. She also reported that the Route 4 temporary bridge in West Lebanon will be opening any day now and the State of Vermont may raise their load limits for a period of time which may reduce the amount of truck traffic coming through Town.

Chairman Walsh would like to see a very simple definition for example: Route 120, Route 10, from Chieftain Hill to the River and down Route 10 and back to the southwest corner of Town.

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People would see it as the compact area which appears to be where the complaints are coming from. Ms. Griffin stated that they can do a modified definition to include the areas described.

Selectman Christie noticed the penalty of \$100 - \$200. Lt. Evans stated that the penalty is vague which makes it hard for enforcement but the fine is up to \$200.

Chairman Walsh stated that for a first offense it should be a warning, \$100 for a second offense and \$200 for anything after that. This would be part of section 7.B of the Ordinance.

Chairman Walsh asked for any comments from the public.

Chairman Walsh closed the public hearing. Ms. Griffin noted that she would e-mail the revised language to the Board.

Vice Chairman Connolly MOVED that they add a violation for utilization of Engine Brakes to Ordinance #33.

Lt. Evans noted that the Fire Department would not be exempt from the ordinance as written but he could see the benefit for them to use engine brakes. Chairman Walsh stated that it does provide an exemption for emergency situations.

Ms. Griffin read from Section 5.B of Ordinance 33. *B. Engine Brakes. It shall be unlawful at all times (24 hours a day/7 days a week) for the driver of any vehicle to use or operate or cause to be used or operated any Engine Brake within the Compact Area except in an emergency situation.*

Selectman Christie asked if the Fire Department would use the brakes on a regular basis for anything other than an emergency. Firefighter Ellstein noted that these brakes are standard for these vehicles and one recommendation from the National Fire Protection Agency is that they use the engine brakes.

Selectman Christie wanted to expand the language to make this specific that emergency vehicles responding to a call is deemed an emergency and are exempt. Firefighter Ellstein noted that the Tower Truck weighs over 50,000 pounds.

Chairman Walsh stated that one of the principles that the Board works under is to treat the Town as they would others and he is looking at the edge where the brakes are required by the design of the vehicle but he is not yet comfortable in exempting the Town on this issue if they are being used when it's not necessary but more as a point of habit.

Lt. Evans stated that there would be a mixed message. If a Firefighter is using their engine brakes heading back the station after an emergency returning to the fire station, and a log truck is heading in the other direction using their engine brakes, it would seem unfair to fine the driver of the logging truck.

Ms. Griffin stated that she felt the language as written would be clear and consistent with the ordinance.

Chairman Walsh stated that if the Fire Department is responding to an emergency call, engine brakes are the right thing to use if they are needed. Selectman Christie felt that this should be stated within the Ordinance. Ms. Griffin clarified that wording should be added: The Fire Department responding to a call should be deemed an emergency situation (at the end of 5.B).

Ms. Griffin stated that she also wanted to speak to Frank Austin regarding the regular trips of the larger vehicles. Chairman Walsh also noted that if the engine brakes will save significant repair on the regular brakes, they should know that.

The following wording was added to the motion: **The Fire Department responding to a call should be deemed an emergency situation (added to section 5.B).**

Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADD A VIOLATION FOR UTILIZATION OF ENGINE BRAKES TO ORDINANCE #33 AND WORDING FOR SECTION 5.B TO INCLUDE “THE FIRE DEPARTMENT RESPONDING TO A CALL SHOULD BE DEEMED AN EMERGENCY SITUATION.”

3. FURTHER DISCUSSION WITH CLASS OF 1958 REGARDING THEIR REQUEST TO DONATE AN ORNAMENTAL STREET CLOCK.

Jason Yehle from Trumbull Nelson was present to speak to the Board about the donation. Andy Thomas (Class of '58) was going to fly up for the meeting but was delayed in Raleigh-Durham and asked Mr. Yehle to attend the meeting.

Ms. Griffin stated that the Class of '58 would like to gift to the Town a street clock. Ms. Griffin stated that she and Peter Kulbacki looked at the downtown area and felt that the best area would be in front of the Dartmouth Bookstore. The Inn Corner had its own challenges in addition to the presence of the Baker Library clock. The Class of '58 has arranged with Trumbull Nelson for the installation and they are also proposing to set aside \$2,000 for future maintenance.

Vice Chairman Connolly questioned where it would be placed in front of the Bookstore with all of the benches in that area. Ms. Griffin stated that there is an area inside the brand new bump-out that was poured last summer.

Chairman Walsh would like to look at the location. If they are going to have it, they don't want to drive the decision by where the electricity is placed. Ms. Griffin stated that there is no magic to the location and welcomed the Board members to look around the area. Chairman Walsh wanted to have the location driven by the location and not the convenience of electrical hook-up.

Ms. Griffin stated that the alternative would have been near the Nugget or in front of the Ledyard Bank. Vice Chairman Connolly felt that there may be a place in front of Town Hall which would be visible from both sides of the street.

Ms. Doherty felt that Town Hall area would be a more sustainable location but she would want to look at it. Ms. Doherty felt that it would be helpful to know what its useful life should be. Chairman Walsh suggested that they have someone take an architectural look at this with the objective of maximizing its visibility. Ms. Griffin felt that it should have a life of 25 years or more. Mr. Yehle stated that the majority of the money is going to be attributed to hooking it up to the location.

Ms. Griffin stated that she would ask Alan Saucier for an opinion as to where to place it. Ms. Doherty wanted to make sure that the placement of the clock is done correctly from the start.

Chairman Walsh wanted to find the best place to put it to show the most appreciation.

4. DISCUSSION OF 5-YEAR BUDGET PROJECTIONS.

Ms. McClain stated that she had a presentation of a couple of slides to give the audience a perspective as to what the Board is reviewing.

Top Level Assumptions

- General Government and Fire Protection services presumed to continue at the current levels, with no increases or reductions in staffing.
- School Taxes presumed to increase at 6.50% for projected years, based on the most recent increase in combined school taxes.
- County Taxes presumed to increase at 5.00% for projected years given new jail project and anticipated additional pressures from State.

Chairman Walsh wanted to clarify that these are assumptions and not a target for the Board to build their budget around.

Ms. McClain provided the Board with an overview of year to year increases in projected combined Hanover tax rates (Municipal, Fire District, School and County Taxes) and noted that there is roughly a 6% tax rate increase in each District per year for the next 5 years which is also built up due to the Dresden school budget.

Ms. McClain gave an overview of the assumptions. She noted that Salaries and Benefits make up 70% of the budget.

Details on Municipal and Fire District Tax Rate Projections

- Salaries and Benefits
 - FY2011 and FY2012 salaries: 1.0% COLA + 2.0% Merit; FY2013-FY2015 salaries: 2.0% COLA + 2.0% Merit.
 - Cafeteria Benefits budgeted to increase 12.3% for FY2011 (LGC not to exceed amount); projected at 6.33% for FY2012-FY2015.
 - Actual NHRS rates used for FY2011 (including additional 5.0% Group 2 State ‘take-back’); FY2012-FY2013 projected using NHRS actuarial rates; FY2014-2015 projected to increase 15.0% from FY2012-FY2013 rates.
 - Other benefits increase at same rate as salaries.
 - Workers Compensation presumed to stay at current premium cost – will work to reduce experience modification factor back to FY2011 levels.

Ms. Griffin stated that the figures for the Retirement System will be finalized next fall when the legislature meets. Ms. McClain noted that she just estimated the increase in the out years at 15% for the NH Retirement System. Ms. McClain stated that they are going to be working very hard to get the Worker’s Comp premiums down.

Details on Municipal and Fire District Tax Rate Projections

- Other Operating Costs
 - Incremented summary line-items based on producer product indexes from Bureau of Labor Statistics
- Debt Service
 - Actual Principal and Interest on current outstanding 3 loans: Dispatch Center improvements; RWBC and Dresden Note
- Transfers to Capital Reserve Funds
 - Projected based on schedules that were presented with proposed FY2010 budget last budget cycle.

Details on Municipal and Fire District Tax Rate Revenue Projections

- State Revenues
 - Presume Shared Revenues of \$177k and State’s renegeing on their Group 2 NHRS contribution (from 35% to 30% of ER share in FY2010 and from 30% to 25% in FY2011) are NOT reinstated.
 - Presume Rooms and Meals Tax continues to be disbursed at current level of \$487k.
 - Presume Highway Block grant continues to be disbursed at current level of \$242k.
 - Note: Packets include a #2 scenario (pp 10-11) which is more draconian: State takes back 50% of current level of Rooms and Meals Tax (~\$244k) and continues to scale back ER NHRS contributions for Group 2 employees by additional 5.0% per year.

- Motor Vehicle Registrations projected at .50% in each of FY2011-FY2012; projected at stronger 1.50% FY2013-FY2015.
- Building Permit and Related Fees projected at a reduced base level for FY2011; a modest 1.0% increase from this level in FY2012; with stronger 2.00% increases in FY2013-FY2015.
- Short-Term Interest forecast at a reduced rate to account for negligible earnings rates; gradual up-tick of short-term rates anticipated in FY2012+.
- Other revenues projected at steady 1.00% increases for FY2011-FY2015.
- Transfers of \$150k in FY2011 and FY2012 from Undesignated Fire Fund Balance anticipated reducing fund balance to within guidelines.
- \$20m growth in property values anticipated in FY2011 and FY2012; \$25m anticipated in FY2013-FY2015.

Ms. McClain stated that money has been accumulated since the Fire Department has not settled on their contract but the Town continues to budget for the compensation increases in case they do settle. The Town has been able to transfer monies into the undesignated fund balance. The base tax increases could potentially force the rate down so they do need to project some growth. In working with Mike Ryan, they have projected \$20m growth with increases anticipated in the out years.

Chairman Walsh asked about the Grand List. Ms. McClain stated that it is just under \$2 billion. Chairman Walsh noted that this would be 1% of the Grand List.

Ms. McClain stated that the total increase of the General Fund shows a 4.5 – 5% increase on the expense side. On the revenue side they are not meeting that figure. Without having more information, the 5 year projection of the municipal tax rate would be at 6.74% for the next fiscal year. Obviously there are cuts that need to be made and the Department Heads and Town Staff will be looking at sustainable cuts.

Chairman Walsh stated that in past years there were other factors that allowed the Board to stay in reasonable balance but this information shows that this is no longer the case. Chairman Walsh wondered how they can look at this and get a handle on the upcoming projections.

Selectman Christie stated that one thing that is clear; they need to focus on total compensation; the base compensation plus a COLA plus a step, health costs and retirement costs are layered on top. Those days in the private sector are long gone and the Board is seeing that the Town can't sustain that model. The increases in health costs are overtaking the increases in salary. The Town is going to need to control the salary and benefits line and look at total compensation. The Board has worked hard on this for several years and other than looking at a reduction in services, what is the long term solution. Not paving roads postpones the agony but does not solve the problem. Selectman Christie noted that the Department Heads have been really good at working on the budget and recognizing the challenges of the Town.

Chairman Walsh noted that the figures are assuming zero inflation which means that these figures could, in fact, be worse.

Ms. Griffin noted that in looking at the total compensation component (salaries, cost of health insurance, retirement contributions, etc) the next big hit (assuming that the health increases stay in the 6.33% range, will be the Retirement System contribution. Ms. Griffin stated that if the Town intends to increase the tax rate by 2% every year, then they have to be prepared to allow for a specific number for salaries and that is it.

Chairman Walsh stated that looking forward is good but it is also helpful to look at the past 10 years. How much has the cost increased for the past 10 years? He noted that they have a much bigger Planning and Zoning office. He would like to look at the growth and what is the difference in service. Ms. Griffin stated that they can provide tracking information over the past decade and what the cost increases are for the new programs and staff. Chairman Walsh felt that there would be value in looking back because the level of service has grown but in looking forward it is apparent that they can not add new services. Ms. Griffin stated that it becomes a conversation about what they can do without.

Vice Chairman Connolly also noted that it would also be the time to review the Capital Reserve Fund. Selectman Doherty clarified that it sounded like there were larger periods of growth with staffing, services and maintenance but if this is slowing down, should the Board be looking at the staffing requirements and whether the level of staffing is still needed.

Chairman Walsh noted he wanted to highlight the bigger items from the past 10 years that were built into the budget that were choices made to provide more services. Ms. Griffin noted that there were new facilities constructed that came with additional expense and staffing. They need to now review whether they can find things that they can do without.

Selectman Doherty asked if there was precedence for contracting out. Ms. Griffin stated that it is most common to see projects contracted out in the Department of Public Works budget. They have not been shy about contracting out services and sometimes the work is done in-house because it would be less expensive.

Chairman Walsh noted that the Howe Library moving to Open Source is a step in the right direction.

Vice Chairman Connolly stated that she would be curious to see what the Census information will tell them about the growth. Chairman Walsh stated that a lot of the services the Town provides are not necessarily population based.

Selectman Doherty asked Ms. Griffin and Ms. McClain how difficult it would be to gather the information that they are asking for. Ms. Griffin stated that it would not be difficult. Ms. Doherty felt that there could be some business opportunities for entrepreneurs in the community if they could shift where the services are coming from.

Ms. Griffin stated that these are things that are discussed in the budget meetings with the Department Heads. Town Staff will make cuts that don't make it into the composite first draft

and then additional cuts are done and become part of the Wish List that don't make it into the budget.

Chairman Walsh stated that the conversation with the projections ask the question whether they should have 5 fewer employees and certainly not 5 more.

Selectman Christie stated that if there is an issue with total spending, reducing staff brings that number down but does not change the rate of spending issue which is driven primarily by salaries and wage increases. In the private sector, they are looking at reducing staff, pay reductions, benefit reductions and pay freezes. This is the reality of controlling rate increases and the Town is going to have to face up to that reality.

Chairman Walsh thanked Betsy McClain for her presentation.

Chairman Walsh would ask that the Finance Committee, a few members of the School Board and the County delegation look at this issue in the same manner as the Select Board with regard to the 5 years projections. The next 10 years are very different from the past 10 years.

Ms. McClain noted that her colleagues are looking at their revenue profile which includes looking at charging for services (for example: recycling) to try to cover all of the administrative costs. Selectman Christie noted that they discussed some of these issues in the Finance Committee Meeting.

5. DISCUSSION REGARDING STATE REQUIRED STATE REVOLVING LOAN FUND AMENDMENT.

Chairman Walsh noted that the State Legislation made a change and the Board needs to approve the change which will have no financial impact on the Town. (Effective July 1, 2009, the NH legislature amended RSA 486:14 to allow DES to charge a 2% administrative fee. The legislative change only affects how much money from loan repayments DES can use to administer the SRF program).

Chairman Walsh MOVED to APPROVE the Amendment to the State Revolving Loan Fund. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE AMENDMENT TO THE STATE REVOLVING LOAN FUND.

**6. BANNER REQUEST:
- Prouty**

Chairman Walsh confirmed with Ms. Griffin that the dates and times work for the banner request.

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Chairman Brian MOVED to APPROVE the banner request for The Prouty. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE BANNER REQUEST OF THE PROUTY.

7. APPROVAL OF MINUTES:
- November 30, 2009

Selectman Christie and Chairman Walsh had minor changes to the Minutes.

Selectman Christie MOVED to APPROVE the Minutes of November 30, 2009 as amended. Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE MINUTES OF NOVEMBER 30, 2009 AS AMENDED.

8. APPOINTMENTS:
- Senior Citizens Advisory Committee

Vice Chairman Connolly MOVED to REAPPOINT Connie Carr to the Senior Citizen Advisory Committee through September, 2012. Chairman Walsh SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO REAPPOINT CONNIE CARR TO THE SENIOR CITIZEN ADVISORY COMMITTEE THROUGH SEPTEMBER, 2012.

9. ADMINISTRATIVE REPORTS.

Ms. Griffin noted that they are working hard on budget.

Ms. Griffin reminded the Board the Town Holiday Party will be a breakfast held this Friday, December 18th at the Richard W. Black Center from 8:30 a.m. to 10:30 a.m. hosted by the Police Department.

Ms. Griffin distributed a tentative calendar for the upcoming budget season and the Board discussed the schedule. The Board decided to schedule their joint meeting with the Planning Board on January 25th to discuss the Capital Improvement Program (CIP).

Ms. Griffin reported that Christmas tree recycling will be free and trees can be brought anytime during the week of January 3rd.

10. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie reported that the Hanover Finance Committee met and they had some discussion about the increase in enrollment at the schools. The Ray School has 43 more students from last year, the Richmond School is down 11 and the High School is up by 28 which are causing some interesting budget issues. The School District is predicting increases in the next 5 years which at this point is being attributed to younger families moving in and older families moving out. The School District is working on their budget and dealing with some of the same issues that the Town is facing.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board met and conducted site plan regulations review. The Board will be dealing with applicants a little differently than in the past. The Board reviewed some lot-line changes and continue to work on the residential project. The first meeting in January will deal with site plan application and Selectman Christie will be sitting in on those reviews.

Vice Chairman Connolly reported that she attended a meeting conducted by the Upper Valley Lake Sunapee Regional Planning Commission that focused on non-motorized transport in Lebanon/Hanover on the Route 120 corridor. There were interesting discussions with regard to what is going on in Lebanon.

Vice Chairman Connolly reported that the Senior Citizens Advisory Committee is working on the upcoming March Yard Sale. Last year it provided \$35,000 to Carmen Tarleton who was seriously injured in a domestic violence incident. The proceeds for this event will benefit WISE.

Judy Doherty

Selectman Doherty reported that the Trustees of Howe Library met on December 10th. Ms. Griffin was also in attendance. There is a wine tasting event scheduled for Friday, March 26th. The Trustees are looking for sponsor level contributors and anyone interested should contact Ann Bradley.

Selectman Doherty also reported that Mary White (Howe Library Director) gave a Directors' report with recommendations to change meeting room policies, use of the library by children policies and an update on the Lauren Tsai fund which is up to \$7,000. Committee reports by Jane McLaughlin indicate that fundraising is down and there were discussions about giving on-line. Ann Bradley gave a presentation on the HVAC operations and Erika Alders continues to be helpful in that.

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Ms. Griffin stated that it was the 2nd of 3 retreats where they spent time looking at the role of the Howe Corporation. Selectman Doherty stated that the focus was goals of the Trustees versus goals set by outside influences such as the Town.

Selectman Doherty reported that the Affordable Housing Commission meets on Thursdays at 7:00 p.m. Bob Strauss, Judy Doherty and Julia Griffin met last week and will give an update to the Board on January 4th to go over the Memorandum of Understanding and the projects they are considering.

Brian Walsh

Chairman Walsh reported that the Hanover Chamber of Commerce will be meeting tomorrow.

11. OTHER BUSINESS.

There was no Other Business reported.

12. ADJOURNMENT.

Selectman Doherty MOVED to ADJOURN the meeting. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING AT 9:35 P.M.

Respectfully Submitted,

Judith A. Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Vice Chairman Connolly MOVED that they add a violation for utilization of Engine Brakes to Ordinance #33. The Fire Department responding to a call should be deemed an emergency situation (added to section 5.B). Selectman Doherty SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADD A VIOLATION FOR UTILIZATION OF ENGINE BRAKES TO ORDINANCE #33 AND WORDING FOR SECTION 5.B TO INCLUDE "THE FIRE DEPARTMENT RESPONDING TO A CALL SHOULD BE DEEMED AN EMERGENCY SITUATION."

2. **Chairman Walsh MOVED to APPROVE the Amendment to the State Revolving Loan Fund. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE AMENDMENT TO THE STATE REVOLVING LOAN FUND.

3. **Chairman Brian MOVED to APPROVE the banner request for The Prouty. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE BANNER REQUEST OF THE PROUTY.

4. **Selectman Christie MOVED to APPROVE the Minutes of November 30, 2009 as amended. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE MINUTES OF NOVEMBER 30, 2009 AS AMENDED.

5. **Vice Chairman Connolly MOVED to REAPPOINT Connie Carr to the Senior Citizen Advisory Committee through September, 2012. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO REAPPOINT CONNIE CARR TO THE SENIOR CITIZEN ADVISORY COMMITTEE THROUGH SEPTEMBER, 2012.

6. **Selectman Doherty MOVED to ADJOURN the meeting. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING AT 9:35 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

November 30, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

Chairman Walsh asked for Public Comment. There were no comments from the public. Selectman Christie noted that former Select Board member Bill Baschnagel was present.

2. DISCUSSION REGARDING INTERSECTION IMPROVEMENT OPTIONS AT NORTH PARK AND LYME ROAD.

Chairman Walsh noted that about 6 months ago the Town was looking at the possibility of a two-lane roundabout at the intersection of North Park and Lyme Road. Ms. Griffin stated that Peter Kulbacki was present in addition to Steve Campbell of Dartmouth College's Planning Design and Construction office. Ms. Griffin gave an overview of the history of this discussion including the issue surrounding a residential property that Dartmouth was looking to sell which resulted in looking at moving the roundabout closer to the Life Sciences Building. Ms. Griffin stated that time is somewhat of the essence because the traffic signals are in poor condition and need significant improvement. There is money from Dartmouth for the replacement of the signal but not enough money to fund a roundabout.

Steve Campbell and Peter Kulbacki approached the board. Peter Kulbacki stated that they met with several people to discuss options for that intersection and the single lane option was ruled out due to capacity. Mr. Kulbacki stated that they consulted with Howard McCulloch, roundabout designer, and for a two-lane roundabout with setbacks for pedestrians and bicycles the lift increases by 10' on each side. There would be a 140' minimum increase and to put this in this area is pretty tight because of crossroads and ledge.

Chairman Walsh asked how this configuration is similar to the one previously proposed that would have taken over part of the residential property in question. Mr. Kulbacki stated that the proposal is similar but shifted a little. Ms. Griffin stated that the proposal shifts the roundabout south, closer to campus. Ms. Griffin explained that there would be two lanes at the end of North Park Street and the entrance to Dewey Field and one lane travelling through the inner circle. Peter Kulbacki stated that \$145,000 was brought in which would have allowed for improvements 5 or 6 years ago and now that would cover just the signal. The price of the Town doing the work would cost around \$550,000 and this is without knowing about any issues that may arise with final grading. This would keep them from having to build a retaining wall on the residential property but it would require additional work on the Dewey Field road.

Ms. Griffin clarified that the \$145,000 would pay for the signal but there would need to be additional money budgeted for approximately \$10,000 to \$15,000 to allow for crosswalks and sidewalk improvements in that area.

Chairman Walsh noted that there were two conversations 6 months ago: 1) would it fit and 2) when should the Town do this. Ms. Griffin felt that it would be helpful to keep the cost components in mind as they move forward and whether they eventually move toward a roundabout. Mr. Kulbacki noted that the traffic signal is on borrowed time and there is a light that they are unable to fix at this point. The town could spend \$60,000 just on cabinets and controls if those things fail. Mr. Kulbacki noted that when they took the poles down to move the houses from Park Street to Lyme Road, they were on borrowed time and that was about 7 years ago. A signal would have a useful life of about 25 years.

Selectman Christie asked about the costs for the roundabout because he is looking at \$750,000+ on the information that has been provided to the Board. Mr. Kulbacki stated that this was the cost if it was contracted out. It was originally a DOT project and that's what it would cost.

Selectman Rassias noted that in the handout it lists the throughput analysis and one of the purposes for the roundabout is to move people through faster but how does the proposed traffic signal meet the needs of the anticipated traffic for the next 25 years. Mr. Kulbacki stated that the downstream signals will limit the flow through this area and you can't get a 25 year estimate for this. Mr. Kulbacki stated that traffic could likely back up on Park & Wheelock without upgrades in those intersections. There is the ability to coordinate traffic better with signals and in looking at the best place to stack traffic; it would be on Lyme Road versus Park and Wheelock. The peaks are 15 minutes in the morning and in the afternoon. The projections for this will only be valid for a few years based on known projects.

Selectman Rassias asked about pedestrian and bicycle patterns. It appears that the signaled intersection is safer. Mr. Campbell noted that his office did not come to that conclusion but Resource Systems Group did a study and concludes that the roundabout would have a little bit better result in the afternoon versus the traffic signal.

Chairman Walsh confirmed that the study includes years leading up to 2022. Mr. Campbell noted that this was based on known development up through those years.

Selectman Rassias asked whether they have looked at ways to optimize the intersection for cyclists. Mr. Kulbacki stated that they haven't looked as closely at this angle but because of the nature of the way that the traffic would flow, there are obstacles in dealing with cyclists. Mr. Kulbacki confirmed that for a bicycle the inner lane is larger than the existing roundabout on Lyme Road at Reservoir Road so a cyclist may gain 5 mph where a car would not. Selectman Rassias noted that included in the materials is the result of a European study that cyclists have a greater crash rate at roundabouts than traditional signaled intersections.

Selectman Rassias pointed out that it was mentioned that the carbon monoxide production would be decreased in the roundabout but the vehicles will move faster but will sitting somewhere else. Mr. Campbell noted that the emissions would be slightly less in that intersection but cars would be idling elsewhere.

Selectman Christie stated that it appears that this roundabout is not going to get people somewhere faster because of the congestion at the next intersection. Chairman Walsh stated that sometime in the next 10, 20 or 30 years, the other intersections may be upgraded and he's not ready to make a decision if they are going to be locked into it for many years to come. His concern is that they will create another block that they can't get out of.

Selectman Christie asked if they have done any feasibility studies on the other intersections. Mr. Kulbacki stated that they have looked at the area for a single lane roundabout but it would most likely be a two lane roundabout at Park and Wheelock and physically there is enough real estate as there is at Park and Lyme but at this point it doesn't gain an advantage but might in the future.

Selectman Doherty noted that in the Third Draft of the Capital Improvement Program there is a section regarding highways and streets and she noted that the figures are a little different. Mr. Kulbacki stated that the difference is that the figures are more hypothetical but when they actually have it looked at by an engineer, they get a more realistic figure. Selectman Doherty liked looking at the roundabout in context of everything else.

Selectman Doherty would like to know what Mr. Kulbacki would do to the intersection with \$165,000 versus \$550,000. Mr. Kulbacki stated that they would look at bike lanes on Park Street, upgrades on other signals (Summer & Park), finish off Lyme Road (lighting in front of the school), Safe Routes to Schools and some option for sidewalks or roads, take routine look at intersections, rebuilding roads and how it affects their paving budget. Ms. Griffin stated that the Town is not used to spending this kind of money on these kinds of projects so typically the Town sets aside money over time. The other alternative is to bond at Town Meeting and borrow the money all at once but staff would be more inclined to budget for it over 3 – 5 years and do a quick fix to the signal until they could construct it. Ms. Griffin stated that they need to look at how to approach it financially in addition to logically.

Vice Chairman Connolly remembered that as part of the Life Sciences Building approval, the intersection needed a significant upgrade. The left turn into the Life Sciences Building is going to create additional traffic. She is uncomfortable in leaving this configuration. Chairman Walsh confirmed that Vice Chairman Connolly would be in favor of tackling the roundabout.

Mr. Campbell noted that RSG conducted a study of the area and he doesn't believe that there would be a negative impact from the Life Sciences Building. Mr. Kulbacki noted that the money was provided because of an issue regarding the McLaughlin cluster and Dewey Field and the need to lengthen the turn lane. The problem wasn't the amount of traffic but the access to the area was changed.

Chairman Walsh stated that one choice would be to do the signal and do improvements to pedestrian and bicycle traffic in the current configuration but retain the land to do the roundabout

in the next 10 to 25 years. Chairman Walsh stated that he could deal with a signal and working within the footprint as long as it is clear that this space would be a possibility as traffic gets worse over time. Ms. Griffin noted that the College is making significant changes to the Life Science's side of the intersection so making changes in the future could be problematic.

Mr. Campbell stated that the proposed geometry indicates an 85 foot barrier of impact to the area of grading beyond the sidewalk and there would be a significant vertical impact to the grading around the building. The area of impact to the Dewey Field lot would result in a 75' impact and a large bank would be needed to make it work. The proposed roundabout would require a change in orientation on North College Street. Two impacts to the Life Sciences area of construction are that 1) the sight-line distance would be inadequate for the Advance Transit buses and this would force a redesign of the AT bus facility and; 2) part of the approved storm water scheme and the roundabout geometry would pave over the rain garden. The intersection improvements have already been built and they were approved in September, 2008. The College did quite a bit of blasting at the intersection so the main area of impact would be to deal with the AT bus site, storm water and the cut-in fill required vertically to accomplish the site.

Chairman Walsh stated that they got that far in the rain garden and the change on College Street because the College requested mitigating the effect on the residential property across the street which was why the Town chose to push things in the other direction. He is not suggesting that in a short period of time they go to the two-lane roundabout but he is suggesting that the Town makes a decision that doesn't get them trapped. Chairman Walsh also didn't feel that the AT shelters have a 10 year lifespan and the rain garden could be dealt with.

Mr. Campbell pointed out that these costs are not included in the capital improvement's plan and would cost an additional \$500,000.

Chairman Walsh asked about the status of the property owned by Dartmouth College. Ms. Griffin noted that the property was sold to the tenants.

Selectman Christie stated that based on these discussions, he wanted to clarify that this project would now cost an additional \$500,000 for a total of \$1 million. Ms. Griffin stated that they would go into this project assuming that Dartmouth would donate the money and provide the upgrades needed on their side of the intersection. Vice Chairman Connolly asked whether this land was approved as part of the site plan approval. Mr. Campbell stated that the decision did not include the addition of land but it stated that the College would accommodate it if the decision was made prior to the start of construction.

Bill Baschnagel stated that he sat on the Planning Board as the Select Board representative when the project went up for Planning Board approval. He wanted to point out that the traffic analysis did not reflect an increase in traffic based on the Life Sciences building but other considerations including the additional traffic for the schools that then did dictated stacking lanes. RSG's study was made on some key assumptions such as the northbound traffic from Town would come down Park Street versus College Street.

Mr. Baschnagel stated that as part of the conversation of this approval process, the site plan, as approved would accommodate a roundabout which might require regrading and it might require fill on the Dewey Field site but there would be no permanent structures built that would incur significant costs to modify. Mr. Campbell stated that this was prior to moving it south.

Mr. Baschnagel stated that this issue is now caused by the good deed done by the Town with regard to sparing the private residence. Mr. Campbell stated that the shift caused the problem. Selectman Baschnagel stated that at the time that the Board was not notified that this would cause this kind of expenditure by proposing this shift. Mr. Baschnagel stated that he, personally, would not go too far down the road toward the \$500,000 option because he feels that the discussions were balanced at the time and there were discussions about more than just putting in a two-lane roundabout.

Chairman Walsh felt that this would be a good place to stop and look at some alternatives and think about it over time. He did not want the Board to make a quick decision. Ms. Griffin stated that this would also be a budget decision and there's no need to make a decision tonight but if they wish to have the money for July 1, it needs to come up for the upcoming budget discussions.

Ms. Doherty is concerned about the current failing signal because it sounds like no matter what they do, it may be a number of years to make this happen. She wanted to know whether they can move on the traffic signal repair which sounds like it needs to happen sooner rather than later. Chairman Walsh stated that whether the Board makes a decision tonight versus sometime in the winter, it is not going to make that much of a difference. Mr. Kulbacki stated that the money is in escrow. Chairman Walsh stated that they do have time to make a decision during the budget process unless the signal fails in the meantime.

Selectman Christie stated that the Board has to come forward with a full solution. To spend \$145,000 to buy 5 years to think about what else should be done is not a bad investment. He would like to hear from the College about their point of view.

Chairman Walsh thanked Stephen Campbell and Peter Kulbacki for their information.

3. DISCUSSION REGARDING TAX RATE TARGET AND FISCAL CHALLENGES FOR FY2010-2011 PROPOSED BUDGET.

Chairman Walsh invited Betsy McClain, Finance Director, to approach the Board. Chairman Walsh noted that the Board tries to give Town Staff some direction with the constraints that the Board would like for them to consider and where they would like to see the bottom line.

Ms. McClain stated that in the information provided to the Board, there was information provided to reflect the pressures that they are facing and to set the stage for the Department Heads as they consider their budgets. She noted that the anticipated health insurance premium is set at a maximum increase of 12.3%. It could be less and a lot of communities are seeing a larger increase. Ms. Griffin stated that the Health Trust gives the Town the guaranteed maximum rate in early November so that they have that for budget purposes. Over the years

they have come in significantly under the maximum guaranteed rate but for this year the 12.3% is the guaranteed.

Ms. McClain reported that another known impact to the budget will be courtesy of the NH Retirement System. The State has reneged on their commitment to pay a portion of the public safety contribution and have reduced the contribution to 30% out of the 35% for the current fiscal year and next year the amount will be reduced to 25%.

Ms. McClain reported that the Worker's Comp increase is due to employee accidents over the last couple of years and the Town will pay 1.02% which is experience driven. The budget for interest income on working capital will need to be scaled back. Ms. Griffin stated that they used to bring in about \$300,000 and Ms. McClain stated that they will look to reduce this amount by \$75,000. Ms. McClain stated that they also anticipate needing to scale back their Building Permit Revenues as well and Jonathan Edwards will be working on this to provide the Board with a clearer picture of anticipated revenues. Ms. McClain stated that for the last fiscal year they reduced this amount by \$100,000. Ms. Griffin stated that a lot of this depends on the construction from the College. Chairman Walsh stated that his recollection was that the revenue received has been around \$300,000 to \$350,000. Jonathan Edwards felt that it was around \$258,000. Ms. McClain stated that they are looking at a 3.6% increase (14 cent) based on the known factors. The goal is to bring in a budget that does not create an increase at all.

Chairman Walsh stated that they usually start out with a question of what an appropriate target would be based on the Consumer Price Index (CPI) and other factors. Ms. McClain stated that they use the Northeast BC which is an index targeted for smaller areas in the northeast which has been routinely negative but the most recently published CPI published in mid-November came in at +.5%. Ms. Griffin stated that this is the first time that it's been positive in months.

Selectman Christie asked about the 5 year projections that the Board usually reviews. Ms. McClain stated that there are so many unknowns and the projections would be based on this year's figures. Selectman Christie stated that he felt that this is exactly the time that they should use this routine, as bad as resulting numbers may be. Chairman Walsh stated that the 5 year numbers showed a mismatch between the rate in which the expenses grow and the rate that the revenue grows. Selectman Christie is not a fan of using the CPI because it is not a true reflection of what the Town is dealing with. Ms. McClain stated that it is harder to do to include the school and the county in some of these pieces of the budget. The drivers of the Town budget are very familiar but the others are hard to project. Chairman Walsh stated that from the property tax payers it becomes understandable when tied to CPI.

Vice Chairman Connolly noted that they nearly achieved zero in last year's budget. Chairman Walsh clarified that the target of zero would be before the State's impacts. Ms. Griffin stated that the Board is looking to build a budget at 0% but it doesn't take into consideration additional losses in revenue sharing.

Chairman Walsh felt that the question is whether the 0% is based on last year's budget or up against items that are dictated by the Department of Revenue Administration (DRA).

Selectman Doherty felt that knowing what they know now about what did not come through from the State; she feels that zero should include what they anticipate not receiving from the State. She felt that they could look at both angles. She wouldn't want to ignore the situation from Concord and just proceed.

Selectman Rassias stated that the last 2 years they looked for a range, 0, 3 and 5%. What the Town experiences is not the CPI but the Board is sensitive to the fact that the taxpayers are more aware of what the CPI means. It appears that the CPI is in the middle of where they should be.

Vice Chairman Connolly confirmed that the revenue sharing has been suspended for 2 years. Ms. Griffin noted that the Town lost \$177,000 in revenue sharing which resulted in a 2.5% increase and the decrease in the State's contribution to the NH Retirement System is \$35,000 for this year and next. Selectman Doherty stated that this information would be important to have for a 5 year projection.

Vice Chairman Connolly stated that even if they come in at zero, the rate is already going to see an increase of 3.6% with the known drivers. Selectman Christie stated that they need to look at the tax rate for this year and build a budget based upon that. The reaction to what the Board did last year was received well; to control the town's expenses and run it efficiently and then the bad news from Concord would have to be dealt with through additional taxation.

Chairman Walsh stated that they need to build a budget but the question is whether to leave out the impacts from Concord. Chairman Walsh stated that there could be a line item which shows revenue decreases carried forward and not just built in. Selectman Christie stated that if the revenues came back, they would not spend that money and it would be a lower tax rate. Selectman Christie stated that what the taxpayer cares about is why this year's tax rate is what it is. Chairman Walsh restated Selectman Christie's proposal which would be to build a budget with what the State has already done to the Town. Selectman Christie stated that the current tax rate already has that impact and should be the starting point. As the Town proceeds in building a budget, they should look at a 0, 2.5 and 5% target rate.

Chairman Walsh is unwilling to build a budget with 5% and its okay to have a wish list. Selectman Christie noted that the known impacts will give the budget a 3.6% increase. They need to see what the reductions are and which services they will be giving up. Selectman Christie stated that he felt that they should know what the service impact is going to be. Chairman Walsh can't imagine the Board recommending a 5% increase at Town Meeting. Selectman Christie felt that last year's presentation helped because the staff recommended cuts to get to where they needed to be and in this way the Board can see what their giving up.

Ms. Griffin stated that she and Ms. McClain came into the meeting feeling that they need to provide the Board with a 0% budget knowing what the atmosphere is out there.

Selectman Christie stated that "status quo" would probably be around 4%. They need to look at what choices they would be making to bring it back down to 0. Selectman Christie stated that there was some interesting work done by the Finance Committee about the ability to pay and felt that this was a better measure than CPI. This information is based upon tax returns so

determining what the ability to pay and how that is keeping up with taxation would be more helpful.

Ms. McClain stated that the presentation was done based on the gross income numbers by zip code and the year to year change in those numbers are very telling in determining the ability to pay and this is property tax versus income tax. Selectman Christie stated that this was a statistic worth having in front of them.

Ms. Griffin stated that the budget a year from next year July 1, 2012 show hefty costs coming in 18 months from now that they need to start planning for now. They will need to develop strategies for deflecting these costs. The 2011 session is going to be an assault on the Retirement System from Cities and Towns. The State may try to reduce their contribution from 20% to 15%. Chairman Walsh stated that they want to see this in the 5 year projection. Ms. Griffin wondered whether they should eliminate Rooms & Meals tax revenue sharing because they feel that this may be the first thing that gets cut from the State.

Ms. McClain recapped that the Board wanted to see 5 year projections; a budget that comes in at 0, 2 & 4%; and the information that might reflect the taxpayer's ability to pay. Ms. McClain noted that they will need to purchase the data set which is not expensive but the information is up to date as of 2008. Ms. Griffin suggested finding out when the 2009 data would be made available. Ms. McClain stated that the Finance Committee did a lot of work on different metrics and she will try to incorporate this information.

4. REVIEW OF THIRD DRAFT OF PROPOSED CAPITAL IMPROVEMENT PROGRAM.

Chairman Walsh stated that this document provides an excellent comprehensive approach. Ms. Griffin stated that staff chose to do a different format to include a breakdown of the projects of the projects that are out there where expenditures could incur. The reason that she wanted to get the draft before the Board tonight is to get feedback and then schedule a joint meeting with the Planning Board and then form a working committee to revisit the issue of how they should finalize the CIP with the Planning Board and the format of the document itself. The Planning Board has not formally received it yet but will be in the near future.

Ms. Doherty felt that this is a good test to see if there is enough information in making a decision in a project such as the roundabout, traffic light, or sharrows, and this needs to stand up to proposals brought before the Board. She feels that there is more that needs to be done but this is a really good example of how it should work.

Ms. Griffin stated that in an ideal world, they would continue to update the spreadsheet to reflect increases in costs. Ms. Doherty noted that that information would come through during the budget process so it would be clear that the costs are estimates. The guidelines are really good where they are very specific and others where it is not so specific. She stated that this could be a work in process as projects come forward.

Chairman Walsh felt that the document didn't need more detail. He noted that there are a number of places where there are statements regarding the Town's policies. He would like to see a list of all of the items that are listed as the Town's policies similar to the Summary that is done in the Minutes. There are areas where there are operating cost implications and this needs to not be just about capital but there needs to be a way to look at the operating cost implications.

Ms. Griffin stated that one of the things that she would like to do with this document is to include project sheets with assumptions, costs, pictures, that jump beyond the basic sort of policy statements and goals. She would like to get an appendix with project sheets that would be updated often. The project sheets could include cost implications to maintain the project.

Vice Chairman Connolly was also pleased with this document and the underlying assumptions and it would make it much easier for the Planning Board's decisions. Chairman Walsh stated that there are 10 pages of the document which are policy related. He would like to see this pulled out for the Select Board and the Planning Board could have a public hearing to go through each item and make determinations which can not be done in this document as written without taking a great deal of time.

Ms. Griffin asked about the creation of a CIP working group and asked which members of the Select Board would best serve on a committee for this. Chairman Walsh felt that it would make more sense to go through the policy exercise with the Planning Board and then create a committee to go further into detail.

Ms. Griffin wanted to look at dates that work for both Boards. Chairman Walsh felt that they should look at this during a meeting in January. Chairman Walsh noted that ultimately this would be a document approved by the Select Board and the Planning Board which is not binding, but used as a directional tool. He felt that in the beginning of the document, the purpose should be stated to reflect this including the fact that it is to be used as a base for dealing with impact fees. Ms. Griffin noted that the Planning Board formally approves the Capital Improvement Plan but they need the Select Board approval to go forward in the proposed budget to Town Meeting to fund it.

5. RECOMMENDATION TO SET A PUBLIC HEARING FOR DECEMBER 21, 2009 TO CONSIDER AMENDMENTS TO ORDINANCE #33, THE NOISE ORDINANCE, TO REGULATE USE OF ENGINE BRAKES.

Ms. Griffin stated that she will be providing the Board with information that was put together by Lt. Michael Evans regarding engine brakes. There was a discussion regarding scheduling and the determination was made to change the December meeting date to December 14th. Ms. Griffin stated that the Town has signs up regarding the use of brakes but no enforcement ability. Lt. Evans will provide additional information to the Board at the December 14th meeting.

Selectman Doherty MOVED to set a public hearing for December 14, 2009 to consider amendments to Ordinance #33, the Noise Ordinance, to regulate use of engine brakes.

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING FOR DECEMBER 14, 2009 TO CONSIDER AMENDMENTS TO ORDINANCE #33, THE NOISE ORDINANCE, TO REGULATE USE OF ENGINE BRAKES.

Chairman Walsh stated that they have taken a step to make it unlawful but he didn't see a penalty amount included. Ms. Griffin believes that Lt. Evans covers this in his memo and she will get that information to the Board.

6. APPROVAL OF MINUTES:
- November 16, 2009

Selectman Christie noted that he should be marked as absent from the November 16th meeting.

Vice Chairman Connolly MOVED to approve the Minutes of November 16, 2009, as amended. Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED, 1 ABSTAINED TO APPROVE THE MINUTES OF NOVEMBER 16, 2009 AS AMENDED. (Selectman Christie abstained from the vote.)

7. ADMINISTRATIVE REPORTS.

Ms. Griffin stated that they have scheduled budget meetings starting tomorrow. The Department Heads have been warned that they should be looking at a 0% budget. They appreciate the fiscal challenges.

Ms. Griffin noted that she will be heading to Montpelier with others on the Sustainable Hanover Committee to look at their community composting facility.

Ms. Griffin announced that the Hanover Chamber Annual Meeting will be held on January 11th.

8. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie had nothing new to report.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board continues to work on the residential project. There are cases to be heard at the Planning Board meeting tomorrow night including lot line adjustments.

Vice Chairman Connolly also reported that she attended the legislative conference for one day and there was a presentation on "green" buildings regarding residential real estate but and she

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learned interesting things about retrofitting. She also attended the Municipal Association's Manager's Meeting and the NHMA looked for assistance in getting the legislators to help.

Judy Doherty

Selectman Doherty reported that the Affordable Housing Commission met on November 19th and were pleased with the Board's appointments. She noted that all 16 members were present. They drafted By-Laws and Memorandum of Understanding and Bob Strauss is hoping to meet with the Select Board in February to provide all of the finalized documents and goals and objectives.

Selectman Doherty reported that the Howe Library Trustees will meet next week.

Athos Rassias

Selectman Rassias had nothing new to report.

Brian Walsh

Chairman Walsh reported that the Hanover Chamber of Commerce Annual Award Dinner held at Alumni Hall was exciting. President Kim spoke and expressed frustration over the current financial situation. Residents of Kendal were recognized for their volunteerism in addition to Coldwell Banker Redpath, Montshire Museum and Hanover True Value and there was a lot of positive energy. Ms. Griffin stated that there were a lot of representatives from the College in attendance.

9. OTHER BUSINESS.

There was no Other Business reported.

10. ADJOURNMENT.

Selectman Doherty MOVED to adjourn the meeting. Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:40 P.M.

Respectfully submitted,

Judith A. Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn

SUMMARY

1. **Selectman Doherty MOVED to set a public hearing for December 14, 2009 to consider amendments to Ordinance #33, the Noise Ordinance, to regulate use of engine brakes.**

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING FOR DECEMBER 14, 2009 TO CONSIDER AMENDMENTS TO ORDINANCE #33, THE NOISE ORDINANCE, TO REGULATE USE OF ENGINE BRAKES.

2. **Vice Chairman Connolly MOVED to approve the Minutes of November 16, 2009, as amended. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED, 1 ABSTAINED TO APPROVE THE MINUTES OF NOVEMBER 16, 2009 AS AMENDED. (Selectman Christie abstained from the vote.)

3. **Selectman Doherty MOVED to adjourn the meeting. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:40 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

November 16, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager. Absent: Peter Christie, Selectman.

1. PUBLIC COMMENT.

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

2. PUBLIC HEARING TO CONSIDER AND APPROVE AMENDMENTS TO PARKING ORDINANCE #6.

Chairman Walsh would like to change the wording for items like this in the future to “Consider and Act On” in the future versus Approve.

Ms. Griffin stated that Patrick O’Neill and Erika Alders would be addressing this issue with the Board. The concern is with regard to construction projects where contractors are taking up public parking spaces for days at a time. Planning and Zoning may set site plan requirements that include shuttling in workers for a construction project and the amendment would give the Parking Division the ability to enforce those requirements.

Ms. Griffin introduced Erika Alders who has been providing legal services to the Town in Planning and Zoning in addition to Ordinance updates. Her services are only costing the Town a workspace provided for her. Ms. Alders stated that she graduated from Lebanon High School and as part of her work with the law firm in Boston; she is doing some work with the Town and is happy to be here.

Lt. O’Neill read the proposed Amendment to Parking Ordinance #6: No Parking in Violation of Site Plan Approval – *No person shall stop or Park a vehicle upon any Street or other Public Place in violation of any condition of a “Notice of Action” or other site plan approval. This section shall apply to all Persons, regardless of the recipient of the site plan approval.* Lt. O’Neill noted that this amendment is in response to complaints that the Parking Division received regarding parking Wheelock Street and Lebanon Street. There were contractors/construction workers parking in front of the construction site which was in violation of the site plan review conditions. It has been difficult for parking enforcement to deal with this particular issue because these workers were putting money into the meters and the ordinance didn’t allow for them to address it specifically.

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The proposed Amendment allows for the Parking Enforcement employees to cite a \$30.00 violation if staff discovered that an individual violated the site plan conditions. Ms. Alders conferred with Walter Mitchell, the Town's Attorney, and determined that they could create an ordinance to do this.

Chairman Walsh asked for an overview of all of the pages.

Lt. O'Neill pointed out that on Page 6 of Ordinance #6; there was the addition of Section H: No Parking in Violation of Site Plan Approval: No Person shall stop or Park a vehicle upon any Street or other Public Place in violation of any condition of a "Notice of Action" or other site plan approval. This section shall apply to all Persons, regardless of the recipient of the site plan approval.

Lt. O'Neill pointed out other minor changes that included the addition of wording to incorporate the new Section H within the document. He noted that on Page 13, the wording was officially changed to reflect the new Rate and Fee adopted for handicap parking violations from \$250.00 to \$500.00. Lt. O'Neill also stated that on Page 14 of the Ordinance, there was an error correction to indicate that a person would have twenty-eight days in which to pay a fine versus fourteen. Section 20.D.2 clarified the fine amounts for failure to pay the improper parking charge.

Lt. O'Neill stated that there were technical corrections regarding the number of parking spaces on specific streets made to Page 21. On Page 36 reflects the Parking Rates and Fees as attached to the Ordinance; Page 37 reflects the Handicap Parking violation increase; Page 38 reflects the addition of the site plan approval fine and Page 39 reflects the removal of a parking lot no longer controlled by the Town.

Ms. Griffin stated that they would be looking at another change to the Parking Ordinance because Dartmouth College is drafting an agreement for the Bank of America parking deck.

Ms. Doherty felt that it would be helpful to see some context when looking at a large document such as this Ordinance. She would like to see the total number of parking spaces that are managed by the Town. She noted that she did add up the spaces and it appears that municipal spaces went from a total of 6 to 10; permitted spaces went from 6 to 10; permit parking went from a total of 26 to 5; 2 hour meter went from 103 to 119; 3 hour went from 20 to 30; Handicap went from 7 to 11 and 30-minute went from 2 to 0. These were just the changes and do not represent the total so she felt it would be helpful to have those totals so that all of the changes are represented in context. She stated that this is in no way doubting what the Parking Division is doing in managing the spaces.

Winifred Stearns, 5 Dorrance Place, thought that something concrete would be done about the overflow of the construction parking. Ms. Stearns stated that unless there are teeth to this ordinance, the offenders will continue to violate this. Ms. Griffin stated that the contractors run a shuttle but there are always a handful of individuals who do not want to be away from their vehicle. The parking fee is going up to \$30.00 in response to

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this issue. Ms. Stearns noted that just this afternoon, she had to call the police department for a truck with a water tank and a large flatbed that was parked on a lawn on Currier Place; the operator turned on his yellow light and left the motor running. She stated that within 10 minutes a police officer responded and the driver returned and put up cones but he was on the wrong side of the road.

Ms. Griffin stated that this is a separate issue. The Police Department has the authority to issue tickets for motor vehicle violations and she clarified that tonight, the Board is addressing a specific issue with regard to contractors parking in the area of the construction zone. Ms. Stearns asked where the off-site parking was located.

Matt Purcell, Dartmouth College Planning Design and Construction office representative, stated that they provide parking spaces in Lebanon for the Life Sciences' project and the Visual Arts Center where the workers are shuttled in to the project. Ms. Stearns asked whether the workers were following the order. Chairman Walsh noted that this was what they were trying to address. Ms. Stearns expressed frustration with the on-going parking issues downtown. She noted that she hates to call the police department for these things.

Chairman Walsh stated that this particular violation would be enforced by the Parking Office. Ms. Stearns was hoping that there would be something with more teeth.

Hugh Mellert, 11 Old Lyme Road, asked if the owner of the vehicle would be paying the fine. Chairman Walsh stated that the registered owner would be responsible. Mr. Mellert asked whether this would be \$30.00 per day per offender. Lt. O'Neill stated that his feeling was that it would be per day and not every hour. Mr. Mellert asked if they issue multiple tickets for violations currently. Lt. O'Neill stated that they do issue multiple tickets for expired meters. Chairman Walsh felt that \$30.00 was a good starting point.

Mr. Mellert asked how the Parking Division would be able to monitor a situation where someone moves their car and then comes back. Lt. O'Neill stated that the violation is simply that they are parked in a public space. Mr. Mellert stated that he works at Alumni Gym at Dartmouth College and the traffic in and out is an important aspect of their business. He stated that the Wheelock Street parking situation was an issue for them this past summer. Ms. Griffin stated that the project on Wheelock Street is what initiated this change in the ordinance.

Mr. Purcell stated that his office is in support of the Amendment to this Ordinance. They agree with the conditions that are put in the site plan review and they work with Lt. O'Neill. He wanted to note that they are providing parking and busing from Lebanon into the construction sites. He anticipates some difficulty with construction workers parking on the street that do not have conditions placed on their project so there will be difficulty in identifying these people. The condition placed on the Dartmouth College projects includes all employee parking spaces and there are many who have personal cars that look like everyone else's that parked in the 10 hour parking lot. His office will work with Lt. O'Neill to address these issues as they come up.

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Chairman Walsh closed the public hearing.

Vice Chairman Connolly MOVED to Approve the Amendments to Parking Ordinance #6. Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE AMENDMENTS TO PARKING ORDINANCE #6.

3. CONTINUED DISCUSSION REGARDING NORTH & SOUTH PARK STREET BIKE LANE OPTIONS.

Chairman Walsh noted that this is a continued discussion from the spring. Ms. Griffin stated that she has handed the Board an update from Carolyn Radish, ORW Landscape Architects and Planners, regarding the work that was done on Park Street. She gave an overview of the process up to this point. This summer the Board talked about some work that the Bike Committee had done on South Park Street and there was debate over adding additional pavement. The Town was about to repave South Park Street so they reviewed the paving approach for which enabled the Town to put aside some money to be used this coming summer to do a little bit more work. Before the Town goes any further toward the Planning Board about additional paving, they wanted to have the Bike Committee come back with the additional information from the work done by Carolyn Radish. If the decision is made to add paving to include bike lanes, the Town would need to hold a public hearing to address concerns that have been brought up including previous complaints that this area would become a speedway. Ms. Griffin stated that there have also been concerns brought up regarding pedestrian safety.

The members of the Hanover Bicycle and Pedestrian Committee introduced themselves: Hugh Mellert, Charlie Sullivan, Doug Deaett, Tim Cox, and Scott Drysdale.

Charlie Sullivan provided information and a slide show presentation to the Board to discuss the road treatments they are considering:

There are two bike lane treatments that they are considering: bike lanes and sharrows. Sharrows are a marking that is used where there is not quite enough width to provide a bike lane but indicates that the road is supposed to be shared with bicyclists and is particularly important next to parked cars. At the end of August, some sharrows were painted on Lebanon Street. It appears that it is working well. This allows bicyclists to position themselves appropriately in the roadway. Chairman Walsh stated that he has not heard any negative feedback on the sharrows.

Mr. Sullivan displayed a map of the Hanover Bicycle Routes. There are bike lanes on Route 120 south of the Co-op; Lyme Road and limited lanes on West Wheelock; Park Street is a connector for existing bike lanes but South Park Street is difficult because it is fairly narrow. There are 11,000 vehicles/day that travel through that area. They have the opportunity to do this at relatively low cost in combination with other paving projects. Mr. Sullivan noted that bike lanes are a good treatment for streets with high volume.

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Sharrows are better for lower speed roads and they are recommending bike lanes Park Street from Wheelock Street to Summer Street. They are recommending sharrows on Summer Street to Lebanon Street and on Park Street.

Mr. Mellert noted that in that area, it's been observed that cyclists can ride at the speed of traffic near the traffic lights at Summer Street but up the street it becomes more difficult. Mr. Sullivan noted an area south on South Park Street where curbing bumps out toward the road which would need to be moved. The concern was that this appeared to be a bulb-out and the pedestrians could cross there. The actual crosswalk is at the Valley Road intersection and the curb would not affect the pedestrian paths. Mr. Sullivan noted that the existing crosswalk is faded and is accessible in the middle of the driveway in the parking lot. Mr. Mellert stated that moving the curb would be beneficial to correct the crosswalk and allow for a bike lane. Mr. Sullivan referred to another picture in front of the Field House and noted that the tree that appears to be in the way will not be affected.

Mr. Sullivan summarized that they are proposing bike lanes on South Park from Wheelock to Summer Street and sharrows from Summer Street to Lebanon St.

Mr. Sullivan noted that the existing conditions include a 3' shoulder on one side and a 4' shoulder on the other. There is a 5' grass strip and sidewalk on one side and a 4' on one side from the side of the road and the nearest utility. Carolyn Radisch from ORW reviewed this and her recommendation and the consensus of the Bike Committee was to incorporate the bike lanes in this area. The bike lane option would only require 3' in additional paving. No conflicts with trees or poles.

Doug Deaett commented that the 3' addition is on the West Side and the East Side of the curb would not be changed. Ms. Griffin noted that the center line would be shifted. She suggested that the Board members look at the area when they are driving by and notice that the curbing is not sufficient.

Selectman Rassias thanked the Committee for their presentation. He asked if the travel lane on North Park was being changed. He noted that this is a State Highway and there were concerns that if the area is widened, it may encourage faster traffic. The Berry Gym crosswalk is concerning and wondered if the crosswalk could be treated in a specific way. He wanted to see a mechanism to enhance that crosswalk. Selectman Rassias supports this proposal and he would look forward to bringing this to a public hearing. He noted that he appreciates all of the hard work done by the Committee.

Ms. Doherty also expressed appreciation for the Committee's work and appreciated the experiment of the sharrows on Lebanon Street. She noted that there has been an element of education on this and people are getting it. The roads are traveled heavily by outside people and she felt that making Park Street very safe and make it very clear with the markings would be good.

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Vice Chairman Connolly was happy to see the lanes being used. She is pleased that the travel lanes are not being widened and felt that this was going to be an incredible opportunity.

Vice Chairman Connolly MOVED to carry this item further to have a public hearing to discuss the North and South Street Bike Lane Options. Selectman Rassias SECONDED the motion.

Chairman Walsh stated that this is a no-brainer for a bicyclist but he's not convinced that this is the best possibility for the safety of pedestrians. He stated it's clearly a win for bicyclists and he would like to have a public hearing with additional information about the best width for the area.

Scott Drysdale stated that he travels the road twice a day and noted that traffic either has to cut across the center lines to get around a bicycle or slow down and generally people do not like being slowed down by a bicyclists.

Tim Cox stated that when working with Carolyn Radisch, in her research she found that 6' spaces become more of a traffic lane whereas 5' does not read to the same extent. They also wanted to create some continuity so the way in which the road is configured would be similar on North and South Park Streets as it is on Lyme Road.

Vice Chairman Connolly would also hope that the Town would use wide fog lines and bicycle markings to indicate that this is no place for a car.

Doug Deaett thought that people in the audience might wish to comment and would like to invite them to speak. He also wanted to point out the timeline of the work done. The initial work on the bicycle guidelines for Hanover was made in the summer/fall of '08 and the presentation was made to the Board in December of '08. The recommendation of the sharrows was made on Lebanon Street and the bike lanes on North Park Street. In the spring another presentation was made for bike lanes on South Park Street and this would be the third time that they have made a presentation. There was a hearing at the Committee meeting with a handout to all residents and some have attending meetings and they have not heard any opposition to bike lanes on Park Street. He would like to see a vote for this tonight so they can go forward. Chairman Walsh stated that they would vote on a public hearing tonight. Ms. Griffin stated that it would be helpful to get this designed and costed and get some input from the Planning Board on this and then post it for a public hearing. Chairman Walsh suggested having a joint Select Board/Planning Board and Public Hearing. Chairman Walsh isn't persuaded that the bump-out isn't useful for pedestrians and is worried about the lack of lighting on the crosswalks; one by Berry Gym and the one near Thompson lot. He would like additional looks at safety and design tasks for pedestrians.

Winifred Stearns suggested that they look at the width of the road and consider the amount of time it takes for a slow pedestrian to cross.

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Mr. Mellert stated that the crosswalk at the Berry Lot is proposed to move closer to the sidewalk which will not make it wider.

Chairman Walsh noted that they will have a public hearing in January and there will be a design and it will be discussed at a joint meeting with the Planning Board.

Mr. Mellert suggested looking at bike and pedestrian safety for the Life Sciences' roundabout. Chairman Walsh noted that the roundabout at Reservoir Road works for a bicycle as designed. Ms. Griffin stated that they will be looking at the intersection near the Life Sciences' building at the Select Board meeting and staff is not recommending a roundabout for that area. This has to do with Town Staff learning that this would be very difficult with the amount of land required.

Scott Drysdale noted that the Bike & Pedestrian Committee discussed the area and just wanted to ensure that this is being reviewed from a bicycle and pedestrian perspective as it's going forward.

Mr. Mellert invited anyone to attend the Bicycle and Pedestrian Committee meetings from 4 p.m. to 6 p.m. on the first Thursday of the month at the Howe Library.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO CARRY THIS ITEM FURTHER TO HAVE A PUBLIC HEARING TO DISCUSS THE NORTH AND SOUTH STREET BIKE LANE OPTIONS.

4. DISCUSSION WITH HANOVER 250TH ANNIVERSARY COMMITTEE.

Willy Black reported that July 4th 2011 is Hanover's 250th Anniversary. As part of this, the last written history was published in 1961 which would be 50 years ago and there is a group of people working on a pictorial history of Hanover. The Committee would like to ask the Town to set aside some funds to publish the book and the hope is that they can sell the book to cover the cost.

Jack DeGange stated that he lived in Hanover for 21 years but now lives in Lebanon. The hardcover book published in 1961 was 99% text. He stated that he, Willy Black and Tom Byrne have been working on this project and in consultation with the late Mr. Latham, suggested producing a pictorial history with ample narrative that would cover an introduction for the first 200 years and then focus on the changes on the last 50. The Board has been provided a proposal for the project; they are considering a 160 page book and felt that there is ample material. The book is estimated to cost approximately \$15.00 to \$20.00 book. The projected cost is just over \$22,000. At the presumed cover price, the book could yield a return that could cover the full cost over a period of time.

Ms. Doherty stated that she is fully supportive of this and felt it was an opportunity to take advantage of the 250th Anniversary. She also felt that the market was ripe for this. Ms. Black noted that the biggest problem is narrowing down what to put in the book

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because there is so much material. Vice Chairman Connolly voiced support and she would support having the Town front the cost. Chairman Walsh noted that they would put this up as a wish list item during budget.

Ms. Black noted that they are only discussing the book because as far as she knows, no one else is working on the actual celebration and she would like to see the Board form a Committee to pursue this. Ms. Griffin stated that she and Hank Tenney are working on making a list for possible committee members. Ms. Black stated that she has a lot of information on the bicentennial so there is background on this. Chairman Walsh would love to see a hardcopy option (limited number), not for general circulation but for the Howe Library and for a time capsule if there is one. Jack DeGange stated that he could find out more about that option.

5. DISCUSSION REGARDING HOWE STATEMENT OF UNDERSTANDING.

Ms. Griffin stated that she and Selectman Doherty met with Brian Walsh, Jay Pierson, Mary White and Ann Bradley to discuss reviewing the Statement of Understanding (SOU). This is being presented to the Board to encourage questions or comments.

The following is the Statement of Understanding with the proposed changes:

STATEMENT OF UNDERSTANDING

The Board of Selectmen for the Town of Hanover and the Board of Trustees of the Howe Library have entered into this Statement of Understanding to set forth the respective responsibilities of the Town and the Corporation toward the funding of the Howe Library.

Preface:

The Howe Library is a corporation established by act of the General Court of the State of New Hampshire, dated March 11, 1899, and amended in 1947, "...for the purpose of establishing and maintaining a public library in the village of Hanover, in the town of Hanover and county of Grafton, for the benefit of all the inhabitants of said town."

From its founding in 1899 to 1972, the Corporation managed the Howe Library and established its operating budget. Increasingly during this time, however, the Town supported its services through appropriations at town meeting. In 1972, the Town for the first time, took over the operating budget of the Library, and its function became a department of the Town. At the same time, the Library was outgrowing its building on West Wheelock Street and plans were begun for the present building.

Reflected in an understanding between the Selectmen and the Trustees in 1974, the "citizens of Hanover expect the Town to assume permanent financial responsibility for providing library service. Therefore, the Board of Selectmen will include the Howe Library in the operating budget of the Town in future years." Service was to be provided

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by the Library “on the same basis as it has done historically in the past.” The responsibility of the Corporation shifted its focus to the new building then being planned. “The Board of Selectmen agrees that the income from unrestricted library investments should be reserved, together with the sale of the present building (on West Wheelock Street), for capital expenditures associated with the construction of a new library.” Letter of Neal G. Berlin, Town Manager, April 3, 1974.

In the following years, the Corporation paid the major portion of its unrestricted endowment income to the Town toward the loan on the new building and purchase of the adjacent Nichols property. Rarely during these years was unrestricted income available for other uses.

In the mid-1980’s, the endowment income of the Corporation began to exceed the annual debt payments, and the Corporation was able to appropriate unrestricted funds for other projects, including renovations in the work areas, computers, and furniture repair and recovering. The Trustees have agreed to undertake projects they felt either could not or should not be paid from the Town’s operating budget.

Statement of Understanding

The Board of Trustees and the Board of Selectmen believe that an understanding of respective responsibilities of the Town and the Corporation for the expenses of the Library is necessary to guide both the current Boards and those in the future. The Boards expect the Town to continue to fund the operating expenses of the Library at a level consistent with the type and size of a public library appropriate to Hanover. At the same time, the Boards recognize that the funds of the Corporation should be used to enhance the library facilities and collections beyond what can be expected from tax revenues. Corporation funds will not be used to fund regular operating expenses such as salaries, supplies, utilities, routine building maintenance, and related costs.

The Boards recognize the importance of private contributions to the Library, and wish to use those funds consistent with the intent of the donors and in ways which will encourage other gifts. Funds given to the Library should not replace Town funding, but enhance the facilities beyond the Town’s appropriation. The principal use of unrestricted income should remain capital improvements to the library building and supplementing materials acquisition. In addition, the long-term needs of the Library should be considered, particularly any undertakings by the Corporation toward further expansion or renovation of the building. Thought should also be given to setting aside income as reserves for future projects. Remaining endowment may be used at the discretion of the Trustees for projects beyond the budget expected of the Town’s taxpayers, but which contribute to the distinct nature of the Library. These areas may include special projects, better quality materials for furniture, purchase of materials above the operating budget allowance, implementation of automation at a higher level, or unexpected contingencies.

(Suggested addition):

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Consultation between the Town Manager and a representative of the Board shall occur on an annual basis to review the activities of the Library and to advise on goals for the coming year.

The Boards acknowledge that the particular character of the Howe Library drives both from its role as a public library supported by the Town and from the special interest provided by the contributions of individuals.

Town of Hanover Board of Selectmen approval, October 26, 1992
Howe Library Corporation Board of Trustees approval, December 3, 1992
Reviewed and updated, August 2009

Vice Chairman Connolly asked why this was being institutionalized when it is stating what is already taking place. Ms. Doherty acknowledged the good work of the Howe Trustees, Mary White and Julia Griffin. When they began the SOU review, they assumed it would require extensive revision. In the end, a sub-committee of Howe Trustees recommended some minor word changes and the addition of one sentence. This was confirmation that the SOU accurately reflected the relationship. Ms. Doherty suggested that Mary White (was was in the audience) may have additional comments. Ms. White did not have additional comments for the Board. Ms. Griffin stated that it's interesting to watch the transformation of the Board of Trustees because there are newer members who are not afraid to ask questions and make changes. Ms. Griffin noted that this was last changed in 1992 and it doesn't hurt to revisit it.

Selectman Doherty MOVED to accept the Howe Library Statement of Understanding. Chairman Walsh SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ACCEPT THE HOWE LIBRARY STATEMENT OF UNDERSTANDING.

6. UPDATE REGARDING HOWE OPEN SOURCE SOFTWARE OPTIONS.

Ms. Griffin stated that when the Board reviewed the Howe Library budget last year, they were looking at changing over to Open Source automated database and circulation systems.

Mary White introduced Pamela Soren Smith. Ms. Smith reported that they were looking at Open Source software options and focused on two separate systems; Evergreen and Koha. She noted that there was a Vermont Project called the VOKAL project which had migrated toward the Koha system. She noted that they spent a lot of time reviewing both systems but after they analyzed all of the data from the Requests for Proposals (RFPs) and they are now looking very seriously at Evergreen and noted other locations that are looking at this same program. The results of the RFPs show that Evergreen meets their requirements and the decision was unanimous that this was the way to go. The company that they would be contracting with (Equinox) has received excellent reviews.

Mary White noted that in the information provided to the Select Board, "Option 2" may cost less than anticipated. They would like to sign the contract now and not renew the contract with Innovative as of July 1. The difficulty in the switch is that they usually have to run both systems while the transfer takes place. The Howe Corporation put in \$25,000 but the total cost would be \$35,000. The remaining \$10,000 wouldn't have to be paid until August 1 which would be in the new fiscal year.

Vice Chairman Connolly asked about the transfer of data within the system. Ms. White stated that the company "Equinox" would be paid to do the data migration. There is one piece that they don't know how long it will take and that information includes the patron's history so they have made a high estimation.

Ms. Griffin noted that the Town would save the annual maintenance fee on the current system and the remaining \$10,000 could be budgeted. Selectman Rassias asked whether this technology is here to stay. Ms. White stated that this company helps coordinate the writing of codes for the different categories in the system. Ms. White stated that the advantage of Open Source is that it would be owned by the Library and if the company that services it leaves, they can go somewhere else for maintenance. Ms. White stated that they are being held prisoner by their current program and confirmed that the Etna library will also join in this program.

Ms. Griffin noted that she has told Ms. White that she can't make any promises with the upcoming budget challenges with regard to the potential savings and where that money might end up.

Chairman Walsh felt that the Library has done great work on this and felt that there could be discussions about the appropriate way to share this savings with the taxpayers. Ms. White stated that the new Teen programs have been effective and they have not had the same problems that they were seeing over the past year or two.

Chairman Walsh wanted to look at this as a policy basis versus a one-time basis. He would question Corey Stevens (IT Department) as to why they aren't using Open Office throughout the Town as it is legitimate and available. Ms. Smith noted that they are using Open Office on their machines in Hanover. Ms. Doherty felt that this was a good example of a process that worked and gives a good template for other Town services.

Ms. Griffin noted that the Town has the funds to do this now and the staff are ready to migrate now. There is a one-time expense to cover the data transfer which is substantially less than the payment for the maintenance contract.

Chairman Walsh MOVED that the Board thanks and supports the efforts of the Howe Library to bring Open Source software to support the Library's catalog and other needs. Selectman Doherty SECONDED.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO THANKS AND SUPPORTS THE EFFORTS OF THE HOWE LIBRARY TO BRING OPEN SOURCE SOFTWARE TO SUPPORT THE LIBRARY'S CATALOG AND OTHER NEEDS.

Ms. Griffin presented Pamela Soren Smith a Tip of the Hat on behalf of the Board of Selectmen: Congratulations on the 2009 Award for Excellence from Reference and Adult Services Section (READS) of the New Hampshire Library Association.

7. APPOINTMENTS:

Chairman Walsh MOVED to appoint and reappoint the following people as listed below:

Affordable Housing Commission – official reappointment of the Commission as per RSA 673:4-c

- Bruce Altobelli – Regular Member – September, 2012
- Len Cadwallader – Regular Member – September, 2010
- Don Derrick – Regular Member – September, 2012
- Paul Olsen – Regular Member – September, 2011
- Jim Reynolds – Regular Member – September, 2010
- Robert Strauss – Regular Member – September, 2010
- Joan Collison – Alternate Member – September, 2012
- Andrew Winter – Regular Member – September, 2011

Conservation Commission

- Doug McIlroy – September, 2012 (reappointment)

Planning Board

- Joan Garipay – Full Member – September, 2012 (reappointment)

Senior Citizens Advisory Committee

- Chrysanthi Bien – September, 2012 (reappointment)
- Anah Pytte – September, 2012 (reappointment)
- Joan Blandin – New appointment – September, 2012

Sustainable Hanover Committee

- Marissa Knodel – Dartmouth Representative – September, 2012
- Emily Neuman – Sustainable Hanover Steering Committee Rep.,
September, 2012

Zoning Board of Adjustment

- Maureen Bolton – September, 2012 (reappointment)
- Steve Marion – Regular Member – September, 2012

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Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT AND REAPPOINT THE INDIVIDUALS LISTED FOR THE VARIOUS BOARDS AND COMMITTEES.

8. APPROVAL OF MINUTES.

- November 2, 2009

Vice Chairman Connolly MOVED to approve the Minutes of November 2, 2009. Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE MINUTES OF NOVEMBER 2, 2009.

9. ADMINISTRATIVE REPORTS.

Ms. Griffin is preparing for budget season. She will be going to the Local Government Center annual meeting and will receive the latest on the NH Retirement System issues and the State of the Budget as the legislation starts.

Ms. Doherty asked about feedback on the tax bills. Ms. Griffin stated that they have had calls from people in Fire District 2 but there hasn't been as much as expected. The most feedback came from the Representatives so that they were well informed if their constituents called. Chairman Walsh asked that the fact sheet be sent to the Board.

Chairman Walsh stated that he felt that the Board got it right last year when they decided to do what they felt was right for the Town and take that to Town Meeting and deal with the State impacts when they happen. He's not sure the Board should chase what the State is doing. Ms. Griffin predicts that it will be a very difficult budget season for certain cities and towns with the loss or reduction of revenue sharing and all of the categories of revenue that have been lackluster. There is increased pressure from taxpayers to keep the tax increases at zero. The March Town Meetings will probably be reflective of what the Town will be facing with regard to some of these issues.

Chairman Walsh expressed frustration that the Local Government Center (LGC) is so ineffective in the discussions. Ms. Griffin stated that part of it is getting the representatives to listen. Vice Chairman Connolly stated that to make the LGC effective they need the local officials. Chairman Walsh felt that they have been ineffective in getting the voice of the cities and towns in front of the reps.

Ms. Griffin noted that she spoke with school officials and learned that the stimulus funding could not be used to supplant other programs or reduce the tax rate and could only be used for new programs. When the combined \$200,000 in the district is gone, the programs will have to be ended.

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Chairman Walsh noted that the hearing process is fundamentally useless on behalf of the cities and towns and what appears to be effective is when the elected officials speak directly to the Reps and lay out their position which has a chance of making a difference.

Ms. Griffin noted that Rooms and Meals Tax payments to the Town are supposed to be distributed on December 16th but the State is considering holding it for financial reasons which is \$400,000 for Hanover.

Ms. Griffin reported that Fairpoint did a lot of work and the Police Department has not been paid for their Outside billing and the Town has not been paid once they filed bankruptcy but in this case the amount owed to the Town is approximately \$6,000.

Chairman Walsh would like to see an amendment to the Rate and Fee Schedule that requires companies that may be facing bankruptcy pay in advance.

10. SELECTMEN'S REPORTS.

Kate Connolly

Vice Chairman Connolly reported that she will also be attending the annual Local Government Center meeting on Thursday in Manchester.

Vice Chairman Connolly reported that the Planning Board continues to work on the residential project and zoning amendments.

Vice Chairman Connolly reported that she has been involved in the Regional Bicycle Committee which was organized by Doug Deaett which incorporated a tour around the Upper Valley and the Regional Planning Commission is working on facilities and towns to try to coordinate bicycling activities.

Judy Doherty

Selectman Doherty announced that the Affordable Housing Commission changed their meeting time to 7 p.m. on Thursday. She noted that Robert Strauss will be happy that the appointments have been confirmed so that they can continue their work.

Selectman Doherty noted that the Howe Library had a retreat with Lizann Peyton. Ms. Griffin stated that there was a very good first session and there will be at least two follow-up sessions in December and January.

Athos Rassias

Selectman Rassias had nothing new to report.

Brian Walsh

Chairman Walsh reported that the Sustainability Committee continues to work well.

Chairman Walsh reported that the Hanover Area Chamber of Commerce will hold a celebration tomorrow night to honor four local businesses: Residents of Kendal at Hanover, Montshire Museum, Hanover True Value, and Coldwell Banker Redpath & Company.

11. OTHER BUSINESS.

Ms. Griffin reported that Dartmouth would like to put up a sign on Summer Street at South Park Street. Frank Roberts, Dartmouth College representative, reported that it would be a double sided sign and the landowner in the area is comfortable with it. Selectman Doherty confirmed where the sign would be placed and that driver's would be able to see the sign in time. Selectman Rassias asked about having it placed in the same location as the street sign. Ms. Griffin stated that the problem is that people look for a standard street sign and the Dartmouth directional signs look completely different. Chairman Walsh would like to find a way to not put them next to each other with two separate poles and felt that between Department of Public Works and Dartmouth College they should be able to come up with something that works.

12. ADJOURNMENT.

Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING AT 9:55 P.M.

Respectfully Submitted,

Judith A. Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Vice Chairman Connolly MOVED to Approve the Amendments to Parking Ordinance #6. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE AMENDMENTS TO PARKING ORDINANCE #6.

2. **Vice Chairman Connolly MOVED to carry this item further to have a public hearing to discuss the North and South Street Bike Lane Options. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO CARRY THIS ITEM FURTHER TO HAVE A PUBLIC HEARING TO DISCUSS THE NORTH AND SOUTH STREET BIKE LANE OPTIONS.

3. **Selectman Doherty MOVED to accept the Howe Library Statement of Understanding. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ACCEPT THE HOWE LIBRARY STATEMENT OF UNDERSTANDING.

4. **Chairman Walsh MOVED that the Board thanks and supports the efforts of the Howe Library to bring Open Source software to support the Library's catalog and other needs. Selectman Doherty SECONDED.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO THANKS AND SUPPORTS THE EFFORTS OF THE HOWE LIBRARY TO BRING OPEN SOURCE SOFTWARE TO SUPPORT THE LIBRARY'S CATALOG AND OTHER NEEDS.

5. **Chairman Walsh MOVED to appoint and reappoint the following people as listed below:**

Affordable Housing Commission – official reappointment of the Commission as per RSA 673:4-c

- **Bruce Altobelli – Regular Member – September, 2012**
- **Len Cadwallader – Regular Member – September, 2010**
- **Don Derrick – Regular Member – September, 2012**
- **Paul Olsen – Regular Member – September, 2011**
- **Jim Reynolds – Regular Member – September, 2010**
- **Robert Strauss – Regular Member – September, 2010**
- **Joan Collison – Alternate Member – September, 2012**
- **Andrew Winter – Regular Member – September, 2011**

Conservation Commission

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- Doug McIlroy – September, 2012 (reappointment)

Planning Board

- Joan Garipay – Full Member – September, 2012 (reappointment)

Senior Citizens Advisory Committee

- Chrysanthi Bien – September, 2012 (reappointment)

- Anah Pytte – September, 2012 (reappointment)

- Joan Blandin – New appointment – September, 2012

Sustainable Hanover Committee

- Marissa Knodel – Dartmouth Representative – September, 2012

- Emily Neuman – Sustainable Hanover Steering Committee Rep.,
September, 2012

Zoning Board of Adjustment

- Maureen Bolton – September, 2012 (reappointment)

- Steve Marion – Regular Member – September, 2012

Selectman Doherty **SECONDED** the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT AND REAPPOINT THE INDIVIDUALS LISTED FOR THE VARIOUS BOARDS AND COMMITTEES.

6. Vice Chairman Connolly **MOVED** to approve the Minutes of November 2, 2009. Selectman Doherty **SECONDED** the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE MINUTES OF NOVEMBER 2, 2009.

7. Vice Chairman Connolly **MOVED** to adjourn the meeting. Selectman Rassias **SECONDED** the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING AT 9:55 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

November 2, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

Chairman Walsh asked for Public Comment.

Winifred Stearns, 5 Dorrance Place, thanked Chairman Walsh for always speaking into the microphone during meetings. She has a hearing impairment and it makes a big difference while attending the meeting or while watching from home. She encouraged other Board members to do the same.

Martha Solow announced that on behalf of the Howe Library Corporation, she wanted to make the public aware of a new exhibit that just opened in the Ledyard Gallery, a display of water colors by Brian Walsh.

Vice Chairman Connolly announced that Pamela Soren Smith, Howe Library's Head of Technical Services and Systems Librarian, has won the 2009 Award for Excellence which is presented by the Reference and Adult Services Section (READS) of the New Hampshire Library Association.

Vice Chairman Connolly also announced that the Hanover High School Field Hockey team took the championship last weekend.

2. PUBLIC HEARING TO CONSIDER AND APPROVE AMENDMENT OF ORDINANCE #32, PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES OR LIQUOR IN CERTAIN PLACES, TO ALLOW ANNUAL HOWE LIBRARY WINE TASTING IN HOWE LIBRARY.

Chairman Walsh opened the public hearing to Consider and Approve an Amendment of Ordinance #32, Prohibiting the Consumption of Alcohol Beverages or Liquor in Certain Places, to allow the Annual Howe Library Wine Tasting in Howe Library. Chairman Walsh read from the Ordinance and noted that the Howe Library had asked in the past for permission to allow a wine tasting for a fundraiser. After being denied twice, they were allowed to do this one year and the Howe requested that this be allowed every year.

Chairman Walsh read the amendment:

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VII. Special Exemption. The Howe Library Corporation is authorized to hold one annual wine-tasting event within the Howe Library as a fundraising event for the Corporation, in recognition that, while the Howe Library is situated on Town-owned property, the building is owned by the non-profit Howe Corporation.

Josh Kahan asked if there were other buildings in Town that are privately owned on Town land. Ms. Griffin noted that Campion Arena is on Town owned land (owned by Hanover but located in Lebanon) and is privately owned. Mr. Kahan felt that this specific amendment is a 'granular exception' to the ordinance and did not dispute that it was a good thing.

Selectman Doherty MOVED to close the public hearing and to ACCEPT the Amendment to Ordinance #32. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE AMENDMENT TO ORDINANCE #32.

3. CONTINUED DISCUSSION WITH FRIENDS OF HANOVER CREW REGARDING TOWN SUPPORT FOR INSTALLATION OF ROWING DOCK AT WILSON'S LANDING FOR USE BY HHS CREW TEAM AND THE PUBLIC.

Chairman Walsh noted that at the last meeting on this issue, there were two questions that the Board wanted additional information on: 1) possibilities at the Chieftain and; 2) land use regulations brought up by Martha Solow.

Chairman Walsh asked Ms. Griffin to speak to these. Ms. Griffin noted that this information was included on the Town's website. Since the last discussion, a meeting did occur between the owners of the Chieftain, Joseph Roberts and his daughter Jennifer Barton. Mr. Roberts submitted a letter to the Board outlining his position. Chairman Walsh asked Ms. Griffin to read the letter for the record.

Letter from Joseph Roberts to the Hanover Board of Selectmen dated October 28, 2009:

To the Hanover Board of Selectmen:

I am the owner of the Chieftain Motor Inn property at 84 Lyme Road. This past Monday morning, my daughter, Jennifer Barton, who is the manager of the Chieftain and I met with Blair Brooks, Carin Reynolds, Peter Kermond and Nancy Carter, members of the Board of Directors of the Friends of Hanover Crew (FOHC), with their engineer Nik Fiore, and with Julia Griffin and Jonathan Edwards of the Town staff. We discussed how the FOHC's program in support of the Hanover High School Crew might be accommodated at the Chieftain site, in a way similar to what they have recently been proposing for the Fullington Farm and Wilson's Landing properties farther up Lyme Road.

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We came to the conclusion that improvements could be made to the Chieftain property for this purpose so that all aspects of the Hanover Crew program could be accomplished on a long-term basis. While the FOHC expressed some reservations that our site would pose some constraints at the earliest portions of the crew's training season in late March and early April, primarily due to frozen or muddy conditions on the steep and fairly narrow vehicular and pedestrian access down to our waterfront and due to lingering ice in the bay along our river frontage, I am of the belief that these could be adequately addressed by rebuilding the roadway down to the shore so as to make it wider and less steep and by pushing our crew dock somewhat farther out from the bank.

Our waterfront site can also readily accommodate a boathouse for the crew shells, oars, and other equipment as shown on a drawing, which we recently reviewed. Our existing crew dock, which was permitted at a length of 150' would need to be extended to 180' and repositioned farther out from the shore to replicate the FOHC's proposed dock; however, our existing smaller dock could be used for the coaches' launches as an alternate to mooring them to the inside of the crew dock.

However, in order to accomplish the improvements to meet the Hanover Crew's needs, I would need to connect my property to the Town's public water and sewer systems to bring it into compliance with the requirements of the Hanover Zoning Ordinance in order that it would become a legally conforming property and thus allow such expansion. These utility improvements would cost me up to \$1.5 million. Although I have not yet obtained estimates of the costs to rebuild the roadway, to construct a boathouse, and to extend and relocate the crew dock, I know they would be substantial. At this point, I am not prepared to invest these kinds of funds solely for the purpose of accommodating the FOHC's program. I also understand that it may be unlikely the FOHC could raise funds for improvements made to my privately owned property.

I must also point out that I had to undergo major expenses and much time-consuming difficulty in obtaining local and state zoning and environmental permits to stabilize my shoreline and to install my existing crew dock. Again, at this time, I am not prepared to re-open a permitting process solely to accommodate the Hanover Crew program when it seems to me that the approaches that they have been pursuing with the Town of Hanover would be as viable as they would be at the Chieftain.

Finally, I wish to go on record that I wholeheartedly support the Friends of Hanover Crew's proposal at the Fullington Farm, which they have already purchased, and at Wilson's Landing. Their proposal not only adds to the public enjoyment of the river but also enhances my own property in our efforts to market the Chieftain as a rowing venue.

Sincerely,

Joseph A. Roberts

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Ms. Griffin stated that he wrote the letter after the meeting and his position is that he could invest a substantial amount of money to enhance his facility and he's not ready to do that. She also felt that the improvements would be much more ambitious than what the FOHC was looking for. She noted that they looked at the area and noted the steepness and narrowness of the driveway to the water's edge.

Chairman Walsh noted that this was not a public hearing but would allow new information from the public.

Nancy Carter, 12 Barrett Road and Secretary of Friends of Hanover Crew, read a letter that was submitted to the Board on behalf of the Friends of Hanover Crew:

To the Hanover Board of Selectmen:

On October 26, following a request by the Select Board at their last meeting, the Friends of Hanover Crew (FOHC) formally met with Jody Roberts and his daughter Jennifer Barton to discuss the feasibility of use by the Hanover High crew team of the Chieftain property. That meeting included Julia Griffin and Jonathan Edwards from the Town of Hanover and three coaches from the HHS program. We understand the Town's and public's desire to make sure that all potential options have been fully explored. While the Chieftain is well suited for Mr. Roberts's use as a rowing facility, primarily for small boats, from May through October, it does not meet the current or future needs of the HHS Crew team, whose season in 8 person boats, begins on the river in early April and ends in the first week of June.

We appreciate Mr. Roberts's willingness to discuss improvements to his property that would make it possible for HHS crew to row from that site. We understand that the necessary improvements although possible would be difficult and costly. In addition, Mr. Roberts has indicated in his letter that he is not willing at present to invest both time and money solely for the purpose of meeting HHS Crew needs. Finally, FOHC would not be able to raise sufficient funds to improve the Chieftain venue, a site it does not own and future access cannot be guaranteed.

The conditions of access to a portion of the river where major current flow guarantees entry soon after ice out, land and existing buildings for covered boat storage, foot paths flat enough to ensure safe footing in early Spring and adequate area for safe drop-off and pick-up of rowers already exists at Fullington Farm and Wilson's Landing. Most important, however, is that by owning the land upon which all of these conditions can exist, FOHC is ensuring a permanent home for the Hanover Crew. As Mr. Roberts mentions, his is an existing private dock from which he hopes to expand a private enterprise. In contrast, FOHC proposed to use private funds to improve a public boat launch to enhance public enjoyment of the river.

At your meeting on October 19, FOHC outlined many of the conditions of use proposed by the Board and Town Staff with which the FOHC agreed. We ask that one major condition remain as we had stated in our proposed operational plan, that of times and

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practices and number of boats. We know that you have received requests to change this major feature of our program; however, we hope that you will allow us to remain in existence as we are.

Crew at Hanover High has been a sport where girls and boys, athletes from Novice to Advanced, practice at the same time, the early morning, and in the same location. By remaining as a full team with seven coaches, we can share rowers between boats, (crucial when eight rowers are needed for a boat to launch), equipment and coaching assignments. The sharing of rowers means all students get a chance to row during a practice. The teams are fluid, with seat racing giving coaches a chance to switch rowers throughout the season, similar to a tennis ladder. Our young athletes learn from one another, in the words of the girls' Novice coach "I have our boats stop and watch the Varsity boats each morning to reinforce my coaching with the real example of our more experienced crews." Safety is very important to our coaches and parents. The coaching staff, in six fully equipped launches with 15 horsepower engines, looks out for one another on the river. A safety launch is manned, often by parent volunteers, to keep track of all boats and make sure they are on and off the river safely. Because of daytime work conflicts, we would lose the services of at least four of our seven volunteer coaches, if they could not coach in the morning before work. In addition, most of our parent volunteers, on whom we rely for safety and launch maintenance, would also not be able to be present if we were forced to move our program out of the early morning hours. For all of these reasons, we ask that you agree to allow the team to continue as a whole, in a single location, with practice at the same time.

We trust that this letter, along with a review of documents presented to you at your meeting on October 19, are sufficient to answer your questions about the FOHC proposal for Wilson's Landing and Fullington Farm. We hope that on November 2, 2009, you vote to become a co-applicant with the Friends of Hanover Crew for a new, handicapped accessible, dock at the public boat launch.

Respectfully submitted,
Nancy Carter
Secretary, Friends of Hanover Crew
October 30, 2009

Carol Weingeist stated that there are two issues that have not been brought up; liability and safety. Ms. Weingeist stated that she was a member of the Hanover Accessibility Committee a few years ago and she is concerned about the Crew's claim of being accessible. There are no rails proposed and someone could fall off the dock. She worries about the danger of saying that its handicap accessible without safety measures to keep wheelchairs from rolling off the dock. The other issue is that she heard that the FOHC intends to rent out the Homestead and she is concerned about who is going to rent it. She assumes that they are going to rent it out to bring in money to fund their activities. She is concerned about other groups coming in to use this facility during the summer.

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Chairman Walsh stated that Martha Solow wrote a detailed letter to the Board with land use regulation perspectives to keep in mind. The Town's attorney and intern looked over these concerns.

Ms. Griffin stated that there was a memo to the Board from intern Erika Alders and Walter Mitchell who reviewed each point and crafted a response.

Ms. Griffin went over the points brought forward. Martha Solow asked that the letter be read rather than interpreted.

Chairman Walsh read the letter provided by Martha Solow dated October 21, 2009:

To Hanover Board of Selectmen
From Martha Solow
October 21, 2009

**Subject: Responsibility of Board of Selectmen --Additional Information
Re Proposal by FOHC to use Hanover's land for a private dock**

After reviewing the corrections and additional facts below I believe you will agree that the FOHC proposal does not meet the requirements of Hanover's land use regulations. Therefore, you should not become an applicant for the plan.

Correction of erroneous information:

False statements have put into doubt the credibility of FOHC. You were told that the rowing program for high school students would come to a prompt end if you did not support FOHC's request. We recently learned that this is not so, and has not been so at any time. Dartmouth's representative testified at your meeting October 19, 2009, that the College is willing to host the student program from year to year. You also learned the same evening that the Chieftain Motel is willing and able to host the student rowing program on a longer term basis. FOHC's and students' and parents' earlier statements to the contrary may have been intended to pressure the Board into action favorable to their plan. Wilson's Landing is not the only place that the rowing program can continue; suitable alternatives are available.

You were led by town staff and others to believe that the use of Wilson's Landing in conjunction with FOHC's Fullington Farm house lot is compatible with the town's land use regulations. A closer look at Hanover's land use ordinances reveals that it is not. The details of the regulations presented below indicate that the FOHC's land use needs, as they have been presented to the community, are in conflict with many of the regulations of the zoning ordinance.

The principles and purpose of zoning:

To determine the appropriateness of the FOHC plan to meet the requirements of Hanover's zoning ordinance, one doesn't need to ask a lawyer; one needs to look at the Ordinance. The primary purpose of zoning is to separate incompatible uses. The RR zone is for rural residences and uses compatible with that purpose. FOHC's intensive and extensive rowing program is not compatible in size or purpose.

Justice requires that all property owners be treated equally; there can be no "special interest" favorites, whether the particular interest is worthy or not. Atty. Bernie Waugh wrote to you about this in an email memorandum dated September 13, 2009. He cautions about setting a precedent with one applicant that cannot be denied to others, but must then be allowed to each similarly situated property owner. He adds, "...it is precisely the fact that this resource [i.e., riverfront property] is so limited and scarce which makes it so important to conserve". Permitting FOHC's plan could eventually lead to the alteration of the character of the entire shoreline of Hanover.

Hanover's Zoning Requirements: The FOHC plan does not fit the zone, whether by permitted use or by special exception.

The zoning ordinance states that the purpose of the Rural Residential zone is to allow residences in a rural area, typically those beyond the reach of town water and sewer service. With respect to the FOHC property, the permitted uses are many, but they do not include group or club rowing, and group rowing is the primary purpose of FOHC. The plan does not fit the zone.

All uses allowed by special exception have to meet the "general and specific standards" contained in the ordinance. Any special exception in the RR zone must be appropriate for a rural residential area. Any special exception "shall not adversely affect the character of the area". The area now is characterized by single family residences. The FOHC plan is a non-residential use, and not in keeping with this character.

The ZBA's decision in the subdivision case has a strong bearing on the uses acceptable on FOHC's homestead lot.

The September 30, 2009, document titled "Legal Questions Regarding Friends of Hanover Crew Proposal" appears to contain a response to paragraph #4 of my September 14, 2009, memorandum to the Board citing "legal and proprietary issues of concern to the Board of Selectmen and to the Town". The writer attempts to dismiss the ZBA's decision as having no bearing on the homestead property. He or she quotes paragraph #18 of the ZBA's document relating to the subdivision of Dartmouth's conserved parcel into two smaller ones - the 7 acre parcel that remains under conservation easement, and the 2.4 acre lot homestead property now owned by FOHC.

The writer quotes only a portion of the paragraph, emphasizing the wrong words, and giving a misleading impression. Below is the entire paragraph, with a very different

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interpretation of its meaning. (The document uses the words "Reserved Parcel" to refer to the homestead 2.4 acre parcel now owned by FOHC. The underlined emphasis is mine.)

The cited section of the ZBA's decision reads in its entirety as follows: "The remaining criteria for a variance must also be addressed in this decision. The Reserved Parcel if subdivided could continue to be used as a single-family residence, or used as otherwise permitted by the Ordinance, without altering the essential character of the area, particularly since the subdivided parcel abuts a perpetually conserved 7-acre parcel in a unique setting along the Connecticut River, with a public trail along the riverbank. Given this unique setting, the size of the proposed subdivided parcel (while less than the minimum) would be in keeping with the rural character that the Town of Hanover seeks to preserve. We think this is the central point in this case. Granting the variance will be consistent with the purpose of the Ordinance and consistent with the public interest. We are satisfied that the purpose of the three acre zoning restriction will be achieved in this particular case. We also believe that granting the variance will result in substantial justice and will not diminish the value of surrounding properties. Our decision is confined to the unique facts relating to this application and this property."

Please note the ZBA's reference to "the central point in this case". It is NOT, as implied by the September 30 memo, that permitted uses may continue (which goes without saying), but that this is a unique setting along the river, and that confining uses to those allowed by the zoning ordinance (whether permitted or by special exception) "would be in keeping with the rural character that the Town of Hanover seeks to preserve". Other uses would be contrary to the rural character of the area.

For more particulars, I refer you to Dartmouth College's testimony to the ZBA in letter dated July 27, 2006, from Larry Kelly to Judy Brotman for additional facts upon which the ZBA made its decision. The testimony stressed that dividing the land would not change the use of the land as single family residence, as permitted by the zoning ordinance. The ZBA relied on this testimony in making its decision. This would weigh heavily in a court decision regarding future use of the land. In judging a case, Courts go not only to the text of a law or a decision, but also to the debate which preceded it.

Except for the trail, the conservation land has no direct bearing on the Fullington homestead lot or Wilson's Landing.

The September 30th "Legal Questions..." memorandum provides details of the conservation easement on the original Fullington Farm owned by Dartmouth This information is not in dispute. We agree that the conservation easement does not apply to the 2.4 acre homestead property now owned by FOHC, which was created by subdividing Dartmouth's original ten acre parcel into two lots. The only conserved land on FOHC's homestead portion is the walking trail, the easement for which is held by the Town of Hanover. Furthermore, the conservation easement on the original undivided land has no direct bearing on restrictions on the town-owned property at Wilson's Landing.

FOHC's proposal does not fit any other uses on the homestead lot.

It was suggested that FOHC might apply for other uses of the Fullington Farm property. Reading the zoning ordinance one sees that, while "outdoor recreation" is a permitted use, "rowing club" is neither a permitted use nor a use allowed by special exception. And, if one reads the ordinance definition of "outdoor recreation" (listed alphabetically in the definitions section under "Recreation, outdoor"), one sees reference to "swimming pool, golf course, play fields, and similar uses". These uses are associated with family residential use in the RR zone, not with club use.

The zoning ordinance identifies "private club" as a use allowed by special exception in the RR zone. If one reads the ordinance definition of "private club", (listed alphabetically in the definitions section as "Club, private") one sees "building or use catering exclusively to club members and their guests for recreational purposes". Please note the term "exclusively". Who is being excluded? The non-member general public.

Moreover, "private club" is a use permitted by special exception on private property. "Private club" cannot be construed as "government use", which in the RR district is limited to public safety, service, cemetery, parking, and garbage disposal. Allowing private club use on public land is not only a violation of the zoning ordinance, but contrary to the principle of public access to public land, most especially land that has been given to the town specifically for that purpose.

Requirements for Variance are inappropriate for FOHC.

Every landowner is entitled to apply for a variance from the requirements of the zoning ordinance. However, the applicant must prove a "hardship" of the land that prevents him or her from being able to conduct any of the uses permitted in the zone. There is no hardship on FOHC's land; it can be used according to the requirements of the ordinance.

The organization of FOHC is not suitable to the plan they propose.

In requesting permission to install a dock from Wilson's Landing, FOHC is asking you to cede to that group rights that the Town now has for use of its property, and cede also a degree of control over activities that would take place on the property. FOHC declares that it "is solely responsible for the project". Yet, FOHC is not an entity that is capable of conducting the supervision, monitoring, maintenance or enforcement of regulations or restrictions that pertain to the use of Wilson's Landing.

In its own statement to the Selectmen dated October 9, 2009, titled "Organization of and Relationship Between Friends of Hanover Crew and Upper Valley Rowing Foundation", FOHC describes itself as an organization loosely comprised of parents, coaches and supporters of the crew team. "In reality, [FOHC] consists solely of its all-volunteer, eight-member Board of Directors... [It does not] organize or run any rowing programs....its sole purpose is to raise money". Under whose auspices are they

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incorporated? How are they accountable to the people they serve? How would they be accountable to the Town? The liability question for the town raised by such a transfer of authority to a private non-governmental group is worrisome, to say the least.

The policy question for the Selectmen: Where is the public interest?

If encouraged to continue its application, although FOHC plans would be subject to review by other governing agencies with respect to the particulars of the plan, Selectmen's approval would be understood as endorsement. You have been inundated with details of the proposal.... times of operation, sizes of boats, length of dock, number of vehicles, numbers of rowers, etc.. These details distract you from the primary policy question: Is this proposal in the public interest?

The September 30th memorandum (last page under "Statutory Issues") states that a public agency, "recognized and sanctioned by the Dresden School District", cannot be construed as a private use. Perhaps so. However, the applicant is NOT the Dresden School District, nor the Hanover Recreation Department, nor any public agency. It is a private, non-profit organization with a single purpose established to benefit one small group. By its own testimony FOHC has no program, no members, no accountability mechanism, simply eight directors, some of whom are not even Hanover residents. FOHC represents no public interest.

Examples of private/public cooperation have been misleading; they represent false analogies (otherwise known as "apples and oranges").

The September 30th memorandum lists several instances of the Town's partnering with local civic, non-profit and youth sports fundraising groups. As I scan the list I see that most, if not all, of those listed were offering to give something to the Town of Hanover. (A most recent example is the Dartmouth Class of '58 that wants to give the town a street clock.) The FOHC, on the other hand, wants to take something from the Town; they want certain rights and privileges for their use of public property. Unlike others on the list, the FOHC project is not being proposed or sponsored or supported by a town or school entity. Unlike the Hanover Improvement Society or the Lions Club, they are not a philanthropic organization. They are not incorporated to help the community, but to raise money for their very specific, narrow and exclusive purpose.

Conclusion

The Town is the owner of the small piece of waterfront property that is Wilson's Landing. The landing is the only town-owned recreation area that is not a playing field. It was a gift to the people of the Town to be used for public access to the river. It has been preserved as such for decades. There is nothing to justify the Town's giving it, or the use of it, or any part of it to a private group, endangering its unique character, and putting into jeopardy the riverbank and the wetland that make it a treasured special place for the people of the town.

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Postscript

It is regrettable that the FOHC request was not denied at the outset. A lot of time and energy and money have been used in a futile attempt to jam the stepsister's foot into Cinderella's shoe. It simply doesn't fit.

Chairman Walsh read the response from Walter Mitchell & Erika Alders, Esq.:

TO: Board of Selectmen

FROM: Town Staff
Walter Mitchell, Esq.
Erika Alders, Esq.

DATE: October 29, 2009

SUBJECT: **Response to Martha Solow's Memo**

The following is a response to a memorandum by Martha Solow, dated October 21, 2009, entitled "Responsibility of Board of Selectmen—Additional Information re Proposal by FOHC to use Hanover's Land for a Private Dock." In this memorandum, Ms. Solow outlines her belief that the Friends of Hanover Crew's proposal for both their Fullington Farm property and the Town-owned Wilson's Landing property "does not meet the requirements of Hanover's land use regulations."

Only some of Ms. Solow's discussion points are relevant to the FOHC proposal for Wilson's Landing, which is the issue before the Board of Selectmen. The Planning and Zoning Boards will be addressing many of the issues raised by Ms. Solow in the context of the hearings they will hold on the proposed project.

It should also be pointed out that none of the Board's discussions on the FOHC request have been posted or noticed as "public hearings". They have been listed as "request" and "continued discussion" on the Board's agenda and on the Town website. Nothing about the request the Friends have made legally requires that the Board conduct a public hearing, although you have taken significant testimony on this matter, both verbal and written, and clearly conducted your second meeting on this subject in September using a public hearing format.

The responses outlined below are organized to correspond with the topical headings Ms. Solow utilized in her memo prepared for the Board.

1. "Correction of erroneous information"

The items in the first paragraph do not pertain to legal questions or land use regulations, but rather to factual matters and to policy issues subject to the Board

of Selectmen's judgment. Substantial information has been provided that alternative sites have been assiduously pursued and evaluated; based on this, the FOHC has determined that Wilson's Landing is the best site available.

As previously outlined in the September 30th memorandum to you, entitled "Legal Questions Regarding Friends of Hanover Crew" and as further elaborated below, Ms. Solow's contention that "the FOHC's land use needs, as they have been presented to the community, are in conflict with many of the regulations of the zoning ordinance" is inaccurate.

2. **"The principles and purpose of zoning", and "Hanover's zoning requirements..."**

The Zoning Ordinance itself defines what mutually compatible land uses are in the various zoning districts of Hanover and it does so by listing all allowed uses, either by right or by Special Exception, in each district, to the exclusion of all uses not so listed. The ordinance lists both Governmental Uses—Recreation, and Recreation, Outdoor, as permitted uses in the Rural Residence (RR) zoning district. These are the uses to which the Wilson's Landing site has been put since it came into Town ownership. By definition these uses are legally compatible with single-family residences in the RR zoning district, and experience has borne this out.

In the case of both the Wilson's Landing and Fullington Farm properties, a Special Exception would be needed for proposed specific outdoor-recreational buildings but not for the Outdoor Recreation use itself, and it is the sole judgment of the Zoning Board of Adjustment (ZBA), not of Town staff, any other board or commission, or citizen, that determines whether such structures are appropriate to the area.

The requirements of the Zoning Ordinance, as of all other regulations, apply equally to all. The Town of Hanover has traditionally practiced this precept, as illustrated by its consistent adherence to regulatory standards and procedures in all projects on Town-owned properties.

In fact, public riverfront property is not scarce: more than 3.8 miles of Hanover shoreline is public or semi-public (Pine Park); of this 3.1 miles are subject to conservation or other legal restrictions which do not allow improvements for river access. Instead, what is scarce is **Town-owned shore that can be used for public access to the river**: only about 350 feet, at Wilson's Landing and at the Water Reclamation Facility, is legally and topographically suited for boat launch river access. The allegation that "permitting FOHC's plan could eventually lead to the alteration of the character of the entire shoreline of Hanover" is incorrect.

3. “The organization of FOHC is not suitable to the plan they propose”

FOHC has been quite clear in its representations to the Board of Selectmen and other Town agencies that it is a fiduciary organization whose purpose is to finance boats and equipment needed for a capital-intensive sport; and now as a continuation of these purposes FOHC seeks to provide a permanent facility for this sport and appropriate river access for it. These needs have not been fully funded by the Dresden School District. FOHC is sufficiently viable and substantial that it has purchased an expensive piece of real-estate, namely the Fullington Farm property, and has assumed long-term responsibility for amortizing its purchase and for maintaining the property. FOHC has been equally clear that as an organization it does not manage the Hanover High School Crew activities; rather this is done by coaches sanctioned and paid by the Dresden School District, assisted by parents of the student rowers and other interested citizens.

4. “The policy Question for the Selectmen: Where is the public interest?”

As both a legal and a governance matter, the Board of Selectmen has the right, indeed the responsibility to the citizens it represents, to advocate, endorse, and sponsor any proposal which in the Board’s judgment is in the public interest of the entire Hanover community. The FOHC is not a public agency, but does exist to promote and support a public function—a recognized athletic activity of the Hanover High School, which is a public institution. Both this and the fact that the proposal calls for the proposed dock at Wilson’s Landing to be made available to the public on an unrestricted basis, or indeed to be donated to the Town, confirm that the proposal constitutes a public improvement for public use on public property.

5. “Examples of private/public cooperation have been misleading...”

The FOHC is proposing to act exactly parallel with how other private organizations that support public-school and Hanover Recreation Department teams have acted, as is demonstrated by the examples already cited in the September 30th memorandum to you. They share the same attributes of philanthropy—gathering private funds and in-kind services to devote to a community endeavor.

6. Conclusion

It is not accurate that Wilson’s Landing is “the only town-owned recreation area that is not a playfield”; instead, the town has almost 40 miles of trails on Class-VI roads and on more than 1,100 Town-owned conservation acres, many of them with river frontage. Similar additional trail miles in Hanover available to the

public are on Conservation Council, Dartmouth College, and US government properties.

Ms. Solow is correct that Wilson's Landing was a gift to the people of the Town to be used for public access to the river, and has been so preserved for decades. The FOHC proposal is consistent with this purpose. However, she is incorrect in repeating the assertion that the FOHC's proposal is to insert a private use by a private group onto public property that would exclude others and despoil a treasured special place and its environment.

The remaining topics are relevant only to FOHC's proposed use of the Fullington Farm, not to Wilson's Landing:

7. "The ZBA's decision in the subdivision case has a strong bearing..."

The ZBA's decision in the subdivision case actually states that the Reserved Parcel (the 2.4 acre Fullington Farm property created by variance) can be used as a single-family residence or **any use otherwise permitted**. The central point of the case is not the single-family residential use, but rather the fact that creating a 2.4-acre parcel (vs. a 3-acre parcel, which is the minimum required in the RR zoning district) is in keeping with the purpose of the Zoning Ordinance, especially given that it abuts other conserved land (i.e. the 7-acre parcel to the south and the riverfront trail).

It is true that the application and the testimony to the ZBA revolved around the Dartmouth College's representative stating their intention that the property would continue in single-family residential use. However, despite that testimony, the ZBA did not limit the property to that one use, but rather stated that "the Reserved Parcel if subdivided could continue to be used as a single-family residence, **or used as otherwise permitted by the Ordinance, without altering the essential character of the area...**"

8. "Except for the trail, the conservation land has no direct bearing..."

Agreed.

9. "FOHC's proposal does not fit any other uses on the homestead lot"

See response to Item 4 above.

As described above, a "rowing club" is not the FOHC's proposal. The sport of rowing is an outdoor recreational use (indeed, unlike many other sports, it cannot also be performed indoors). It bears repeating that Outdoor Recreation is a use permitted by right in the RR zoning district.

If the FOHC should wish to categorize their proposal as some other use than outdoor recreation, it is free to propose that, but it still must meet the requirements of the Zoning Ordinance; and if such other proposed use is allowed only by Special Exception, then the FOHC must satisfy the Zoning Board that it is consistent with zoning requirements and standards and would be compatible with the character of the area.

10. “Requirements for variance are inappropriate for FOHC”

As currently proposed, the only variance FOHC’s plan would need is for a second driveway entrance into the Fullington Farm parcel from Route 10; the Zoning Ordinance allows only one driveway per property in the RR zoning district. This is being proposed for safety purposes and to minimize adverse impacts on the land, and the New Hampshire Department of Transportation has issued a permit for this second access. It is desirable because by deed restriction the Fullington Farm parcel cannot be accessed by vehicles from the adjacent driveway that leads to Wilson’s Landing. The requirements for a variance are specifically detailed in the Zoning Ordinance and are also enumerated in Supreme Court decisions. In order to be granted a variance, applicants need to prove their case to the satisfaction of the Zoning Board. The second driveway entrance is not essential to the proposal, and therefore the FOHC proposal for Fullington Farm could still proceed without such a variance.

Chairman Walsh noted that the Board has received responses both for and against the proposal. He noted a letter from John and Alice Creagh who are the most affected by this proposal as their house is next to the access to the landing; Jeff Hastings is also a neighbor and his letter was posted on the website. Chairman Walsh mentioned another letter from Al Fullington which was marked personal but helped to clarify where the previous landowner may have stood on this issue.

Chairman Walsh stated that when the conversation started weeks ago, he hoped that they would find a natural place that was different from Wilson’s Landing for the FOHC. He didn’t know whether it would be on Town land or College land or the Chieftain. He is persuaded that there is not a long term solution at any of those possible locations that are within the financial reach of the FOHC.

The Board was in agreement with Chairman Walsh. Chairman Walsh noted that there was a lot of back and forth on the rest of the approvals required for the FOHC and he doesn’t feel that it is the Select Board’s job to second guess decisions that may be made by the State, the Planning Board or the ZBA. If there were a legal issue, or another possible site, the Board would need to stop the proposal from going forward until those issues were resolved. He is not in the mindset to say no to the Friends of Hanover Crew. Chairman Walsh asked about whether they want to discuss putting conditions on this proposal now or later. He is ready to discuss FOHC for their 8 week season – he is not prepared for this to become a major rowing facility for all other users. He feels that for a limited period of time during each year, this is an appropriate use of Wilson’s Landing.

Selectman Rassias noted that this issue has taken up more time than any other issue they've faced since he's been on the Board. He has been persuaded that other sites are less feasible than Wilson's Landing. His concerns have been surrounding the safety of the Hanover High Crew team and whether the use is appropriate. He feels that this has been discussed well but weighing this while trying to maintain the local character has made this difficult. He feels that the ZBA are more expert in looking at these proposals than the Select Board. Trying to maintain some balance with the small community by the river and he's not sure how to approach the issue of limitations that should be dealt with; what would be appropriate in order to maintain the character in that small community. If the Select Board agrees to be a co-applicant, how does the Board make changes in their position and how are they going to monitor the permitting processes as it proceeds and how does the Board react to that.

Selectman Doherty wanted to address the FOHC and the Board as future entities come forward. Selectman Doherty noted that during this process, there was erroneous information provided including the use of the Chieftain and facts surrounding Dartmouth College and whether the Crew team was being "thrown out." Selectman Doherty noted that the enthusiasm of the FOHC made this proposal feel like a sales pitch rather than providing the Board with factual information. She asks that other groups that approach the Board provide facts and information and not a sales pitch.

Selectman Doherty was concerned about the tremendous community input and the additional review that is required. She is concerned that some of the input will be lost because the future reviews will be narrow in their review over specific items. Selectman Doherty took all of the issues and tried to map them for the future review processes to keep them from getting lost. Her list began with questions about size, use, ordinances and regulations, public use, safety for the Town, safety for the students and FOHC, maintenance, supervision and monitoring, traffic, character, general impacts on residences and abutters. She is concerned that these will not be addressed in the technical and legal reviews in addition to the potential impact on the Town in terms of money and staff to manage the area; the environmental impact, The Lions Club (who originally gifted this to the Town) and their mission; liability and safety for the Town; private use on public land and any legal questions. She thinks that they should support the program but she does not want it to go forward without making sure all of the questions/concerns are addressed.

Vice Chairman Connolly stated that the public and the abutters will be well heard by the Zoning Board. She would support this to go forward to the Federal Government and the various Boards. Vice Chairman Connolly stated that all of the questions have been raised and after all of the reviews, should it survive, will come back before the Select Board for final approval. She noted that this is only relative to the dock. The Fullington Farm is exclusively reviewed by the ZBA and Planning Board.

Selectman Christie felt that there would be interesting discussions by the ZBA and environmental groups. He would like to focus on the policy and felt that they should be

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celebrating this proposal. The Town has a beautiful spot on the Connecticut River and this is a group that has been sponsored for over 10 years where there are over 120 students participating. There is an underutilized boat launch and the Fullington Farm right next to it and from a public policy perspective the Town should be celebrating. If a problem should arise, the Town will address it. He appreciates all of the public input. The opportunity should be celebrated and moved forward.

Ms. Griffin noted that what the Select Board will be filing is a standard Dredge and Fill Application. Ms. Griffin outlined the process of review after filing of the application. The land owner has to sign the application which, in this case, is the Town.

Selectman Christie MOVED to authorize the Town Manager to sign on behalf of the Hanover Board of Selectmen to sign the Dredge and Fill Application for the installation of the dock as specified to be filed with the New Hampshire Department of Environmental Safety. The Select Board reaffirms its policy that the various Boards and Commissions who need to make decisions or recommendations on the various applications shall treat this as though it were any other applicant. At the end of the approvals process this will come back to the Select Board which will create a license or such other agreement with the FOHC for their use of Wilson's Landing and/or their creation of a dock and its transference to the Town. Selectman Doherty SECONDED the motion.

Chairman Walsh wanted to discuss what the message is, if anything, to the ZBA and the Planning Board. Chairman Walsh felt that the message should be that they should deal with this application as they would with any application. The individual Selectmen may go speak to it but the Select Board is not seeking to influence the boards one way or another.

Selectman Christie felt that this has been their position historically, so this is a public policy to allow those Boards to make their decisions based on their expertise and regulations.

Chairman Walsh stated that the Select Board would be in the "clean up" position. Selectman Rassias asked how the Select Board would finalize this at the end. Chairman Walsh clarified that the Select Board and the FOHC need to negotiate a license for the use of the dock at Wilson's Landing which would need to be done by a grant from the Select Board in front of a public hearing.

Selectman Doherty clarified that the proposal would come back to the Select Board but if the Board still has concerns, she wanted to know where it would go. Chairman Walsh stated that the vote tonight would be on a good faith basis and small changes could be detailed in the final agreement.

Anne Morris, Conservation Commission, noted that the Conservation Commission usually signs the Dredge and Fill permits. Ms. Griffin clarified that this is a Dredge and Fill application and not the permit itself. Chairman Walsh stated that the Board is

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specifically not asking the Conservation Commission do anything other than it normally does in providing input to the State.

Winifred Stearns asked who pays for the applications. Chairman Walsh noted that it would be the Friends of Hanover Crew.

Martha Solow asked what the legal position of the Town is with respect to the application that FOHC may make to other agencies and other Boards and Commissions as the Town is not the owner of the Fullington Farm property. Chairman Walsh stated that the Town and the Select Board have no position over the property since they are not owners of the property.

Ms. Solow clarified that the Select Board will not be an applicant to the agencies other than the one for the installation of the dock. Chairman Walsh is not aware of any other applications where the Select Board's signature would be required. Ms. Solow wanted to ensure that the Select Board would not be applying to the Planning Board, Conservation Commission or ZBA. Chairman Walsh stated that there may be something that may come up that requires the Select Board's signature for example, on the land that is Wilson's Landing, which they would sign. Chairman Walsh wanted to stress that this is not about the weight of the Select Board leaning on the Boards and Commissions in the approval process. Ms. Solow stated that she concerned about the legal aspect and not the policy and clarified that the Select Board intends to only be a co-applicant for the dock.

Ms. Solow asked what the Town's legal responsibility is for the dock if it is owned by FOHC and installed on Town property. Chairman Walsh stated that the expectation is that this will be a Town dock on Town property. Ms. Solow asked why this hasn't been offered yet. Chairman Walsh stated that it has been offered and they needed to get through this process first.

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

3. RECOMMENDATION TO SET PUBLIC HEARING ON NOVEMBER 16, 2009 TO CONSIDER AND APPROVE REVISIONS TO PARKING ORDINANCE #6 RELATED TO METER RENTALS FOR CONSTRUCTION-RELATED PARKING.

Ms. Griffin stated that she is waiting for final review from the Town's attorney, Walter Mitchell, to deal with a specific issue regarding contractors tying up meters every day all day long.

Chairman Walsh MOVED to Set a Public Hearing on November 16, 2009 to Consider and Approve Revisions to Parking Ordinance #6 Related to Meter Rentals for Construction-Related Parking. Vice Chairman Connolly SECONDED the motion.

Winifred Stearns was wondering what the proposal was going to be. She noted that these issues come up in the Planning Board meetings but nothing is done about it. It was mentioned at one point that there would be a shuttle for the construction workers. She wanted to know if the Town would be presenting some kind of free pass or what options are going to be proposed. Ms. Griffin stated that the Town is going to try to prevent them from using the parking meters. Ms. Griffin stated that the changes are intended to give the ordinance some teeth behind the Planning Board's attempt to require the contractors park off-site. There are shuttles from Rivercrest into the Visual Arts Center but there are always a few that want to be close to their trucks because that's where their tools are.

THE BOARD VOTED UNANIMOUSLY TO SET THE PUBLIC HEARING ON NOVEMBER 16, 2009 TO CONSIDER AND APPROVE REVISIONS TO PARKING ORDINANCE #6 RELATED TO METER RENTALS FOR CONSTRUCTION-RELATED PARKING.

4. DISCUSSION REGARDING REQUEST TO WAIVE LATE TAX PAYMENT PENALTY.

Ms. Griffin stated that this was a small request regarding the late payment of taxes in the amount of \$26.00.

Selectman Doherty MOVED to APPROVE the Request to Waive Late Tax Payment Penalty. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO WAIVE THE LATE TAX PAYMENT PENALTY.

5. CONSIDERATION OF REQUEST FROM HANOVER AREA CHAMBER OF COMMERCE TO ALLOW FREE HOLIDAY PARKING ON SATURDAYS IN LATE NOVEMBER AND DECEMBER.

Chairman Walsh noted that there are specific dates requested. The dates requested are the Saturday after Thanksgiving and remaining Saturdays including the day after Christmas. Ms. Griffin explained that this was to help encourage shopping in Hanover. Ms. Griffin noted that there are nice bags that were funded through the Parking Fund to allow for free parking. Selectman Rassias confirmed that the Parking staff was going to be adjusted on those days.

Vice Chairman Connolly MOVED to APPROVE the Request from the Hanover Area Chamber of Commerce to Allow Free Holiday Parking on Saturdays in Late November and December. Selectman Doherty SECONDED the motion.

Chairman Walsh wanted assurances that these spaces would not be taken up by employees and would like a report from the Chamber and the Parking office as an estimate as to how many spaces are occupied by employees. He would like to look at this

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on a regular basis and would like to know what they are doing to reduce the use by employees. Ms. Griffin noted that this is why they are limiting it to only Saturdays since they should not be hosting professional Dartmouth employees.

THE BOARD VOTED UNANIMOUSLY IN FAVOR TO APPROVE THE REQUEST FROM THE HANOVER AREA CHAMBER OF COMMERCE TO ALLOW FREE HOLIDAY PARKING ON SATURDAYS IN LATE NOVEMBER AND DECEMBER.

6. BANNER REQUESTS:
- American Red Cross

The Blood Drive is scheduled for Nov. 10th and 11th and the banner would be displayed in the days leading up to the drive.

Vice Chairman Connolly MOVED to approve the Banner Request for the American Red Cross. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF APPROVING THE BANNER REQUEST FOR THE AMERICAN RED CROSS.

8. APPOINTMENTS:
- Parks and Recreation Board
- Planning Board
- UVLSRPC

Chairman Walsh MOVED to appoint Kathy Boghosian through 2012; Clare Brauch through September, 2012; and Dean Lacy through September, 2010 to the Parks and Recreation Board. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY IN FAVOR TO APPOINT KATHY BOGHOSIAN, CLARE BRAUCH AND DEAN LACY TO THE PARKS AND RECREATION BOARD.

Vice Chairman Connolly MOVED to appoint Iain Sim as an alternate to the Planning Board. Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPOINT IAIN SIM AS AN ALTERNATE TO THE PLANNING BOARD.

Vice Chairman Connolly MOVED to appoint Maureen Bolton to the Upper Valley Lake Sunapee Regional Planning Commission. Chairman Walsh SECONDED the motion.

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THE BOARD VOTED UNANIMOUSLY TO APPOINT MAUREEN BOLTON TO THE UPPER VALLEY LAKE SUNAPEE REGIONAL PLANNING COMMISSION.

- 9. APPROVAL OF MINUTES:**
- October 19, 2009
- Special Town Meeting (October 27, 2009)

Vice Chairman Connolly MOVED to approve the Minutes of October 19, 2009. Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF OCTOBER 19, 2009.

Ms. Griffin noted that the tax rate setting is scheduled for Thursday and these Minutes need to be approved so that Charlie Garipay can sign them tomorrow. Selectman Christie noted some changes to the Minutes.

Vice Chairman Connolly MOVED to approve the Minutes of the Special Town Meeting, October 27, 2009, as amended. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE SPEICAL TOWN MEETING, OCTOBER 27, 2009, AS AMENDED.

10. ADMINISTRATIVE REPORTS.

Ms. Griffin noted that there is nothing substantive to report. There will be a lot for the Select Board to review in the next few months. Ms. Griffin stated that the Municipal Managers are watching what is happening with the NH Retirement System Board. The Board will be setting the rates based on the 12th month look back and the fund was not as healthy as it was 2 years ago when they last took their snapshot so they are anticipating large increases in employer contributions.

The Board discussed their schedule and potential attendance issues.

11. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie has nothing new to report.

Kate Connolly

Vice Chairman Connolly reported that the Residential Project continues.

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The Planning Board took a tour of Goose Pond in the Forestry District which will probably be the first area where they tackle zoning issues.

Judy Doherty

Selectman Doherty had nothing new to report.

Athos Rassias

Selectman Rassias had nothing new to report.

Brian Walsh

Chairman Walsh thanked Anne and Hart Crowe for their letter in the Valley News today. There has been a lot of positive feedback about the process of the Special Town Meeting last week. Chairman Walsh also thanked Peter Christie, Harry Bird, Julia Griffin and Betsy McClain for their hard work.

12. OTHER BUSINESS.

There was no Other Business reported.

13. ADJOURNMENT.

Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:32 P.M.

Respectfully Submitted,

Judith A. Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Selectman Doherty MOVED to close the public hearing and to ACCEPT the Amendment to Ordinance #32. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE AMENDMENT TO ORDINANCE #32.

2. **Selectman Christie MOVED to authorize the Town Manager to sign on behalf of the Hanover Board of Selectmen to sign the Dredge and Fill Application for the installation of the dock as specified to be filed with the New Hampshire Department of Environmental Safety. The Select Board reaffirms its policy that the various Boards and Commissions who need to make decisions or recommendations on the various applications shall treat this as though it were any other applicant. At the end of the approvals process this will come back to the Select Board which will create a license or such other agreement with the FOHC for their use of Wilson's Landing and/or their creation of a dock and its transference to the Town. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

3. **Chairman Walsh MOVED to Set a Public Hearing on November 16, 2009 to Consider and Approve Revisions to Parking Ordinance #6 Related to Meter Rentals for Construction-Related Parking. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO SET THE PUBLIC HEARING ON NOVEMBER 16, 2009 TO CONSIDER AND APPROVE REVISIONS TO PARKING ORDINANCE #6 RELATED TO METER RENTALS FOR CONSTRUCTION-RELATED PARKING.

4. **Selectman Doherty MOVED to APPROVE the Request to Waive Late Tax Payment Penalty. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO WAIVE THE LATE TAX PAYMENT PENALTY.

5. **Vice Chairman Connolly MOVED to APPROVE the Request from the Hanover Area Chamber of Commerce to Allow Free Holiday Parking on Saturdays in Late November and December. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY IN FAVOR TO APPROVE THE REQUEST FROM THE HANOVER AREA CHAMBER OF COMMERCE

TO ALLOW FREE HOLIDAY PARKING ON SATURDAYS IN LATE NOVEMBER AND DECEMBER.

6. **Vice Chairman Connolly MOVED to approve the Banner Request for the American Red Cross. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF APPROVING THE BANNER REQUEST FOR THE AMERICAN RED CROSS.

7. **Chairman Walsh MOVED to appoint Kathy Boghosian through 2012; Clare Brauch through September, 2012; and Dean Lacy through September, 2010 to the Parks and Recreation Board. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY IN FAVOR TO APPOINT KATHY BOGHOSIAN, CLARE BRAUCH AND DEAN LACY TO THE PARKS AND RECREATION BOARD.

8. **Vice Chairman Connolly MOVED to appoint Iain Sim as an alternate to the Planning Board. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPOINT IAIN SIM AS AN ALTERNATE TO THE PLANNING BOARD.

9. **Vice Chairman Connolly MOVED to appoint Maureen Bolton to the Upper Valley Lake Sunapee Regional Planning Commission. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPOINT MAUREEN BOLTON TO THE UPPER VALLEY LAKE SUNAPEE REGIONAL PLANNING COMMISSION.

10. **Vice Chairman Connolly MOVED to approve the Minutes of October 19, 2009. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF OCTOBER 19, 2009.

11. **Vice Chairman Connolly MOVED to approve the Minutes of the Special Town Meeting, October 27, 2009, as amended. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE SPEICAL TOWN MEETING, OCTOBER 27, 2009, AS AMENDED.

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12. **Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Rassias SECONDED the motion.**

**THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING
AT 9:32 P.M.**

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**2009 SPECIAL TOWN MEETING
TOWN OF HANOVER
Tuesday, October 27, 2009
Hanover High School Gymnasium**

The Special Town Meeting of the Town of Hanover, New Hampshire convened on October 27, 2009 at 7 p.m. by Moderator Pro Tempore Harry Bird. Moderator Bird gave an overview of the voting procedure and announced that Articles One and Two would require a ballot vote. Moderator Bird stated that while Article Three, in theory, could be a voice vote, he is aware that there will be a motion from the floor to have a ballot vote. Moderator Bird suggested having Town Meeting discuss the Articles and then have one vote for all three after the discussion.

Moderator Bird asked for Chairman Walsh to make a motion.

Chairman Walsh wanted to thank Moderator Bird for providing his services for this Special Town Meeting.

Chairman Walsh MOVED that voting under Articles 1, 2 and 3 commence immediately after discussion has concluded and the question has been called on all three articles. Voting will be by separate YES/NO paper ballots for each article that will be marked by the voter and each deposited into separate ballot boxes. Ballots will be issued by ballot clerks as voters present themselves at the checklist. Voting will continue at this meeting for at least one hour and until all present who wish to vote have voted. The ballot boxes will then be sealed and kept in protective custody until tomorrow morning, Wednesday, October 28, 2009. Voting will then continue from 7:00 a.m. until 7:00 p.m. at this same meeting location. Vice Chairman Connolly SECONDED the motion.

Kim Perez asked if any changes made to the warrant would be made part of the vote tomorrow. Moderator Bird stated that any amendments to a warrant article would be made from the floor and must be disposed of before they call the question on the warrant article. Moderator Bird further clarified that, if passed, the exact amendments would be posted on the voting booths so that it is clear what the residents are being asked to vote on.

THE TOWN MEETING VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

Moderator Bird asked for a motion for Article One.

Chairman Walsh MOVED ARTICLE ONE: That the Town vote to raise and appropriate the sum of \$8,570,916 through the incurrence of indebtedness in accordance with the provisions of the New Hampshire Municipal Finance Act, RSA 33 by the Town's assumption of the two existing loans originally made to the

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Hanover Water Works Company through the New Hampshire Department of Environmental Services Drinking Water State Revolving Loan Fund (NH DES DWSRF), which assumption has been consented to by NH DES DWSRF; and to take all action as may be necessary to carry out the purpose of this vote. Although this debt will be a general obligation of the Town, it is intended and expected that funding for the debt service associated with these loans will be paid exclusively by water rates collected from users of the water utility. A two-thirds ballot vote is required. Vice Chairman Connolly SECONDED the motion.

Chairman Walsh asked Betsy McClain, Finance Director, to speak to the details of the motion. Ms. McClain made the following statement:

As part of the Purchase Agreement between the Town of Hanover and the Hanover Water Works Company, all of the physical operating assets (such as the filtration plant, storage tanks, reservoirs and dams, the distribution system, etc.) will be transferred to the Town. Along with the transfer of these assets, the Town will also assume the outstanding balance of debt associated with the original acquisition of these assets. Articles #1 and #2 request that Town Meeting authorize the Town to take on this debt.

State law requires that all articles appearing on the warrant which propose the issuance of debt in amounts greater than \$100,000 must appear first on the warrant. Consequently, Town Meeting Articles #1 and #2 come before the “star of the show” – Article #3, the general warrant article addressing the Municipalization of the water utility. Certainly, no Hanover Water Works Company debt would be assumed by the Town if Warrant Article #3 is defeated.

With that as general background, Warrant Article #1 requests Town Meeting authorization for the Town to assume the two existing Water Company loans issued through the New Hampshire Department of Environmental Services Drinking Water State Revolving Loan Fund. The New Hampshire Department of Environmental Services knows that the Hanover Water Works Company is considering a transfer of its operating assets to the Town and has consented to the transfer and the subsequent reassignment of the existing Drinking Water State Revolving Loan Fund loans.

Some background on these specific loans:

On May 3, 1999 the Hanover Water Works Company executed a \$4,035,000 loan agreement for the upgrading of water distribution mains. Under the terms of the current loan agreement, this principal is payable over 20 years at an annual, fixed interest rate of 3.800%. The outstanding principal balance on this loan at June 30, 2010 will be \$2,713,845.

On April 26, 2005 the Hanover Water Works Company executed an agreement to borrow \$6,493,081 for the construction of the water filtration plant on Grasse Road and a water storage tank. Under the terms of the current loan agreement, this principal is payable over

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20 years at an annual, fixed interest rate of 3.352%. The outstanding principal on this loan at June 30, 2010 will be \$5,857,071.

These two outstanding principal balances at June 30, 2010 equal the amount cited in this warrant article, \$8,570,916.

The principal and interest costs associated with this debt are already built into the existing water rates. All costs associated with these loans will be borne exclusively by users of the water utility.

Moderator Bird asked for further discussion.

TOWN MEETING VOTED UNANIMOUSLY TO END DISCUSSION ON ARTICLE ONE AND PROCEED TO VOTE BY SECRET BALLOT (AT THE END OF THE EVENING'S FULL DISCUSSION AS DETERMINED EARLIER).

Moderator Bird announced that discussion on Article One was now closed and asked for business under Article Two.

Chairman Walsh MOVED ARTICLE TWO: That the Town vote to raise and appropriate the sum of \$550,000 relating to the Town's assumption of an existing debt obligation of the Hanover Water Works Company currently held by Citizens Bank; and to authorize the Town to refinance this debt (and any related prepayment fees) through the issuance of not more than \$550,000 of bonds and notes in accordance with the provisions of the New Hampshire Municipal Finance Act, RSA 33; and to determine the rate of interest thereon as shall be in the best interest of the Town; and to take all action as may be necessary to carry out the purpose of this vote. Although this debt will be a general obligation of the Town, it is intended and expected that funding for the debt service associated with this loan will be paid exclusively by water rates collected from users of the water utility. A two-thirds ballot vote is required. Vice Chairman Connolly SECONDED the motion.

Chairman Walsh asked Betsy McClain to speak to the details.

Ms. McClain made the following statement:

Warrant Article #2 requests Town Meeting authorization for the Town to refinance an existing Hanover Water Works Company commercial loan issued through Citizens Bank.

On June 14, 2005 the Hanover Water Works Company refinanced \$854,000 of its existing debt held by Citizens Bank. This debt was originally issued to construct an addition for the Grasse Road office building, a standby contact tank, and for equipment related to a previous water treatment process. The interest rate of the refinanced loan floats at 1.500% above the one-month LIBOR (the London InterBank Offered Rate, a

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standard financial benchmark). Interest rates during 2008 were as high as 6.530%. The outstanding principal balance on this loan at June 30, 2010 will be \$495,600.

This existing debt must be refinanced as the existing loan relates to assets to be transferred to the Town, and the loan is collateralized by a mortgage on the Hanover Water Works real property, only a portion of which will convey to the Town through Municipalization. Due to the particular structuring of this loan, there will be a prepayment penalty with the refinancing of this debt. The exact amount of the penalty will not be known until the time of the loan closing as its calculation uses the prevailing LIBOR rate. The warrant article anticipates a worst-case scenario of a \$54,400 prepayment penalty.

The outstanding principal balance at June 30, 2010 of \$495,600 plus the worst-case scenario for the prepayment penalty of \$54,400 equal the \$550,000 which appears in this warrant article.

The prepayment penalty will be significantly offset by projected savings achieved by the Town's refinanced loan at a fixed interest rate lower than the current rates being charged.

If passed, Warrant Article #2 will authorize the Town to refinance this Hanover Water Works Company loan as a general obligation of the Town which will be paid exclusively by the customers of the water utility. The principal and interest costs associated with this debt are already built into the existing water rates. All costs associated with this debt will be borne exclusively by users of the water utility.

Moderator Bird asked for further discussion. There was no further discussion on Article Two.

TOWN MEETING VOTED UNANIMOUSLY TO END DISCUSSION ON ARTICLE TWO AND PROCEED TO VOTE BY SECRET BALLOT (AT THE END OF THE EVENING'S FULL DISCUSSION AS DETERMINED EARLIER).

Moderator Bird announced that discussion on Article Two was now closed and asked for business under Article Three.

Chairman Walsh MOVED ARTICLE THREE: I move that the Town vote to raise and appropriate \$1.00 for the purchase of the water utility assets owned by the Hanover Water Works Company, to include the water treatment plant, related water storage tanks, pump stations, distribution system, three (3) reservoirs, sufficient land within 250 feet around Reservoirs #1 and #2, all of the land around Reservoir #3, sufficient adjacent land to allow future expansion of the water treatment plant and storage tanks, and any other water utility assets required for the treatment and distribution of water, as allowed by RSA 38:2-a, and which is in the public interest, and to authorize the Board of Selectmen to negotiate and execute all documents required to complete the transaction as proposed. The remainder of

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the land which will not be transferred to Town ownership as part of this transaction will remain with the Hanover Water Works Company, and the Town's ownership share of that company will increase from the current 47.2% to 50% as part of the approved transaction. All of the related transactions shall occur on or about July 1, 2010. Completion of the transaction will be dependent upon the passage of special State legislation to enable the municipal water utility to continue to make semi-annual property tax payments to the Town, School Districts and County. Vice Chairman Connolly SECONDED the motion.

Moderator Bird invited Selectman Christie to make his presentation to Town Meeting.

Selectman Christie welcomed the audience members of Town Meeting. Selectman Christie made the following statement:

About a year ago the Town approached the College to explore the Town's interest in Municipalizing Hanover's water supply. The College was supportive and last May at Town Meeting the Board of Selectman was authorized to proceed and to call a Special Town Meeting which is where we find ourselves tonight.

Back in May we had a broad concept, no documents, but some ideas and requirements for moving towards Municipalization. So we arrive here tonight with more meat on the bones asking Town Meeting to "authorize the Board of Selectman to negotiate and execute all documents required to complete the transaction as proposed."

Since last May, a combined Town/College Task Force has worked to create the documents taking into consideration all of the input from numerous public hearings, informational sessions and last May's Town Meeting itself.

Task force members have been myself, Julia Griffin, Jay Pierson (current President of the Hanover Water Works Company ("HWWC"), former Selectman, and CPA by training and practice). Representing the College: Bob Donin, General Counsel; Paul Olsen, Director of Real Estate; and Peter Glenshaw, Director of Community Relations.

I have organized my presentation into three parts:

- 1) Making the case for Municipalization.
- 2) Land management and governance issues.
- 3) I will address concerns that have been raised in letters to the Valley News and a flyer that has been widely disseminated.

Let's get started and I do apologize to those who have heard parts of this presentation before.

I have been told by many that this proposal is "very complicated." My view is that while some of the details of specific agreements can appear complicated, the overall concept of

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what is being proposed and what we are trying to accomplish is relatively straight forward.

My objective tonight is to simplify what I can so that everyone has a good understanding of the big picture.

If history repeats itself there will also be lots of detail questions, but it is my hope that we will not lose sight of the forest as we discuss the trees.

Current vs. Proposed

- Water is currently supplied by the Hanover Water Works Company (HWWCo) – the proposal would change the supplier to the Town of Hanover.
- Rates are currently set by the Public Utilities Commission (PUC). The proposal would change this to the Board of Selectmen.
- Operations Managed by Hanover Town Staff – this would remain the same.
- HWWCo is owned by the Town (47.2%) and Dartmouth (52.7%). The proposal would change the ownership to 50.0% each.

Why Municipalization?

- Realization of \$100,000 in savings/year on a \$2,000,000 operating budget (5%).
- Ability to establish capital reserves for future system improvements.
- Access to lower cost bond financing, if needed.
- Lower water rates over the long-term.

Key Provisions of Municipalization

- Town to acquire operating assets and some land for \$1.00
 - Reservoirs and dams
 - Filtration plant
 - Water storage tanks
 - Distribution system
 - Land under hard assets and 250 feet around reservoirs
- Town to assume bond debt associated with these assets.
- Town to assume the financial assets and liabilities of the HWWCo.
- Town to establish a separate enterprise fund similar to the Water Reclamation Fund.

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- HWWCo to become purely a land holding company.
- Town ownership will increase to 50%.

Other Impacts

- No impact on current water rates – savings applied to capital reserves.
- Favorable impact on future rates due to reserve funds and access to lower cost borrowing.
- No impact on General Fund.

Let's turn our focus to land management. Two major questions came out of Public Hearings and Town Meeting:

- 1) "Why are you separating the reservoirs from the watershed?" Environmentally they are a package.
- 2) "Why doesn't the Town either own all the land or have a conservation easement on it?"

On the first, we tried hard to keep the watershed and the reservoirs together, but in the end could not.

If Municipalization is to work financially, the HWWC has to get completely out of the Water Supply chain and the Town needs to own the reservoirs and dams in order to insure and maintain them.

On the second question, additional Town ownership of land or a conservation easement on the land was never part of the original proposal to the College.

When the Town approached the College to discuss Municipalization, we knew that in the past linking land use and Municipalization had prevented progress towards Municipalization so we stayed focused purely on Municipalization.

The Select Board is comfortable that the HWWC has done a good job in managing this land for over 100 years and has no intention of developing any of this land in the foreseeable future.

If, at some time down the road, the land is not needed as watershed to protect the reservoirs, there will be a community wide debate on how best to use the land with all interests, including the conservation interests, at the table.

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Also, with the Towns new 50% ownership nothing can be proposed that is not supported by the Select Board, and should any changes require new zoning or the sale of the land, a Town Meeting vote will be required to make those changes.

Land and Resources

- Town to own reservoirs, 250 foot setback around reservoirs, and dams.
- HWWCo to continue to own roughly 1,164 (~80%) of the approximate 1,440 total acres currently owned by HWWCo.
- No change in:
 - Zoning
 - Local/State/Federal protection of land

What Happens to the Management of the Land not transferred to the Town?

	<i>Current</i>	<i>Proposed</i>
Land managed by Renamed HWWCo?	Yes	Yes
Name of Company?	HWWCo.	Trescott Co.
Private company?	Yes	Yes
What is the percentage of Town ownership?	47.2%	50.0%
Subject to Public Process (Right-to-Know)?	No	No
Open Director's Meeting?	No	No
Open Annual Meeting?	No	Yes
Company By-Laws re: Watershed Protection?	No	Yes
Town Directors appointed by Select Board?	Yes	Yes
Number of Town-appointed Directors	4 of 9	3 of 6
Sale of Land subject to Town Meeting approval?	No	Yes
Rezoning of Land subject to Town Meeting approval?	Yes	Yes

Required Approvals:

- Special Town Meeting
 - Tuesday, October 27th – 7:00 p.m. – HHS Gym
 - Potential all day voting on Wednesday, October 28th
- Trustees of Dartmouth College
- State Legislation 2010 Legislative Session
- NH PUC

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- Hanover Board of Selectmen Approval of Final Documents

Supporting Documents:

- Letter of support from Dartmouth College
- Purchase Agreement
- Projected Budgets for Municipal Water Utility and the Land-Holding Company
- Agree-upon Procedures Report from Financial Auditors
- Financial Issues Memo
- Amended Articles of Incorporation
- Stock Transfer & Corporate Restructuring Agreement
- Draft Special Legislation
- Draft Rate Agreement
- Amended and Restated By-Laws of the Land-Holding Company
- 2009 Engineering Assessment
- 2002 Water Supply Treatment Study
- 1997 Engineering Assessment

Summary:

Municipalization will result in:

- Annual cost savings of \$100,000
- Ability to create capital reserve funds
- Access to favorable municipal borrowing rates
- Increased Town ownership of Land Holding Company from 47.2% to 50%

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I would now like to turn my attention to some of the concerns that have been recently raised in the Valley News and via a flyer.

Last May the Town Meeting vote stated that “the final transfer agreement between the Town and the Hanover Water Company to acquire assets will be brought before the Special Town Meeting.”

First, let me clarify that the transfer agreement has *also* been called the Asset Purchase Agreement or simply the Purchase Agreement in the list of documents provided. It does NOT include the HWWC revised By-Laws or Articles of Incorporation or any of the other documents provided for your information.

The reason the Purchase Agreement is marked DRAFT is because to arrive at a “final” document, we came to realize that we had a number of tasks still to complete such as obtaining a survey, obtaining subdivision approval, and preparing a definitive list of assets. Each will be either expensive and/or time consuming, and we didn’t want to spend that money or time until we knew Town Meeting (and the Dartmouth Board of Trustees) had approved the basic transaction. We also recognized that any one of these steps might result in a wording change or some technical amendment to the draft. If we had presented the Purchase Agreement to Town Meeting as “final” and then found it necessary to make changes, the validity of the Town Meeting vote could be called into question. Therefore we marked it “draft.”

Having said that, the Select Board represents to Town Meeting that there will be no substantive changes to the Purchase Agreement. If any changes are made, they will be solely of a technical nature.

As mentioned previously, the final Purchase Agreement will be adopted by the Select Board only after a public hearing.

The flyer also asserts that there is, and I quote: “little clarity about how the town’s interests will be represented on the new company, appointments to the Board of Directors or transfer of land. “

I would like to address each of these.

First: There is no “new” company per se - just the Hanover Water Works Company assuming a new name and using this opportunity to restate its bylaws and articles;

Second: The Town’s interests will be represented by three Directors appointed by the Select Board. We have said that we do not plan to appoint any member from any special interest group but rather will most likely appoint generalist as we have done historically.

Third: The purpose of the renamed Water Company is stated in their Amended Articles of Incorporation which state:

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“The purposes of the Company are to hold certain lands within the Town of Hanover, New Hampshire, a portion of which is within the watershed of the three reservoirs that supply the Town of Hanover with water for drinking, domestic, fire and other purposes, to regulate and manage the use of such watershed land for the protection of the water supply function of the reservoirs and associated land; and to protect and promote sustainable growth and management of the forest on said lands for timber production.

In conducting its activities, the Company will comply with all applicable federal, state and local laws and regulations pertaining to water quality and watershed protection, as they may be amended from time to time.”

Fourth: We agree with the flyer that more needs to be done relative to assuring that the sale of land will require Town Meeting approval. This came into focus at the informational session in Etna, and the Task Force has been working on the issue. At a subsequent meeting the Task Force agreed that improvement was needed and proposed language to button this down.

The proposed language will add a new section 2.11 in Article II of the Trescott Company By-Laws to read as follows:

Section 2.11 Actions Requiring Shareholder Approval. Notwithstanding any other provision of these bylaws, shareholder approval shall be required for any sale, lease, or mortgage of corporation property or assets.

We are having that solution reviewed by the Town’s attorney to make sure it works. We believe that by requiring the stockholders to vote on the sale of land (i.e., the Select Board in the Town’s case) and because the Select Board is not empowered to sell land by State Law without Town Meeting approval, we will have closed the loop.

The flyer also suggests that Town Meeting vote to postpone the final vote until the May 2010 when the Transfer /Purchase Agreement will be final.

Postponing until May will have several adverse consequences:

There are several critical tasks that need to happen before we can close that we really cannot or should not proceed on without a final vote.

We doubt that the State Legislature will act on our request for “payments in lieu of taxes” legislation that we discussed earlier before a final vote. This has the potential to delay the closing by one year, until June 2011, because of the legislature’s schedule.

We cannot submit our request to decertify the current Water Company to the PUC until the Town has acted.

We also do not want to spend the \$40-\$50,000 that a survey will cost before a final vote, and, without the survey, we can’t go before the Planning Board for subdivision approval.

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Final completion of the loan transfer documents also requires final approval from the Town. Delay obviously means that we will not experience any of the savings as soon as we might otherwise and, of course, we still have the same problem of marking the Purchase Agreement final before doing all the things above as we have discussed.

In addition, there is a momentum to any deal of this sort which you need to maintain and an opportunity cost of prolonging the Town's management attention to this. Murphy is always out there. We have a tough budget period ahead, and Julia and others need to focus elsewhere.

I think I have gone on long enough, but lest we not forget why we are doing all of this:

- Annual cost savings of \$100,000
- Ability to create capital reserve funds
- Access to favorable municipal borrowing rates
- Increased Town ownership of Land Holding Company from 47.2% to 50%

Selectman Christie thanked the audience for their patience.

Moderator Bird asked for discussion on Article Three.

Barbara McIlroy MOVED to AMEND Article Three; to delete the phrase “and execute” and to add “and bring the final transfer agreement to the May 11, 2010 Town Meeting for a vote.” The motion was SECONDED from the floor.

PROPOSED AMENDMENT to Article Three:

ARTICLE THREE: To see if the Town will vote to raise and appropriate \$1.00 for the purchase of the water utility assets owned by the Hanover Water Works Company, to include the water treatment plant, related water storage tanks, pump stations, distribution system, three (3) reservoirs, sufficient land within 250 feet around Reservoirs #1 and #2, all of the land around Reservoir #3, sufficient adjacent land to allow future expansion of the water treatment plant and storage tanks, and any other water utility assets required for the treatment and distribution of water, as allowed by RSA 38:2-a, and which is in the public interest, **and to authorize the Board of Selectmen to negotiate ~~and execute~~ all documents required to complete the transaction as proposed, and bring the final transfer agreement to the May 11, 2010 Town Meeting for a vote.** The remainder of the land which will not be transferred to Town ownership as part of this transaction will remain with the Hanover Water Works Company, and the Town's ownership share of that company will increase from the current 47.2% to 50% as part of the approved transaction. All of the related transactions shall occur on or about July 1, 2010. Completion of the transaction will be dependent upon the passage of special State

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legislation to enable the municipal water utility to continue to make semi-annual property tax payments to the Town, School Districts and County.

Ms. McIlroy stated that the proposed changes to the by-laws mentioned tonight were not on the website so she did not have a chance to see them. Ms. McIlroy stated that she has three main concerns and made the following statements:

1) Last May, residents were promised that they would vote today on the finalized transfer agreement that would govern the new land-holding company. However, today they are being asked to give up that vote and give the Select Board authority to approve this agreement.

2) The agreement is not finalized. The associated documents have some problems, and lack clarity.

3) Residents need to know what the final document contain **before** we sign off on this project.

For the past century, the town has been fortunate in the wise management of the infrastructure and watershed land, with a useful alliance of town and gown.

Municipalization of the Water Company will offer several benefits for our town: a promise of lower rates for water users and an increase from 47% to 50% interest for the town in the new land-holding company. Therefore, we should be certain that this new company, with authority over 1100 acres of land, has the guidance that led the old water company through these last 116 years.

At the May 12 Town Meeting of this year, the Select Board promised that the Town Meeting (we the voters) should have the opportunity to vote for the *final transfer agreement* at today's meeting. The transfer agreement mentioned in this amendment means the (Asset) Purchase Agreement which is now posted on the town's website. And this document references other documents, including the Articles of Incorporation and By-Laws that govern the new land-holding company.

The Amended Articles of Incorporation in Section 7.9.3 and 7.9.4 of the Purchase Agreement to adopt the amendment restated by law, these exhibits are separately listed on the Town's website. She disputes the remark that the Purchase Agreement does not include these sections.

Today, we are being asked to transfer our vote to the Select Board, giving the Select Board the authority to execute these documents. This transfer is an extremely complex process. Julia Griffin has been particularly helpful and patient in answering my questions. When I asked her if the documents were finalized, Julia replied on October 19th that the finalized documents would come to the Select Board for discussion later in the coming spring, with a public hearing and adoption by the Select Board. She said the Select Board hearing is when we would have a chance to discuss the final documents, and she specifically said that we would not discuss the documents at today's Town Meeting. I

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believe that this is the time to discuss them, so that we get things right for the Town's future. A vote by the Select Board is very different from a vote by Town Meeting.

There seems to be some great urgency about going forward with the Municipalization, but if the transfer documents are not to be finalized until next spring, why not have the Select Board bring them to Town Meeting at that time?

Ms. McIlroy went onto her second point which is 'What is wrong with the Documents on the Town's Website?'

If we adopt the proposed version of the Articles of Incorporation and Bylaws, this is what they currently say about how the matters of importance may come to the town's attention:

- The purpose of the new company, as stated in the Articles of Incorporation has no responsibility towards water supply (as Town Meeting just heard, this has been changed and it is wonderful).
- The land can be transferred or sold with the approval of the new Board of Directors, and the votes of the shareholders.
- I have been told that the Select Board will 'vote the town's shares', but this is not specified in the Articles of Incorporation.
- We (the voters) have been told at several public meetings that the sale or transfer of any of this land would come to Town Meeting for approval, but this is not specified in the Articles of Incorporation.
- Thus, the proposed Articles of Incorporation, as they now stand, may authorize the Select Board to dispose of property, without a Town vote (as now is required). This wasn't a concern while the property was attached to the water supply.

Here are still other questions about the documents that describe the governance of the new company:

1. Appointments to the new Board: We have been told that the Select Board would appoint the town's three directors to the Board of the new company. If the Select Board is to appoint these directors, then the Articles of Incorporation and Bylaws should state this.
2. How would these appointees operate in the Town's interest? There is no specificity in the documents that director's appointment would be dependent on taking direction from the Selectmen. If this is so, it should be stated in the Articles of Incorporation and Bylaws.
3. Public review of the new corporation: The bylaws propose that there is an opportunity for the public to review the company's operations by attending an annual meeting that is open to the public, sometime between July 1 and September 30th. That period covers the vacation time of many residents.

Ms. McIlroy's third concern is that the Town does the right thing.

To be certain that the documents are written with specific and clear guidance for future town leaders, today we should amend Article Three as I propose, with this motion before you. To reject it means we will have lost a lot of bargaining power in hammering out the critical documents that govern the new land-holding company.

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Hanover is not the only party to this negotiation. In view of the Warrant Article last May, Dartmouth could argue that approval of an unamended Article Three today is tantamount to accepting the documents as posted now on the website. Then the Select Board may not be able to insert the promised revisions, despite their best intentions.

Ms. McIlroy stated that it is her desire that the residents vote with full information on the finalized transfer document in May.

Selectman Christie responded to the proposed amendment to the motion. He noted that the Select Board welcomes this motion to give Town Meeting the opportunity to decide if they had enough information to proceed to a yes or no vote or whether they wished to delay. He stated that the Board feels that they have lived up to the proposal made at Town Meeting.

Kim Perez spoke in support of the amendment. She looked at the Minutes from the May Town Meeting and noted that there was discussion about having all of the final documents ready for the vote because they felt the devil is in the details. There are specific things not included such as the requirement of a Town Meeting vote for the land sale; changes in the Articles of Incorporation and By-Laws which should be brought to Town Meeting; the new company is not going to be a public company and therefore not subject to Right-to-Know laws. She wanted to speak regarding transparency of the governance. Process matters and she can think of no good reason why the meetings need to be done in private. The only way the public knows what is happening is by having access to the meetings and the Minutes. These laws require that notice of meetings be held and the Minutes be made available. As the documents are currently written, it is unclear whether the land-holding company would be subject to Right-to-Know laws. Ms. Perez stated that the watershed land would be the largest asset of the company. The Company should be required to operate in the open.

Elsa Garmire asked what the options would be if Town Meeting did not vote in favor of this. She was disturbed to hear that the proposed changes were not on the website yesterday. She would like to know what they are actually voting on, if Town Meeting decides to vote.

Selectman Christie responded by stating that they are voting first on the amendment. He stated that the purpose of the Hanover Water Works Company changes were made a while back. The proposed changes to ensure that any sale of the land would come before Town Meeting is before the Town's attorney awaiting an opinion and any changes made will not be material.

Arthur Gardiner stated that he is not only a Hanover resident but an attorney and noted that having reviewed the website and documents, he was surprised at how very complete they are. There are several documents there and from his point of view, it gives the Town a lot of protection that the Town does not currently have. Today, the Hanover Reservoirs and forests are owned by a private company controlled by Dartmouth College and not the Town of Hanover. If, for reasons associated with their financial needs,

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Dartmouth College wanted to sell 1,000 acres around the reservoir, the Town could not currently stop this. Under the proposal negotiated, the Town can stop it. The Town would have veto power over the distribution of the land. Mr. Gardiner stated that the Board of Selectmen will be in the position to elect 3 members of the land-holding company; therefore the Town can stop any action that it wishes to stop. No action can be taken by this company without having both sides of this partnership agree to do so. He was a bit surprised that the Board felt that they needed to tie up the knot about control over the land by adding a new provision to the By-Laws because in reading the Articles of Incorporation on the website, you could not sell the land under the Articles of Incorporation. The Articles do not have the normal clause that states the corporation is empowered to take action which is consistent with the laws in the State of New Hampshire.

Mr. Gardiner read the Purpose listed in the Articles of Incorporation:

“The purposes of the Company are to hold certain lands within the Town of Hanover, New Hampshire, a portion of which is within the watershed of the three reservoirs that supply the Town of Hanover with water for drinking, domestic, fire and other purposes; to regulate and manage the use of such watershed land; and to protect and promote the sustainable growth and management of the forest on said lands for timber production.”

Under the Law of New Hampshire, if the Board of Directors of the Corporation did something other than permitted in that language, they would be personally liable for the consequences of those acts. This charter is a very carefully drawn and narrow statement, and it protects absolutely the environmental objective which is to have the watershed protected over the long term. In order to change that, the Town would have to take action to amend the Articles of Incorporation and the only way to amend them is by a shareholder’s voting, and there cannot be a majority vote without the Town agreeing to it.

Mr. Gardiner stated that the question has been raised about how the Town is going to control what the Directors are doing. The way to control them is through the Board of Selectmen. Their duty is to represent the interest of the shareholders who vote them in. The mechanism established is a wonderful way to make absolutely sure the Town’s interest is protected and he congratulated the negotiating team, and he hopes that the residents move forward with this.

Monte Clinton supports Article Three and presented a petition to speak to the manner in which the vote will take place by request for a written ballot on the amendment. Moderator Bird received the petition with five names of voters present and confirmed them as being Kim Perez, Marilyn Hunter, Elsa Garmire, Bob Russell, and Augusta Prince.

Dipankar Choudhury would like everyone to keep their eye on the big picture and ask whether the residents are trying to do the job that they have tasked the elected officials to do. He views that the residents govern through the Select Board. He has not heard any argument that negates the goal of the Board as presented by Selectman Christie. He

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asked how the residents are worse off with the proposal than they are today. He felt this has been an interesting process to watch.

Hilary Pridgen felt that this amendment would provide an opportunity to re-write the By-Laws. She noted that she heard some excellent changes which have not been included on the website and would like to know what she is voting for. She would support the amendment. She would like to see the final version of the documents before the final vote.

John Hochreiter spoke on behalf of the Finance Committee. He felt it was important to note that the Finance Committee has worked on this and have reviewed all of the audit information. There are savings involved and benefits to this transaction. The Finance Committee unanimously supports the transaction.

Martha Solow supports the Select Board's proposal however, she would be unhappy to see it defeated by those who don't understand what's going on or those who may be confused about what has been presented tonight. She felt that there would be more voters tomorrow. She clarified that the amendment is to delay the vote by 6 months and the particulars would be the same and more information would be made available to the public.

Dick Podolec agrees that the "devil is in the details" but they have the majority of the details, and he trusts the Select Board to do their job and work out the final details. He doesn't understand why they need final documents 7 months before the closing of the agreement. There are a lot of reasons why they can't delay this process unless they want to go through this again two years from now. He would like to see this go forward and take advantage of the savings.

Bob Russell remarked that the prospect of the Town drawing up the agreement and not the Select Board would have this meeting go on forever. He would like to have the written ballot for the amendment so as not to influence people to vote based on others.

Winnie Stearns stated that in her opinion, the deal to save \$100,000 a year in taxes is a very poor tradeoff for taking on the responsibility of the water supply. She understands that no decisions can be made with regard to the land until it comes back before the Select Board. The only way to be sure the land could be saved is if it is placed in conservation. She also expressed her appreciation for all of the hard work done by the Board. She felt that the land would be developed if it is not protected which is the part that worries her the most. When these votes are taken to Town Meeting, all of the information is encapsulated in very few words, in one sentence asking for approval. Ms. Stearns also takes issue with the fact that the Minutes of the Planning Board are woefully inadequate so the residents are not aware of all of the issues. She also felt that it was very interesting that the Town approached the College about this issue. She thanked the Board for their work, but she is unable to accept the proposal as it stands.

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Ms. McIlroy wanted to respond to the gentleman who suggested that the residents would be asking to amend or draft the documents. She stated that if the land-holding company operated with noticed meetings open to the public and made their Minutes available, perhaps there wouldn't be the confusion here today. Those Minutes would clear up the confusion. She feels that the meetings should be open to the public which would eliminate some of the suspicion.

Ian Simm stated that he supports the proposal. He recalls that at Town Meeting that State Law requires two votes: one at Town Meeting and one 6 months later. If the Town voted no, it is his understanding that the next vote would be in 2 years. He wanted to know if the amendment vote would place the Town in violation of that law. Moderator Bird's understanding is that the vote on the amendment would not violate the law or be subject to delay the main vote for 2 years. Town Attorney Walter Mitchell was in agreement with the Moderator's answer.

Nancy Carter stated that this is an extraordinary opportunity for Town/Gown relations and wanted to point out that there are a lot of players in this and there are additional approvals. She requests that the body defeat the amendment and allow voters to go to the polls with the wording that has been well noticed. She truly believes that this is an idea whose time has come.

Kim Perez stated that if the amendment fails, they have identified 3 important changes which the Select Board may or may not wish to include 1) requiring Town Meeting vote for any sale of land 2) requiring a Town Meeting vote for any changes to the Articles of Incorporation or By-Laws and 3) there is some evidence to require the company to follow the Right-To-Know laws. If the amendment is rejected, are they adopting the Articles as written? Can they make any of these changes?

Town Attorney Walter Mitchell addressed some of the concerns brought forward.

1. The fact that the documents are labeled draft; this is a very paper intensive transaction and in these types of transactions, there is always some tweaking done as they get closer to the closing of the agreement. In this transaction, when Mr. Christie said there would be no substantive changes, there will not be any changes that change the nature of the transaction.
2. The land will not be able to be sold without the approval of the Town. If Dartmouth wanted to sell the land today, they have the power to do that. The College has agreed to increase the Town's ownership to 50% and allow them to stalemate any desire to sell the land.
3. He also wanted to address the concern of the Right-To-Know law. The appeal was made to have transparency in the governance. This company is private now and in the future and is not subject to the Right-To-Know laws. The company could choose to do so but they are not held to it. Dartmouth College is currently the majority stockholder and is not inclined to agree to it. The issue has been

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brought up, and they have already agreed to some more openness. When Town representatives sit on the Board, they will obtain papers by the company. If those papers are turned over to the Town Manager, they become open to the public.

Doug McIlroy asked if the changes that have been described in the Articles of Incorporation have been approved by the negotiating team. Selectman Christie stated that the changes have been discussed and agreed to by the negotiating team.

Linda Fowler is aware of the tradeoffs between having the citizens make laws or elected officials. She stated that if they defeat the amendment, the Town has received the message to continue tweaking the agreement. Since that is the case, she is prepared to vote against the amendment and she appreciated everyone's input and effort into the discussion of this proposal.

Moderator Bird asked if Town Meeting was ready for the question. Town Meeting agreed to vote on the amendment at this time. Paper ballots were handed out and tallied.

Moderator Bird called the meeting back to order.

RESULTS: YES 31 NO 134 AMENDMENT FAILED

Moderator Bird asked for a vote on the main motion by Selectman Christie.

TOWN MEETING VOTED UNANIMOUSLY TO END DISCUSSION ON ARTICLE THREE AND PROCEED TO VOTE BY SECRET BALLOT (AT THE END OF THE EVENING'S FULL DISCUSSION AS DETERMINED EARLIER).

TOWN MEETING UNANIMOUSLY APPROVED THE MOTION TO ALLOW ARTICLES ONE, TWO AND THREE TO BE VOTED ON BY PAPER BALLOT.

Moderator Bird noted that the polls would be open for a minimum of one hour. Town Meeting discussion ended at 8:50 p.m., and the polls remained open for at least one hour after the vote.

Moderator Bird closed the polls at 9:50 p.m. and asked for a motion.

Chairman Walsh MOVED to suspend the Special Town Meeting until the following day, Wednesday, October 28th, for the sole purpose of re-opening the polls at 7:00 am until 7:00 pm so that voters may continue to vote on the business of this meeting. The meeting will be adjourned on Wednesday evening after the polls close, the votes are counted and the results are announced by the Moderator. Vice Chairman Connolly SECONDED the motion.

THE MOTION PASSED UNANIMOUSLY.

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Moderator Bird re-opened the polls at 7:00 a.m. on Wednesday, October 28, 2009 at the Hanover High School.

Voting ensued throughout the day.

Moderator Bird closed the polls at 7:00 p.m.

The results of the vote were tabulated by ballot clerks in attendance and announced by Moderator Bird:

ARTICLE ONE

RESULTS: YES 389 NO 30 (1 BLANK)
TOTAL BALLOTS CAST 420
REQUIRED TO PASS 280

ARTICLE ONE PASSED

ARTICLE TWO

RESULTS: YES 380 NO 31 (1 BLANK)
TOTAL BALLOTS CAST 412
REQUIRED TO PASS 275

ARTICLE TWO PASSED

ARTICLE THREE

RESULTS: YES 383 NO 38
TOTAL BALLOTS CAST 421
SIMPLE MAJORITY TO PASS

ARTICLE THREE PASSED

Vice Chairman Connolly MOVED to permanently dissolve the Special Town Meeting. Selectman Doherty SECONDED the motion.

THE MOTION PASSED UNANIMOUSLY.

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Moderator Bird dissolved the meeting at 7:35 p.m. on Wednesday, October 28, 2009.

Respectfully Submitted,

Charles E. Garipay, Town Clerk

Minutes prepared by Elizabeth S. Rathburn

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BOARD OF SELECTMEN'S MEETING

October 19, 2009

7:30 P.M. – HANOVER HIGH SCHOOL AUDITORIUM – HANOVER NH

The meeting of the Board of Selectmen was called to order at 7:30 p.m. by Vice Chairman Katherine Connolly. Present were: Brian Walsh, Chairman, Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager. (Chairman Walsh arrived after the meeting had been called to order.)

1. PUBLIC COMMENT.

Vice Chairman Connolly announced that she would be revising the agenda to allow time for Chairman Walsh to arrive.

Vice Chairman Connolly asked for Public Comment. There were no comments from the public. She went on to Agenda Item #3.

2. CONTINUED DISCUSSION WITH FRIENDS OF HANOVER CREW REGARDING TOWN SUPPORT FOR INSTALLATION OF ROWING DOCK AT WILSON'S LANDING FOR USE BY HHS CREW TEAM AND THE PUBLIC.

Chairman Walsh arrived and began the continued discussion with Friends of Hanover Crew regarding Town support for installation of a rowing dock at Wilson's Landing. Chairman Walsh noted that there had been additional questions asked of the Friends of Hanover Crew at the September 14th Public Hearing and invited Peter Kermond to speak to the Board.

Mr. Kermond, Board Member & Hanover High Crew Coach, provided some examples of other rowing sites that had a public/private partnership: Concord High School, Amoskeag Rowing, Great Bay Rowing Club, Donahue Rowing Club in Massachusetts. Mr. Kermond stated that examples of public/private partnerships within the Town include Campion Ice Rink, the softball fields including Sachem Field and Grasse Road.

Mr. Kermond stated that they looked at other possible sites along the river with priorities including safety, accessibility, and distance from the school (commuting time), environmental concerns and costs. They went to a number of sites and eliminated sites south of Ledyard Bridge based on safety concerns. There are currents and eddies that go through the bridge and around the island which is unsafe for inexperienced rowers. The area around Mink Brook was eliminated. The area by the Dartmouth swimming docks would have been too difficult. Friends of Hanover Crew also looked into the land owned by Upper Valley Rowing Foundation included an area with a railroad running through it. Mr. Kermond stated that the road to the Chieftain docks is inaccessible in the earlier months and there is a cove that remains icy for too long. The Mink Brook area has a cove would be iced in for about 3 weeks longer. The accessibility of the

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Dartmouth swimming dock would require a lot of bank and road work and the rest of the possible sites had issues regarding private ownership or financially out of reach.

Mr. Kermond stated that they looked at other areas including Lake Fairlee, Mascoma Lake and Lake Morey but they are too far out of the way for commuting. There were environmental concerns regarding the Dartmouth organic farm which makes that piece of property inaccessible.

Mr. Kermond reported that when looking at Wilson's Landing and under the same criteria, it is the safest place to be, there is early access, safe and reasonable commute to school, ability to check boats and equipment, adequate plan or access and parking. They also looked at the proposed conditions that the Town had put forth and felt that it was reasonable and workable. The launch would be stored in a safe/secure way. They will store the dock in the off season on Fullington Farm. They looked at parking circulation and stated that the parking would be on Fullington Farm property. There would be parking at Richmond School for races and they would shuttle in. They agree to one car on the landing and then after practice it would be removed. There would be a trailer used twice a year to remove and replace the dock.

Mr. Kermond noted that they could adhere to the proposed use schedule. The high school championships would continue at the Chieftain. The only meets held would be a dual meet on a Wednesday or Saturday and the finish line would be closer to Wilson's Landing.

Mr. Kermond said that there was concern raised about the length of the dock but they are still proposing a 180' dock which is essential for safe and efficient operation of the program. The issue about busing students in had merit for an afternoon program but they may run into issues of bus availability for the 5 a.m. practices.

Mr. Kermond stated that the Friends of Hanover Crew would adhere to the Other Proposed Conditions by remaining environmental stewards. He stated that there is a trail system that runs in front of their property and they will participate in fall and spring cleanups of the area.

Chairman Walsh asked for any questions. Selectman Christie asked about the number and timing of motorboats at the dock. Mr. Kermond stated that they have 6 to 8 launches and 6 to 8 coaches so the tentative plan is that the motorboats would load on the inside of the dock and would maintain their time in the 10 week season.

Vice Chairman Connolly invited Bob Ceplikas to speak.

Bob Ceplikas, Director of Athletics & Recreation at Dartmouth College, wanted to clarify a couple of points. Mr. Ceplikas stated that Dartmouth has been pleased to play a part in the Hanover High School rowing program. He wanted to correct the misconception that the HHS Crew would not be welcome at the Dartmouth dock after the spring of 2010. If asked, they would continue to negotiate on an annual basis to discuss ways in which they could accommodate their needs and requests. He also noted that over the past 12 years, the rowing group has grown tremendously and Dartmouth has not been able to accommodate all of the needs and requests of the HHS Crew team. They need to negotiate each year because the needs change over the years. They are not in the position to make any long term commitments to the

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HHS Crew program. They are not able to accommodate any storage facilities for HHS. Mr. Ceplikas wanted to make clear what they are able to do and the limitations. They agree that the only truly satisfactory solution going forward is for the Friends of Hanover Crew to have its own facility.

Chairman Walsh asked about how the College accommodates the Upper Valley Rowing Foundation. Mr. Ceplikas stated that there is more flexibility in the schedule for the Upper Valley Rowing Foundation versus the High School.

Chairman Walsh wanted to get a feel for the summer and fall season for the College rowing teams. Mr. Ceplikas stated that Dartmouth College's rowing season is fall and spring. The High School also has a spring season which is the most challenging time of year to accommodate.

Peter Kermond stated that Upper Valley Rowing is primarily in July and August when Dartmouth is not in session which is an easier schedule. Bob Ceplikas noted that Upper Valley Rowing is also able to take advantage of more daylight hours.

Chairman Walsh noted that the second block of information the Board requested was relating to the Fullington Farm and the constraints on the land and how this works moving forward.

Ms. Griffin noted that Town Staff and Town Attorneys provided two memos to the Board which were also posted on the Town's website. Ms. Griffin read parts of the memos for the benefit of the audience.

The first issue was with regard to Wilson's landing itself. The land was owned by Wilson and Clarisse Fullington which was donated to the Town in 1972 along with a 25-foot-wide access right-of-way that used to be an island. The stated purpose for donating this land and a right-of-way to it was "to provide access to the public to the Connecticut River for boating and recreational purposes and to provide access for firefighting equipment."

In August 1975, the Town of Hanover received a permit from the New Hampshire Water Supply and Pollution Control Commission, "to establish recreation and boat launching facilities" on this land, and a Special Exception from the Hanover Zoning Board of Adjustment "to permit the construction of an access road, dock [extending 30 feet into the river], boat launching ramp, and parking spaces" according to the same plans approved by the NH Water Supply and Pollution Control Commission.

In October of 1975, the town's attorneys examined the property title and found it to be valid and properly "vested in the Town of Hanover."

In January of 1976, the Army Corps of Engineers granted to the Town of Hanover a permit "to construct and maintain a boat launching ramp, a bulkhead with gravel fill behind covering about 400 square feet, ramp and float extending 33' from ordinary high water, in the Connecticut River..." and to "raise parking lot grade with fill. The Town also received a grant in the amount of \$8,500 from the State with matching donations to complete the improvements to Wilson's Landing.

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The second issue was regarding the Fullington Farm Parcels. She noted that there are two parcels; the 7.0 acre parcel is owned by Dartmouth College subject to a 1990 Conservation easement. The 2.4 acre parcel is now owned by the Friends of Hanover Crew.

The Town purchased this easement from the College with funds, in the amount of \$115,000, granted to the Town by the New Hampshire Land Conservation Investment Program (LCIP). The conservation easement agreement was entered into on December 3, 1990, on behalf of the Town of Hanover by the Board of Selectmen. The Board of Selectmen has the responsibility to interpret, monitor, and enforce the terms and conditions of the conservation easement.

Ms. Griffin reported that there are also subdivision limitations of the conservation easement agreement: Paragraph B of the Use Limitations (section 1) says that the “property shall not be subdivided or otherwise divided in ownership.” The conservation easement applies to the southerly 7.0 acres of the original parcel, not the entire original 9.4 –acre parcel.

At the time that the Dartmouth College Real Estate Office submitted a variance for the proposed subdivision, our attorney, Walter Mitchell, confirmed that it is the portion of the land subject to the conservation easement which cannot be subdivided, not the entire original 9.4-acre tract.

Ms. Griffin reported that there were issues surrounding the conservation easement and there was some confusion around what land is subject to that easement so she wanted to clarify that it is just relative to the 7.0 acre parcel just south of the Friends of Hanover Crew parcel. There are some conditions placed on the 7.0 acre parcel. Ms. Griffin read the conditions:

Paragraph C. of the Use Limitations (section 1) states that “no structures or improvements shall be constructed, placed, or introduced onto the property...’ and then sets forth several particulars. Among these are that fences are allowed “so long as such fences do not obstruct the views of the Property and the Connecticut River as seen from State Highway 10...” Thus, the provision about views applies to views from Route 10 and to effects that any fences may have on such views. This restriction, however, only applies to the 7.0-acre portion of the original property subject to the easement and **not** the 2.4-acre reserved area.

Paragraph D. of the Affirmative Rights of the Grantee (section 3) provides that the “Grantee shall have the right to maintain the vista over the open fields to the Connecticut River as seen from vehicles travelling on State Highway Route 10.” This vista is not from any other vantage point than Route 10 and does **not** apply to any portions of the 2.4-acre reserved property.

The agreement reserves certain rights to Dartmouth College, as Grantor, on the land subject to the conservation easement. These are called “Reserved Rights” and are spelled out in Section 2. These reserved rights include the planting of a vegetative buffer alongside the trail and up to Route 10 along the northern boundary of the easement, and include the right to “introduce and maintain one seasonal, non-permanent boat dock for the exclusive right of the Grantor...” but so as not to interfere with the pedestrian trail. This implies that the Grantor could install a dock along the river’s edge bounded by the 7.0 acre parcel.

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Ms. Griffin pointed out that based on these conditions; Dartmouth College could place a dock on the 7.0 acre parcel.

Ms. Griffin noted that there are some restrictions relative to the Friends of Hanover Crew property. She highlighted the restrictions on this property:

The 1990 conservation easement does not include 2.4-acres of the property containing the farmhouse, the barn, and associated area which is shown on the accompanying property survey and identified as “Area reserved from Conservation Easement” and which is regarded by the easement as a different property “Reserved Parcel” from that subject to the easement. This reserved area is the same portion of the parcel that had been granted to Clarisse Fullington as a life-estate when Dartmouth purchased it in 1981, and which was subdivided in 2006.

Applicability of the Conservation Easement:

That this part of the original property is reserved from the conservation easement and thus is not subject to its limitations and terms, is confirmed by:

- The statement in Section 3, Affirmative Rights of the Grantee that “the riverside trail extends as a right-of-way across the unrestricted land of the Grantor, which is situated to the northeast of the Property.”
- A letter dated June 30, 2006, to Zoning Administrator Judith Brotman from Stephen G. Walker, Stewardship Specialist, of the Conservation Land Stewardship Program of the New Hampshire Office of Energy and Planning, in a letter supporting Dartmouth College’s request for the variance to enable the proposed subdivision of the original tract into a 7.0-acre lot subject to the conservation easement and a 2.4-acre “farmstead” lot not subject to the easement.

The only obligation on the 2.4-acre parcel imposed by the conservation easement is a 12-foot right-of-way across this lot for the “riverside trail”. In Section 3, Affirmative Rights of the Grantee, the easement states that “the riverside trail extends as a right-of-way” across the farmstead land as far as the driveway leading from Route 10 to Wilson’s Landing. It allows the Town, on both the land subject to the conservation easement and on this right-of-way extension across the farmstead lot “the right to construct, manage, use, and maintain a trail as a public footpath and to cut and clear trees, shrubs, and bushes from the bank of the river in order to preserve scenic views of the river from the trail.”

It is worth noting that there is no obligation on the 2.4-acre parcel to provide buffering or protection of any kind for the adjacent 7.0-acre parcel which is subject to the conservation easement.

On August 3, 2006 the Hanover Zoning Board of Adjustment granted to Dartmouth College a variance by which the Fullington farmstead (farmhouse and barn), amounting to 2.4 acres, could legally become a separate parcel, even though it does not meet the RR minimum lot size of 3 acres. On October 3, 2006, the Planning Board approved the minor subdivision of this lot off of the original 9.4-acre parcel.

The presentation by Larry Kelly of the Dartmouth College Real Estate Office of the variance request to the ZBA is replete with representations that the College's intention was that the 2.4-acre parcel would be used for single-family residential. Ms. Griffin noted that this was important because there were concerns that this property was supposed to remain a single-family residence. However, the Zoning Board in item 18 of its decision, specifically stated that the variance would be valid for any use allowed by the Zoning Ordinance:

“18. The remaining criteria for a variance must also be addressed in this decision. The Reserved Parcel if subdivided could continue to be used as a single-family residence, **or used as otherwise permitted by the Ordinance**, without altering the essential character of the area, particularly since the subdivided parcel abuts a perpetually conserved 7-acre parcel in a unique setting along the Connecticut River, with a public trail along the riverbank.”

Walter Mitchell (Town of Hanover Attorney) confirmed specifically, upon his full reading of the variance decision, that other uses allowed in RR by right or by special exception would not be precluded by this variance. Ms. Griffin stated that the role of the Zoning Board will be to determine whether they think it meets the merits of the zoning ordinances. Ms. Griffin read the uses allowed by the Zoning Ordinance:

Uses allowed by the Zoning Ordinance:

The property is located in the Rural Residence “RR” zoning district. The Hanover Zoning Ordinance (table 204.7) allows several permitted uses (“uses by right”):

One-family dwelling, two-family dwelling; forestry, agriculture, outdoor recreation; produce stand; governmental use: limited to education, recreation; manufactured house subdivision, open space subdivision; and use accessory to permitted use

Wilson's Landing qualifies as an outdoor recreation use, or as a governmental use--recreation, and is thus permitted by right.

Chairman Walsh noted that the information is very helpful and anything further about uses relative to the use would be related to Zoning Board approval.

Ms. Griffin pointed out that the issue whether it was appropriate for the Town to partner with a civic or non-profit fundraising group to construct or improve Town athletic facilities on public property. Some examples of this include:

- Hiking trails and footbridges installed or financed by real estate developers, and laid out and maintained by private individuals or groups, on Town-owned conservation lands and easements.
- Construction of Campion Arena, by the Hanover Improvement Society, by license on Town of Hanover property, as the Town's only public skating arena. Fees for use are charged by HIS to all users.
- Construction of the softball field at Sachem Field utilizing contributions from the Hanover Lion's Club. Field is available on a scheduled basis through the Recreation Department.
- The installation of dugouts, backstop, and fencing by a civic organization (Hanover Lion's Club) and by a team parents and supporters organization (Hanover Little League), for the ball field constructed on Grasse Road.
- Citizen monetary and in-kind donations for the construction of the Ray School playground.
- In-kind contributions by private citizens, including a team parents and supporters organization (Hanover Little League), for ball field improvements at Thompson Terrace.
- The construction of a press box and scoreboard at the High School football field by a private citizen and by a contributors' fund.
- Scoreboard for Hanover High School baseball funded by a contributors' group.
- Installation and maintenance by the Hanover Improvement Society of street trees, benches, and related Downtown streetscape improvements.

Chairman Walsh also noted that if the Board votes to proceed in support of the proposal, there are more approvals required.

Ms. Griffin stated that the dock and the application for a dock permit will subject to further review. The following is a list of the additional review required:

NH Department of Environmental Services – to issue a comprehensive shoreline protection; comprehensive shoreline protection act permit for the landing itself as well as Fullington Farm, in addition to issuing a dock permit.

Army Corps of Engineers – to issue a Programmatic General Permit for the landing which requires evaluation of impacts to wetlands, wildlife and floodplains.

Hanover Zoning Board of Adjustment – to consider a floodplain special exception at Wilson's Landing in addition to water body buffer special exception at the Fullington Farm.

Hanover Planning Board – to conduct site plan approval for both the landing and Fullington Farm. A special exception for proposed use of Fullington Farm for the Zoning Board and a variance for a proposed second driveway.

Ms. Griffin noted that there would be plenty of opportunity for additional input from the public in addition to outside organizations and the Conservation Commission.

Chairman Walsh wanted to thank Ms. Griffin, Walter Mitchell and Erica Alders on behalf of the Select Board.

Chairman Walsh noted that this is not a public hearing but he stated he would entertain some questions of the Board.

Caryl Collier spoke from the audience and stated that at past meetings there was an indication that the Department of Environmental Services permit would be an expedited minimal permit. She wanted to clarify that this will be a major permit due to the length of the dock and the special exception for the length of time for the dock. Ms. Griffin noted that Ms. Collier is a member of the CT River Joint Commissions Regional Subcommittee and is well versed in these issues.

Quentin Deming stated that he felt that the additional information provided has made this a different situation. Mr. Deming stated that he has spoken with Peter Kermond and subsequently the owner of the Chieftain who felt that he could meet every one of the requirements suggested by the rowers with things already in place and already permitted. This would mean no new ecologic problems. They already have an existing 180' dock. The owner was also willing to work with building facilities, etc. but no one has approached him about it. He suggested that the Friends of Hanover Crew meet with the Chieftain prior to pursuing Wilson's Landing. Chairman Walsh noted that the Town has received conflicting information regarding the Chieftain's ability to accommodate this group.

Ms. Solow wanted the Board to invite the owner of the Chieftain to come speak to the Board.

Chairman Walsh stated that the Board has a responsibility to decide whether to allow this proposal to move forward and he feels there are five issues that need to be considered:

1. Would this use be consistent with the gift from the Wilson's, to the Lions club and then to the Town?
2. Are there legal impediments which would make going forward a fool's errand?
3. Public/private use: is this issue enough to stop the proposal from going forward?
4. Potential locations: from the public perspective, is Wilson's Landing the best balance?
5. Is the proposal the appropriate scale for the area?

Chairman Walsh feels that this proposal is consistent with the gift. He didn't feel that there are legal impediments.

Martha Solow disagreed with Chairman Walsh and felt that the report from the attorney is slanted to show favorability toward the proposal and is not all inclusive of other legal issues. She would like to provide the Board with her concerns regarding the legal impediments that she sees as an issue.

Chairman Walsh stated that the Town relies on the legal opinions of Town Counsel and encouraged Ms. Solow to provide a letter with detailed concerns.

Selectman Christie agrees that in terms of the information received, he does not feel the Board is on a fool's errand.

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Selectman Doherty appreciated the input from the residents and feels that the Friends of Hanover Crew did their homework to address the concerns that were brought up at the last meeting. She doesn't feel that there are legal issues that would prevent the Board from going forward. Selectman Rassias does not have any issues with the first three points.

Vice Chairman Connolly felt that this may be a public/private venture but this will be a public entity and fully accessible to the public. Although privately funded, this will be accessible to the public.

Chairman Walsh stated that relative to the Chieftain, there may be possibilities. There are possibilities with the College but with limitations. Chairman Walsh is not at peace with the mix of subjects. He would like to think about this for the next couple of weeks. Chairman Walsh stated that he would like to consider again in a future Board meeting in November.

Selectman Rassias stated that he would like more time to digest all of the information. He feels that they need to consider whether this is an appropriate use for this landing and whether this is the way that they think the community will evolve.

Chairman Walsh felt that at some point rowing could overwhelm public uses at Wilson's Landing. The Town needs to find a balance between the needs and interests of all parties and the intent of the land. Chairman Walsh felt that there should be further conversation with the College and the Chieftain.

Selectman Christie stated with the information that has been provided, it is apparent that the Town does not own any land which would be appropriate for this need. Chairman Walsh was hoping to find an opportunity near Mink Brook and he is aware of accidents around the Ledyard Bridge which are not necessarily rowing related so he is persuaded that this is not going to be the right solution. An additional boat ramp is an interesting question.

Selectman Doherty stated that she was at first concerned about Wilson's Landing but with the additional information, she is not as concerned about the hours. This is about public access to the river and the Friends of Hanover Crew are offering a wonderful enhancement for the Town. She is not as concerned about the location as she was before because it is for limited periods of time.

Vice Chairman Connolly felt that the location question has been addressed very well. The other locations are not appropriate for that time of year. Dartmouth has been a wonderful resource and is unsustainable for the Friends of Hanover Crew. The scale and the site would be reviewed by the other boards and not the role of the Select Board.

Selectman Rassias clarified that the Select Board is going to be a co-applicant going forward. Ms. Griffin confirmed that it would be just for the dock permit.

Selectman Rassias asked whether the Select Board should raise concerns over the scale. Vice Chairman Connolly felt that this was for the other boards to review and the Select Board should not make recommendations for changes to the proposal.

Selectman Doherty wanted to point out another example of an organization that has contributed to Town facilities which would be the Howe Library. It is a great example where the Town owns the land but the Howe Trustees own the building and the Town would not have the library facility if the Trustees didn't do the work that they do. The Town couldn't fund it nor provide the amount of resources.

Selectman Christie stated that he has become comfortable that Wilson's Landing is an appropriate place and use. He is comfortable that it is appropriate to have a privately funded dock and barring new information, he sees no policy that would not support this. He does not believe that they are going to overwhelm Wilson's Landing and does not anticipate problems. If there are problems with overwhelming the area, the Town could react to that.

Selectman Doherty was concerned about the impact that the facility would have on the river. The Chieftain is running regattas and crew programs and there is maintenance and if they look at the Chieftain as an example, they have addressed issues there and have shown that it can work.

Judy Reeve, Chair of the Conservation Commission, stated that if the Select Board elects to proceed as a joint applicant for the dock, the role of the Conservation Commission is to protect the natural resources of the Town. They will need to look at the cumulative effect and how it impacts the river. She noted that the Conservation Commission is advisory only and the regulations that they will have to look at include efforts to avoid impacts and how they have addressed minimizing them. As a co-applicant, it is important for the Town and the Select Board to show that they have truly looked at other sites and not just hearsay. This is a small fragile piece of a sandbar and there are a lot of concerns. The Chieftain area has much deeper water and it is a very different site.

Chairman Walsh stated that they would address this issue again at the November 2nd meeting.

Selectman Christie asked how this could be tied down regarding the Chieftain and whose responsibility it will be to approach them. Chairman Walsh felt that the Town has a role in addition to the Friends of Hanover Crew. Chairman Walsh felt that the Board needs to discuss location and scale at the November 2nd meeting. He stated that the other options are to have them continue their relationship with Dartmouth College for a longer period of time or work with the Chieftain. Blair Brooks, President Friends of Hanover Crew, wanted to know how to proceed with the Town to clarify the additional work that they have done for the next two weeks. Chairman Walsh stated that further clarity for the short, medium and long room would be helpful in addition to clarify from Dartmouth as to whether they see different issues between the FOHC and the UVRF.

Chairman Walsh thanked the audience for coming.

**3. DISCUSSION WITH DARTMOUTH CLASS OF 1958 REGARDING
THEIR REQUEST TO DONATE AN ORNAMENTAL STREET CLOCK.**

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Ms. Griffin reported that the Dartmouth Class of '58 approached the Town to know if the Town would be interested in receiving an ornamental street clock that stands approx. 10-12' high placed on Main Street. Ms. Griffin met with Class Treasurer, Andy Thomas, and discussed potential locations on Main Street. The Class was thinking that it could be placed on the corner of Main and Wheelock outside the Hanover Inn. They also discussed the Allen Street intersection or the area of the Nugget Arcade but it would be on public property. Ms. Griffin expressed concerns on behalf of the Town regarding inheriting maintenance costs and discussed the possibilities of other opportunities other than a clock. She spoke with Gersh Abraham, President of the Class of '58 and they are meeting on Thursday and would like input from the Town. Ms. Griffin welcomed ideas from the Board.

Selectman Doherty stated that her initial reaction was that in these economic times, why would they turn down a gift? But it might make sense to consider options that might benefit the Town in a better way. She felt that it was wonderful that the Class of '58 wanted to donate something to the Town. Ms. Griffin stated that she initially thought a representative from the Class would be attending the Board's meeting tonight. She thinks people may enjoy the clock but there may be something more important.

Selectman Christie felt that the clock would be great but the Class should make the decision and the Town would graciously accept the gift. He supports the clock if that is the decision of the Class of '58. Selectman Rassias agreed that this would be nice. Vice Chairman Connolly thought it might help if the Board could come up with some options for the Town.

Bob Norman spoke from the audience and stated that he felt that a street clock would be valuable to the Town but felt that it should be placed further down Main Street and away from Baker Library's clock which is visible at the Inn corner.

Ms. Griffin would speak to the Class representatives and would suggest that they consider setting aside a small fund for future maintenance costs if they were to decide to donate the clock.

4. RECOMMENDATION TO SET A PUBLIC HEARING ON MONDAY, NOVEMBER 2, 2009 TO CONSIDER AND APPROVE AMENDMENT OF ALCOHOL POLICY REGARDING ANNUAL HOWE LIBRARY WINE TASTING.

Ms. Griffin gave the audience an overview of the issue regarding amending the alcohol policy to allow for the Howe Library's annual wine tasting. The building is owned by the Howe Corporation but the land is owned by the Town. Ordinance #32 will be reviewed on November 2nd.

Selectman Rassias MOVED to set a public hearing on Monday, November 2, 2009 to consider and approve an amendment of the Alcohol Policy regarding the Annual Howe Library Wine Tasting. Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO SET A PUBLIC HEARING ON MONDAY, NOVEMBER 2, 2009 TO CONSIDER AND APPROVE AN AMENDMENT

OF THE ALCOHOL POLICY REGARDING THE ANNUAL HOWE LIBRARY WINE TASTING.

5. FINAL DISCUSSION REGARDING PREPARATION FOR SPECIAL TOWN MEETING ON OCTOBER 27, 2009.

Vice Chairman Connolly reported that there will be a Special Town Meeting next week for the Municipalization of the Hanover Water Works Company.

Ms. Griffin wanted to review logistics for Town Meeting. If Town Meeting allows for all day voting the next day, the polls will be held in the HHS hallway near the Athletic Department. The final mailing has been done to all Hanover Voters last Friday. There will be transaction ads to remind people of the Town Meeting. Ms. Griffin pointed out that the Secretary of State and Attorney General's office felt that what the Town is trying to do with regard to voting at Town Meeting to extend the vote the following day, is legal.

Selectman Christie stated that the first motion they are hoping for is to have a motion to have all day voting the following day. The way the Warrant Articles line up, Article Three will generate the most discussion but Town Meeting has to take action on the first two Articles. It is the Moderator's intention to ask Town Meeting to read the first Warrant Article, discuss it and then move the question but not vote on it until after Article Three has been discussed. If approved, Town Meeting would vote for all three Articles at the end of the meeting. Selectman Christie stated that the Moderator will allow some interaction but there is formality at Town Meeting. There will be a presentation and discussion broken down into two parts.

Selectman Doherty asked whether the Town has ever extended all day voting after Town Meeting. Ms. Griffin advised that the School District has but the Town has not. Bob Norman stated that the Greenways vote was continued for voting but not for the next day. Selectman Doherty asked if there could be e-mails through the schools to make sure people are aware that the vote is extended if this is approved at Town Meeting. She noted that people expressed distress over having to get babysitters for Town Meeting in order to vote and the complications that surround a nighttime vote.

Ms. Griffin stated that she could work through the schools and the Recreation Department to give notice to residents. There will also be an announcement on the Town website and she's certain it will be in the Valley News the next morning.

Judy Reeve felt that there were a lot of residents that do not have children in school and she suggested using the reverse calling system from the police department. Ms. Griffin stated that she could speak to Doug Hackett at Hanover Police Department to see about using Code Red which is a reverse calling system.

Vice Chairman Connolly noted that if the all day voting is voted down, they can still keep the polls open for one hour after the conclusion of discussion. Ms. Griffin noted that Town Meeting could vote to extend the voting for a few more hours after the discussion.

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Doug McIlroy asked how people would know what they are voting on the next day if Town Meeting amends the Warrant Articles. Vice Chairman Connolly didn't think that the Warrant Articles can be amended.

Bob Norman stated that he believes the law requires amendments to the vote be considered in advance. Ms. Griffin stated that they are waiting for a legal opinion on whether the Articles could be amended and whether it requires a posting the next day at the polls.

6. APPOINTMENTS:

- Ballot Clerks
- Asst. Moderators

Selectman Doherty MOVED to appoint Becky LaHaye, Chris Kennedy, Hannah Kennedy, Jonathan Edwards, Joyce Noll, Laura-Beth Goodman, Susan Cohen and Walter Noll as the Ballot Clerks for the Special Town Meeting. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT THE BALLOT CLERKS.

Selectman Rassias MOVED to appoint Dennis Goodman, Joanna Whitcomb and John LaHaye as Assistant Moderators. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT THE ASSISTANT MODERATORS.

Selectman Doherty MOVED to appoint Joyce Noll, Nina Banwell, Elizabeth Crory and Joerg Menzel as Assistant Moderators for Wednesday, October 28, 2009. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT THE ASSISTANT MODERATORS FOR WEDNESDAY, OCTOBER 28, 2009.

7. APPROVAL OF MINUTES:

- September 23 & 28, 2009
- October 12, 2009

Selectman Doherty MOVED to APPROVE the Minutes of September 23, 2009. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED AND 1 ABSTAINED TO APPROVE THE MINUTES OF SEPTEMBER 23, 2009. (Chairman Walsh abstained from the vote.)

Vice Chairman Connolly MOVED to APPROVE the Minutes of September 28, 2009. Selectman Doherty SECONDED the motion.

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THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF SEPTEMBER 28, 2009.

Vice Chairman Connolly had one change to the Minutes of October 12.

Selectman Rassias MOVED to APPROVE the Minutes of October 12, 2009 as amended. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED 3 IN FAVOR, 0 OPPOSED, 2 ABSTAINED TO APPROVE THE MINUTES OF OCTOBER 12, 2009.

8. ADMINISTRATIVE REPORTS.

Ms. Griffin noted that the news is changing daily regarding H1N1. It is unclear when the vaccine will be distributed and where. The initial proposal was to have one of the Point of Distribution (POD) sites in Hanover but now it appears they will use a closed elementary school in Lebanon sometime in November. People throughout the Upper Valley will be directed to that area. There may not be enough of a supply to coordinate with numerous POD sites. The Dresden School District will do vaccinations within the school. The Ray School has decided not to do H1N1 vaccinations and are directing residents to see their Primary Care Physicians (PCP). The Schools will get help from the Hanover Paramedics and EMT Intermediates as vaccinators.

9. SELECTMEN'S REPORTS.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board has continued to work on the residential project. She reported that they will be doing a tour of the Goose Pond area on Wednesday.

Athos Rassias

Selectman Rassias reported that the Conservation Commission met last week. Work was done to revise the policy regarding clearing public lands for private purposes for example, removing trees on Town land, how it is evaluated, how it is approved or not approved which is done mostly for view enhancement but there were other circumstances brought up as well.

Selectman Rassias reported that there was significant discussion on the Water Works Company.

Selectman Rassias also reported that the Bike & Pedestrian Committee coordinated a big event where New Hampshire Department of Transportation officials were invited to look at bike & pedestrian opportunities in conjunction with NH DOT projects on State highways.

Judy Doherty

Selectman Doherty reported that the Howe Library held their Annual Meeting. They voted in new members and Mary White did a wonderful job providing the annual report. Ann Bradley updated the Board about the work being done on the HVAC system and they feel good about how the negotiations are going.

Selectman Doherty reported that the Affordable Housing Commission met last Wednesday and are working on their By-Laws. The Commission is under State management and Chairman Bob Strauss is doing a great job making sure paperwork is in place. Selectman Doherty also reported that Mike Ryan, Assessor, gave a report to the Housing Commission on the tax rates for the Gile properties. The Commission felt very good about the Town support so a different tax rate is being applied to affordable housing.

Peter Christie

Selectman Christie reported that Kristi Fenner has been appointed to the Finance Committee. He noted that she has two children in school; she's a CPA and a financial executive that has worked in the area for over 15 years.

Selectman Christie reported that Jay Pierson did the Municipalization presentation at Kendal last Monday night. Selectman Christie did a presentation at Rotary and there will be another one at Dartmouth this Thursday. Selectman Christie noted that they are trying to get the word out and encourage people to go vote. Selectman Christie stated that the Task Force has agreed to work toward assuring people concerned about the Trescott Board making decisions that are not in the best interest for the Town; they will add to the By-Laws that any actions that would be required to come before Town Meeting would require a stockholder vote on issues such as sale of land, leasing of land, mortgaging of land rather than just Director approval.

Ms. Doherty noted that this issue was raised again at the meeting last week and she is pleased it was addressed.

Selectman Christie wanted to discuss the Board's approach to possible amendments at Town Meeting. It is clear that the first two Articles can not be amended but the third one could. His sense is that any amendments could be dangerous. Somehow he is hoping to encourage people to offer improvements to the underlying documents which would be finalized over many months and noted that there is still time to make improvements to these documents. He wanted to discuss how the Board will manage this at the meeting.

Chairman Walsh stated that for a three party agreement, they need to state that by amending it, it could run the risk of it dying and vote it up or down as it is. This is not an unreasonable thing to ask. Ms. Griffin noted that the Special Town Meeting vote is only the next step and there are three additional steps required after the vote. The additional documents need to be addressed in public hearings. The Board needs to hold at least one public hearing if not more by the spring once subdivision is approved and the special legislation.

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Selectman Christie suggested making Town Meeting aware of possible consequences of the risks in accepting any amendments because the commitments may not be possible to fulfill. Chairman Walsh felt that it would be useful to state this upfront.

Ms. Griffin noted that the Town's Attorney, Walter Mitchell, will be at the meeting. Vice Chairman Connolly felt this would be helpful to reassure residents that the By-Laws will protect the Town's interests. Selectman Christie noted that the proposed changes to the By-Laws regarding the stockholder vote (Town Meeting vote) should address those issues.

Selectman Doherty noted that there were concerns about changes to the By-Laws and it wasn't clear if the Board could just make its own changes to the By-Laws. Selectman Christie stated that part of the issue is that people want this to be a public company but it is a private entity.

Selectman Doherty pointed out the concerns from the residents that if the Town modifies the By-Laws to require that things need to come before the Town Meeting for a vote; will the corporation be able to change their own By-Laws? She just wanted to point this out as an area that will continue to draw concern.

The Board discussed coverage for the voting and the presentation of the Articles. Chairman Walsh will present the Articles and Selectman Christie will provide explanation. Ms. Griffin noted that they are working on an outline to make sure that the process is absolutely correct.

10. OTHER BUSINESS.

There was no Other Business reported.

11. ADJOURNMENT.

Selectman Christie MOVED to adjourn the meeting. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:06 P.M.

Respectfully Submitted,

Judith A. Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn

SUMMARY

1. **Selectman Rassias MOVED to set a public hearing on Monday, November 2, 2009 to consider and approve an amendment of the Alcohol Policy regarding the Annual Howe Library Wine Tasting. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO SET A PUBLIC HEARING ON MONDAY, NOVEMBER 2, 2009 TO CONSIDER AND APPROVE AN AMENDMENT OF THE ALCOHOL POLICY REGARDING THE ANNUAL HOWE LIBRARY WINE TASTING.

2. **Selectman Doherty MOVED to appoint Becky LaHaye, Chris Kennedy, Hannah Kennedy, Jonathan Edwards, Joyce Noll, Laura-Beth Goodman, Susan Cohen and Walter Noll as the Ballot Clerks for the Special Town Meeting. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT THE BALLOT CLERKS.

3. **Selectman Rassias MOVED to appoint Dennis Goodman, Joanna Whitcomb and John LaHaye as Assistant Moderators. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT THE ASSISTANT MODERATORS.

4. **Selectman Doherty MOVED to appoint Joyce Noll, Nina Banwell, Elizabeth Crory and Joerg Menzel as Assistant Moderators for Wednesday, October 28, 2009. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT THE ASSISTANT MODERATORS FOR WEDNESDAY, OCTOBER 28, 2009.

5. **Selectman Doherty MOVED to APPROVE the Minutes of September 23, 2009. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED AND 1 ABSTAINED TO APPROVE THE MINUTES OF SEPTEMBER 23, 2009. (Chairman Walsh abstained from the vote.)

6. **Vice Chairman Connolly MOVED to APPROVE the Minutes of September 28, 2009. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF SEPTEMBER 28, 2009.

7. **Selectman Rassias MOVED to APPROVE the Minutes of October 12, 2009 as amended. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED 3 IN FAVOR, 0 OPPOSED, 2 ABSTAINED TO APPROVE THE MINUTES OF OCTOBER 12, 2009.

8. **Selectman Christie MOVED to adjourn the meeting. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:06 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

October 12, 2009

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 Vice Chairman Peter Christie. Present were: Katherine Connolly, Vice Chairman; Athos Rassias, Selectman; and Judith Doherty, Selectman. Absent: Brian Walsh, Chairman; Peter Christie, Selectman; and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

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

2. PUBLIC HEARING TO CONSIDER AND APPROVE THE PROPOSED ISSUANCE OF \$9,120,916 IN BONDS OR NOTES FOR ASSUMPTION OF DEBT OBLIGATIONS CURRENTLY HELD BY THE HANOVER WATER WORKS COMPANY.

Vice Chairman Connolly opened the Public Hearing. She noted that the Board is required to have a public hearing on the debt in order to comply with State of New Hampshire law.

Vice Chairman Connolly read Article One:

ARTICLE ONE: To see if the Town will vote to raise and appropriate the sum of \$8,570,916 through the incurrence of indebtedness in accordance with the provisions of the New Hampshire Municipal Finance Act, RSA 33 by the Town's assumption of the two existing loans originally made to the Hanover Water Works Company through the New Hampshire Department of Environmental Services Drinking Water State Revolving Loan Fund (NH DES DWSRF), which assumption has been consented to by NH DES DWSRF; and to take all action as may be necessary to carry out the purpose of this vote. Although this debt will be a general obligation of the Town, it is intended and expected that funding for the debt service associated with these loans will be paid exclusively by water rates collected from users of the water utility. A two-thirds ballot vote is required.

Betsy McClain, Finance Director, stated that the first two Warrant Articles, which will be considered at the Special Town Meeting on Tuesday, October 27, 2009 at the Hanover High School gym, have to do with the assumption of certain debt incurred by the Hanover Water Works Company. If the Municipalization goes forward, the Town would assume those debts. State Law is very specific when it comes to the Town borrowing money and any Warrant Article dealing with debt must appear first on the Warrant. This requirement is why the Article dealing with the approval of Municipalization does not appear first.

Judy Reeve asked about the process and whether the Town gets to vote on the debt. Vice Chairman Connolly stated that the Board has to discuss the Articles in public session in order to bring them before Town Meeting; residents then have an opportunity to vote on the Articles.

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Ms. McClain noted that the Articles relating to debt have to pass by a 2/3rds vote at Town Meeting.

Martha Solow asked why only the ratepayers would be assuming the debt of this bond. Vice Chairman Connolly stated that like the Wastewater Treatment Plant, only the users pay for the service unlike General Fund services such as Fire and Police. Ms. McClain stated that the debt service to pay down this debt is already built in to the existing water rates.

Selectman Doherty MOVED to support Article One. Selectman Rassias SECONDED the motion. THE BOARD VOTED 3 IN FAVOR OF SUPPORTING ARTICLE ONE.

Vice Chairman Connolly read through Article Two:

ARTICLE TWO: To see if the Town will vote to raise and appropriate the sum of \$550,000 relating to the Town's assumption of an existing debt obligation of the Hanover Water Works Company currently held by Citizens Bank; and to authorize the Town to refinance this debt (and any related prepayment fees) through the issuance of not more than \$550,000 of bonds and notes in accordance with the provisions of the New Hampshire Municipal Finance Act, RSA 33; and to determine the rate of interest thereon as shall be in the best interest of the Town; and to take all action as may be necessary to carry out the purpose of this vote. Although this debt will be a general obligation of the Town, it is intended and expected that funding for the debt service associated with this loan will be paid exclusively by water rates collected from users of the water utility. A two-thirds ballot vote is required.

Ms. McClain stated that this loan is a commercial loan made by a local lending bank so the Town would be looking at restructuring this debt vs. stepping into the shoes of the Hanover Water Works Company as the Town will do for the NH DES DWSRF loans. Vice Chairman Connolly stated that the original loan was for a disinfection system that is no longer in use. Ms. McClain added that this loan was refinanced in 2005 and there were other assets purchased many years ago with the original loan that are still in service.

Ms. McClain gave an overview of the proposed Municipalization of the water utility for the benefit of the Hanover High School students that were present in the audience.

Chloe Brisson asked if the Town accepts the responsibility for the debt, would the Town be paying off the debt. Ms. McClain stated that the Water Company users currently pay water rates that include the principal and interest on the debt that is being discussed. She further explained that if the Municipalization went through, the Town would be sending out the bills to the users of the water utility and part of this money collected would be used to pay off the debt.

Martha Solow asked about procedure about Town Meeting and whether amendments are going to be accepted for any Articles. Vice Chairman Connolly stated that the Articles are based upon an agreement and would pass or fail as written.

Selectman Doherty MOVED to support Article Two. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 3 IN FAVOR TO SUPPORT ARTICLE TWO.

Barbara McIlroy had a question about the By-Laws in the Articles of Incorporation. With regard to the 775 shares, who will do the voting for the Town? Vice Chairman Connolly stated that it would be the representatives to the Trescott Corporation. Ms. McIlroy expressed concern that the Directors would be the ones to vote the Hanover shares and would have the power to change the By-Laws. This is a corporation that will not make their Minutes public which will be able to make changes to the By-Laws; Ms. McIlroy was seeking clarification on where the Town's interest lies in making decisions. Vice Chairman Connolly stated that the interest would be equal shares in the company which the Town currently does not have. Ms. McIlroy stated that it appears that the new corporation would be able to sell land. Vice Chairman Connolly stated that the corporation would have to go through a number of Town Meetings. Ms. McIlroy stated that this is not stated anywhere in the By-Laws and she would like to know who votes the shares. Vice Chairman Connolly stated that the Trescott Corporation would need to work through the Select Board and any changes regarding Town land would have to come through Town Meeting. Ms. McIlroy would like to know when the residents of the Town would know when an issue regarding use would come up. Vice Chairman Connolly stated that she could not answer questions regarding the By-Laws absolutely but would ask that Ms. McClain pass along the questions to those who could.

Ms. McIlroy also wanted to know whether monies obtained by the new corporation by selling off land would be considered public funds. Vice Chairman Connolly noted that only Town Meeting would allow for the purchase or sale of land.

Vice Chairman Connolly closed the public hearing.

3. OTHER BUSINESS.

There was no Other Business reported.

4. ADJOURNMENT.

Selectman Rassias MOVED to adjourn the meeting. Selectman Doherty SECONDED the motion.

THE BOARD VOTED 3 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING AT 7:50 P.M.

Respectfully Submitted,

Judith Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Selectman Doherty MOVED to support Article One. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 3 IN FAVOR OF SUPPORTING ARTICLE ONE.

2. **Selectman Doherty MOVED to support Article Two. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 3 IN FAVOR TO SUPPORT ARTICLE TWO.

3. **Selectman Rassias MOVED to adjourn the meeting. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED 3 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING AT 7:50 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

September 28, 2009

7:30 P.M. – TRUMBULL HALL – ETNA, NH

The meeting of the Board of Selectmen was called to order at 7:30 p.m. by Chairman Brian Walsh. Present were: Brian Walsh, Chairman, Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

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

2. PRESENTATION BY NHMBB (New Hampshire Municipal Bond Bank) REGARDING PARKING BOND REFINANCING.

Chairman Walsh announced that the Town is about to receive refunding from the Bond Bank for some bonds that were sold to finance the Parking Garage about 10 years ago. Chairman Walsh invited Sheila St. Germain (Executive Director of the NHMBB) to speak to the Board.

Sheila St. Germain introduced herself to the Board. She reported that the Municipal Bond Bank pools all of the needs of the towns together to sell larger bond issues so that towns don't have to go into the market on their own. The Bank operates independently from the State but they provide a State service to the towns, schools, village districts, precincts, counties and any governmental unit in the State are eligible to participate in their programs.

Ms. St. Germain stated that in 1999 they issued a fairly large bond to the Town and due to great market conditions; the Bank is able to refund \$83,604 to the Town of Hanover. Ms. St. Germain presented the check to Chairman Brian Walsh who in turn handed it to the Town's chief financial official, Betsy McClain for safekeeping.

Chairman Walsh thanked Ms. St. Germain for coming all the way from Concord to present the check to the Board.

3. PRE SPECIAL TOWN MEETING PUBLIC HEARING TO REVIEW AND APPROVE THE PROPOSED WARRANT AND BUDGET FOR OCTOBER 27, 2009 SPECIAL TOWN MEETING.

Chairman Walsh opened the public hearing to review the proposed warrant and budget for the October 27, 2009 Special Town Meeting in addition to opening the 2nd Public Informational Meeting for the Municipalization of the Hanover Water Works Company to be discussed at the same time.

4. 2ND PUBLIC INFORMATIONAL MEETING FOR MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY.

Chairman Walsh opened the 2nd Public Informational Meeting for Municipalization of the Hanover Water Works Company.

Chairman Walsh wanted to be able to answer questions relative to the Municipalization proposal. Chairman Walsh noted that a lot of work had been done since the last meeting held in Etna so they wanted to present the information and address any questions.

Selectman Christie reported that the Select Board was authorized by Town Meeting to pursue Municipalization and to call a Special Town Meeting. The members of the Task Force are Bob Donin (General Counsel, Dartmouth College), Paul Olsen (Director Real Estate Office) and Peter Glenshaw (Director of Community Relations) and representing the Town was Peter Christie, Julia Griffin and Jay Pierson (former Selectman and current President of the Water Company).

Selectman Christie advised that the feedback that he received was that this issue is very complicated. He feels that the concept of what the Town is trying to accomplish is not complicated. Selectman Christie noted that some of the terms and conditions in the agreement are complicated but the general concept is pretty straightforward.

Selectman Christie made a slide presentation to the audience with the following points:

Why Municipalization?

- ❖ Water is currently supplied by the Hanover Water Works Company (HWWCo) – the proposal would change the supplier to the Town of Hanover.
- ❖ Rates are currently set by the Public Utilities Commission (PUC). The proposal would change this to the Board of Selectmen.
- ❖ Operations Managed by Hanover Town Staff – this would remain the same.
- ❖ HWWCo is owned by the Town (47.2%) and Dartmouth (52.7%). The proposal would change the ownership to 50.0% each.

Selectman Christie noted that the Public Utilities Commission (PUC) oversees private companies but they do not oversee municipal services. By getting out from under the PUC this proposal to Municipalize will save a lot of money. The operations of the Water Company is not going to change. Hanover has been operating this utility for over 10 years. This means that the Town does not expect any surprises. By getting out from under the PUC, the savings are going to amount to approximately \$100,000/year on a \$2 million budget. He also noted that being subject to the PUC; the Water Company is not able to establish Capital Reserves. With Municipalization, the Company would be able to bond if needed which the Water Company is

unable to do currently. The rates are going to stay the same and the savings will be put toward Capital Reserves. Selectman Christie reported that the Hanover Finance Committee reviewed all financial aspects to this proposal and voted unanimously in favor of supporting Municipalization.

Rich Howarth, Sausville Road, asked about the \$2 million budget and wanted to know how much of it operations and maintenance versus repaying capital investments or debt service. Ms. Griffin noted that there was around \$800,000 in debt service.

Selectman Christie continued with his slide presentation:

Key Provisions of Municipalization

- ❖ Town to acquire operating assets and some land for \$1.00
 - Reservoirs and dams
 - Filtration plant
 - Water storage tanks
 - Distribution system
 - Land under hard assets and 250 feet around reservoirs
- ❖ Town to assume bond debt associated with these assets.
- ❖ Town to assume the financial assets and liabilities of the HWWCo.
- ❖ Town to establish a separate enterprise fund similar to the Water Reclamation Fund.
- ❖ HWWCo to become purely a land holding company.
- ❖ Town ownership will increase to 50%.

Selectman Christie reviewed maps of the area with the audience. He noted that Reservoir 3 does not have much land left beyond 250' surrounding that area so the Water Company would own all of the land which is around 1,300 acres.

Selectman Christie noted that the Town is not purchasing the Water Company. They are looking at purchasing specific assets and liabilities. Selectman Christie pointed out that the Town would be assuming the bond debt of over \$9 million. The Town will assume the accounts payable, accounts receivable, severance liabilities, and retirement liabilities but they are very specific and the Town knows exactly what they are. The Town will establish a separate Enterprise Fund where all costs associated with the Company will be attributed to the Enterprise Fund and the rates will be set. The Water Company will become a landholding company under a new name called Trescott Company.

Ed Chamberlain asked why the Town would want the watershed lands held in a separate organization from the actual Water Company. He was concerned that he heard that the lands may be threatened by a legal action at some point in the future.

Selectman Christie clarified that there were concerns at Town Meeting and the informational meetings that were held in the spring regarding separating the reservoirs from the watershed. The Task Force went into discussions to see if they could not separate the two but they found out that they needed to separate the two because the dams and reservoirs will require maintenance and that needs to be done by the Town. The dams and reservoirs need to be insured which they can insure them better as a municipal entity. They needed to separate the reservoirs and the surrounding land from the 1200+ acres that will remain with the Trescott Company. This will allow the Town to run and operate the facility and insure them.

Ms. Griffin stated that the Town could also get a better rate of return on a bond if they had to do repairs and they would have sufficient collateral to borrow if, for example, repairs were needed at the dam.

Selectman Christie went on with his slide presentation:

Other Impacts

- ❖ No impact on current water rates – savings applied to capital reserves.
- ❖ Favorable impact on future rates due to reserve funds and access to lower cost borrowing.
- ❖ No impact on General Fund.

Selectman Christie reported that currently the Water Company pays around \$280,000 in taxes to the Town and the School due to the hard assets. He noted that when the hard assets are owned by the Town they would no longer subject to taxes and the General Fund would be out \$280,000. To avoid a shortfall, the Town will be asking for legislation to allow the money to be paid to the Town from the Enterprise Fund.

Kari Asmus noted that she went through all of the information available on-line and was wondering if there was a way to point out that the Municipalization is contingent on the legislation being passed.

Ms. Griffin stated that the assumption is that the Town will not execute the documents if the legislation does not pass. Ms. Asmus felt that this should be included in the Warrant so it is understood and she did not see it included in the material. Chairman Walsh stated that he thought it was included in the Frequently Asked Questions document which is a commitment from the Select Board to the residents of the Town.

Kari Asmus wanted to see whether the Board would agree to adding this to the Warrant. Mr. Howarth asked why the Select Board would have issue with adding this wording to the Warrant. Chairman Walsh stated that the Board may not have an issue with adding the wording but the Secretary of the State or the Attorney General may have an issue with the wording.

Mr. Howarth noted that the Town would be asking for approval for something that is subject to a set of rules that do not exist.

Ms. Griffin stated that they can discuss adding wording to Article 3. Ms. Griffin stated that she did not think they could add wording to Article 1 and 2.

Bob Donin pointed out that in Section 8.2.7 the wording for the legislation is referenced as an attachment to the purchase agreement, the draft of the legislation.

Ms. Griffin read the Section: “The Buyer shall have received confirmation of the passage and enactment of certain special legislation in substantially the form attached as Exhibit 8.2.7 allowing Hanover to make payments in lieu of property taxes from the water funds into the General Fund.”

Mr. Howarth felt that they should stipulate the vote on this issue.

Harold Frost asked about the amount of \$280,000 not being subject to inflation. Ms. Griffin stated that the amount is not forever frozen; the amount is to be whatever the Water Company charges for its current rates.

Kari Asmus attended the meeting last week and her concerns were that DRA has the same interpretation as the intent of the legislation. She wanted to know if there had been any conversations with the DRA.

Ms. Griffin stated that the DRA does not want to review it until Legislative Services has had a chance to look at it. The Town’s goal is to make sure that they understand the intent.

Hillary Pridgen, the tax contribution does not include the contribution for the reservoir segment or is it the aggregate contribution for all of the Water Company land. Selectman Christie responded that the \$280,000 is a round number. The biggest piece is the hard assets so whatever the hard assets carry for a tax burden will be carried over from the Enterprise Fund to pay the property taxes.

Selectman Christie continued with his presentation:

Liabilities the Town will be Assuming

- ❖ Financial
- ❖ Insurable
- ❖ Environmental

Selectman Christie stated that the financial liabilities are the bond debt, accounts payable, things that are on the balance sheet. The insurable liabilities, dam failures, accidents, worker’s compensation, etc. and the Town will take this on and benefit from better insurance rates. The

environmental liabilities are non-insurable but the Water Company has owned this land for over 100 years and the odds are very low that they will discover a toxic waste site on the property.

Kari Asmus asked whether the Town will be assuming the liabilities or the Enterprise Fund. Selectman Christie stated that the Town will be assuming them but the Enterprise Fund will be paying for it. Ms. Griffin stated that this is going to be handled similarly to the way that the Water Reclamation Facility handles its liabilities.

Hillary Pridgen stated that these liabilities are supposed to be quantifiable, yet the environmental liabilities are not. Would the Town be responsible for these liabilities going forward?

Selectman Christie stated that the financial liabilities are known liabilities such as how much the insurance is going to cost, etc. but there is no way to buy insurance on the land that the Town would be acquiring and the Town will be assuming any environmental liabilities. They don't expect any surprises as the Company has been around for over 100 years.

David Vincelette stated that he has serious doubts about this project. He questioned the Town's commitment to keep the watersheds free of contaminants. In 2003, he filed a complaint with Judith Brotman about the Town's use of waste roadside fill on the bank of Mink Brook near his property on Old Dana Road. At that time, he didn't know that the Town had been using waste asphalt as a gravel substitute on many upland roads. Shortly after that time, Hanover obtained a \$35,000 lien against his property on Old Dana Road. In 2005, he learned that Hanover had dumped waste asphalt on his property on Old Dana Road. When he called the police he was referred to Public Works where he learned that this was part of a recycling project overseen by Peter Kulbacki to save money. He complained to Town Offices and then to the DES and local news outlets. The Town Manager told the Valley News that the only reason for his complaint was the pending litigation that he had with the Town. That litigation is ended and he has been completely exonerated and the lien was removed. Despite his warnings, 100s of tons of waste entered the town's waters in direct contradiction to the Master Plan to protect and preserve the Town's natural resources. The Town did not see the pollution as a big deal. He was told by the Department of Environmental Services that they requested that the Town refrain from using this material along embankments and roads but Julia Griffin sent him a letter stating that the Town had no plans to change their use practices and that this was a legal material. He doesn't know if the Water Company has used this material on their property. He settled in Hanover due to the quality of the water, he has brought forth other environmental concerns for other projects in Town. He felt that the Town Manager slandered him in 2005 when she said that he was only complaining because the Town was suing him. He graduated with a degree in Water Law from Vermont Law School in 1996. He wanted to know if the two entities planned on using waste asphalt in these areas and if not, why not.

Ms. Griffin stated that the Town does not use waste asphalt on Water Company land. They use recycled asphalt on the Town's roads but the Water Company land is not open for public use. Ms. Griffin clarified that they use recycled asphalt throughout Town to stabilize them. Mr. Vincelette asked where the material comes from and whether some of it is from Dartmouth College. Ms. Griffin stated that they receive material from the College and others who are not

Hanover based. It's not unusual for contractors to bring asphalt where it gets crushed and reused on the rural roads. Mr. Vincelette clarified that this material would be used on public roads where it could be washed into water ways. Ms. Griffin stated that it is and that NH DES has approved the process the Town uses to do this. Mr. Vincelette stated that he has a letter stating that the Town is not to do this but he wanted it on public record. Ms. Griffin stated that the Town is doing this will full approval of DES and the Board has been over this issue in public meetings but they will not be using it on the Water Company land. Mr. Vincelette wanted to know whether any of this material will be used on roads upstream from the reservoirs. Ms. Griffin stated that it is used on roads throughout the Town including upstream.

Selectman Christie continued with his presentation:

Lands and Reservoirs

- ❖ Towns to own reservoirs; 250 ft setback around reservoirs and dams
- ❖ HWWCo to continue to own roughly 1.164% (~80%) of the approximate 1,440 acres currently owned by HWWCo.
- ❖ No change in:
 - Zoning
 - Local, State and Federal protection of land

Selectman Christie stated that they had heard the desire for the Town to own 100% of the land but this would create a roadblock in going forward so they did not link the two in their discussions with the College. If in the future, the land is not needed as water protection land; there would be community discussion about what the Town should do. Any proposals would require a Town Meeting vote but the Town is only 50% owner.

Anne Morris reviewed the documents and wondered if there was a purpose or mission statement of policy or guidance to the Trescott Company of what their guiding principles would be. Selectman Christie asked Bob Donin to respond.

Bob Donin read the third section of the Amended and Restated Articles of Incorporation under Purposes:

“The purposes of the Company are to hold certain lands within the Town of Hanover, New Hampshire, a portion of which is within the watershed of the three reservoirs that supply the Town of Hanover with water for drinking, domestic, fire and other purposes; to regulate and manage the use of such watershed land; and to protect and promote the sustainable growth and management of the forest on said lands for timber production.

In conducting its activities, the Company shall comply with all applicable federal, state and local laws and regulations pertaining to water quality and watershed protection, as the same may be amended from time to time.”

Mr. Donin felt that this was a clear statement of the purpose. There was a suggestion at the last hearing to make it clear that the purpose of the land company is to manage the land for the protection for the water supply function of the reservoirs. Although they felt that this was covered in the Purpose section that was just read, they do not have a problem with adding the additional language.

Ms. Griffin stated that Doug McIlroy's addition was to add "regulated and managed so as to preserve the water supply function."

Mr. Howarth asked whether there was a meeting in between the last Board Meeting and this Board Meeting to revise text. Selectman Christie stated that the work was done by the Task Force and they incorporated information from the public meetings. Mr. Howarth pointed out that the meeting was not noticed. Selectman Christie stated that none of the meetings for the Task Force were noticed. Mr. Howarth wanted to confirm that the Board of Selectmen did not feel that the Task Force was subject to the Public Meetings Law. Ms. Griffin stated that this issue has been brought up and there is a negotiating team with representatives from the College. These are meetings of members of the private company. Mr. Howarth felt that the School District has a different interpretation of the law from the Town.

Martha Solow asked Mr. Donin about the Statement of Purpose that was read. The purpose discusses protecting a portion of the land and she questioned which portion of the land was excluded.

Mr. Donin responded by reading the purpose statement again. There is some property within the boundary not owned by the Company. Peter Kulbacki referred to a map and showed some areas that don't flow into the watershed.

Ms. Griffin pointed out that all of the land around Reservoir 3 is in the watershed. Ms. Griffin stated that she have the map added to the website to show the area.

David Cioffi, Etna, had concerns about future use of the land and wanted to know if agriculture was prohibited from the land. Selectman Christie stated that this land is designated as forestry. Vice Chairman Connolly stated that agriculture would be an allowed use in the forestry zone but fertilizers would be prohibited in that area. Peter Kulbacki stated that the land that could be used for agriculture is rocky and not conducive to it. He is more concerned about the possibility of other contaminants being used in the area.

Kim Perez wanted to continue to discuss the Public Meeting Law issues. She is not sure what the requirements are when there is committee comprised of private company members and those appointed by the Board of Selectmen. The bigger concern is that this will be a company that is 50% owned by the Town and felt that their meetings should be subject to the Public Meetings Law. She wanted to know if there could be a requirement written into the By-Laws regarding requirement for the public to be allowed to attend.

Selectman Christie stated that the Town and the College will each have 3 representatives on the Board and that the Trescott Company will have an annual meeting that will be posted and open to the public.

Bob Donin read from the proposed By-Laws, Section 2.1:

Section 2.1 Annual Meeting. The annual meeting of the shareholders shall be held on the date fixed by the Board of Directors between July 1 and September 30 each year, at the hour of 7 o'clock, p.m. in the Town of Hanover, New Hampshire. Members of the public may attend the corporation's annual meeting of shareholders, and the corporation shall provide public notice of such meeting, together with information on the time and place of such meeting, in a newspaper of general circulation within Hanover, New Hampshire, not fewer than ten (10) nor more than sixty (60) days prior to the date of the annual meeting of shareholders. The annual meeting shall include the following business: (a) election of directors; (b) president's report on the results of the previous year's operations, including land management practices; (c) president's report on plans for the forthcoming year's operations, including land management practices; (d) opportunity for public comment; and (e) such other business as may properly come before the meeting.

Mr. Howarth asked about the procedure to revise or amend the By-Laws and whether this requires a public hearing and approval of the Select Board or whether the Trescott Company Board can do this. His concern surrounds the issue of the relationship of the Town's delegates, how they are charged and whether the Select Board will have a direct voice over the governance or is it leaving it up to the appointed members. Mr. Howarth stated that his question is regarding the legality and not the politics.

Mr. Donin stated that the Board of Directors can amend the By-Laws. Mr. Howarth asked whether there could be wording to show that any changes would need to come before a public hearing.

Martha Solow looked for a copy of the By-Laws and was unable to find them. She was concerned that there were so few members on the Board. A quorum of this Board would be a majority and this gives a lot of power to a small amount of people. She would like the By-Laws made available to the public.

Ms. Griffin thought that the By-Laws are now available in the binders in the library and it's on the website. Hillary Pridgen was unable to open the By-Laws on the website. Ms. Griffin would look into this and offered to e-mail it out to people.

Kari Asmus read from the By-Laws the following statement: "The Board of Directors shall have the powers to adopt, amend or repeal the By-Laws of the company provided however that the Board of Directors may not repeal or amend any By-Law that the shareholders have explicitly provided may not be amended or repealed by the Board of Directors." She asked whether the Town has provided any By-Laws that cannot be amended or repealed and she asked who the shareholders are.

Mr. Donin stated that this is standard language provided by the attorney. The shareholders will be the Town and the College in equal (50/50) stock ownership. He doesn't feel that there is an operative difference in this transaction.

Kari Asmus noted that the committee cannot enter into a Purchase and Sales agreement but she noted that the Town does not own land; it owns shares in the Company. If they did own the land, it would be clear that Town Meeting authority would be needed before they could sell the land. She wondered whether the By-Laws could specifically state that any Purchase and Sale would require Town Meeting.

Selectman Christie stated that they believe that the sale of any land by the Trescott Land Company would have to come before the Board. Kari Asmus wanted to know whether this could be added to the By-Laws. Selectman Christie stated that they would take this under advisement.

Selectman Christie gave an overview of the upcoming hearings:

Required Approvals

- ❖ Special Town Meeting
- ❖ Tuesday, October 27th – 7:00 p.m. – HHS Gym
- ❖ Trustees of Dartmouth College
- ❖ State Legislation – 2010 Legislative Session
- ❖ Town Meeting preceded by information session – Weds Sept 23
- ❖ Pre Special Town Meeting Public Hearing and Information Session Monday, September 28th - 7:30 p.m. Trumbull Hall, Etna
- ❖ Public Hearing on Assumption of Debt – Monday, October 12th - 7:30 Board Room
Town Hall

Selectman Christie stated that it was the desire to have all day voting on this issue. Ms. Griffin stated that the Secretary of State was not sure that they could do this and now they are awaiting the Attorney General's approval regarding the voting process. If the Attorney General's Office says that this is illegal, they obviously can't go forward like that.

Mr. Howarth asked what the timeline is for finalizing all of the documents for approval before the Select Board. Issues have been brought up tonight that would require discussion and possible changes. Selectman Christie stated that they would be voting on this tonight.

Ms. Griffin stated that the documents will be worked on for months and months even after Town Meeting if approved. There is still a lot of work to come after Town Meeting.

Mr. Howarth stated that what they are asking for is approval but the nature of the transaction won't be clear until the issues raised have been addressed. The Town is looking for authority to negotiate a transaction that has some issues.

Selectman Christie stated that there will be a meeting on October 12th to deal with the debt issues.

Ed Chamberlain spoke with the PUC today and noted that the PUC has final say as to whether this proposal is in the public's interest. He doesn't see that issue included in the presentation.

Ms. Griffin stated that the PUC has to ultimately bless the decertification of the Water Company but they will not do this without Town Meeting approval. The Town will submit the paperwork for the decertification of the Company if Town Meeting approves the transaction.

Hillary Pridgen is concerned about the By-Laws for the Trescott Company and what will happen with the land and how it will be protected. Article 3 doesn't state anything specific and she is concerned that it is not being addressed to her satisfaction.

Selectman Christie stated that the objective is to save money by Municipalizing. They are not going to change land management, zoning or the environmental status of the land. They believe that this is a step in the right direction to own 50% rather than 47% of this company.

Martha Solow stated that this needs to be done in the way that's been proposed in order to realize the savings outlined but she is wondering if this would change if the land was also protected. Selectman Christie stated that the savings have nothing to do with land management. Ms. Solow stated that the land is related to watershed management and asked if the land was protected in a certain way, whether it would change the savings. Selectman Christie stated that in previous conversations putting additional conservation easements on the land would have put up a roadblock on the agreement. Ms. Solow asked why the College would not want to protect the land since they are the biggest user.

Mr. Donin stated that all of the work that has gone on over the summer was to further implement the proposal approved by Town Meeting last spring. Nothing at all is happening with the land other than the Town is gaining 50% ownership versus 47% going forward. This was never approached as a land management or land use project. It was about saving money. He feels that the questions raised about the land are reasonable but the College is focusing specifically on the issue of Municipalizing the water issue itself. The College is the largest customer and if economies can be received by Municipalizing, they share in that goal along with all other water fund users.

Kim Perez feels that most of the members of the Town care a lot about land use issues. She doesn't feel that the protection of the land should be separated. Does the Town not have leverage with the College on this issue? It feels as though the College is the player in the bargain that the land use issues should not be brought forward.

Chairman Walsh stated that he made a judgment that the Town was in a better position with regard to the land by owning 50% instead of 47% and that this was enough of a step to move forward. To open a conversation about the use of the land 20+ years from now would be a destructive conversation. Having an even position with the College would be a fundamental veto

and this would strengthen the Town of Hanover's position. This is the proposal on the table and residents have the ability to vote against it. If it is voted down, the Town will not realize any savings and will not have additional ownership.

Bill Baschnagel stated that the Board made the decision and it was not just Chairman Walsh's judgment.

Rich Howarth would like to know if the discussion happened in public session. Ms. Griffin stated that she would provide him with the information by e-mail.

Marjorie Rogalski noted that the voting is set to take place on October 27th and the transfer of the property wouldn't take place until July 2010. The By-Laws would still be worked on between October and July and she asked whether the discussion of those By-Laws would be done in public meetings with meetings being posted and public input allowed.

Ms. Griffin stated that the Board will need to meet in public session and approve them prior to the closing around July 1, 2010. She expects they will need to wait until after PUC approval which may take place sometime after December. They will also need to wait until they have the legislation and then the Planning Board would look at it after the survey of the land. The Board of Selectmen will review the final document in public session with public input.

Barbara McIlroy advised that she looked on the website for the DES letter of deficiency and was told that this would be posted but she was unable to find it. Ms. Griffin will check on this tomorrow. Ms. McIlroy has concerns about the By-Laws and the overall transparency, closed meetings, where the By-Laws can be changed by the Directors without any public knowledge. She feels that it should be included in the Articles of Incorporation allowing the community to be advised of what is going on. She also felt that the Select Board should have input on By-Law changes which would allow for public input.

Kim Perez had concerns about the ownership issue and what the difference is between 47% ownership and 50% ownership when the land is configured differently. What does the Town gain? What can the College do with that land?

Chairman Walsh stated that the land is there to protect the drinking water supply for the users. The expectation is that it will stay that way possibly forever. The land is subject to State, Federal and Local laws. The Town's position doesn't change until something else changes such as the land no longer being needed as a water supply.

Selectman Christie stated that proposals could come forward but the Town would have increased interest in the Company and therefore could better protect their interests.

Martha Solow asked about the "veto" powers of the Board and stated that she didn't see that the Town would have that power with 3 out of 6 members. Selectman Christie stated that you have to have the majority vote and if the vote is 3 to 3, it's a deadlock and nothing happens. Ms. Griffin pointed out that currently, the College has 5 members and the Town has 4.

Mr. Howarth stated that there was an issue on Grasse Road 3 where property was transferred over to the College in exchange for other land transferred to the Town. He is curious as to how that process happened and wondered whether there were any lessons learned. He noted that this did require a zoning change which was approved at Town Meeting.

Ms. Griffin stated that the transaction was subjected to Town Meeting but there was a very clear purpose. It was land that was not in the watershed. She will post the map on the website to show the watershed lines but this was a negotiated transaction that they felt would benefit the community.

Mr. Howarth stated that it proves that the Town and the College can work together to protect the interest of both parties. He felt that Select Board should have the veto power and decisions regarding the Water Company should be ratified and approved by the Select Board. Chairman Walsh stated that the Select Board would provide direction to the 3 appointed Directors regarding how to vote on an issue.

Ed Chamberlain recalled that there were negotiations between the Town, Board of Selectmen and the College over 10 acres at Sachem Village in trade for 100s of acres at Gile Tract in addition to some cash being transferred. He recalled that there was a very emotional Town Meeting about soccer fields and ice hockey rinks and how important they are for the community. Mr. Chamberlain wanted to know what would happen if Dartmouth College decides that they want to build large condominiums on the property and then the Town of Hanover decides it wants more athletic fields. This is not going to be a decision that this Select Board makes, it is going to be a decision that future Select Boards will be faced with. He wanted to know what kind of "horse trading" was going to take place.

Chairman Walsh stated that no one can determine that future. Chairman Walsh stated that the Board has a good record of trying to put in place something that works better for the Town. This is something that would improve the Town's position to control these assets. He stated that the questions are frustrating for him when it seems that people think that the Board of Selectmen are trying to somehow pull something over on the residents. He encouraged residents to vote for it or vote against it and they will move on. He stated that his statement was not an attack on Mr. Chamberlain but relative to all of the questions brought up. Selectman Christie stated that if there was going to be "horse trading" he wanted to be in a better position to handle it.

Martha Solow stated that the questions that have been raised are excellent and should not be viewed as negative and would like to see some of the suggestions included in the wording.

Ms. Griffin stated that one example of how this community works is the Three Party Agreement which allowed for the expansion and building of the schools. She is certain that any issues in the future regarding this property would be scrutinized by the community prior to any vote.

Harold Frost suggested changing the name from Trescott Company to Watershed Protection Corporation which would change the discussion. He felt that there were some strong recommendations in the 50/50 ownership recommendations.

Selectman Christie closed the discussion on the issue and Chairman Walsh moved on to the next item on the agenda.

5. RECOMMENDATION TO SET A PUBLIC HEARING ON MONDAY, OCTOBER 12, 2009 TO CONSIDER AND APPROVE THE PROPOSED ISSUANCE OF \$9,120,916 IN BONDS OR NOTES FOR ASSUMPTION OF DEBT OBLIGATIONS CURRENTLY HELD BY THE HANOVER WATER WORKS COMPANY.

Chairman Walsh read the Warrant for the Special Town Meeting.

TO THE INHABITANTS OF THE TOWN OF HANOVER, NEW HAMPSHIRE, who are qualified to vote in Town affairs:

TAKE NOTICE AND BE WARNED, that the Special Town Meeting of the Town of Hanover, New Hampshire, will be held as follows:

ON TUESDAY, OCTOBER 27, 2009 AT THE GYMNASIUM, HANOVER HIGH SCHOOL, LEBANON STREET, HANOVER, ARTICLES ONE THROUGH THREE WILL BE PRESENTED, DISCUSSED AND ACTED UPON BEGINNING AT 7:00 P.M. AT THE GYMNASIUM, HANOVER HIGH SCHOOL, LEBANON STREET, HANOVER.

ARTICLE ONE: To see if the Town will vote to raise and appropriate the sum of \$8,570,916 through the incurrence of indebtedness in accordance with the provisions of the New Hampshire Municipal Finance Act, RSA 33 by the Town's assumption of the two existing loans originally made to the Hanover Water Works Company through the New Hampshire Department of Environmental Services Drinking Water State Revolving Loan Fund (NH DES DWSRF), which assumption has been consented to by NH DES DWSRF; and to take all action as may be necessary to carry out the purpose of this vote. Although this debt will be a general obligation of the Town, it is intended and expected that funding for the debt service associated with these loans will be paid exclusively by water rates collected from users of the water utility. A two-thirds ballot vote is required.

Ms. Griffin stated that this is transferring debt, not issuing new debt, from the utility portion of the Hanover Water Works Company to the Town's side of the ledger. It has to be stated in that way in order to have the transfer approved. Chairman Walsh noted that this is debt that was incurred on the assets that the Town will buy for \$1.00. Ms. Griffin noted that this was used for recent improvements to the plant. This debt is currently reflected in the water rates and is not going to raise rates.

Kari Asmus asked if this bond was voted on at Town Meeting. Ms. Griffin stated that this bond was not voted on at Town Meeting because it was a private water utility so this was not the subject of a Town bond vote because the Town was not issuing a bond. It had to be approved by the PUC and the recommended rate impact of the borrowing and then after the money was expended, the PUC approved the formal rate change.

Ms. Asmus noted that it is expected that the money would be paid for by the water rate. She is wondering why it doesn't say that it shall be paid by the users. Ms. McClain responded that bond counsel advised against that specific wording because it sounds like a revenue bond and that drives a much higher rate. Chairman Walsh recalled a similar situation with the Parking Garage and the Wastewater Treatment Plant.

Chairman Walsh MOVED to APPROVE ARTICLE ONE: To see if the Town will vote to raise and appropriate the sum of \$8,570,916 through the incurrence of indebtedness in accordance with the provisions of the New Hampshire Municipal Finance Act, RSA 33 by the Town's assumption of the two existing loans originally made to the Hanover Water Works Company through the New Hampshire Department of Environmental Services Drinking Water State Revolving Loan Fund (NH DES DWSRF), which assumption has been consented to by NH DES DWSRF; and to take all action as may be necessary to carry out the purpose of this vote. Although this debt will be a general obligation of the Town, it is intended and expected that funding for the debt service associated with these loans will be paid exclusively by water rates collected from users of the water utility. A two-thirds ballot vote is required. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE ARTICLE ONE.

Chairman Walsh read through Article Two. Ms. Griffin stated that this was a separate loan that the Water Company obtained through Citizens Bank at least 15 or 20 years ago for a disinfection system that is no longer in use.

Chairman Walsh MOVED to APPROVE ARTICLE TWO: To see if the Town will vote to raise and appropriate the sum of \$550,000 relating to the Town's assumption of an existing debt obligation of the Hanover Water Works Company currently held by Citizens Bank; and to authorize the Town to refinance this debt (and any related prepayment fees) through the issuance of not more than \$550,000 of bonds and notes in accordance with the provisions of the New Hampshire Municipal Finance Act, RSA 33; and to determine the rate of interest thereon as shall be in the best interest of the Town; and to take all action as may be necessary to carry out the purpose of this vote. Although this debt will be a general obligation of the Town, it is intended and expected that funding for the debt service associated with this loan will be paid exclusively by water rates collected from users of the water utility. A two-thirds ballot vote is required. Selectman Christie SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE ARTICLE TWO.

Chairman Walsh read through Article Three and noted that there were recommendations to add some language. Ms. Griffin stated that the suggestion was made to add language to imply that the ultimate transaction is dependent upon the passage of special legislation enabling the Water Utility to make a payment in lieu of tax for the hard assets to the Town, School District and County.

Chairman Walsh MOVED to APPROVE ARTICLE THREE: To see if the Town will vote to raise and appropriate \$1.00 for the purchase of the water utility assets owned by the Hanover Water Works Company, to include the water treatment plant, related water storage tanks, pump stations, distribution system, three (3) reservoirs, sufficient land within 250 feet around Reservoirs #1 and #2, all of the land around Reservoir #3 sufficient adjacent land to allow future expansion of the water treatment plant and storage tanks, and any other water utility assets required for the treatment and distribution of water, as allowed by RSA 38:2-a, and which is in the public interest, and to authorize the Board of Selectmen to negotiate and execute all documents required to complete the transaction as proposed. The remainder of the land which will not be transferred to Town ownership as part of this transaction will remain with the Hanover Water Works Company, and the Town's ownership share of that company will increase from the current 47.2% to 50% as part of the approved transaction. All of the related transactions shall occur on or about July 1, 2010. The ultimate transaction is dependent upon the passage of special legislation enabling the Water Utility to make a payment in lieu of tax for the hard assets to the Town, School District and County. Vice Chairman Connolly SECONDED the motion.

Selectman Rassias noted that this is not a 2/3rd vote. Ms. Griffin stated that this would be a simple majority vote.

THE BOARD VOTED UNANIMOUSLY TO APPROVE ARTICLE THREE.

Chairman Walsh MOVED to Approve the Budget MS-6. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BUDGET MS-6.

Vice Chairman Connolly MOVED to Set a Public Hearing on Monday, October 12, 2009 to Consider and Approve the Proposed Issuance of \$9,120,916 in Bonds or Notes for Assumption of Debt Obligations Currently Held by the Hanover Water Works Company. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING ON MONDAY, OCTOBER 12, 2009 TO CONSIDER AND APPROVE THE PROPOSED ISSUANCE OF \$9,120,916 IN BONDS OR NOTES FOR ASSUMPTION OF DEBT OBLIGATIONS CURRENTLY HELD BY THE HANOVER WATER WORKS COMPANY.

6. DISCUSSION REGARDING HOWE LIBRARY ALCOHOL POLICY.

Ms. Griffin noted that the Howe Trustees held a wine tasting fund raiser at the Howe Library and would like to continue holding these events but there were concerns about the Town's ordinance about alcohol on Town property. Ms. Griffin stated that she drafted a suggestion for dealing with this issue. The Howe Corporation owns the building; the Town owns the land underneath the building so her suggestion was to have the following conditions:

1. That the wine tasting remain as an annual event and that it remain as the only event so permitted;
2. That the Trustees seek the permission of the Board if they elect to conduct any other fundraising event in the Library that involves the serving and consumption of alcohol;
3. That the event remain indoors with no portion of it taking place outside the Library, on what is public property.
4. That the Trustees insure that they carry sufficient liability insurance for the event, naming the Town as an additional insured and relieving the Town of any liability related to the event or its situation in the Howe Library.

Ann Bradley addressed the Board and introduced Ann Malenka and Jay Pierson who are both Howe Library Trustees in attendance. She noted that this event was very important to their fundraising efforts.

Vice Chairman Connolly was supportive of these changes. Selectman Doherty agreed that this was the clarification that the Board was looking for and the building itself is not a municipal facility therefore there would be no breach in policy. Chairman Walsh wondered if they should amend the policy so that the two are together so that it doesn't have to be traced back through the Minutes. He suggested a footnote to the policy indicating that the Howe Library is excluded. Ms. Griffin stated that she could incorporate the modification and then it would need to be approved in a public hearing. Selectman Rassias questioned whether they wanted to include all of the conditions onto that policy. Ms. Griffin suggested attaching them as an appendix so that it's not incorporated in the body of the ordinance.

Chairman Walsh MOVED to ask that the Town Manager bring forth an amendment to the Ordinance which enables an annual wine tasting at the Howe Library to include conditions listed in the memorandum. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ASK THAT THE TOWN MANAGER BRING FORTH AN AMENDMENT TO THE ORDINANCE WHICH ENABLES AN ANNUAL WINE TASTING AT THE HOWE LIBRARY TO INCLUDE CONDITIONS LISTED IN THE MEMORANDUM.

7. DISCUSSION REGARDING FIRE DEPARTMENT GIFT.

Ms. Griffin reported that there was a letter from Mr. Goss who was grateful for the Fire Department's response to an emergency and wrote a check for \$1,000. The Board is required to formally accept the funds.

Vice Chairman Connolly MOVED to ACCEPT the donation of \$1,000 from Clayton Goss to the Hanover Fire Department.

Vice Chairman Connolly read the letter into the record:

Board of Selectmen
September 28, 2009

To: The Hanover Fire Department:

On December 15, 2004, I suffered a ruptured cerebral aneurysm while working on a camp at Goose Pond. The quick and professional response from the members of your department were vital to my stabilization. This in turn, enabled me to undergo a successful surgery at Mass General Hospital.

My recovery from the surgery was complete. The past five years I have been able to watch my girls grow up. My family and I are very grateful for your part. Please accept this donation as a small token of my appreciation.

Sincerely,
Clayton E. Goss

Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE DONATION OF \$1,000 FROM CLAYTON GOSS TO THE HANOVER FIRE DEPARTMENT.

Ms. Griffin stated that the Fire Department was looking to use this money to supplement an action display that they have in the Department.

8. DISCUSSION REGARDING REQUEST TO SUPPORT DESIGNATION OF MASCOMA RIVER WITH THE NHDES RIVERS MANAGEMENT AND PROTECTION PLAN.

Vice Chairman Connolly MOVED to support designation of Mascoma River with the NHDES Rivers Management and Protection Plan. Selectman Rassias SECONDED the motion.

Bill Baschnagel asked if the Towns of Enfield and Canaan had been approached about this. Ms. Griffin read from an e-mail from Shawn Donovan that indicated that they have received support from Lebanon, Enfield and, increasingly, Canaan. She stated that it's not clear that other Towns have all formally given their support for the effort but it is important that there be strong support from the Towns that are contributing water sources otherwise it will probably not go forward successfully.

Chairman Walsh would like to know that the City of Lebanon and the Town of Enfield by official action have stated that they support this. Ms. Griffin clarified with Chairman Walsh that he wanted to know whether the other Towns supported this effort before Hanover makes their vote.

The Board decided to table the motion until they learn more about the actions of Lebanon and Enfield.

9. CONSIDER A REQUEST BY ERWIN BRALEY FOR REPURCHASE OF TAX DEEDED PROPERTY.

Chairman Walsh would like to do this item in non-public session due to concerns over comments that might be harmful to the reputation of an individual. Ms. Griffin stated that this could be handled in non-public session. The Board agreed to handle this in non-public session.

10. APPOINTMENTS:
- ZBA

Vice Chairman Connolly MOVED to appoint Ruth Lappin as an alternate to the Zoning Board of Adjustment for three years. Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPOINT RUTH LAPPIN AS AN ALTERNATE TO THE ZONING BOARD OF ADJUSTMENT FOR THREE YEARS.

11. BANNER REQUEST:
- Upper Valley Winter Special Olympics Games

Selectman Doherty MOVED to approve the Banner Request for the Upper Valley Winter Special Olympics Games. Selectman Rassias SECONDED the motion

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE UPPER VALLEY WINTER SPECIAL OLYMPICS GAMES.

12. APPROVAL OF MINUTES:
- September 14, 2009

Vice Chairman Connolly noted that on page 5 of the Minutes, a comment was made by Martha Solow that the property now owned by Hanover Crew was divided into two substandard lots. The Board asked that Elizabeth Rathburn review the tape to ensure that this is what was said because this statement is inaccurate. The property was not divided into two substandard lots.

Vice Chairman Connolly MOVED to approve the Minutes of September 14, 2009 subject to review of one item by the Recording Secretary. Selectman Rassias SECONDED the motion

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF SEPTEMBER 14, 2009 SUBJECT TO REVIEW OF ONE ITEM BY THE RECORDING SECRETARY.

13. ADMINISTRATIVE REPORTS.

Ms. Griffin reported that it is very likely they will activate their Point Of Distribution site (POD) to distribute H1N1 vaccine sometime in November. There is a full POD plan in place that would require use of the schools as distribution sites.

14. SELECTMEN'S REPORTS.

Judy Doherty

Selectman Doherty had nothing to report.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board is spending most of its time on the Residential Project. She anticipates that they will be busy as Rivercrest is revived.

Athos Rassias

Selectman Rassias had nothing new to report.

Peter Christie

Selectman Christie had nothing new to report.

Brian Walsh

Chairman Walsh reported that the Sustainability Committee met a couple of weeks ago. There is a lot of work being done by subcommittees.

The Chamber of Commerce had a 2 ½ hour meeting to look forward at future goals. There is a follow up meeting this Friday.

15. OTHER BUSINESS.

There was no Other Business reported.

16. ADJOURNMENT.

Vice Chairman Connolly MOVED to adjourn. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:50 P.M.

Respectfully Submitted,

Judith Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn

SUMMARY

1. **Chairman Walsh MOVED to APPROVE ARTICLE ONE: To see if the Town will vote to raise and appropriate the sum of \$8,570,916 through the incurrence of indebtedness in accordance with the provisions of the New Hampshire Municipal Finance Act, RSA 33 by the Town's assumption of the two existing loans originally made to the Hanover Water Works Company through the New Hampshire Department of Environmental Services Drinking Water State Revolving Loan Fund (NH DES DWSRF), which assumption has been consented to by NH DES DWSRF; and to take all action as may be necessary to carry out the purpose of this vote. Although this debt will be a general obligation of the Town, it is intended and expected that funding for the debt service associated with these loans will be paid exclusively by water rates collected from users of the water utility. A two-thirds ballot vote is required. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE ARTICLE ONE.

2. **Chairman Walsh MOVED to APPROVE ARTICLE TWO: To see if the Town will vote to raise and appropriate the sum of \$550,000 relating to the Town's assumption of an existing debt obligation of the Hanover Water Works Company currently held by Citizens Bank; and to authorize the Town to refinance this debt (and any related prepayment fees) through the issuance of not more than \$550,000 of bonds and notes in accordance with the provisions of the New Hampshire Municipal Finance Act, RSA 33; and to determine the rate of interest thereon as shall be in the best interest of the Town; and to take all action as may be necessary to carry out the purpose of this vote. Although this debt will be a general obligation of the Town, it is intended and expected that funding for the debt service associated with this loan will be paid exclusively by water rates collected from users of the water utility. A two-thirds ballot vote is required. Selectman Christie SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE ARTICLE TWO.

3. **Chairman Walsh MOVED to APPROVE ARTICLE THREE: To see if the Town will vote to raise and appropriate \$1.00 for the purchase of the water utility assets owned by the Hanover Water Works Company, to include the water treatment plant, related water storage tanks, pump stations, distribution system, three (3) reservoirs, sufficient land within 250 feet around Reservoirs #1 and #2, all of the land around Reservoir #3 sufficient adjacent land to allow future expansion of the water treatment plant and storage tanks, and any other water utility assets required for the treatment and distribution of water, as allowed by RSA 38:2-a, and which is in the public interest, and to authorize the Board of Selectmen to negotiate and execute all documents required to complete the transaction as proposed. The remainder of the land which will not be transferred to Town ownership as part of this transaction will remain with the Hanover Water Works Company, and the Town's ownership share of that company will increase from the current 47.2% to**

50% as part of the approved transaction. All of the related transactions shall occur on or about July 1, 2010. The ultimate transaction is dependent upon the passage of special legislation enabling the Water Utility to make a payment in lieu of tax for the hard assets to the Town, School District and County. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE ARTICLE THREE.

- 4. Chairman Walsh MOVED to Approve the Budget MS-6. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BUDGET MS-6.

- 5. Vice Chairman Connolly MOVED to Set a Public Hearing on Monday, October 12, 2009 to Consider and Approve the Proposed Issuance of \$9,120,916 in Bonds or Notes for Assumption of Debt Obligations Currently Held by the Hanover Water Works Company. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING ON MONDAY, OCTOBER 12, 2009 TO CONSIDER AND APPROVE THE PROPOSED ISSUANCE OF \$9,120,916 IN BONDS OR NOTES FOR ASSUMPTION OF DEBT OBLIGATIONS CURRENTLY HELD BY THE HANOVER WATER WORKS COMPANY.

- 6. Chairman Walsh MOVED to ask that the Town Manager bring forth an amendment to the Ordinance which enables an annual wine tasting at the Howe Library to include conditions listed in the memorandum. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ASK THAT THE TOWN MANAGER BRING FORTH AN AMENDMENT TO THE ORDINANCE WHICH ENABLES AN ANNUAL WINE TASTING AT THE HOWE LIBRARY TO INCLUDE CONDITIONS LISTED IN THE MEMORANDUM.

- 7. Vice Chairman Connolly MOVED to ACCEPT the donation of \$1,000 from Clayton Goss to the Hanover Fire Department. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE DONATION OF \$1,000 FROM CLAYTON GOSS TO THE HANOVER FIRE DEPARTMENT.

- 8. Vice Chairman Connolly MOVED to support designation of Mascoma River with the NHDES Rivers Management and Protection Plan. Selectman Rassias SECONDED the motion.**

*** This motion was tabled.**

9. Vice Chairman Connolly **MOVED** to appoint Ruth Lappin as an alternate to the Zoning Board of Adjustment for three years. Chairman Walsh **SECONDED** the motion.

THE BOARD VOTED UNANIMOUSLY TO APPOINT RUTH LAPPIN AS AN ALTERNATE TO THE ZONING BOARD OF ADJUSTMENT FOR THREE YEARS.

10. Selectman Doherty **MOVED** to approve the Banner Request for the Upper Valley Winter Special Olympics Games. Selectman Rassias **SECONDED** the motion

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE UPPER VALLEY WINTER SPECIAL OLYMPICS GAMES.

11. Vice Chairman Connolly **MOVED** to approve the Minutes of September 14, 2009 subject to review of one item by the Recording Secretary. Selectman Rassias **SECONDED** the motion

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF SEPTEMBER 14, 2009 SUBJECT TO REVIEW OF ONE ITEM BY THE RECORDING SECRETARY.

12. Vice Chairman Connolly **MOVED** to adjourn. Selectman Rassias **SECONDED** the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:50 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

September 23, 2009

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 Vice Chairman Katherine Connolly. Present were: Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager. Absent: Brian Walsh, Chairman.

1st PUBLIC INFORMATIONAL MEETING REGARDING PROPOSED MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY.

Vice Chairman Connolly asked Selectman Christie to speak to the audience about the proposal.

Selectman Christie reported that last spring the Town voted to authorize the Selectmen to approach the College relative to Municipalization and to call a Special Town Meeting in the fall. Since that time, they have been working to finalize documents and incorporate all of the information gathered at Town Meeting and the informational sessions. The task force members that have been working on this have been himself, Julia Griffin, Jay Pierson (currently the President of the Water Company, former Selectman and a CPA), Bob Donin (General Counsel, Dartmouth College) Paul Olsen (Director of Real Estate) and Peter Glenshaw (Director of Community Relations).

Selectman Christie stated that although the issue can become quite complicated, the goal is quite simple and he is hoping to make it clear what the Town is hoping to accomplish with the Municipalization of the Water Works Company.

Selectman Christie announced that next Monday night's information session is going to take place at Trumbull Hall in Etna. Selectman Christie made a slide presentation to the audience with the following points:

- ❖ Water is currently supplied by the Hanover Water Works Company (HWWCo) – the proposal would change the supplier to the Town of Hanover.
- ❖ Rates are currently set by the Public Utilities Commission (PUC). The proposal would change this to the Board of Selectmen.
- ❖ Operations Managed by Hanover Town Staff – this would remain the same.
- ❖ HWWCo is owned by the Town (47.2%) and Dartmouth (52.7%). The proposal would change the ownership to 50.0% each.

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Selectman Christie reported that the Town of Hanover has managed the Water Company for the past 10 years. He doesn't feel that there would be any big surprises if the Town were to take over the Company at this time.

Judy Reeves asked how the rates are set by the PUC.

Ms. Griffin stated that the Public Utilities Commission oversees private utilities; it does not regulate municipal utilities. Currently, because the HWWCo is a private company it is overseen by the PUC and any time the Town wants to raise rates due to operating expense increases or capital improvement, the Town needs to make a comprehensive presentation to justify the improvements and the proposed rate increase to fund those improvements. This is a lengthy process. Each rate case requires an accountant and an attorney for the filing of paperwork, submitting to staff audit, staff review of the proposal and then a hearing before the commissioners. As a municipality, they are able to make a proposal at Town Meeting for improvements to Town owned utilities. In dealing with the Public Utilities Commission, the money that is needed for the improvements need to be paid up front; the company has to bond the full amount; complete all of the work and then after the work is complete, the PUC needs to be convinced that the work justifies a rate increase of a certain extent.

Selectman Christie also noted that each rate case costs between \$25,000 and \$50,000 and the Water Company has spent about \$30,000 in the past three years.

Martha Solow, the PUC requires a hearing for a rate change but will this change when the company is controlled by the Board of Selectmen.

Ms. Griffin stated that a rate change would require a public hearing. Ms. Griffin explained that there are public hearings during the budget hearings in the spring and then Rates and Fees are discussed in June and subjected to another public hearing prior to July 1. The rate setting process for the Water Company would be managed in the same manner.

Selectman Christie continued with his presentation:

Why Municipalization?

- ❖ Realization of \$100,000 in savings/year on a \$2,000,000 operating budget (5%).
- ❖ Ability to establish capital reserves for future system improvements.
- ❖ Access to lower cost bond financing, if needed.
- ❖ Lower water rates over the long-term.

Selectman Christie explained that the Town expects to see a savings and with that they can also build up a capital reserve fund. This gives the Town a way to fund long term capital needs without having to bond. If the Town would have to bond they would be able to access the money at a municipal rate vs. private rates. Selectman Christie stated that they do anticipate that there will be a serious capital investment on the horizon for the distribution line in the estimated amount of \$7 million. There will be no increase in water rates due to this Municipalization but they will need to build up the reserves and ultimately lower rates. Selectman Christie reported that the Finance Committee met and voted unanimously to support the Municipalization.

Rich Menge asked whether there is a distinction between Town and College owned distribution lines and would Hanover be taking over lines that are on the Dartmouth Campus.

Peter Kulbacki noted that the majority of campus water lines are private water lines. Selectman Christie clarified that ownership of waterlines does not change.

Selectman Christie continued with his slide presentation:

Key Provisions of Municipalization

- ❖ Town to acquire operating assets and some land for \$1.00
 - Reservoirs and dams
 - Filtration plant
 - Water storage tanks
 - Distribution system
 - Land under hard assets and 250 feet around reservoirs
- ❖ Town to assume bond debt associated with these assets.
- ❖ Town to assume the financial assets and liabilities of the HWWCo.
- ❖ Town to establish a separate enterprise fund similar to the Water Reclamation Fund.
- ❖ HWWCo to become purely a land holding company.
- ❖ Town ownership will increase to 50%.

Selectman Christie noted that they are not buying the Water Company. The Water Company would become a land holding company. The Town is buying specific assets and assuming specific liabilities. They are only assuming liabilities that they can tie down to the penny.

Judy Reeves stated that while looking at the map, the Upper Reservoir is listed as being transferred to the Town and there was a certain amount of land in question within 250' of

the reservoir. Selectman Christie stated that the Upper Reservoir, when you go back 250', there is nothing there. The Upper Reservoir would come to the Town and the land underneath the filtration plant; 20% of the land currently owned by the Water Company will come over to the Town and 80% will be retained by the Water Company.

Anne Morris had questions about the land holding company. If it's 50/50 land ownership, is it a public entity or a private entity; does it hold open meetings, are the Minutes made public; do the deliberations take place in private. She also wanted to know about the land holding company; how are the members appointed and what interests do they represent.

Selectman Christie stated that this would remain a private corporation with 50/50 ownership. The proposed name of the land holding company is Trescott Company. The Board would be comprised of 6 directors; 3 from the Town and 3 from the College. Selectmen will appoint 3 representatives from the Town. The annual meeting will be noticed and open to the public. Ms. Griffin stated that she forgot to put the by-laws in but they will be posted to the website tomorrow so that everyone can look at the full document.

Martha Solow stated that if it is a private company, what relation does the control have to do with the town? If they have the bulk of the land, is there any influence that the Town will have over the use of those lands in the future?

Selectmen Christie wanted to refer to these questions in the upcoming portion of the presentation that deals with land issues. Selectman Christie continued with the presentation:

Other Impacts

- ❖ No impact on current water rates – savings applied to capital reserves.
- ❖ Favorable impact on future rates due to reserve funds and access to lower cost borrowing.
- ❖ No impact on General Fund.

Selectman Christie stated that the company currently pays \$280,000 in property taxes mostly because of the land in current use. Selectman Christie noted that this property would no longer be taxable. To avoid a shortfall, the Town will be asking the legislation to allow a payment in lieu of taxes from the Enterprise Fund to the General Fund in that amount.

Ms. Griffin stated that the legislation is worded to mean that the Town would receive full payment of the taxes from the water utility and then the Town would allocate a piece to the School District and a piece to the county and a portion to the General Fund. Ms. Griffin read the current legislation: *“Being enacted by the Senate and the House of Representatives, a transfer from the Water Fund to the General Fund to Hanover and*

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Dresden School Districts and Grafton County notwithstanding the provisions of RSA 38:29 the Town of Hanover shall be authorized a transfer semi annually on June 30th and December 31st of each year an amount from the Water Fund equal to the amount of property taxes that would have been paid on certain property formerly owned by the Hanover Water Works Company and conveyed to the Town pursuant to RSA 38:29 July 1, 2010 for the purposes of calculating the taxes that would have been paid on such property the Town shall use the assessed value of the property as regularly determined by the Town Assessor.” Ms. Griffin stated that she just e-mailed the revised legislation to Senator Houde to ensure that the Town is obligated to pay all of the taxes and not just the Town’s portion of the tax rate.

Kari Asmus stated that she has heard horror stories about the DRA not agreeing with what the legislature has set forth and wondered whether the Fire Fund would also be reimbursed. If, in the future, there should be a statewide tax implemented the Town should make sure that this would be covered. Although intentions may be clear, the DRA may have other ideas.

Ms. Griffin stated that they could have a conversation with DRA relative to possible changes in tax structures, etc. The Water Works Co. will continue to pay property taxes on the land in current use but it’s the municipal portion that would be subject.

Rich Menge asked whether the Wastewater Facility pays taxes and wondered if they were considering having the Water Company pay taxes back in perpetuity.

Ms. Griffin stated that because the Water Company is privately owned and has paid property taxes all of these years, and only serves a portion of the Town residents, the concern was that all of the General Fund taxpayers would suffer the tax impact even though it’s only the water rate payers that benefit from the Municipalization. The Water Reclamation Facility has always been a municipal utility and has never had to pay property taxes so there was no money to miss. The sense is that the company needs to continue to make these payments and that’s what the legislation intends to do.

Selectman Christie continued with his presentation:

Liabilities the Town will be Assuming

- ❖ Financial
- ❖ Insurable
- ❖ Environmental

Selectman Christie the financial liabilities of Municipalization means that the Town is assuming bonding and accounts payable. The insurable liabilities includes worker’s comp, fire insurance, accidents, dam failures, which is currently insured by the Water Company and will be insured less expensively through the Town. The environmental liabilities are non-insurable but the Water Company has owned that land over 100 years and the Town has been partial owner for that period of time in addition to operating it for

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over 10 years and he feels the risk is quite small. If there is a toxic waste site that they are not aware of, the Town would need to deal with it if it's on the Town property, if it's on Water Company land, it would be the Water Company's liability.

Judy Reeve had concerns about the distribution lines and what the Town would be responsible for. The pump stations are fairly new but there could be chemical hazards if accidents should happen.

Peter Kulbacki stated that the only place that there are chemicals is at the Treatment plant; specifically sodium fluoride and cleaners. The storage tanks were removed. There is fuel for the generator; the building is heated with propane. There are no chemicals at the new pump station. The pumps are mechanical pumps that are sealed and water cooled. He is more concerned about the Wastewater pumps than the Water Company pumps. The mains have been reviewed and they have identified areas that will need attention (South Main, Maple Street, Reservoir Road) and they have a good sense of where the issues are. Any main has the possibility of breaking. The system is in fairly good shape for its age. Compared to other systems, it is in excellent shape. Eventually every pipe will need to be replaced.

Ms. Griffin suggested that Ms. Reeves review the report from Wright Pierce which was done in part due to the questions that she brought up at Town Meeting and so that they had an objective review of what the Town would be inheriting. Since Town staff took over managing the Water Company in 1998, they spent a lot of time identifying areas that need improvement. The most significant upgrade challenge they will have is upgrading the secondary distribution lines.

Rich Howarth is an abutter to the 3rd Reservoir and noted that he read the report on the safety and management from the federal government done by the Army Corps of Engineers in 1978 or 1979 to promote public safety. If there was a dam failure there would be serious consequences to the Hanover Center Road. He would like to see subsequent reports on the safety inspection record. He would also like to know what the insurance deductible would be if there was a failure and if it's not covered by insurance, how is that partitioned.

Selectman Christie noted that the condition of the dams are not impacted by Municipalization.

Peter Kulbacki reported that the State does an annual inspection in which they provide fairly short reports. The reports do include minor recommendations. There haven't been additional formal studies done. Rich Howarth noted that the 1979 report characterized the 3rd Reservoir as a high risk reservoir and he would like to see additional documents. Peter Kulbacki stated that it is the additional buildings downstream that makes the 3rd Reservoir more dangerous than the other two.

Ms. Griffin added that the dam inspection reports are on file with Public Works. One of the reasons that they felt that the dams should come to the town to lower insurance rates

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and obtain better insurance through the municipal insurance programs rather than private insurance. So many dams are insured by the State and one of the things that they are looking at is the list of coverages as a municipal entity to make sure they know how much it costs to insure these items.

Barbara McIlroy stated that in the Wright Pierce report, the 2nd page of the letter, referred to a study that needs to be completed reference the DES letter of deficiency and wondered whether the letter was part of the record or whether it should be. Ms. Griffin stated that they could include that.

Peter Kulbacki stated that part of the issue is that definitions were being changed with regard to occupied areas and there was some question about Storrs Pond being an occupied area at different times.

Selectman Christie stated that there were previous questions at Town Meeting about why there would be separations regarding the land. After Town Meeting, the task force tried very hard not to separate them but it became apparent that it needs to be done. The Town needs to get the Water Company out of the water supply. There is work that needs to be done on the dams and the reservoirs; they need to secure insurance for this property. In order to do this, the Town needs to own those assets; keeping it together could not be done for pragmatic and financial reasons. There was also a lot of discussion about placing a conservation easement on the land. There are no plans to change the way the land has been managed. The Articles of Incorporation addresses this issue. If 25 or 50 years from now, the land is no longer needed as watershed, there will be a community discussion regarding the use. Any land to be sold would take Town Meeting approval to come to fruition.

Selectman Christie noted that there will be no change in zoning, no change in local, State or Federal protection of this land.

Doug McIlroy felt that the Articles of Incorporation are lacking a couple of clarifying words. He recommended wording that shows that the company will protect and preserve the water supply function of the watershed.

Ms. Griffin read the Purpose of the Articles of Incorporation: *“The purposes of the Company are to hold certain lands within the Town of Hanover, New Hampshire, a portion of which is within the watershed of the three reservoirs that supply the Town of Hanover with water for drinking, domestic, fire and other purposes; to regulate and manage the use of such watershed land; and to protect and promote the sustainable growth and management of the forest on said lands for timber production. In conducting its activities, the Company shall comply with all applicable federal, state and local laws and regulations pertaining to water quality and watershed protection, as the same may be amended from time to time.”*

Doug McIlroy would like to see a clause that includes preservation of the water supply function.

Barbara McIlroy asked about the way this private entity will operate; if a corporation is private, does that imply that the Minutes are private too. Couldn't the minutes be open to the public? Would like to hear more about the By-Laws and how the public meeting is mentioned.

Selectman Christie stated that it is a private company and they could make their Minutes public if they chose to as indicated in Section 2.1 of the By-Laws.

Bob Donin read Section 2.1 of the By-Laws:

Section 2.1 Annual Meeting. The annual meeting of the shareholders shall be held on the date fixed by the Board of Directors between July 1 and September 30 each year, at the hour of 7 o'clock, p.m. in the Town of Hanover, New Hampshire. Members of the public may attend the corporation's annual meeting of shareholders, and the corporation shall provide public notice of such meeting, together with information on the time and place of such meeting, in a newspaper of general circulation within Hanover, New Hampshire, not fewer than ten (10) nor more than sixty (60) days prior to the date of the annual meeting of shareholders. The annual meeting shall include the following business: (a) election of directors; (b) president's report on the results of the previous year's operations, including land management practices; (c) president's report on plans for the forthcoming year's operations, including land management practices; (d) opportunity for public comment; and (e) such other business as may properly come before the meeting.

Rich Howarth asked whether the representatives from the Town would report back to the Select Board in public session. Selectman Christie stated that they would. Mr. Howarth would like to have access to the Minutes and noted that they should be posted on the website.

Selectman Christie gave an overview of the upcoming hearings:

Required Approvals

- ❖ Special Town Meeting
- ❖ Tuesday, October 27th – 7:00 p.m. – HHS Gym
- ❖ Trustees of Dartmouth College
- ❖ State Legislation – 2010 Legislative Session
- ❖ Town Meeting preceded by information session – Weds Sept 23
- ❖ Pre Special Town Meeting Public Hearing and Information Session Monday, September 28th - 7:30 p.m. Trumbull Hall, Etna
- ❖ Public Hearing on Assumption of Debt – Monday, October 12th - 7:30 Board Room Town Hall

Kari Asmus asked whether a motion should be made for all day voting, when should that occur.

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Ms. Griffin reported that a motion would need to be made from the floor; all day voting could possibly be held in the hall of the High School Gym. She noted that the vote will take place somewhere in the vicinity of the HHS gym. There are sports taking place and she feels that this vote will not overwhelm the area.

Selectman Christie noted that there are documents made available with the information about the proposal throughout the Town.

Selectman Christie invited Bob Donin to speak on behalf of the College.

Bob Donin, General Counsel for Dartmouth College, stated that from the College point of view, they view this as the Town does. The College is the largest user. If there are economies that can be achieved by municipalizing, or a better way to develop reserves for capital improvements that can reduce the overall expenses, they share the interest in doing this.

Selectman Christie offered the following summary of the Municipalization:

Summary

- ❖ Municipalization will result in:
 - annual operating cost savings of approximately 5%
 - more cost-effective ways to provide for future capital improvements
 - increased town ownership of HWWCo from 47.2% to 50%

Judy Reeves asked if there could be absentee voting.

Ms. Griffin stated that Bond Votes or Municipalization votes are not subject to absentee votes.

Rich Menge stated that he thinks it's a good idea from the standpoint presented but he has concerns about the use of the rest of the land and possible splitting up of the land. Is it a state law that requires the Town to vote or can the Select Board alone decide to use the land. Ms. Griffin stated that the Town Board does not have the authority to buy, sell or lease property without Town Meeting approval and that this is regulated by State law.

Rich Howarth stated that the Town does not own the land. The Town owns a share of the private corporation. What restricts the Select Board from liquidating those shares? Ms. Griffin stated that the lawyers felt that it would require Town Meeting in order to sell the shares or liquidate the company.

Martha Solow asked what the constraints were for Dartmouth selling or leasing the land.

Bob Donin stated that Dartmouth College does not have the ability to sell it as they only own 50% of the company. Neither co-owner would have the ability to dispose of or develop or take significant action of the land.

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Ms. Solow wanted to know if it was possible for a wealthy developer to come in and attempt to build a large hotel on part of the land. Bob Donin responded that it would be a matter for the two co-owners to decide but if the three Directors out of 6 were not in agreement to do that it would not happen. Today, the College owns the majority of the shares in the company. The only change is that the Town will have greater influence than it does currently.

Barbara McIlroy expressed concern about transparency. If there are internal discussions about disposing of the land, and the citizens are not made aware, they are at disadvantage. Could the residents elect the representatives of the Board?

Selectman Christie stated that the Directors would be appointed by the Select Board as they do now. It is not the Select Board's intention to leave this up for election.

Rich Howarth stated that there were other positions within the Town that are elected and felt that it wasn't up to the Select Board to decide. Ms. Griffin noted that the people that have sat on the Water Company Board over the years (and the Town Manager will remain ex-officio) are Bill Boyle, Health Officer, Peter Kulbacki, Public Works, Julia Griffin and one or two Selectmen or another individual from the Town for example, currently they have Jay Pierson on the task force. They are not people with special interests such as a snowmobilers association. The intention is to continue to manage the land as they do now to ensure the integrity of the water reservoirs. The Board's intention is to put people on the Board who have a clear understanding regarding issues of contamination on the watershed land are their main concern.

Bob Donin noted that the College has identical interests. They are a huge owner and they would have a huge problem if the quality is compromised.

Ms. Griffin asked for input for the next informational session.

Selectman Doherty MOVED to adjourn the meeting. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:50 P.M.

Respectfully Submitted,

Judith Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn.

FINAL

BOARD OF SELECTMEN'S MEETING

September 14, 2009

7:30 P.M. – HANOVER HIGH SCHOOL AUDITORIUM – HANOVER NH

The meeting of the Board of Selectmen was called to order at 7:30 p.m. by Chairman Brian Walsh. Present were: Brian Walsh, Chairman, Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

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

Chairman Walsh announced the passing of Mug Clement and noted that both he and his wife Jackie have been important to the Town of Hanover and asked for a moment to think of them and their family.

2. REQUEST BY FRIENDS OF HANOVER CREW FOR TOWN SUPPORT FOR INSTALLATION OF ROWING DOCK AT WILSON'S LANDING.

Chairman Walsh stated that with regard to the request by Friends of Hanover Crew for Town support for installation of a rowing dock at Wilson's Landing, the Board may or may not make a decision tonight or decide for another public hearing. If the Board decides to support the proposal it would be subject to the approval of the Planning Board, Zoning Board of Adjustment, State Department of Environmental Services, Conservation Commission and possibly others. Chairman Walsh noted that he has seen the letters from many people on this issue. He noted that people are for it and against it but even more aren't sure either way.

Chairman Walsh stated that there would be a presentation by the Friends of Hanover Crew and then there would be a chance for audience members to address the Board. He noted that this would be an opportunity for people to voice their support or speak out against the project but it is not a site plan review or a zoning hearing. Chairman Walsh invited the Friends of Hanover Crew to make their presentation.

Peter Kermond introduced himself to the Select Board and noted that he is a Board Member of Friends of Hanover Crew and one of the Hanover High School Crew Coaches. Mr. Kermond introduced the other panel members present including Daniel Johnson, Nancy Carter and Nik Fiori, Project Manager. Mr. Kermond stated that the Friends of Hanover Crew is a non-profit organization which assists in fundraising for the Crew team. Their goal is to find a permanent home for the Hanover High School Crew team and access to the Connecticut River for the public at large. Mr. Kermond referred to an informational packet that the Friends of Hanover Crew put together regarding the proposed dock and the Fullington Farm property. The information includes site plans, photos, proposed operational plan, engineer report, traffic report, history of outreach and letters of support.

Mr. Kermond stated that the relationship with Dartmouth ends in the 2010 season. Due to the size of their program, with 120 students participating, there are limitations in using the Dartmouth College facility. The plan is to purchase a dock, install it, and maintain it to meet the needs of the High School. There will be no cost to the taxpayer. The dock and the landing will remain open with full access to the public. Mr. Kermond invited Nik Fiori to speak to the Board.

Nik Fiori introduced himself as the Project Engineer working for Engineering Ventures. He noted that there are two proposals before them. One is Plan A which is the plan for Wilson's Landing; Plan B pertains to Fullington Farm. Mr. Fiori pointed out on the maps provided the access road to the landing and the parking areas proposed. There will not be any parking down on Wilson's Landing. Crew members will walk their boats down to the landing. Mr. Fiori stated that the proposal is for the dock itself which as proposed is 180' long which will allow crew members to launch three boats at a time. The only disruption on-site is where the dock meets the land.

Mr. Kermond stated that there has been great success in the Hanover High Crew program since it began in 1997. He has seen over 1,000 athletes come through the program in the last 12 years. This is currently a public boat landing and feels that everyone can co-exist.

Chairman Walsh noted that all of the Select Board members have had an opportunity to go down to the landing or experience the river in that area. He also asked Ms. Griffin to make background information available with all of the information regarding this project in binders at the Town libraries. Chairman Walsh invited comments and input from the public.

Carol Weingeist voiced her concerns over the project. She noted that if the project goes forward, Hanover residents will lose the quiet nature of Wilson's Landing and access to the Connecticut River which is one of the fourteen Heritage Rivers in the State. She stated that the club is a special interest organization which will continue to expand and grow. She stated that rowing will not just be limited to the High School practice hours as other groups will use this landing for their activities. There will be two 75' boat storage sheds near the river. There will be daily parking surrounding the barn. There will be food venues and boat trailer parking during rowing regattas will fill the field around the house. In the Dartmouth deed to the Friends of Hanover Crew, it states that Dartmouth retains the right to use some of the farm land for Dartmouth community boat storage. The club's proposal states that Dartmouth boats must park down at the Landing which will result in further congestion of the landing on various days. Why should Dartmouth community boaters use the landing when they have a massive boating facility near the Ledyard Bridge? The increase in traffic will disturb neighbors and impact Lyme Road commuters. The Town Landing and the Fullington Farm site should not be used on a regular basis by a special interest group of over 500 individuals whether or not a number of them are high school students. Permitting a club to build a large dock sets a precedence of private use of a public site that will be irreversible. The Town of New London denied a similar proposed development on a public landing so they would not set a precedent of private use on a public beach front. The Select Board should deny this dock proposal and consider the future of the Hanover shoreline because there is only one public access to the river along the Town's entire 10 miles of riverfront. There are already two existing rowing docks in Hanover in deeper water and this one does not need to be constructed on the fragile landing shoreline which becomes a mud

flap when the water is low. Eight to nine coaching motorboats will be stored behind the dock and shore creating a marina effect, surrounding sensitive habitats for seven to eight months out of the year. It is not the responsibility of the Town to find a site for this club's use, even if some of the members are local high school students. In the presentation of the site, they mention renting out parts of the facility for other groups to use. Their proposal states that members from other schools and adult groups would continue to grow which would challenge the landing's capacity. The proposed 180' dock located 60' from shore over grassy low water areas will negate the beautiful views south of the landing and impact natural areas. This will have tremendous impact along the shoreline and the creatures that live in that area.

Ms. Weingeist provided her statement and some pictures to the Board. She also provided this information to the Conservation Commission. She asks that the Board deny this request for both proposed projects. She stated that if the club gets a special exception, they can add other structures and uses to the site after they are established there. She would also like the Town to consider liability issues to the Town and the taxpayers if the dock is constructed in addition to further congestion in the Wilson's Landing parking lot; disturbance to neighbors on the river when coaching bullhorns are used in the early mornings; impact of the shoreline environment; intrusion of a private enterprise in a rural area where conservation easements exist. She stated that it's a tragedy that Hanover did not have the foresight to establish more public access along the river. She also stated that it was regrettable that the Town Manager had spoken out publicly in favor of the project prior to the Select Board and other Town Board hearings. The issues go beyond minimizing the impact on the abutters. The Boards must make independent decisions and must be objective and consider the future of the shoreline and the rural character of the area. She asked that they deny the proposal so that it does not move forward creating a precedent that will be regrettable on many levels.

Winthrop Piper introduced himself as the President of Upper Valley Rowing Foundation (UVRF) which is a non-profit organization comprised of volunteers and noted that they are completely separate from Hanover Crew. Mr. Piper stated that UVRF stayed at arm's length from this project and although they support the proposal, they are not the applicants. He noted that UVRF also uses the Dartmouth facility for their programs but they do this primarily during the summer. He also noted that he didn't think it should be hard for everyone to share a public facility. Generally, within three minutes the boats are out of earshot. Within five minutes the boats are out of sight. There is no PA system, no scoreboard, no crowd that comes to cheer on a regular basis, rowers arrive and they leave. The rowers enjoy the surrounding wildlife and there are 120 kids every spring that benefit in the rowing program. He feels strongly that adults should provide their children with the same opportunities that they had. He noted that there was a time when local hockey players needed a place to skate so the community came together and built Campion Rink which was a public/private venture.

Irena Koloda supports this project and has two kids who went through the Crew program. Her son now rows for Perdue and has been many other places and maintains that the Connecticut River is still the best place to row.

Quentin Deming stated that he is moved by both sides of this issue. He stated that the question is not whether a new facility should be built to support these organizations but whether it should be

at the public landing. He noted that many people use the landing for different activities. People launch their boats and then leave, construction workers use the landing to take their lunch breaks, kids go fishing, and there are people with bikes or walking their dogs. This proposal will be a much bigger project and it is hard to image the current uses remaining in place if this should go through. Mr. Deming felt that there may be another piece of shoreline that they could pursue and would not want rowing to displace any of the other activities that currently take place there.

Keegan Duffy stated that he is a member of the Hanover Crew team and reported that the team would not exist without Dartmouth. He felt that it is up to the Town of Hanover to help the Hanover High Crew team. His experience with Crew is that it's a team sport and recalled the connections that he made when he started as a freshman. His friendships and experiences taught him to be a leader. He stated that a big part of high school is finding where you belong and he feels privileged to be a part of the Crew team and wants this opportunity to continue for years to come.

Josh Kahan stated that the decision tonight is one of policy. He stated that the devil is in the details and if approved, Planning and Zoning would have to look at those details. The question tonight is whether this is a good use to allow the expansion for this public landing. He stated that to him, it's a no-brainer. He stated that they are not talking about a tire factory or a marina. He stated that he finds it insulting that opponents of the project are calling it a special interest when the people opposed to it just don't want others to use it. He doesn't see why it's that complicated to decide to expand access to the public.

Robert Chambers stated that he volunteers with the Crew team and noted that there is no other area with public access except for Pine Park. He noted that the Regatta is held one day out of the year and believes that this expansion will enhance to use of the river.

Lizann Peyton is asking the Board to consider how to approve this proposal and meet everyone's needs. Most of the time during the day the area will look exactly as it does now.

Martha Solow stated that she agrees that this is a policy issue. She stated that allowing the installation of a private structure on public property would violate long standing Town policy. Permitting private use of public property would override the precedent established by the Board of Selectmen over thirty years ago. Overriding that policy would encourage others to make similar requests and would change the direction of the Town's future land use. Most importantly is whether this proposal meets their existing ordinances. The proposals are contrary to existing Town ordinances which lists lands that the Town has acquired "to be held for public use" and this list includes Wilson's Landing.

Ms. Solow reported that Ordinance #20 was adopted years ago "in order to protect and preserve such tracts of land for reasonable public use." This proposal does not comply with the Hanover Zoning Ordinances. The plan requires permitting a non-conforming use on a substandard lot (meaning smaller than what is required in that zone). Any use that would be allowed by special exception must conform to the purpose of the district that is set out in the ordinance. The purpose of the district is to provide single family residences in a rural residential area. The farmhouse lot of 2.4 acres now owned by Friends of Hanover Crew was subdivided from a larger

parcel of land owned by Dartmouth College. In permitting the property to be divided into two substandard lots, (neither of which meets the 3 acre requirement) the Zoning Board granted a variance and that variance was based on Dartmouth's testimony that the homestead portion of the land would be used only for single family residents. Allowing the rowing club to establish its headquarters and conduct activities on this property would go against the decision that the ZBA established based on the declaration in the testimony regarding single-family use.

Ms. Solow stated that the proposed use does not meet the test for "special exception." The special exception must comply with the standards of the zoning ordinance and must not adversely affect the character of the area in which it will be located. The activities and facilities described in the proposal would alter the character of a single family residence zone. The proposal does not meet the conditions for granting a variance. Variances require that there be special conditions to the land existing to create an unnecessary hardship for the owner which makes it impossible for the owner to use the land in conformity with the ordinance.

Ms. Solow suggested that abutting properties next to a rowing club would not make the property more valuable. She noted that there are several other conditions that would need to be met for variance approval. She stated that this is the wrong use for the landing and the homestead lot. She stated that if the Board was to encourage the Friends of Hanover Crew to go forward, they would lead them into a web of Town, State and Federal regulatory restrictions, many of which they cannot meet. Any local approval for a variance or special exception would be subject to legal challenges and appeals which would be costly for the Town and the Friends of Hanover Crew. If the Town does not approve this proposal, it does not leave the Crew members without a place to row. Individual rowers are able to use the landing as it is. She also suggested that the rowing club pursue other opportunities along the river including private properties. Dartmouth has given the club a repurchase option for this property if they are unable to gain approval. She understands that this is a wonderful team sport but this is not the right place for it. Policies set precedence.

Alice Creagh stated that she is an actual abutter and expressed concern over the project. Her concern is that the students think that the rowing program will disappear if this proposal is not approved. She reported that she called the NCAA and they do not have a problem with the High School students rowing from the Dartmouth dock. The problem lies with the coaches for Dartmouth and they need to make sure that they are not sending their college students at the same time as the high school students or having them row with the college students. She wants to point out that the Crew team has not lost the space at Dartmouth. They are not kicking them out. Ms. Creagh noted that when the Crew team first started they were smaller in number and didn't interfere with the rowing at Dartmouth. It has become more difficult for them to accommodate 120 rowers. She suggested that perhaps as part of the compromise, senior rowers could row from Dartmouth at 5:00 a.m. and other kids could row at another time or from another place. She also heard Mr. Kermond state that the students are very responsible people but near their property is a dock that has never been moved out and sits all year long even though it is supposed to be removed every winter and is falling apart. In any organization, she feels it's hard to keep the maintenance together. She worries about the boat landing and she's not interested in having 120 kids come into the area at 5:00 in the a.m. She reported that a dumpster was taken away from the area two years ago because there was no way to control. She reported that there

are parties that take place down there and they are not necessarily kids but she worries about the supervision. She worries that it will cost taxpayers money to do that supervision. She worries that it will cost taxpayer's money for dumpsters and there's only one port-a-potty there. She also pointed out that they do use bullhorns and currently, she hears the bullhorns at 6:00 a.m. and being on the water and in a valley, the sound does travel.

Timothy Smith noted that he is a community member who canoes, kayaks and ice sails. The 120 people that they are talking about are residents of this town so he doesn't like the idea that this is a specialty group. The landing was put together in the '70s because of a drowning and the issue of access. Approving this proposal is the right thing to do. The kids are residents of this Town.

Katie Gougelet stated that she is passionate for this sport. This sport has given her strength. She has rheumatoid arthritis and crew was a sport she could participate in with relative comfort. The Crew team's strength should be seen in the number of members present in support of this project.

Rachel Coro is a junior at Hanover High School. She stated that she had two brothers who could row. She gained confidence in participating in Crew. Approving this proposal and having an accessible dock would help her and other physically challenged people like her.

Liz Marshall has been rowing for over 30 years. She has two kids who participated in the Crew program which helped instill in them a lifetime of physical fitness. She noted that rowing is a difficult sport and the kids enjoy the exercise. She feels that they should look at this for an opportunity for everyone and a way to show the kids that they are supported and that physical fitness matters.

Jack Seabrook reported that in looking at the hours of use, the amount of time that they are being asked to consider is 5% on an annual basis. The other 95% of the time, the landing and surrounding area will remain exactly as it is today. At 6 a.m. when he rows past the landing, there is no one there.

Paul Gross stated that he is a business owner and a rower for over 40 years. This proposal will make the Connecticut River accessible to more users and will be a big improvement. He also noted that he travels past the landing between 7 a.m. and 8 a.m. and no one is there. Bass boats create more of a disturbance. He would like to see the proposal move forward.

John Criswell stated that the Zoning Ordinances are not the Ten Commandments and if residents would be waiting a long time if it was up to the Town to create better access to the river. He supports this proposal.

Ned Dwyer supports greater access for this activity and is not a zoning expert but wants the Board to support this project to allow better public access to a public space.

Chairman Walsh clarified that zoning is established by Town Meeting and not by the Select Board.

Bernard Moore is a 28 year resident. He drove out to Wilson's Landing and noted that it's a small area which befits a Town landing. He supports the rowing team but questions a 180' dock. He has concerns as a taxpayer and feels that there may be alternate areas to pursue. He is not sure why they need such a large dock and thinks that perhaps they should look at the scope of the project.

Barbara McIlroy reported that she visited the Chieftain Inn dock and noted that the U.S. Olympic rowing team practiced there last summer. She questioned whether the Friends of Hanover Crew had approached the Chieftain about sharing this area.

Chairman Walsh felt that this was a good question. Selectman Christie would like this addressed more broadly to include all possibilities along the river and not just the Chieftain.

Mr. Kermond reported that they negotiate with Dartmouth College on an annual basis which provides a fair amount of stress. The Chieftain has their own plan for their dock and they are a private property. The location is great in the summertime but the Crew team starts in March and this area is inaccessible until May. The season is 10 weeks long at the most. The sooner they can get into the water the better and the Chieftain is not viable.

Chairman Walsh asked about other possibilities other than the Chieftain.

Mr. Kermond stated that they looked at the area near the Water Reclamation Facility about 10 years ago which did not work out. They also looked at an area in Norwich which would require creating access across the railroad tracks. They attempted to site in Wilder but came up empty.

Lynn Brown stated that she has a son who rowed for 4 years and she also rows. She finds it ironic that anyone from any town can use the boat launch but now there is an issue with Hanover residents wanting to use the area.

Winifred Stearns stated that this is the only piece of property that the Town owns that has access to the river. She appreciates the impassioned speeches from the athletes but they would hear similar words from other students in any other sport. Her concern is about the dock that stays at the landing and she wants the area to look the same. She noted that Wilder and Norwich has passed on this group and she doesn't think that Hanover should feel bad about that or that they have to support this proposal.

Dorcas dehartog-Wonsavage stated that she would love to have rowers on the river versus high powered water boats. She felt that this improvement would add to the property value. She sees this as a private club contributing to the greater public good and health in addition to the environmental appreciation for the Connecticut River.

Doug Moore stated that he is the father of students involved in sports and he supports the rowing program. He is also an abutter of Wilson's Landing. He has been involved in some meetings with Dartmouth when they were interested in dividing up the land. Originally, Dartmouth was going to sell the house as a single family residence and conserve the land but that has obviously changed. This proposal is going to dramatically change the character of the area. He also

questions whether it has to be located at Wilson's Landing. He is concerned about the area growing into a "rowing center." As a rower, he loves the prospect but it is scary as an abutter. He stated that he also owns a speed boat and this proposal would take away another area for power boat use. With expansion there will be congestion with traffic. He has safety concerns over the mix of boats on the river. If the use is expanded to other hours of the day, they will be mixed in with motor boats. He does want the Friends of Hanover Crew to find a place but can there be public control over the growth of this entity? He also wondered if they could bus students to the site in order to minimize the impact on the homestead site.

Jim Heffernan felt that there was consensus on the virtue of the rowing program which is not the question before the Board. Whether this is the only location also seems to have been answered. It appears that Wilson's Landing is the only viable practice location. He feels that the proposal would enhance public access to the landing. He didn't feel that this structure would be obtrusive and the rowing club will not be holding picnics in the middle of the night. He felt that this proposal would serve all parties well.

Ann Crow felt that the Select Board needs to look at whether this location would be enhanced or deteriorate with additional use. The area is small and narrow and will impact other boats.

John Creagh is an abutter and reported that the access to the boat landing is an easement which involves a 25' strip. He stated that only that area belongs to the Town. He does not know who owns the land around it, possibly Dartmouth College, but there is a conservation easement that comes into play. The building and the boat shelters will block the view down the river. The structures will also contain canoes, kayaks and a gasoline facility. When the water is low, it becomes a shallow mud flat which is a habitat for birds and other creatures. He has concerns over the loading and unloading of gasoline in the area. Mr. Creagh also suggested that there may be a better site already owned by Dartmouth College south of the Wilson's Landing area.

Bob Norman stated that he is in favor of the Crew team but not this location. The land is flat and the dock needs to be moved out. A better location would have steep banks where the river is deeper. He stated that they would also need to consider the environmental impacts. He has heard that there may be property owners along the river that might be interested in selling their properties.

Dick Podolec is strongly in favor of the proposal. He lives 300 meters downstream at the finish line and feels that the river is a tremendous resource.

Lizann Peyton noted that with regard to traffic and safety issues surrounding that, the members have to pull out onto West Wheelock Street now and Lyme Road would be safer. There is a public benefit and that Crew is the only sport that a participant can start as a high schooler.

Buzz Congran was a rowing coach for Northeastern University in Boston. This community is not going to overwhelm this landing. He has looked for alternatives and the College property south of the landing is too steep; the Chieftain is private and they are not interested in this project. The proposed dock will be utilized much more and the project has more merit. He hopes that this goes forward.

Chris Bentivolio noted that the Town has made great investments in the community and put in many fields for other athletes. As a taxpayer, she appreciates this private group that is trying to put in this facility and wanted to thank the Friends of Hanover Crew for the service they are providing which will be available to the general public as well.

Blair Brooks, President of Friends of Hanover Crew, wants to work with the Town and the community to make this work. They care about the environment, public access and controlled growth in order to make the program work.

Ryan Kelleher is a senior rower and he felt that there were small issues that they can get around. He felt that the Zoning Board would take care of traffic and other issues surrounding the project. He felt that they could work out carpooling or coordinating with buses.

Ernie Cicotelli wanted to know more about the design and the ownership of the dock.

Mr. Kermond stated that the proposed shed is 80' x 24' which would be located about halfway down the road. The back part of the shed is a proposed location to store Dartmouth College's kayaks. Their goal is to maintain the open meadow and noted that for 6 months out of the year, the sheds will be empty. The ownership of the dock would be considered as part of the permitting process. Specifics about this are currently unknown. The dock could be donated to the Town.

Martha Solow clarified that there are two properties involved in this proposal. The landing itself is owned by the Town of Hanover. The Town of Hanover has no authority over the other property which is owned by Friends of Hanover Crew and the regulations on each property are the same because they are in the same zoning district. The Town has other responsibilities to protect the public and that doesn't come from zoning but from the Select Board.

Ann Crow asked about the process of the Town being a co-applicant and the possibility of there being some prejudice when the application appears before the other boards.

Chairman Walsh stated that this will also be discussed during deliberations but they have in the past taken the position that the Town should be treated like any other applicant.

Win Piper, Upper Valley Rowing, wanted to add that if the question of this proposal going forward becomes dependent on whether Upper Valley Rowing is allowed to participate, Upper Valley Rowing would step aside.

Carol Weingeist asked where the dock would be stored in the winter.

Mr. Kermond stated that it would be removed in pieces and stored in the boat storage.

Chairman Walsh closed the public hearing at 10:18 p.m. He stated that he needs to be persuaded that this is the only location. It's not that he doesn't agree with what's been said regarding the benefits of the rowing club. He wants the crew team to find a permanent home that is successful.

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Chairman Walsh is concerned about the legal questions regarding deeds and easements and any potential fatal flaws. He stated that he is at a loss with regard to the zoning questions. If this is the only possible location, he suggested that they consider use restrictions.

Vice Chairman Connolly stated that the proposal included four pages of possible conditions. She suggested that they recommend the conditions to the Planning and Zoning Boards if they choose to move forward.

Selectman Christie also questioned whether this was the only location and if this was the appropriate expansion of Wilson's Landing which has Zoning and Planning implications. He also had concerns over the policy issue regarding the public versus private issue. He has concern over the timing of the Select Board's actions over the other boards. He doesn't want to send them any other message other than they need to act based on their obligations.

Selectman Doherty asked whether the Select Board needed to issue any permits for anything else to happen. Chairman Walsh stated that the Town could be a co-applicant or give the Friends of Hanover Crew a right to pursue.

Selectman Rassias felt that there were a significant number of outstanding questions raised in some letters from various commissions that were forwarded regarding the possible environmental impacts of this project.

Selectman Christie asked about the co-applicant process. Ms. Griffin stated that because this is public property the State prefers to see the support of the Town as a co-applicant. She noted that the City of Concord had a similar request and they were a co-applicant for the construction of a dock for the Concord High School Crew team.

Selectman Christie stated that the policy decision for the public versus private piece needs to be determined by the Select Board. The other issues will be dealt with by Planning and Zoning.

Ms. Griffin pointed out that if the dock is placed at Wilson's Landing, it should be publicly available but maintained by Friends of Hanover Crew. She didn't feel it was appropriate for the taxpayers to inherit the maintenance costs. The Town's total budget for the landing is \$1,200 per year but they don't spend a lot of money on the landing.

Vice Chairman Connolly confirmed that the new proposed dock would be open for public use at all times.

Chairman Walsh felt that the environmental and abutter questions could be addressed further in the process with conditions and/or restrictions to minimize these impacts. He feels that there is a workable balance.

Selectman Doherty asked about any other examples of private structures that are open for public use. Chairman Walsh gave the Howe Library, 7 Lebanon Street and the parking garage as examples of very complicated public and private entities. Ms. Griffin stated that the most recent

was the Grasse Road playing field in the front yard of the Water Company. They came to an agreement and there is precedence with working with private entities.

Selectman Christie felt that it may go back to whether it is characterized as a private structure on public land or a public structure paid for privately on public land. He feels that this would be a public structure paid for privately on public land.

Chairman Walsh sensed that the Board was not ready to take action at this meeting. He would like to address their specific questions at the next possible meeting.

Ms. Griffin highlighted the questions of the Board to be addressed. 1) Is this the only location; 2) questions regarding Deeds and Easements; 3) potential limitations on use; 4) is this the appropriate expansion for Wilson's Landing; and 5) timing of actions. She also noted that the State Department of Environmental Services (DES) will be making decisions regarding approval of the dock. DES has expressed questions and concerns about this site.

Chairman Walsh would like this addressed again sooner rather than later. Selectman Doherty also wanted there to be a quick response because there is a lot of information that they have had to digest and there is a lot of momentum behind this proposal.

Chairman Walsh thanked everyone for attending and providing their input.

3. RECOMMENDATION TO SET TUESDAY, OCTOBER 27, 2009 AS A SPECIAL TOWN MEETING TO APPROVE MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY AS PROPOSED.

Chairman Walsh MOVED to set Tuesday, October 27, 2009 as a Special Town Meeting to approve municipalization of the Hanover Water Works Company as proposed. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO SET TUESDAY, OCTOBER 27, 2009 AS A SPECIAL TOWN MEETING TO APPROVE MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY AS PROPOSED.

4. RECOMMENDATION TO SET A PRE SPECIAL TOWN MEETING PUBLIC HEARING ON SEPTEMBER 28, 2009.

Chairman Walsh MOVED to set a Pre Special Town Meeting public hearing on September 28, 2009. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO SET A PRE SPECIAL TOWN MEETING PUBLIC HEARING ON SEPTEMBER 28, 2009.

5. RECOMMENDATION TO AUTHORIZE SUBMITTAL OF A SAFE ROUTES TO SCHOOL GRANT APPLICATION.

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Vice Chairman Connolly MOVED to authorize submittal of a Safe Routes to School grant application. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE SUBMITTAL OF A SAFE ROUTES TO SCHOOL GRANT APPLICATION.

6. APPROVAL OF MINUTES:
- August 10, 2009

Selectman Christie MOVED to approve the Minutes of August 10, 2009 with minor changes. Selectman Rassias SECONDED the motion.

THE BOARD UNANIMOUSLY APPROVED THE MINUTES OF AUGUST 10, 2009 WITH MINOR CHANGES, 4 IN FAVOR, 1 ABSTAINED. (Chairman Walsh abstained from the vote.)

7. ADMINISTRATIVE REPORTS.

Ms. Griffin reported that background information regarding the proposed municipalization of the Hanover Water Company is now available at the libraries in time for the September 23rd and 28th public information hearings.

8. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie reported that the Dresden & Hanover Finance Committee met and they noted that enrollment in the schools is up and a significant increase in tuition students. The Hanover Finance Committee voted unanimously in favor of the municipalization of the Hanover Water Company. The Committee did a very thorough review and they will be preparing a letter stating that the company is in good solid shape and that the savings the Town envisions are realistic and that it is a proper move for the Town.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board approved a subdivision for houses on Lyme Road owned by Dartmouth College that were all on the same lot.

Judy Doherty

Selectman Doherty stated that the Howe Trustees met on September 3rd. They have been working on the HVAC system and should have a report in the next few weeks on what it will take to fix the problem. The Trustees will come before the Select Board again on September 28th to ask for permission to serve wine at a fundraising event. The Trustees are also planning a retreat to review the statement of understanding between the Trustees and the Town and to get

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goals set for the year. The Trustees welcome any Select Board input at the retreat so agenda items can be submitted to Selectman Doherty or Ann Bradley.

Selectman Doherty reported that Bob Strauss informed her that the Affordable Housing Commission will meet on Thursday, September 17th reminding everyone that the meeting was changed to 7 p.m. Their agenda will focus on by-law changes and discussing appointments which will be addressed at the September 28th Select Board meeting.

Athos Rassias

Selectman Rassias reported that the Conservation Commission met last week where they considered an application review. They also thanked Robin Carpenter who is stepping down after many years of service on this Commission. His efforts and work were much appreciated.

Brian Walsh

Chairman Walsh reported that the Parks and Recreation Board has a couple of openings and he encouraged anyone who is interested to let Hank Tenney know.

Chairman Walsh reported that the Hanover Sustainability Committee meets on Wednesday a.m. at 8:00 and the Chamber of Commerce Board is having a meeting on Wednesday at 3:00 p.m. and he anticipates attending both meetings.

9. OTHER BUSINESS.

There was no Other Business reported.

10. ADJOURNMENT.

Vice Chairman Connolly MOVED to adjourn the meeting. Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:58 P.M.

Respectfully Submitted,

Judith A. Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Chairman Walsh MOVED to set Tuesday, October 27, 2009 as a Special Town Meeting to approve municipalization of the Hanover Water Works Company as proposed. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO SET TUESDAY, OCTOBER 27, 2009 AS A SPECIAL TOWN MEETING TO APPROVE MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY AS PROPOSED.

2. **Chairman Walsh MOVED to set a Pre Special Town Meeting public hearing on September 28, 2009. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO SET A PRE SPECIAL TOWN MEETING PUBLIC HEARING ON SEPTEMBER 28, 2009.

3. **Vice Chairman Connolly MOVED to authorize submittal of a Safe Routes to School grant application. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE SUBMITTAL OF A SAFE ROUTES TO SCHOOL GRANT APPLICATION.

4. **Selectman Christie MOVED to approve the Minutes of August 10, 2009 with minor changes. Selectman Rassias SECONDED the motion.**

THE BOARD UNANIMOUSLY APPROVED THE MINUTES OF AUGUST 10, 2009 WITH MINOR CHANGES, 4 IN FAVOR, 1 ABSTAINED. (Chairman Walsh abstained from the vote.)

5. **Vice Chairman Connolly MOVED to adjourn the meeting. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:58 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

August 10, 2009

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 Vice Chairman Katherine Connolly. Present were: Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager. Absent: Brian Walsh, Chairman.

1. PUBLIC COMMENT.

Vice Chairman Connolly asked for Public Comment.

Martha Solow, Rayton Road, introduced herself to the Board. She stated that she has been actively involved in the Town over the years serving on various Boards and Committees. She was attending the meeting to address the Board regarding Wilson's Landing on Lyme Road. Her sense is that there is going to be a change to the area and it is currently well used but not over-used. She fears that with the proposal to have a crew club, it may deteriorate the property and be detrimental. She is urging the Select Board to find out more and confer with the Boards and Commissions, particularly the Conservation Commission to look at all of the issues. She understands that the Board has been asked to support these efforts and asks that the Board refrain from endorsing this. Ms. Solow would like to see a lot of public notice before any further discussions. She asked that there would be an ability to have members of the public express their concerns about this proposal.

Vice Chairman Connolly noted that there was a presentation on the 6th of April and the applicants were asked to do additional work before coming back to the Board. Ms. Solow wanted to clarify that she was not criticizing the Board but wanted to emphasize that this is a special situation because this is Town land and she feels that the residents need to have a say in how it's being used. Selectman Rassias supported extra notification for future meetings with regard to upcoming important discussions on this matter.

Vice Chairman Connolly asked for any additional Public Comment.

Doug McIlroy asked the Board to find a way to empower the Conservation Commission to do small maintenance on Class VI roads that will not put them in violation of Ordinance #4. There is some work that needs to be done to the water bar on Wolfeboro Road but it would be in direct violation of the ordinance. Ms. Griffin stated that she would get some clarification on this so that they could work on the water bar as soon as possible.

Vice Chairman Connolly invited Winifred Stearns to speak to the Board.

Winifred Stearns, 5 Dorrance Place, stated that she was attending the meeting to find out if the Town had the information available on the affordable housing at Gile Hill that was discussed at the previous meeting. She had requested that the men that were present at that meeting provide

detail as to the make-up of the tenants and the demographics of where the residents of Gile Hill actually work. Ms. Griffin stated that she does have the number of units rented and sold. Ms. Stearns noted that the men in charge of the project stated that they would gather this information and report back. She felt that this information would be helpful for the residents to see and she was looking for a breakdown of this information. Ms. Griffin stated that she would work on getting this information together.

2. RECOMMENDATION TO ACCEPT CURRIER STREET SIDEWALK & DUCT EASEMENTS.

Ms. Griffin stated that the Town is not comfortable with the current Waiver of Liability language because the way that it's worded, everything would fall on the Town and it's not clear whether the Town's insurance would cover certain claims should they arise. She spoke with Darrell Hotchkiss who is the attorney for C&A who is working this out with Walter Mitchell, the Town's attorney. Ms. Griffin was looking for the Board approval to accept the easement when the agreement is reached.

Ms. Doherty wanted to make sure each part of the language is reviewed by the attorney. Ms. Griffin confirmed that this would be well reviewed by the Town's attorney.

Selectman Doherty MOVED to approve the recommendation to accept the Currier Street Sidewalk & Duct Easements. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE RECOMMENDATION TO ACCEPT THE CURRIER STREET SIDEWALK & DUCT EASEMENTS.

3. RECOMMENDATION TO ADOPT CORRECTIONS AND ABATEMENTS AS PROPOSED BY ADVISORY BOARD OF ASSESSORS.

Ms. Griffin stated that Mike Ryan, Assessor, was present to answer any questions.

Selectman Christie MOVED to adopt Corrections and Abatements as proposed by the Advisory Board of Assessors. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADOPT CORRECTIONS AND ABATEMENTS AS PROPOSED BY THE ADVISORY BOARD OF ASSESSORS.

4. DISCUSSION REGARDING HUNTING ON DANA LAND.

Ms. Griffin reported that the Conservation Commission is approaching the Board because the deer herd population has increased and is causing a concern for the Commission. Vice Chairman Connolly noted that Mr. Dana did not want hunting on the property at the time that the Town accepted the property but it is not included in the deed.

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Mr. McIlroy noted that there was a discussion with Cliff Vermilya (former Town Manager) and he read the following statement from an e-mail from May 27, 2009 which recounted that discussion. The following is a summary of that statement:

By the time Ernest (Mr. Dana) decided to donate the property, he was very frail but very clear minded. He was especially clear about the uses he wanted for the property. Cliff recalled that there was nothing prohibited. (Mr. McIlroy clarified that there were some activities that were prohibited). Cliff has no memory about the issue of hunting. Cliff's feeling is that if Ernest was alive today, he does not know what he would say about this issue.

Mr. McIlroy stated that they have in the records from Jean Ulman (Assistant Town Manager) that hunting was not wanted and it was that record upon which the Selectboard had a very brief discussion. He noted that there was a small section recorded in the Minutes about hunting but nothing official. Vice Chairman Connolly stated that she remembers the intent but it's not listed in the deed. Mr. McIlroy stated that there was an application for a tree stand that the Town previously turned down which also indicates that there would be no hunting on that property.

Selectman Christie thanked Mr. McIlroy for the very thorough report on this issue. Selectman Christie stated that it appears that the Conservation Commission and the neighbors are in favor of allowing hunting on this property. Mr. McIlroy stated that there is one neighbor that he hasn't been able to speak to which is Mr. Dana's elderly sister-in-law.

Selectman Rassias felt that allowing hunting in the area was probably the logical thing to do. Vice Chairman Connolly stated that she had concerns regarding safety with hikers in the same area as people with guns.

Mr. McIlroy suggested having the signs posted 100 feet in on the trails so as to not encourage an influx of hunters that notice the signs driving by but allowing residents to be aware that there would be hunters in the area.

Ms. Doherty feels that a transition year would require postings showing the area as one that allows hunting. She also wondered if there is a place where people can look up information regarding designated hunting areas in Hanover. Ms. Griffin stated that the information is not that organized at this point.

Vice Chairman Connolly felt that because hunting had been prohibited for such a long time, the postings should be displayed for an extended period of time and not just in the transition year.

Selectman Doherty MOVED to lift the hunting ban on Lots 99, 84 and 28. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO LIFT THE HUNTING BAN ON LOTS 99, 84 AND 28.

The Board thanked Mr. McIlroy for all of his hard work.

5. RECOMMENDATION TO GRANT SEWER ABATEMENT REQUESTS.

Ms. Griffin reported that these were small straightforward abatement requests.

Ms. Stearns questioned whether the Gile property was included in the sewer abatement requests being discussed. Ms. Griffin stated that Gile was not included and that she would ensure that any meetings related to the Gile Project would be well noticed.

Selectman Christie MOVED to accept the recommendation to grant the sewer abatements. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO GRANT THE SEWER ABATEMENTS.

6. RECOMMENDATION TO APPROVE CAPITALIZATION POLICY.

Ms. Griffin reported that this came at the recommendation of the auditors and this policy was modeled after other existing policies.

Ms. Doherty expressed concern over volume of inventory that needs to be documented and wondered if staff would be overwhelmed in conforming to the policy which could be costly. Ms. Griffin stated that 2 years ago, there was a comprehensive evaluation done and that staff is 90% done and there is software in place to keep it maintained. Selectman Christie noted that without having the Capitalization Policy in place, the Town can not get a qualifying loan.

Vice Chairman Connolly asked why building improvements and buildings are not in the same category. Selectman Christie stated that for this policy, it appears that this is addressing useful life. The building may have a 40 year life but the systems within the building may have a 20 year useful life and therefore any improvements are separate.

Selectman Doherty MOVED to approve the Capitalization Policy. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE CAPITALIZATION POLICY.

7. RECOMMENDATION TO APPROVE ISSUANCE OF 2009 DOG WARRANT.

Vice Chairman Connolly reported that she is aware of two dogs that can be removed from the Warrant. Ms. Griffin stated that this is done for those residents that fail to register their dogs.

Selectman Christie MOVED to approve the issuance of the 2009 Dog Warrant. Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE ISSUANCE OF THE 2009 DOG WARRANT.

8. RECOMMENDATION TO APPROVE INTERMUNICIPAL AGREEMENT AND ARTICLES OF INCORPORATION TO CREATE WCNH BROADBAND CONSORTIUM INC. AS AUTHORIZED BY 2009 TOWN MEETING.

Ms. Griffin stated that the Towns of Newbury, Sunapee and New London have approved and signed the agreement. Enfield should be doing so on Monday. Ms. Griffin noted that they have done a lot of work with the College and DHMC and reported that there may be a fiber project which would link Dartmouth, UNH and UVM through a federal program. This project would require additional financial resources for additional stimulus funding through WCNH as a non-profit organization which could fund the gap. The corporation needs to be established to be eligible for municipal grant funds.

Selectman Doherty MOVED to approve the intermunicipal agreement and articles of incorporation to create WCNH Broadband Consortium Inc. as authorized by 2009 Town Meeting. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE INTERMUNICIPAL AGREEMENT AND ARTICLES OF INCORPORATION TO CREATE WCNH BROADBAND CONSORTIUM, INC. AS AUTHORIZED BY 2009 TOWN MEETING.

9. STATE BUDGET UPDATE AND DISCUSSION OF NHMA LAWSUIT REGARDING 28-a VIOLATION.

Ms. Griffin reported that there are concerns about the State taking additional funding from the Rooms & Meals tax allocation to communities. She will keep the Board apprised of developments in this area. Rooms & Meals tax appears to be an attractive source and she noted that the Town of Hanover lost \$177,000 in State Aid and she will prepare a letter to the taxpayers explaining any tax rate increase due to this change.

Ms. Griffin clarified that the lawsuit is focused on the State legislation's decision to reduce the State's retirement contributions. NHMA is considering a suit against the State of NH for a violation of the State Constitution. Ms. Griffin stated that about a year ago, there was discussion regarding the potential of a lawsuit and the NHMA looked for contributions for a legal fund for which the Town contributed. Hanover's share was around \$680.00. There is currently about \$500,000 in the legal reserve and the NHMA is contemplating filing the suit. It is possible that the NHMA might look for additional legal funding but they are not currently asking for this.

Ms. Griffin noted that the NH Retirement System Board is now in the process of having an actuarial update done since the fiscal year just ended. A decision will be made this fall regarding the extent of the employer mandated increase for July 1, 2010. She anticipates that it is going to

be upwards of a 40% increase. Department Heads have been warned that they need to focus on strategies for funding without assuming that it goes straight to the tax rate.

The Director of the Retirement System spoke last week and reported that 57% of the retirement liability is funded. Vice Chairman Connolly noted that this was down from the previous year.

10. WATER COMPANY – MUNICIPALIZATION UPDATE.

Ms. Griffin stated that they have come up with a task list based on the public input received in April/May 2009. Ms. Griffin gave the Board a highlight of what they are working on. Selectman Christie stated that they are going to publicize the list so that residents can be made aware of what they are working on and assure them that they have heard their questions and will be addressing them in this process. Selectman Rassias stated that the Conservation Commission's concern is the ownership of the hard assets and the land. Selectman Christie noted that this is the very first bullet point on the task list. Ms. Griffin stated that from a practical, legal and borrowing standpoint, municipalization makes sense. Selectman Christie stated that this is an example of the desire to keep the watershed with the property; the issue is being heavily discussed and it appears that the Town will probably take ownership of the reservoir, set back areas and the dams for legal reasons.

**11. BANNER REQUEST/STREET CLOSURE:
- Special Olympics Fall Games**

Selectman Doherty MOVED to approve the Banner Request for the Special Olympics Fall Games. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE BANNER REQUEST FOR THE SPECIAL OLYMPICS FALL GAMES.

**12. APPROVAL OF MINUTES:
- June 22, 2009**

Selectman Doherty MOVED to approve the Minutes of June 22, 2009. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE MINUTES OF JUNE 22, 2009.

13. ADMINISTRATIVE REPORTS.

Ms. Griffin stated they will wrapping up the Water Company this month. She will be looking at making binders of information to distribute to the community.

14. SELECTMEN'S REPORTS.

Athos Rassias

Selectman Rassias reported that the Conservation Commission had a long discussion on developing a policy for requests to alter public property.

Selectman Rassias reported that the Hanover Bike & Pedestrian Committee is very active meeting twice a month. Sharrows were part of the discussion after their presentation to the Select Board. Park Street is the next area that the Committee is working on. North Park Street is another area that they have met with a consultant about. The Committee will be coming to the Board with recommendations. There have been discussions regarding concerns over commuters, bicyclists and pedestrians.

Judy Doherty

Selectman Doherty reported that the Howe Trustees will meet this week.

Selectman Doherty reported that the Housing Commission changed its start time from 7:30 to 7:00 and will meet this month. The Commission held a barbecue last month with all of the residents and developers of the Gile Hill Project which was catered by Blood's Seafood. It was an opportunity to talk to residents and hear first hand how things are going.

Peter Christie

Selectman Christie reported that the Hanover Finance Committee met just prior to the Board of Selectmen's meeting; budget guidelines were reviewed and recommended. The guidelines proposed by the Dresden Budget Committee to their full School Board were a 0% increase in their controllable costs and a 4.5% increase in their overall budget.

Dick Podolec will be stepping down in September. Bill Garrity was elected as the new Chairman effective in September. They will be looking at one new member to fill that spot.

Ms. Griffin noted that the School District is facing the same 5% reduction in the retirement contribution for their teachers. Selectman Christie noted that this issue did not come up during the Finance Committee's discussions.

Selectman Rassias pointed out that Dick Podolec did such an admirable job for many years and wanted him to be recognized.

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Kate Connolly

Vice Chairman Connolly reported that the Planning Board is on vacation for the month of August. They have been working on the Residential Project and whether or not it should be changed. The Planning Board approved the Visual Arts Center on Lebanon Street with a long list of provisions. There is a contribution toward placing the wires underground. The Planning Board also obtained an extended warranty of the street trees.

15. OTHER BUSINESS.

There was no Other Business reported.

16. ADJOURNMENT.

Selectman Christie MOVED to adjourn the meeting. Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING AT 8:45 P.M.

Respectfully Submitted

Judith A. Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Selectman Doherty MOVED to approve the recommendation to accept the Carrier Street Sidewalk & Duct Easements. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE RECOMMENDATION TO ACCEPT THE CURRIER STREET SIDEWALK & DUCT EASEMENTS.

2. **Selectman Christie MOVED to adopt Corrections and Abatements as proposed by the Advisory Board of Assessors. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADOPT CORRECTIONS AND ABATEMENTS AS PROPOSED BY THE ADVISORY BOARD OF ASSESSORS.

3. **Selectman Doherty MOVED to lift the hunting ban on Lots 99, 84 and 28. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO LIFT THE HUNTING BAN ON LOTS 99, 84 AND 28.

4. **Selectman Christie MOVED to accept the recommendation to grant the sewer abatements. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO GRANT THE SEWER ABATEMENTS.

5. **Selectman Doherty MOVED to approve the Capitalization Policy. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE CAPITALIZATION POLICY.

6. **Selectman Christie MOVED to approve the issuance of the 2009 Dog Warrant. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE ISSUANCE OF THE 2009 DOG WARRANT.

7. **Selectman Doherty MOVED to approve the intermunicipal agreement and articles of incorporation to create WCNH Broadband Consortium Inc. as authorized by 2009 Town Meeting. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE INTERMUNICIPAL AGREEMENT AND ARTICLES OF INCORPORATION TO

**CREATE WCNH BROADBAND CONSORTIUM, INC. AS AUTHORIZED BY
2009 TOWN MEETING.**

8. **Selectman Doherty MOVED to approve the Banner Request for the Special Olympics Fall Games. Selectman Rassias SECONDED the motion.**

**THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE BANNER
REQUEST FOR THE SPECIAL OLYMPICS FALL GAMES.**

9. **Selectman Doherty MOVED to approve the Minutes of June 22, 2009. Selectman Christie SECONDED the motion.**

**THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE MINUTES
OF JUNE 22, 2009.**

10. **Selectman Christie MOVED to adjourn the meeting. Selectman Doherty SECONDED the motion.**

**THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING
AT 8:45 P.M.**

FINAL

BOARD OF SELECTMEN'S MEETING

June 22, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

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

2. PUBLIC HEARING TO CONSIDER AND APPROVE MODIFICATIONS TO THE FY2009/2010 RATE AND FEE SCHEDULE.

Chairman Walsh invited Betsy McClain to speak about the proposed Rate and Fee Schedule. Ms. McClain advised that every year, staff review the rates and fees that are charged by each department for different services. The Board had been provided with recommended changes to the Rate and Fee Schedule for FY 2009/2010.

Ms. McClain gave an overview of the proposed changes for the Fire and Ambulance Funds and noted that Chief Bradley was present to address any questions related to the Fire and Ambulance rate and fee changes.

Ms. McClain noted that for General Administration, part of the proposal is to charge a flat fee to export data from an underlying database. Selectman Doherty asked whether the charge was going to be assessed for each request. Ms. McClain stated that it was. Selectman Rassias asked if there were a lot of these types of requests. Ms. McClain stated that with the General Election, there were many requests for the voter checklist.

Ms. McClain noted that the recommended change for the Libraries was to charge an additional \$5.00 per year for the non-resident fee for the Howe Library Cards. Ms. McClain stated that Mary White, Library Director, wanted to make sure that all Dresden School District staff would be provided with faculty cards at no cost. Chairman Walsh questioned the charge for kindles and not for PCs and would like to make this part of a budget conversation for next year.

Ms. McClain stated that the proposed change for the Police Department is relative to the special outside billing rate which reflects a 1% COLA and the pending legislation that the Town is going to be responsible for the State's retirement contribution in the amount of 5.85% for Group 2 wages. The other change is a new line item for the creation of cruiser videos for discovery in the amount of \$25.00 per request.

Ms. McClain noted that for Parking, they are going to increase to the maximum for violations in handicap spaces from \$250.00 to \$500.00 with the fee increasing after 14 days from \$500.00 to

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\$1,000. They also proposed to eliminate the summons surcharge. Chairman Walsh stated that he supported the change to charge the maximum that the State allows. Vice Chairman Connolly felt that this was an extraordinary amount. Lt. O'Neill stated that they caught 53 offenders last year and he's sure there are many others that have not been caught. Selectman Rassias supported it as long as it is well posted.

Ms. McClain stated that Public Works requested an increase in internment charges to more accurately reflect the labor cost for weekend and winter burials.

Ms. McClain stated that as part of the budget process, the fees for Parks and Recreation were reviewed and there are proposed changes to the fees based on some of those conversations. Ms. McClain gave an overview of the specific proposed changes. Ms. McClain stated that the increases reflect costs for custodial and facility maintenance. Chairman Walsh stated that as a member of the Parks & Recreation Board, they tried to increase the fees in a way that is fair and balanced and feels that these are small in comparison with surrounding communities. Selectman Rassias asked if there was consideration for hardships. Chairman Walsh confirmed that there was.

Chairman Walsh asked for a vote on the Rate and Fee Schedule proposed changes before they pursue the Water Reclamation Facility.

Vice Chairman Connolly MOVED to approve the recommended changes to the Rate and Fee Schedule (not including the Water Reclamation Facility). Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE RECOMMENDED CHANGES TO THE RATE AND FEE SCHEDULE (NOT INCLUDING THE WATER RECLAMATION FACILITY).

Chairman Walsh reported that a few years ago, the Board started to look at how to deal with the capital costs of the Water Reclamation Facility to increase capacity at the plant. The difference in cost for gallons per day went from \$2.00 per gallon to approximately \$10 per gallon. He suggested that they table this issue and get a study group to look at what the rate would have been on July 1, 2007. Chairman Walsh stated that it didn't make sense to him that the rate would be \$10.00 for the past two years and then reduce it to \$4.00.

Selectman Christie shared Chairman Walsh's concerns and would like to see an in-depth study; he would be more than happy to lead a group to look at the new rate suggestion and do it quickly.

Josh Kahan, Balch Hill Lane, asked where the \$4.00 gallons per day rate originated. Chairman Walsh stated that the rate is based on two factors. Ms. Griffin stated that one is based on total replacement cost of the plant and the other is based on the investments of capital improvement programs and the committee needs to look at the two approaches and consider their best option. Ms. Griffin clarified that this is the connection fee for a new customer on the system.

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Mr. Kahan asked how this is calculated. Ms. McClain stated that the calculation is published in trade material for different types of buildings such as residential versus commercial. Mr. Kahan asked about how it is going to be looked at retroactively and asked whether this was generated from the Gile Hill abatement request. Chairman Walsh stated that this had nothing to do with the Gile Hill issue. Ms. Griffin stated that this was something that has been on the Board's agenda for a couple of years.

Chairman Walsh gave an overview of the start of this process and in past years, 75% of the funding came from Federal funding, 20% from State funding and 5 % from Town funding. They are trying to come up with charges that are fair for a new connection. Ms. McClain stated that the first two changes to the Reclamation Facility are not related to the sewer connection fee and felt that the Board might be ready to move on those two items.

Vice Chairman Connolly MOVED to approve the recommended changes to the Rate and Fee Schedule for the Water Reclamation Facility (excluding the suggested changes to the Sewer Connection Fee). Selectman Christie SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE RECOMMENDED CHANGES TO THE RATE AND FEE SCHEDULE FOR THE WATER RECLAMATION FACILITY (EXCLUDING THE SUGGESTED CHANGES TO THE SEWER CONNECTION FEE).

Chairman Walsh asked Selectman Christie to form a group to study the sewer connection fee proposal.

3. FURTHER DISCUSSION OF REQUEST FOR PARTIAL ABATEMENT OF SEWER CONNECTION FEE FOR GILE COMMUNITY.

Ms. McClain stated that after the last meeting where The Hartland Group came forward and requested a partial abatement for their sewer connection fee, they had a meeting to address this issue recognizing the that affordability housing issue adds complexity to the financing arrangements. The proposal is to consider a full abatement for the affordable housing units. The total amount billed to date was \$99,665 and the proposed abatement reduction would reduce that amount by \$41,067 which would result in a fee due of \$58,598.

Selectman Doherty asked how any abatement is going to affect the budget going forward. Ms. McClain stated that the connection fee is deposited into the Capital Reserve Fund for the Water Reclamation Facility and will affect future capital improvement funding but will not affect the funding for the operations of the facility. Chairman Walsh stated that the question comes up yearly about whether future capital improvements should be paid by reserving or borrowing and they seek to have a balance on this.

Selectman Christie noted that the fee change was raised on July 1, 2007 and the project received final site plan approval in January, 2007. The building permits were not issued until one week after the fees went into place and he felt that this is what caused the huge discrepancy. Mr. Lief, The Hartland Group, reported that the certificate of occupancy must be complete before the fee is

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charged. He wanted to clarify that they did not miss this by one week, the certificate of occupancy was in place in November 2008 and the new connection fee was in place at that time. Chairman Walsh would like the information table to reflect certificate of occupancy dates. Vice Chairman Connolly commended Ms. McClain with the solution to the problem but if the Board is going to reconsider the connection rates, she would suggest waiting to see what those revised amounts would be after the study is complete.

Winifred Stearns, 5 Dorrance Place, stated that when this project was sold to the Hanover taxpayers, the mission was to provide housing for people who work in the Town or for the hospital and would be contributing to life within Hanover itself since the taxpayers are subsidizing this project. She asked whether they have fulfilled this mission. Ms. Stearns stated that in dropping the price 15% due to the market, she doesn't feel that this is reflective of what is happening in Hanover and questioned whether they would have the money to pay the sewer abatement if they sold the units at a higher rate. Ms. Stearns felt that if they waited for a more attractive market, they may have been able to pay for the sewer connection fee. Chairman Walsh stated that they are working with borrowed money so waiting may not have been the best option. Ms. Stearns stated that the reduction in this amount changes the rate at which these units will be taxed.

Ms. Stearns asked how they have managed the Federal Fair Housing requirements. She also is asking what ratio of the rentals are supporting the Town of Hanover employees or workers within the Town.

Mr. Lief, The Hartland Group, stated that with respect to the 15 condos sold, 13 of the purchasers are employees of the hospital. This includes affordable condominiums as well as the market rate condominiums. All of the 61 rental units are currently being rented and he does not have the demographic breakdown today but he can obtain it. The vast majority of the people are employed by either the hospital or the College with very limited exception. Chairman Walsh would like to see this information also. Mr. Lief stated that they also have employees from private employers such as Teleatlas. Ms. Stearns asked whether they have been challenged by the Federal Fair Housing Act and work force housing. Chairman Walsh stated that Hanover is a leader in this initiative because of the Gile Hill Project. With regard to the Federal HUD regulations, Mr. Lief stated that no questions have been raised regarding the Gile Hill project. There is a specific exemption from the Fair Housing requirements that would allow for local preferences.

Selectman Christie noted that there was a significant amount of marketing and notification done with Town and School employees to encourage them to take advantage of this opportunity.

Josh Kahan asked the amount of the abatement that the Gile Project was looking for. Selectman Christie stated that in round numbers it is \$300,000. Ms. Griffin stated that staff is recommending an abatement on the affordable units and not the marketable units. Ms. McClain stated that as of today, the recommendation is to abate \$41,000. Mr. Kahan felt that this is about allowing everyone who felt that they were trapped by the change in the sewer fee to ask for an abatement. His concern is what the future abatements and concessions are coming down the pike.

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Mr. Lief stated that he reviewed Betsy McClain's memo for the first time tonight and there may be calculations that they need to work through and feels that the amounts may be somewhat understated. To some extent, the study may take this Board in a direction that would affect their request. He suggests that perhaps they come back again after he has an opportunity to review the memo and respond to it which may impact the overall discussion of fairness. Miro Weinberger, The Hartland Group, stated that the notion of fairness is that they secured approval under a certain set of fees but then were subject to an increase in fees. He stated that the Board originally was looking at what other projects fell into the same category as Gile and if they were to abate fees for Gile, who else would be coming to the Board looking for refunds.

Chairman Walsh stated that one thing that has become clear is that market rate units where the market rate can go up or down is fundamentally different from those affordable housing units and the financing restrictions placed on them. He would like to have staff bring a proposal forward as to what the policy should be versus what the numbers should be for a specific project. He would like to see this information come before the Board at the same time as the study information in addition to what other projects were affected by the certificate of occupancy dates and the increase in the sewer connection fee. He is thinking that this may be reviewed again in the fall.

Selectman Doherty expressed concern about moving forward and the obligation that a developer has versus the community as a whole given market fluctuations. She would like the Board to be clear going forward as to the obligation the developer has to address these types of concerns.

4. PRESENTATION AND DISCUSSION WITH BIKE/PEDESTRIAN COMMITTEE.

Chairman Walsh invited members of the Bike/Pedestrian Committee to make their presentation.

Doug Deaett introduced his fellow Bike/Pedestrian Committee members: Tim Cox, Carol Weingeist, Roger Lohr, Tom Linell, Barbara McIlroy, and Athos Rassias (Board Representative) and he noted that the Committee is advisory to the Board. Mr. Deaett thanked the Howe Library for the use of the projector and screen and System Plus for additional wiring. Thanks to Peter Kulbacki who has met with him in different locations to review this issue.

Mr. Cox read the following statement on behalf of the Bike/Pedestrian Committee:

"The Committee formally requests that the Select Board approve the implementation of the Sharrow Demonstration Project on Lebanon Street and creation of bicycle lanes on a segment of South Park Street.

The Sharrow design is recommended on roads too narrow to accommodate standard bike lanes and where parked cars may present a safety hazard. Bike lanes are recommended on selected roads, starting with South Park Street. South Park is subject to a large volume of heavy traffic (11,000 vehicles/day), and is an important connection between bike lanes on Route 120 and

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Lyme Road, with no alternative available for cyclists. It's most economical and efficient to address Park St. now, while it is under construction.

Over the past several months, working in close collaboration with a number of people, the Committee has developed standards for bicycle facility design, received Town approval to complete Part Two of the Bicycle Friendly Community application, identified a network of roads commonly used by cyclists and created a blog to notify and educate the public and solicit public input.

The Board has been provided with a draft of a new Bicycle Route Map commissioned by the Committee. The map will be completed in July and in digital form will be compatible with Google Earth. A graphic of the Sharrow and a copy of the HBPC Blog are also included for reference.

As the Board is aware from previous presentations, the committee has completed this work as part of a Bicycle and Pedestrian Plan to establish a safe network of roads enabling residents and visitors to ride and walk to school, work and other public places as well as to and from neighborhoods throughout town.

While all public roads may be shared by multiple modes of transportation, certain roads are more commonly used by cyclists. Ultimately, all roads should have minimal bike facilities such as traffic lights that trip for cyclists, follow bulb-out guidelines, and have bicycle friendly storm sewer grates. By establishing the most commonly traveled roads used by cyclists the Town will have a blueprint upon which to prioritize the implementation of specific bicycle facility design guidelines when considering the impact of future applications for commercial development and to coordinate with Public Works re-paving schedules.

The Committee would like to publicly acknowledge and thank the Select Board for it's willingness to consider our recommendations and for appointing Athos Rassias to serve as representative; to Peter Kulbacki for the many hours he devoted to attending meetings, fielding our questions and providing valuable insight and advice; to the Hanover Improvement Society for their interest in these projects and their continued support and to Caroline Radisch, of ORW for her tireless efforts in producing the design guidelines that serve as the basis for our recommendations. Accomplishing this and future work would not be possible without the combined support and assistance of these and many others."

Mr. Cox and Mr. Deaett made a slide presentation that depicted current traffic, recent committee activity and the proposed use of Sharrows. Selectman Rassias noted that the 3 foot law was enacted January 1, 2009 which states that a motorist must be 3 feet from the bicyclist for passing distances. The bicyclists must ride single file and as far to the right as possible. Mr. Cox stated that they are proposing a demonstration project from Crosby Street to the Co-op. They are also proposing bike lanes in other areas of Town. Chairman Walsh noted that the area proposed for modification to a curb cut would pit pedestrians against bicyclists. Mr. Cox stated that this might be an area that they might need to compromise and not eliminate the bulb out.

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Chairman Walsh asked about Lebanon and South Park Street and noted that these are parallel route. If South Park Street is being heavily traveled, he will go around it. He wondered if it would be better to focus on one area versus another. Mr. Cox stated that the issue comes down to how to address the connection of Lyme Road and Lebanon Street. It appeared to make sense to follow the path that most cyclists currently use.

Ms. Griffin stated that it appears that the bulk of the cyclists are coming from the Lyme Road area and up Park Street. She is not sure how practical it is to by-pass Park Street to get to DHMC. Chairman Walsh stated that it is safer to go through Town around North College and through Town to Lebanon Street and on to the hospital. Chairman Walsh feels that Park Street is never going to be what it needs to be by placing a bicycle lane in a small portion of it. Selectman Rassias stated that there are a bunch of issues playing into this. There is a large group of cyclists that come in from Norwich and the preferred route is to go through Lebanon Street but the Sharrows would make this a safer route. Mr. Cox stated that since there is construction going on, it appeared that this would be a good time to address a bike lane in this area. Chairman Walsh asked whether this proposal would make the route any better. Selectman Rassias stated that he felt that it would and the increased visibility in the first part of the route would carry through to the rest of the route. Mr. Deaett stated that they will be back before the Board for the area of North Park Street with an additional proposal.

Ms. Griffin noted that on North Park Street, northbound, the curbing is almost gone and if they were looking at adding extra width for a bike lane, now might be the right time because they are going to have to deal with the curbing in this area anyway.

Selectman Rassias stated that the traffic calming near the Richmond School really does work. The combination of bulb-outs and the roundabouts is slowing people down. Mr. Cox noted that the Sharrow is totally new which is why they recommend the demonstration project and then see how it works and expand from there.

Chairman Walsh stated that with regard to Park Street, the quality of pavement is terrible and suggested that maybe addressing this issue versus widening it might be part of the solution.

Ms. Griffin stated that for part of the proposal, time is of the essence because the areas are currently under construction. Mr. Kulbacki noted that the additional paving to widen the road is not in the budget.

Chairman Walsh is interested in placing the Sharrow on Lebanon Street. He felt that the Planning Board made commitments about not widening South Park Street and felt that there would need to be a whole public hearing process to the other part of the proposals which would be perceived as widening. He doesn't feel that they can simply add it.

Vice Chairman Connolly would like to know how much additional money it would cost. Ms. Griffin stated that they could produce the numbers for the Board in the next couple of days. Vice Chairman Connolly would hate to miss an opportunity since there is currently construction taking place. Ms. Griffin asked whether it made sense for the Planning Board to address this at

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the first meeting in July and notice the neighbors to get additional input. Vice Chairman Connolly felt that the agenda was very big for the first meeting in July.

Tom Ripley does a lot of biking in Town and commends the Sharrow idea. He stated that the west bound traffic travels down South Park Street which is why it would be beneficial to have a bike lane. Chairman Walsh stated that he agrees that this may be the way that most people choose to go but it's not the safest way to travel.

David Webb is in favor of the plan but fears that it doesn't go far enough to address safety issues. Advance Transit buses travel through and it is very narrow in that area. He would like to see a wider Park Street if possible and feels that this is a step in the right direction.

Carolyn Radisch would also hate to miss an opportunity and felt that Park Street made sense for bike lanes due to the volume. Bike lanes are the safest option and Sharrows were developed to address the issue of bicyclists traveling near parked cars. Having safe bike lanes encourages more bicycle traffic. The Sharrow is not the best solution where there is space for a bicycle lane. She noted that Main Street is the most dangerous area since vehicles are backing out.

Chairman Walsh has lingering concerns about the pedestrians that cross Park Street and does not want to encourage cars to move faster down this street. Chairman Walsh thanked the members of the Committee for their presentation.

Chairman Walsh MOVED to place Sharrows on Lebanon Street as recommended. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF PLACING SHARROWS ON LEBANON STREET AS RECOMMENDED.

Ms. Griffin noted that there may be a couple of options for South Park Street and noted that there were concerned abutters when they made recent changes to the area near the ball field. She assured the abutters that there would be public hearings prior to widening that roadway. Vice Chairman Connolly felt that they would not need to widen it much and could work within the confines of the existing roadway.

Chairman Walsh suggested that the Board hold a public hearing specific to design of the bicycle lane on Park Street at the July meeting and make a decision that night. Selectman Rassias didn't feel that he would be present for that meeting.

Selectman Doherty is concerned about jumping on an opportunity without getting the input that they need to make a decision on this. She asked Mr. Kulbacki whether they could do this project in phases after receiving additional input without undoing what is done. Mr. Kulbacki stated the only issue is where they would put the lines in the road and if you add bike lanes; they wouldn't want to delay in painting the lines by too much time because it wouldn't be safe. Mr. Kulbacki stated that he could provide figures but if they widen the pavement, it could cost an additional \$20,000 to \$30,000 that is not budgeted. Selectman Doherty feels that to be able to provide difference scenarios including the money figures are needed in addition to public input and

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summer scheduling is hard but she is concerned that this will go forward while people are not around to voice their opinion. Vice Chairman Connolly would like the Planning Board to address this on an advisory role to the Select Board.

Selectman Christie suggested coming forward with the most aggressive plan, cost the plan, get the input and go forward from there. Selectman Rassias stated that they have heard concerns from people regarding lanes being widened but there are just as many concerned about the safety on Park Street.

Vice Chairman Connolly asked whether the paving of Park Street could be delayed until the end of the paving schedule. Mr. Kulbacki stated that they will be signing the paving contract on Friday and this area requires night paving and they need to avoid other issues such as the timing with school. Chairman Walsh felt that the repaving alone will make South Park Street much safer than it is right now for bicyclists. Ms. Griffin stated that it was her suggestion to move forward with the paving to make it as safe as possible in its current configuration and then come back to this in September and look at adding this to next year's budget.

Selectman Christie asked how much extra expense they would be discussing if they do this project in two steps. Mr. Kulbacki stated that he would like to research these figures and provide them to the Board. Ms. Griffin suggested that they set a public hearing for the next Board meeting.

Barbara McIlroy asked about the bulb-outs and whether the design could be modified to allow bicyclists to pass over the bulb-out. She noted that the bulb-outs are basically invisible at night and isn't sure about their safety.

5. RECOMMENDATION TO ADOPT INVESTMENT POLICY.

Ms. McClain noted that Town Treasurer, Patricia Coutermarsh, put this information together but was unable to attend the meeting due to illness. She felt that this is a solid investment policy.

Vice Chairman Connolly asked about Repurchase Agreements. Ms. McClain advised that Repurchase Agreements are overnight investments; usually the Bank invests available funds in a number of overnight vehicles many of which are Repurchase Agreements.

Selectman Doherty asked if this has changed in light of the economic downturn of the last year. Ms. McClain stated that she doesn't know what the policy was previously which is why they feel they should adopt one. Vice Chairman Connolly stated that there are ways to protect their financial instruments that go beyond the \$100,000 cap. Ms. McClain reported that the Town currently has collateralization where a third party actually holds securities in the Town's name for 102% of the daily balances.

Chairman Walsh asked about the Town's Banking Service Procurement Policy awarded by the Board. He isn't sure he wants the Board involved in the Banking Service Procurement process. Ms. McClain stated that it has been an on-going process versus a policy to competitively bid their business. The Town did change their banking relationship and they have a competitive bid

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process. Chairman Walsh would like to see this written to refer to a competitive bid process and that the Board is notified and not that the decision is made by the Board. Chairman Walsh would like to adopt this annually and maybe include it with the review of the Rates and Fees Schedule.

Selectman Christie noted that the Finance Committee did look at this and made some recommended changes which have been incorporated.

**Selectman Christie MOVED to adopt the Investment Policy with recommended changes.
Selectman Doherty SECONDED the motion.**

**THE BOARD VOTED UNANIMOUSLY TO ADOPT THE INVESTMENT POLICY
WITH RECOMMENDED CHANGES.**

**6. DISCUSSION REGARDING PROPOSED FY 2009-2010 GOALS AND
OBJECTIVES.**

Ms. Griffin stated that she provided the Goals and Objectives with a narrative as to the status of each of them. The following is a summary of the Goals and Objectives and the Board's subsequent comments and recommendations:

- 1) Budget setting process – Chairman Walsh recommends no changes.
- 2) Capital Improvements Plan – Ms. Griffin has the final draft which she is reviewing for the Board to review in early September. She is working on the format for presentation.
- 3) Steering Committee for the Community Sustainability – Ms. Griffin stated that they are well along on this item. Vice Chairman Connolly suggested a rewrite to show that this is going to be an effort to continue to implement a Community Sustainability training program, etc. Ms. Griffin stated that she would work on a rewrite for this item.
- 4) Affordable Housing – Chairman Walsh doesn't feel that this is the time to address the School Street and Allen Street proposals for Affordable Housing. Selectman Christie doesn't feel that they can address this in addition to the Municipalization work that is coming up. Ms. Griffin stated that the Commission expressed interest in coming up with a working group and they may approach the Planning Board to look at this initiative. Selectman Doherty had the sense from the Commission that talking about housing in that area without context would not move forward. They felt they need to study it, figure out the context, define the goals and objectives for the area and then any group could have input relative to the study.

Ms. Griffin stated that Bob Strauss is aware that the Town is not ready to tackle the School Street property right now but recognizing that the Affordable Housing Commission wants to keep projects coming down the pipeline.

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Chairman Walsh asked Ms. Griffin and Selectman Doherty to come up with what the goals for the Select Board should be with regard to Affordable Housing based on the conversations that just took place.

- 5) Municipalization – Chairman Walsh would like to add holding a Town Meeting in the fall to this item.
- 6) Review 2008 Volunteer Appreciation gathering – Ms. Griffin stated that they did not hold one last year.
- 7) Formal Board of Commission meeting – Ms. Griffin is finalizing a draft.

Vice Chairman Connolly wanted to add Developing Broadband to the list of Goals and Objectives.

- 8) State of the Town Report – Ms. Griffin stated that the goal was to provide citizens with an overall view of all of the issues bearing down on the Town including items that will impact, State, Local and County tax rates such as the Grafton County Jail proposal, etc.
- 9) Sewer rate structure working group – The Board wanted to keep this item on their Goals and Objectives list.
- 10) Rental housing inspection and licensing program ordinances – The Board wanted to keep this item on their Goals and Objectives list.
- 11) Social Service Agency giving policy – The Goal is to have a giving policy for the Board to review. Ms. Griffin stated that they have wavered as to whether they want to write a policy down. Ms. Griffin stated that she and Ms. McClain could draft a policy.
- 12) Hanover 250th Anniversary – The Board wanted to continue to have this item on the list.

7. RECOMMENDATION TO APPROVE RECEIPT OF HAZARD MITIGATION GRANT FUNDS FOR THE REPAIR OF RUDDSBORO ROAD RETAINING WALL.

Vice Chairman Connolly MOVED to authorize the acceptance of the Hazard Mitigation Grant for the Mitigation and Repair of the Ruddsboro Road Retaining Wall, which Chairman Brian Walsh signed on April 28, 2009. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE THE ACCEPTANCE OF THE HAZARD MITIGATION GRANT FOR THE MITIGATION AND REPAIR OF THE RUDDSBORO ROAD RETAINING WALL, WHICH CHAIRMAN BRIAN WALSH SIGNED ON APRIL 28, 2009.

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**8. APPROVAL OF MINUTES:
- June 1, 2009**

Vice Chairman Connolly MOVED to approve the Minutes of June 1, 2009. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF APPROVING THE MINUTES OF JUNE 1, 2009.

9. ADMINISTRATIVE REPORTS.

Ms. Griffin asked the Board to consider the CHaD Half Marathon banner request for a week in the month of August.

Chairman Walsh MOVED to approve the Banner Request for the CHaD Half Marathon. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE CHaD HALF MARATHON.

Ms. Griffin stated that she will be out of Town in July. She leaves July 4 and will return on July 25th. The Board reviewed scheduling for the month of July and August.

Ms. Griffin stated that she just learned that the CPI -1.5%.

The Chamber of Commerce Annual Awards dinner is Tuesday, November 17, 2009. Kendal at Hanover, Coldwell Banker Redpath, Montshire Museum and Hanover True Value Hardware will all be receiving awards.

Senator Houde called looking for feedback regarding the upcoming budget vote. The tentative impact on the Town for revenue sharing and retirement contributions is a 3.5% to 3.75% increase over a course of the biennium. There could be other areas being impacted with regard to revenue so it is unclear what the bottom line is going to be. Senator Houde is frustrated with the elimination of Medicaid funding for CHaD. Representative Nordgren indicated that the budget may not pass because revenue sharing is out of the budget and the impact on municipalities is of great concern.

Selectman Rassias asked about the issue surrounding the State budget not being passed. Ms. Griffin stated that if the budget is not adopted, there will be a higher level of expenditure until it is passed. Each month costs an additional \$11 million in expenditures.

Chairman Walsh felt that they should make a statement that the budget is unacceptable but they should vote for it because they are not going to come up with a better one. Chairman Walsh expressed frustration that the gas tax hasn't been changed since 1990. Selectman Doherty agreed with Chairman Walsh that it should be clear that this should be approved because there may not

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be anything better. Selectman Rassias fears approving something that is terrible. Chairman Walsh also wanted to express to the residents that the State is going to increase their taxes by an additional 4%. Ms. Griffin stated that when she spoke with Rep. Nordgren she was discouraged that representatives were being encouraged to NOT vote for the budget. Ms. Griffin stated that municipalities weren't being treated fairly nor were they being heard. The Legislature needs to respect the input from the municipalities and they feel that their testimony is falling on deaf ears.

Selectman Christie doesn't feel that the Board should tell the Senators and Representatives what to do or not to do since they should know best what they are dealing with.

Ms. Griffin stated that she will forward an update on the Municipalization process.

10. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie did not have anything new to report.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board is working on the Visual Arts Center.

Judy Doherty

Selectman Doherty reported that the Howe Library will not be meeting in July. The Affordable Housing Commission will meet July 16th at 7 p.m.

Athos Rassias

Selectman Rassias did not have anything new to report.

Brian Walsh

Chairman Walsh did not have anything new to report.

11. OTHER BUSINESS.

There was no Other Business.

12. ADJOURNMENT.

Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Doherty SECONDED the motion.

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THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:35 P.M.

Respectfully Submitted,

Judith A. Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. Vice Chairman Connolly **MOVED** to approve the recommended changes to the Rate and Fee Schedule (not including the Water Reclamation Facility). Selectman Doherty **SECONDED** the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE RECOMMENDED CHANGES TO THE RATE AND FEE SCHEDULE (NOT INCLUDING THE WATER RECLAMATION FACILITY).

2. Vice Chairman Connolly **MOVED** to approve the recommended changes to the Rate and Fee Schedule for the Water Reclamation Facility (excluding the suggested changes to the Sewer Connection Fee). Selectman Christie **SECONDED** the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE RECOMMENDED CHANGES TO THE RATE AND FEE SCHEDULE FOR THE WATER RECLAMATION FACILITY (EXCLUDING THE SUGGESTED CHANGES TO THE SEWER CONNECTION FEE).

3. Chairman Walsh **MOVED** to place Sharrows on Lebanon Street as recommended. Vice Chairman Connolly **SECONDED** the motion.

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF PLACING SHARROWS ON LEBANON STREET AS RECOMMENDED.

4. Selectman Christie **MOVED** to adopt the Investment Policy with recommended changes. Selectman Doherty **SECONDED** the motion.

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE INVESTMENT POLICY WITH RECOMMENDED CHANGES.

5. Vice Chairman Connolly **MOVED** to authorize the acceptance of the Hazard Mitigation Grant for the Mitigation and Repair of the Ruddsboro Road Retaining Wall, which Chairman Brian Walsh signed on April 28, 2009. Selectman Doherty **SECONDED** the motion.

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE THE ACCEPTANCE OF THE HAZARD MITIGATION GRANT FOR THE MITIGATION AND REPAIR OF THE RUDDSBORO ROAD RETAINING WALL, WHICH CHAIRMAN BRIAN WALSH SIGNED ON APRIL 28, 2009.

6. Vice Chairman Connolly **MOVED** to approve the Minutes of June 1, 2009. Selectman Doherty **SECONDED** the motion.

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THE BOARD VOTED UNANIMOUSLY IN FAVOR OF APPROVING THE MINUTES OF JUNE 1, 2009.

- 7. Chairman Walsh MOVED to approve the Banner Request for the CHaD Half Marathon. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE CHaD HALF MARATHON.

- 8. Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:35 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

June 1, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

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

2. PRESENTATION REGARDING CPC (Climate Protection Campaign) STREETLIGHT STUDY.

Chairman Walsh noted that the Board received an impressive packet of information regarding streetlight study and invited members of the CPC to speak.

John Trummel, Etna, volunteer with the CPC for the last couple of years. Marjorie Rogalski and Yolanda Baumgartner were also present on behalf of the CPC.

Mr. Trummel gave an overview of the highlights of the study. He stated that half of the streetlights that are leased are mercury vapor which are old and being phased out as of 2012. The other half are high pressure sodium which use half the energy. The Town spends around \$80,000 in electricity and rental fees for the lights from National Grid. The Town does not currently have a formal policy on the streetlights. The main use of streetlights is for some perceived safety issue or possibly a crime deterrent. The State passed the Outdoor Lighting Efficiency Act of 2009 which encourages Towns to become more efficient in their energy use. Many towns around the State and other New England communities are addressing this issue. He noted that the Town of Hartford, Vermont is going forward with reducing their streetlights. The report contains several recommendations: 1) the Town should have a policy to help guide the use of streetlights in the Town; 2) target some streetlights for removal; 3) efficiency, light pollution and timers and; 4) create an Outdoor Lighting Fund.

Mr. Trummel stated that the CPC included a map with the recommendations. He stated that there are areas in town where there is very little traffic at night. The downtown area is very well lit but there may be some areas where streetlights could be removed. There are ways to improve efficiency for the streetlights that need to remain in place. Some lights could be put on a timer which would reduce the amount of electricity used.

Marjorie Rogalski stated that the streetlights have been placed in a haphazard way and there does not seem to be any rhyme or reason as to where these lights are placed. She would like to see the Town remove the lights that are not effective and place the savings toward other initiatives toward pedestrian safety throughout the Town.

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Mr. Trummel stated that Hartford, Vermont was pursuing the possibility of turning off streetlights in their community and were looking for input from their residents. He suggested that if the Town of Hanover was to go forward with reducing streetlights, they should proceed slowly and get public input.

Ms. Rogalski stated that the CPC would be happy to participate in public hearings. She felt that there were areas within the Town that they might consider pathway lighting instead of streetlights.

Vice Chairman Connolly noted that she sees three different options for lower efficient lighting but the Town appears to only be eligible for one. Ms. Griffin pointed out that this was the only option that National Grid currently offers.

Vice Chairman Connolly asked whether there would be enough light in making the conversion. Yolanda Baumgartner advised that 100 watt mercury vapor is 4,000 lumens and the 50 watt high pressure sodium option also gives 4,000 lumens so it is an option that uses half the amount of energy.

Ms. Griffin stated that the Town and the College have been actively working on this and you can see some of the result when driving down near the Alumni Gym. Some lights have been replaced with the new fixtures and the old ones are still nearby for comparison.

Selectman Rassias thanked the CPC for their extensive work on this project. He wondered whether they need an official policy regarding streetlights but it appears that perhaps it would be helpful for them to have one. He is not sure how the Town would write a policy on this.

Ms. Rogalski received information from the City Planner in Keene regarding changes to their lighting. They have a list of guidelines and standards which might be a first step in developing a policy.

Selectman Christie is encouraged by the study. In terms of establishing policy, Selectman Christie wonder if there was some consensus as to what lighting is effective and what lighting is not effective regarding public safety.

Mr. Trummel stated that this type of lighting is not necessary helpful as a crime deterrent. More lighting around someone's home can be viewed as a deterrent but not so much for streetlights. Ms. Rogalski stated that they can find information on-line that supports both positions. She personally feels that lighting and motion detectors on a person's house is more helpful than streetlights.

Vice Chairman Connolly expressed concern about pedestrian safety. Mr. Trummel stated that in rural areas, the intermittent streetlights are more dangerous.

Selectman Doherty asked Mr. Trummel why he felt that the first step would be to create a policy. Mr. Trummel stated that it might not be a matter of creating an official policy at first but

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Hartford had come up with a set of criteria which could be a first step when determining which areas should be looked at to remove streetlights.

Ms. Rogalski noted that creating a policy would work best for future development and Planning Board purposes.

Chairman Walsh had concerns about creating a policy without having more information. Chairman Walsh asked the CPC whether they would be willing to find the answers to the Board's questions before they proceed. Mr. Trummel stated that there is a lot of information available so he encouraged the Board to provide them with very specific questions.

Ms. Rogalski noted that the DES Handbook and internet have good information that will be helpful in creating a policy.

Barbara McIlroy asked whether there would be a penalty for turning the lights off and then turning them back on if it was decided they were needed. Mr. Trummel stated that there was not a fee for turning the lights off but there would be a charge for turning them back on; he did not know what that fee might be.

Ms. Griffin stated that National Grid is happy to work with the Town on this. The Town could easily send letters to neighborhoods experimenting with turning lights off and asking for feedback. Ms. Griffin proposed that they start with the Low and Haskins neighborhood and then ask National Grid if they will work with them on this experiment.

Chairman Walsh thanked the members of the CPC for speaking to the Board.

3. UPDATE REGARDING COLLEGE PARKING AND PROPOSED VISUAL ARTS PROJECT.

Chairman Walsh invited Joanna Whitcomb, Dartmouth College Office of Planning Design and Construction, to speak to the Board.

Ms. Whitcomb stated that the College has identified a number of goals including creating a more pedestrian friendly campus, reducing traffic congestion and excessive reliance on autos, support employees who need to get to work and students who need to get to school, promote sustainable transportation systems and provide required parking.

Ms. Whitcomb stated that the College started focusing on parking related issues in 1971. The College has been involved in a number of parking and transportation studies. She noted that Advance Transit was created in 1984. In 2001, the Town and the College created a traffic model to help project traffic impacts. In 2002, Advance Transit allowed for free fares which resulted in a significant increase in ridership. In 2003, the Town's Master Plan was adopted to include a goal of reducing excessive use of vehicles. Ms. Whitcomb gave an overview of parking space

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trends and they have around 3,100 parking spaces. The College keeps track of how many parking spaces are empty and the numbers have increased in the past five years.

Ms. Whitcomb noted that the Planning Board requires that the College show where specific parking spaces have been allocated or dedicated. So far, 27% of the parking spaces are allocated. Ms. Whitcomb stated that for the Life Sciences building, the College had to provide an additional 88 spaces which are allocated to Dewey Lot. Ms. Whitcomb showed a map indicating the downtown College spaces which has 481 spaces and during the peak hours there is a 0% vacancy rate. Ms. Whitcomb showed other examples of areas throughout the Town to provide a visual for the Board of the number of spaces and the allocation of those spaces.

Ms. Whitcomb noted that zoning has been in place since 1961 regarding parking. She provided visual maps to show the expansion of the property since the zoning amendments regarding parking were adopted. Ms. Whitcomb tracked the number of employees per building starting from 2008. This number was used to calculate the number of parking spaces that they were required to provide. The goal is to keep this information updated and at some point in the future, it will be made available on-line.

Ms. Whitcomb gave an overview of the way the College manages parking. They may be the only employee in the Upper Valley that charges for parking. In the past 5 years, they have seen a drop in the number of permits issued but there is a \$50 fee for those who park without one. There is a "Pay-Not-To-Park" program for not bringing a car to campus and they have seen an 11% increase in that program.

Ms. Whitcomb stated that Dartmouth spent \$433,000 on public transit last year. They do pay their employees if they choose to use the downtown campus shuttle. They have a ridesharing program which is going steady incorporating 46 riders and only requires 4 parking spaces for the vans that they use. The College has a Bicycle/Pedestrian program that includes bike lanes/paths, sidewalks/trails, and bike rack inventory that has a current capacity of 2,743.

Ms. Whitcomb noted that a survey was done by employees with a 50% response rate with regard to parking and commuting. The results so far indicate that more people are car pooling whether it is by using Advance Transit or vanpools. The College also has two "zipcars" that are used by the people who pay for membership by which the members have access to the vehicles with a card to use as needed.

Ms. Whitcomb noted that the College will continue to work on these issues and invited questions from the Board.

Chairman Walsh thanked Ms. Whitcomb for her presentation and noted their appreciation for the work that the College has done over the years. Ms. Whitcomb would like to come back and update the Board as things develop.

Chairman Walsh asked about the zip cars offered on campus and whether it is open to only students. Ms. Whitcomb stated that the program is offered to anyone but at different rates.

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Bob Strauss asked about the parking spots west of St. Thomas Church and whether that was included in the presentation. Ms. Whitcomb stated that it was designated as part of the downtown parking area. Mr. Strauss noted that the lot is fairly empty on the weekend and he asked if it would be okay for the church to use that parking lot on the weekend. Ms. Whitcomb stated that she felt comfortable allowing parking in that lot on Sundays.

**4. REQUEST FOR PARTIAL ABATEMENT OF SEWER CONNECTION
FEE FOR GILE COMMUNITY.**

Chairman Walsh invited members present to speak regarding the Gile Community to approach the Board and identify themselves. Charles Lief & Miro Weinberger from The Hartland Group and Bruce Pacht, Executive Director of Twin Pines Housing Trust introduced themselves to the Board.

Mr. Lief stated that it's been a while since they've updated the Board on the Gile Community. There are 77 of the 120 homes are now built. They have approximately 980 applications out for housing and signed leases. On the For Sale side, 16 of the condos are built and 15 are either sold or under contract so there is 1 left. They have sold 10 units in the last 11 weeks. Gile Hill is selling more residential property than any other development. This is most likely the result of the time of year and the reduction of prices by 15% of unsold units based on market conditions.

Mr. Lief stated that the project did receive their LEAD certification and Gile is now on tract for the largest project of this type in New England and perhaps countrywide.

Mr. Lief reported that the challenge is that there have been significant delays regarding construction. One significant issue was the need to accelerate the Greensboro Road pump station when the first affordable units went on-line because there was not enough water pressure to allow the sprinkler systems to work. There is a wireless communication system which will allow for the radio frequency to communicate with the pumps and this upgrade will impact future developments.

Chairman Walsh asked what the plans are for the remaining units to be built. Mr. Lief stated that they are in the midst of negotiations with Citizens Bank and hope to start two more buildings this summer. They will be re-bidding the units with construction numbers from 15 months ago and the market is showing that it is a hungry market and they should be able to do better. They will have new prices within the next 3 weeks. Mr. Lief stated that the goal is to be done within the next 30 months; 94% of the site work is done so they just need to build the new buildings and should be able to work very efficiently.

Chairman Walsh asked about the mixed development and whether this is working the way that it should or whether they would do anything differently. Mr. Lief stated that he felt that it's working fine and people do not seem to be deterred from living in the area based on diversity.

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Mr. Lief stated that the reason that they are here before the Board is because the Town increased the sewer connection fee significantly in July, 2007. For Gile that meant that the original budget of \$51,000 is not going to cover the increased fee of \$365,000. At the point that the fee increased, they were at the end of the 3 year financing for the project. They were locked in to the price that they could charge for the sale units and their required subsidy for the rentals does not change; they are taking a sizeable hit and they have no financial ability to pass the costs on in any way.

Mr. Lief stated that the increase in the connection fee after they made all of their commitments and contracts put them in this \$300,000 hole in the budget. Although this isn't considered an impact fee, it feels like one. They have made a couple of proposals to make some changes in their budget and have negotiated an agreement and went back to the Housing Authority to get some support. The building permit fee will be paid now versus 2011 in the amount of approximately \$40,000.

Ms. Griffin added that they have met regularly and recognized that this issue needed to be addressed but it was reliant on other issues that have come forward that needed to be dealt with first so that they had the most information when coming forward with this request.

Selectman Christie asked which funds are impacted. Ms. Griffin stated it is the Wastewater Fund which projects revenue based on the annual assumptions of the possible connections to the system. The building permit fees are General Fund. Selectman Christie asked how many users are on the system. Ms. McClain stated that they sent out 1,700 bills.

Chairman Walsh noted that this is the second abatement request received due to the timing of the increase. When they enacted the fee, they did not think about what was in the process and whether this was similar to an impact fee. Chairman Walsh would like to find a way to do this but would also like to know how many other projects were caught in this position and may or may not have come forward yet.

Selectman Doherty asked how any developer handles changes in Town fees such as this and what the Town's policy is. Chairman Walsh stated that they have spent 3 years looking at Wastewater fees. Generally the fees go up at a lower rate. Because they reevaluated the fee structure, it ended up being a huge change but normally it's not a big deal for developers. The building fees were changed a few years ago by large amounts and there were a number of public hearings about that and this is a unique situation. Ms. Griffin stated that July 1 is the cut-off date for permits.

Mr. Lief stated that a similar situation occurred in Concord and the result was that the developers were charged the fee prior to the major increase. He could make a case to the Affordable Housing Commission and the bank to front the money to pay this money at the old rate.

Vice Chairman Connolly asked if the amount included all of the units. Ms. Griffin clarified that it does.

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Chairman Walsh invited the group to meet with the Board again on June 22nd. He also asked that Betsy McClain and Julia Griffin look into whether there are other projects that are going to be facing the same situation.

**5. RECOMMENDATION TO ADOPT ACCOUNTING COORDINATOR
AND TREASURER JOB TITLE, LABOR GRADE 15.**

Vice Chairman Connolly MOVED to adopt the Accounting Coordinator and Treasurer Job Title, Labor Grade 15. Selectman Christie SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE ACCOUNTING COORDINATOR AND TREASURER JOB TITLE, LABOR GRADE 15.

6. RECOMMENDATION TO ADOPT IDENTITY THEFT PREVENTION PROGRAM.

Ms. McClain stated that this recommendation was made to comply with some FTC rules.

Vice Chairman Connolly MOVED to adopt the Identity Theft Prevention Program. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE IDENTITY THEFT PREVENTION PROGRAM.

7. RECOMMENDATION TO ADOPT POLICY REGARDING USE AND TAXATION OF TOWN VEHICLES.

Selectman Doherty MOVED to adopt the policy regarding Use and Taxation of Town Vehicles. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE POLICY REGARDING USE AND TAXATION OF TOWN VEHICLES.

8. RECOMMENDATION TO ADOPT AMENDMENTS TO THE TOWN PERSONNEL POLICY, CHAPTER 13, RELATIVE TO FRAUD AND CHAPTER 14, RELATIVE TO WHISTLE BLOWER PROTECTION.

Vice Chairman Connolly MOVED to adopt amendments to the Town Personnel Policy, Chapter 13, Relative to Fraud and Chapter 14, Relative to Whistle Blower Protection. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADOPT AMENDMENTS TO THE TOWN PERSONNEL POLICY, CHAPTER 13, RELATIVE TO FRAUD AND CHAPTER 14, RELATIVE TO WHISTLE BLOWER PROTECTION.

9. RECOMMENDATION TO SET A PUBLIC HEARING ON JUNE 15, 2009 FOR CONSIDERATION AND APPROVAL OF MODIFICATIONS TO THE FY2009/2010 RATE AND FEE SCHEDULE.

Chairman Walsh asked whether they should move this item to the June 22nd meeting.

Vice Chairman Connolly MOVED to set a public hearing on June 22, 2009 for consideration and approval of modifications to the FY2009/2010 rate and fee schedule. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING ON JUNE 22, 2009 FOR CONSIDERATION AND APPROVAL OF MODIFICATIONS TO THE FY2009/2010 RATE AND FEE SCHEDULE.

10. RECOMMENDATION TO APPROVE SEWER ABATEMENTS.

Chairman Walsh noted that there were two abatements. Ms. McClain stated that one was an administrative abatement and the other was a correction based on an incorrect reading.

Selectman Doherty MOVED to approve sewer abatements as recommended. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE SEWER ABATEMENTS AS RECOMMENDED.

11. APPROVAL OF FY2009/2010 SELECTMEN LIAISON APPOINTMENTS.

Chairman Walsh went through the list of liaison appointments which will be as follows:

Advisory Board of Assessors – Katherine Connolly; Brian Walsh, Alternate

Affordable Housing Commission – Judith Doherty

Bike/Pedestrian Commission – Athos Rassias

Chamber of Commerce – Brian Walsh & Julia Griffin. Ms. Griffin can vote on the behalf on Chairman Walsh for the Chamber of Commerce.

Conservation Commission – Athos Rassias

Finance Committee – Peter Christie; Athos Rassias, Alternate

Friendship/Sister Cities Advisory Committee – Katherine Connolly

Hanover Improvement Society – Brian Walsh

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Hanover Water Works Company – Peter Christie

Howe Library Board of Trustees – Judith Doherty; Katherine Connolly, Alternate. (Town Manager can also attend in lieu of Board member.)

Parking and Transportation Board – request report every 6 months from the Board and appoint Bill Baschnagel to PTB as community representative.

Parks and Recreation Board – Brian Walsh; Julia Griffin, on call.

Planning Board – Katherine Connolly; Peter Christie, 1st alternate.

Senior Citizen Advisory Committee – Myra Johnson, Katherine Connolly.

Sustainable Hanover Committee – Brian Walsh

Upper Valley Lake Sunapee Regional Planning Commission – Katherine Connolly. Chairman Walsh asked for clarification as to whether this is a Selectman liaison position. Chairman Walsh wanted to add Bill Baschnagel’s name and note that this is a community related appointment. Vice Chairman Connolly noted that the other members of the RPC are either elected officials or staff members.

Upper Valley Transportation Advisory Committee – Peter Kulbacki

12. APPOINTMENTS:

- Sustainable Hanover Committee
- Treasurer
- Zoning Board of Adjustment

Chairman Walsh MOVED to appoint Chris Kennedy to the Sustainable Hanover Committee. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE NOMINATION OF CHRIS KENNEDY TO THE SUSTAINABLE HANOVER COMMITTEE.

Vice Chairman Connolly MOVED to appoint Patricia Coutermarsh as Town Treasurer. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPOINT PATRICIA COUTERMARSH AS TOWN TREASURER.

Vice Chairman Connolly MOVED to appoint Maureen Bolton as an alternate to the Zoning Board of Adjustment. Chairman Walsh SECONDED the motion.

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THE BOARD VOTED UNANIMOUSLY TO APPOINT MAUREEN BOLTON AS AN ALTERNATE TO THE ZONING BOARD OF ADJUSTMENT.

13. BANNER REQUESTS:

- Howe Library

Ms. Griffin stated that the Howe has requested a two week period of time for their banner.

Chairman Walsh MOVED to approve the Howe Library's banner request. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE HOWE LIBRARY'S BANNER REQUEST.

14. APPROVAL OF MINUTES:

- May 12th (Town Meeting) & May 18, 2009

Selectman Christie MOVED to approve the Minutes of May 12, 2009 with recommended changes. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED AND 1 ABSTAINED TO APPROVE THE MINUTES OF MAY 12, 2009. (Selectman Doherty abstained from the vote.)

Chairman Walsh MOVED to approve the Minutes of May 18, 2009 with minor changes. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF MAY 18, 2009 WITH MINOR CHANGES.

15. ADMINISTRATIVE REPORTS.

Ms. Griffin asked the Board whether they would like the delegation to attend the meeting on June 22nd since they had been meeting with them monthly since January. Chairman Walsh felt that it would not be beneficial to meet with them at that time but maybe later in the year.

Chairman Walsh noted that Ms. Griffin would be quoted in tomorrow's paper. Ms. Griffin stated that a reporter from the Valley News called to get a sense of where the Town was on the issue of gambling. Ms. Griffin stated that there are a few Senators sitting on the fence for the vote on gambling and she shared with the reporter the series of discussions that have taken place. Ms. Griffin left a message for Senator Houde who is one of the Senators who is on the fence on this issue. She left a message encouraging him not to approve this. She also spoke with Sharon Nordgren about this. The House is very much opposed to legalizing gambling as a revenue source.

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Ms. Griffin noted that Senator Houde has been working hard to secure Medicaid reimbursement money for the Children's Hospital at Dartmouth which may be where he's looking at the possible gambling revenue.

Ms. Griffin reported that the Governor stated that he would not support a 15 cent per year gas tax increase and a number of Senators are now not sure about their support for this. Vice Chairman Connolly stated that she sent an e-mail to the Governor.

Chairman Walsh went over the figures for the Town of Hanover and noted that the Senate Bill would result in \$19,404 per year for FY11, 12 and 13 and the House Bill would give the Town \$40,000 in FY 2011 and \$81,000 in FY12 and \$122,000 in FY 2013.

Ms. Griffin noted that School Building Aid was restored in the budget which would have been a \$750,000 in the Dresden budget. The Senate cut special education reimbursement in the amount of several hundred thousand dollars.

Vice Chairman Connolly stated that there is an amendment to allow Towns to have an additional Town Meeting so that Towns can adjust their budgets in response to the State budget cuts.

16. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie had nothing new to report.

Kate Connolly

Vice Chairman Connolly reported that there will be a meeting on June 12th for the Government Affairs Commission at the Local Government Center but the State budget will not be done by then.

Vice Chairman Connolly also reported that the Planning Board continues to work on the residential project. They are studying parts of Town which included a walkabout and this project is on-going.

Judy Doherty

Selectman Doherty had nothing new to report.

Athos Rassias

Selectman Rassias had nothing new to report.

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Brian Walsh

Chairman Walsh reported that the Hanover Chamber of Commerce had an event last Wednesday honoring Tom Byrne thanking him for his years of service to the Town.

17. OTHER BUSINESS.

There was no Other Business reported.

18. ADJOURNMENT.

Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Christie SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY THE ADJOURN THE MEETING AT 10:00 P.M.

Respectfully Submitted,

Judith A. Doherty, Selectman

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Vice Chairman Connolly MOVED to adopt the Accounting Coordinator and Treasurer Job Title, Labor Grade 15. Selectman Christie SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE ACCOUNTING COORDINATOR AND TREASURER JOB TITLE, LABOR GRADE 15.

2. **Vice Chairman Connolly MOVED to adopt the Identity Theft Prevention Program. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE IDENTITY THEFT PREVENTION PROGRAM.

3. **Selectman Doherty MOVED to adopt the policy regarding Use and Taxation of Town Vehicles. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE POLICY REGARDING USE AND TAXATION OF TOWN VEHICLES.

4. **Vice Chairman Connolly MOVED to adopt amendments to the Town Personnel Policy, Chapter 13, Relative to Fraud and Chapter 14, Relative to Whistle Blower Protection. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADOPT AMENDMENTS TO THE TOWN PERSONNEL POLICY, CHAPTER 13, RELATIVE TO FRAUD AND CHAPTER 14, RELATIVE TO WHISTLE BLOWER PROTECTION.

5. **Vice Chairman Connolly MOVED to set a public hearing on June 22, 2009 for consideration and approval of modifications to the FY2009/2010 rate and fee schedule. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING ON JUNE 22, 2009 FOR CONSIDERATION AND APPROVAL OF MODIFICATIONS TO THE FY2009/2010 RATE AND FEE SCHEDULE.

6. **Selectman Doherty MOVED to approve sewer abatements as recommended. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE SEWER ABATEMENTS AS RECOMMENDED.

7. **Chairman Walsh MOVED to appoint Chris Kennedy to the Sustainable Hanover Committee. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE NOMINATION OF CHRIS KENNEDY TO THE SUSTAINABLE HANOVER COMMITTEE.

- 8. Vice Chairman Connolly MOVED to appoint Patricia Coutermarsh as Town Treasurer. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPOINT PATRICIA COUTERMARSH AS TOWN TREASURER.

- 9. Vice Chairman Connolly MOVED to appoint Maureen Bolton as an alternate to the Zoning Board of Adjustment. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPOINT MAUREEN BOLTON AS AN ALTERNATE TO THE ZONING BOARD OF ADJUSTMENT.

- 10. Chairman Walsh MOVED to approve the Howe Library's banner request. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE HOWE LIBRARY'S BANNER REQUEST.

- 11. Selectman Christie MOVED to approve the Minutes of May 12, 2009 with recommended changes. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED AND 1 ABSTAINED TO APPROVE THE MINUTES OF MAY 12, 2009. (Selectman Doherty abstained from the vote.)

- 12. Chairman Walsh MOVED to approve the Minutes of May 18, 2009 with minor changes. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF MAY 18, 2009 WITH MINOR CHANGES.

- 13. Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Christie SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY THE ADJOURN THE MEETING AT 10:00 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

May 18, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman; Judith Doherty, Selectman; and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

Chairman Walsh asked for Public Comment. There were no comments from the audience.

Chairman Walsh welcomed Judith Doherty who was elected as the newest Select Board member last Tuesday at Town Meeting.

For the convenience of the attendees from the public, Chairman Walsh decided to take the agenda items out of the original order.

2. TOWN MEETING UPDATE.

Vice Chairman Connolly thanked Brian Walsh and Peter Christie for their work on Article Fourteen. She was delighted that it went well. Ms. Griffin stated that the Board received good feedback and that they could now move forward through the summer to prepare for the fall vote.

Selectman Christie noted that they had six pages worth of ideas and concerns to work with. Chairman Walsh stated that he was regretting the fact that they didn't get to do the public hearings in January and February. He felt that Town Meeting went well.

Selectman Rassias felt that the meeting that was held in Etna was very good. The first hearing was poorly attended. He wanted to figure out a way to get people to attend the hearings in the future.

Vice Chairman Connolly pointed out that a lot of people watch the meetings on CATV so she had feedback that people felt that they were well informed about the issues.

Chairman Walsh suggested targeting mid to late October for the Special Town Meeting. They could have hearings in August and September.

Ms. Griffin noted that Ed Lathem passed away on Friday. He was recently re-elected as fence viewer for the Town; a position he held for the last 45 years. She noted that they did receive his acceptance letter just prior to his death.

3. ORGANIZATIONAL MEETING FOR THE 2009-2010 BOARD OF SELECTMEN.

Vice Chairman Connolly NOMINATED Brian Walsh to serve as Chairman for the Board of Selectmen. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE NOMINATION OF BRIAN WALSH TO SERVE AS CHAIRMAN FOR THE BOARD OF SELECTMEN.

Chairman Walsh NOMINATED Kate Connolly to serve as Vice Chairman for the Board of Selectmen. Selectman Christie SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE NOMINATION OF KATE CONNOLLY TO SERVE AS VICE CHAIRMAN FOR THE BOARD OF SELECTMEN.

Selectman Rassias NOMINATED Judy Doherty to serve as the Secretary for the Board of Selectmen. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE NOMINATION OF JUDY DOHERTY TO SERVE AS SECRETARY FOR THE BOARD OF SELECTMEN.

Chairman Walsh stated that he is not convinced that a Selectman liaison is required for all of the various committees that they are currently assigned to and asked that the Board look at these as they review the assignments. He felt that they should consider the following criteria for determining the need for a Selectman's presence. 1) They could assign a staff member 2) the committee could report to the Board twice a year and; 3) determine those committees that do need a liaison.

The following committees were discussed:

- Advisory Board of Assessors

Vice Chairman Connolly stated that they are now looking at another five years before the next reevaluation. She didn't feel that this would be a difficult task for a Select Board member, should one be assigned.

Chairman Walsh suggested that this was an area where they could have a Select Board member "on call" or they wouldn't expect one to be there.

- Affordable Housing Commission

Chairman Walsh felt that someone from the Commission could report to the Board. Selectman Christie noted that Jonathan Edwards attends almost all of the time. Ms. Griffin stated that they need to have 5 members and that a Select Board member is not required.

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Selectman Christie suggested that they ask Bob Strauss (Chairman of the Affordable Housing Commission) about this. Selectman Doherty stated that the “on call” status could be met with some trepidation. It would be more beneficial to know the on-going issues which could be lost if attendance is not on a regular basis. If a Committee were struggling, a Select Board member could attend a few meetings and they could also determine, based on the issue, which Select Board member would be best suited to assist.

Chairman Walsh stated that the model he is looking at for the “on call” issue is currently in use on the Recreation Board. Selectman Doherty stated that it works for that Board.

Selectman Christie stated that the difficulty lies with the fact that they never know when they are going to be needed. Chairman Walsh stated that this works for the Parks & Recreation Board because of the relationship between Hank Tenney and Julia Griffin.

Selectman Doherty suggested that maybe they need to consider a hybrid of the two and leave it as a discretionary issue. The newer committees might need a liaison for a period of time.

Selectman Christie cautioned that whatever is decided, the expectations on both sides need to be very clear.

- Chamber of Commerce

Chairman Walsh stated that Ms. Griffin already attends these meetings. He questioned the need for a Select Board member to attend. Vice Chairman Connolly stated that the Chamber does report back to the Select Board. Ms. Griffin felt that this is a committee that could handle a Select Board member on an “on call” basis.

- Conservation Commission

Chairman Walsh felt that there was value in having a Select Board member present on this committee.

- Finance Committee

Selectman Christie and Selectman Rassias agreed that it was important to keep a Select Board member present on this committee.

Chairman Walsh asked whether it was important for a Select Board member to attend when the discussion focuses around the School Board budget. Selectman Rassias stated that the Charter requires a Select Board member to be present.

- Improvement Society

Chairman Walsh stated that this committee could have an “on call” member at the most. He stated that he usually attends the annual meeting and they have a picnic in the summer that he is

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usually not around for. The Board decided that they would ask John Hochreiter and Matt Marshall about their opinions on this.

- Water Works Co.

Chairman Walsh stated that he felt they should keep a Select Board member on for the next 6 to 12 months.

- Howe Library Board of Trustees

Selectman Rassias felt that the Board of Trustees expects a Select Board member to attend. Chairman Walsh asked whether they would be better served having Julia Griffin attend as a representative of the Select Board. Ms. Griffin stated that she tries to attend as many meetings as she can. She is more than happy to go. Selectman Rassias suggested checking in with the Trustees but is concerned about the relationship with the Corporation.

- Joigny, France – Sister City Advisory Committee

Ms. Griffin felt that this committee does not require a Select Board member. Chairman Walsh asked if this item could be taken off the list. Ms. Griffin stated that they are a self sufficient organization and could be taken off the list.

- Nihonmatsu, Japan – Sister City Advisory Committee

Vice Chairman Connolly suggested combining the Sister City Advisory Committees under a new title of Friendship Sister City Advisory Committee.

- Parking and Transportation Board

Ms. Griffin stated that Bill Baschnagel would like to continue working with the PTB.

Vice Chairman Connolly MOVED to appoint Bill Baschnagel to the Parking and Transportation Board. Selectman Christie SECONDED.

THE BOARD VOTED UNANIMOUSLY TO APPOINT BILL BASCHNAGEL TO THE PARKING AND TRANSPORTATION BOARD.

Vice Chairman Connolly also suggested appointing Bill Baschnagel to the Transportation Advisory Committee.

Chairman Walsh suggested that the PTB report back to the Board of Selectmen every 6 months. Ms. Griffin will confirm that this is okay with the PTB.

- Parks and Recreation Board

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Chairman Walsh felt that the current practice of having an “on call” relationship works. He noted that if Hank Tenney should retire, they would want to revisit that.

- Planning Board

Chairman Walsh asked whether they actually need to have an alternate. He also felt that there wasn't a reason that they had to have a Select Board member present if Vice Chairman Connolly could not attend a meeting. Vice Chairman Connolly felt that it is a good idea to have a Select Board member present.

- Recycling Committee

Ms. Griffin noted that this is now the Sustainable Hanover Committee. She didn't feel it was critical to have a Select Board member present. Chairman Walsh felt this could be an “on call” candidate. Selectman Christie felt that the symbolism of having a Board member there is beneficial. This is a new group and this may not be the best time to back away, during the transition period.

Chairman Walsh thought that they should have further discussion about who would be assigned to the committees at the June 1st meeting.

- Senior Citizens Advisory Committee

Ms. Griffin stated that this group works very independently. Selectman Christie felt that this committee could handle the “on call” relationship which would be more than adequate.

- Upper Valley Lake Sunapee Regional Planning Commission

Ms. Griffin stated that this is a very independent group. Chairman Walsh wasn't sure whether Vice Chairman Connolly's attendance was Select Board related or citizen related. Vice Chairman Connolly stated that she is currently Treasurer of the Commission. Chairman Walsh didn't feel that this needed to be on the Selectmen's list.

The Upper Valley Lake Sunapee Regional Planning Commission was removed from the Selectmen's list.

- Upper Valley Transportation Advisory Committee

Chairman Walsh is happy to have Bill Baschnagel continue to serve on this committee. Vice Chairman Connolly stated that she once served on this committee but could not recall whether it was as a Select Board member or not. She felt that it was important to have a Select Board representative because they work well with other neighboring communities.

Ms. Griffin stated that they do have a quasi statutory function in that they make recommendations to the State DOT with regard to project priority for state sanctioned projects. They do periodically have a formal role. Selectman Doherty asked whether this goes directly to

the DOT and not through the Town. Ms. Griffin stated that the Town can submit their applications for State funding through the TAC but they send their formalized request to the State.

Chairman Walsh stated that there are groups where they assign residents to the group on behalf of the Town and the TAC seems to be in that category. He doesn't recall any other Select Board member being on the committee prior to Bill Baschnagel. Ms. Griffin stated that it doesn't have to be a Selectman's role but could include Town staff members who could represent the Town. Chairman Walsh suggested having a good citizen or two on this committee. Ms. Griffin would also check with Bill Baschnagel about the possibility of his continued service on this committee.

- Bicycle & Pedestrian Committee

Selectman Rassias stated that the committee is now having meetings twice monthly. Selectman Rassias will continue on this committee.

4. DISCUSSION AND ADOPTION OF ABATEMENT RECOMMENDATIONS PREPARED BY THE ADVISORY BOARD OF ASSESSORS.

Chairman Walsh invited Mike Ryan, Assessor, to approach the Board to discuss the abatements.

Mike Ryan reported that the Advisory Board of Assessors met. All members were present and the decisions were unanimous.

Selectman Christie MOVED to adopt the abatement recommendations prepared by the Advisory Board of Assessors. Selectman Doherty SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE ABATEMENT RECOMMENDATIONS PREPARED BY THE ADVISORY BOARD OF ASSESSORS.

5. DISCUSSION OF REQUEST BY HOWE LIBRARY CORPORATION TO HOLD ANNUAL WINE TASTING AT THE HOWE LIBRARY.

Chairman Walsh invited Ann Bradley and Ann Malenka to speak to the Board regarding the Howe Library Corporation's request. Ms. Bradley stated that they held a major event in March and that they feel that they now have a good formula for raising money. They also acknowledge that there is an ordinance in effect regarding alcohol on Town property and they appreciate that. Ms. Bradley stated that this is a wonderful opportunity for the library and would like to hold the wine tasting annually. Ms. Malenka noted that their goal is to provide additional fundraising and awareness for the library. The Corporation supports the Howe and there is an educational component in which they need community support.

Chairman Walsh stated that it was a wonderful event. Selectman Rassias stated that he is sensitive to the alcohol issues and noted that he did attend the event. People were socializing and

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participating in the auction. He would be reluctant to have a blanket endorsement but supports another event.

Selectman Doherty asked what other exceptions have been made regarding the alcohol policy in the past. Chairman Walsh stated that they have not made any other exceptions. Ms. Griffin stated that the Howe was the first specific exception request and that the ordinance has been in place for the last 8 to 10 years.

Selectman Christie asked who sponsored the event. It was noted that the Howe Library owns the building but the Town owns the land.

Vice Chairman Connolly stated that the Corporation should approach the Board just before the event. She is torn about the issue of the ordinance but is willing to consider this. She stated it was a beautiful event.

Chairman Walsh wondered how they would be able to refuse other groups with the same request in the future. He was finding it difficult to make exceptions to the policy. He asked whether they could serve cider instead. He wondered if they would see the same turnout if it wasn't wine. Chairman Walsh also questioned whether they could amend the policy.

Ms. Bradley stated that they are trying to raise money to keep the library going. This event worked well. They held one at Mascoma Savings Bank that was poorly attended.

Chairman Walsh noted that he has been one to rail against Concord when they try to run public events involving alcohol to raise money. Selectman Christie asked where the law was written. Ms. Griffin noted that it is in the Town Ordinance. She also noted that the Corporation owns the building but the Town owns the land.

Selectman Doherty stated that she didn't want the discussion to turn into whether or not they support the library. The Board needs to be prepared to uphold the ordinance for any group that may make the request and the Board needs to be very clear. Selectman Doherty asked why an exception had previously been made.

Chairman Walsh stated that the Board decided to grant the exception to see how it went and it went very well. He senses a reticence on behalf of the Board to say yes or no. He suggested that Ms. Griffin review the policy and see if any modifications could be made so that the Board may approve events when they feel it is warranted. He suggested that the Board revisit this over the summer and make a decision in the fall.

Selectman Christie stated that no seems to be the wrong answer but the Board needs a basis in which to say yes. Selectman Doherty didn't feel it would be fair to the library to make them wonder whether their request would get approved year to year.

Chairman Walsh thanked Ann Bradley and Ann Malenka for appearing before the Board.

6. APPOINTMENTS:
- ZBA

Vice Chairman Connolly MOVED to appoint Sheila Buckley as an alternate to the Zoning Board. Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPOINT SHEILA BUCKLEY AS AN ALTERNATE TO THE ZONING BOARD.

7. BANNER REQUESTS:
- Open Air Summer Family Concerts Banner – Upper Valley Presents

Ms. Griffin noted that this is not a Hanover organization. The Board has previously approved a banner request for this group for a one week period and they are requesting three weeks. Chairman Walsh asked Ms. Griffin to work out the scheduling and would allow for one week.

Chairman Walsh MOVED to approve the banner request for Open Air Summer Family Concerts-Upper Valley Presents for a period of one week. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR OPEN AIR SUMMER FAMILY CONCERTS-UPPER VALLEY PRESENTS FOR A PERIOD OF ONE WEEK.

8. APPROVAL OF MINUTES:
- April 27, 2009
- May 4, 2009

Vice Chairman Connolly MOVED to approve the Minutes of April 27, 2009. Selectman Doherty SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED AND 1 ABSTAINED TO APPROVE THE MINUTES OF APRIL 27, 2009. (Selectman Doherty abstained from the vote.)

The Board had some slight changes to the Minutes of May 4, 2009.

Vice Chairman Connolly MOVED to approve the Minutes of May 4, 2009 as amended. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 3 IN FAVOR, 0 OPPOSED AND 2 ABSTAINED TO APPROVE THE MINUTES OF MAY 4, 2009. (Chairman Walsh and Selectman Doherty abstained from the vote.)

9. ADMINISTRATIVE REPORTS.

Ms. Griffin reported that the Town did lose two former long time employees unexpectedly; Dexter Pierce who served as a police officer died last week and Ron Edson who was the Town's first dispatch coordinator died over the weekend. Both Dexter and Ron were regular visitors at the police department and they will be missed.

Ms. Griffin stated that she has been busy tracking what is happening in the legislature and she stated that it is clear that they are not paying attention to the concerns of the municipalities with regard to the Retirement bill. The Senators are indicating that they are willing to consider some of the changes but only if gambling is legalized. She stated that she felt that June is going to be a brutal month in Concord.

Ms. Griffin stated that she attended the NH Municipal Managers' meeting in which the sixth Executive Director (in the last six years) of the New Hampshire Retirement System spoke. She stated that he comes from an investment advisory background and has a real handle as to what is going on.

Ms. Griffin also learned that the Senate has not figured out a way to restore building aid in the budget so they will be looking at eliminating Rooms & Meals Tax revenue in order to plug the gap in building aid funds. The Dresden School District is looking at the possibility of losing \$750,000.

Ms. Griffin stated that she hasn't looked at the overall tax rate when looking at the possible school aid minus the Rooms & Meals revenue. Chairman Walsh stated that any community that has not recently built a school will not be receiving the aid and would lose the revenue. The local impact is different between all the municipalities in the State.

Ms. Griffin stated that she doesn't know whether the State is going to have resolution on this by June 30th. She stated that she will need to recalibrate the tax rate every Friday when the legislative bulletin comes out. Chairman Walsh didn't feel that Ms. Griffin should continue to do this week to week. Ms. Griffin stated that she saw the benefit when the press should call and to inform the legislation as to how these changes are going to affect them. Ms. Griffin stated that when she went to testify, it was deplorable. They allowed twenty minutes to try to come up with solutions for this very critical bill. Chairman Walsh suggested putting off the press until the circus in Concord is over.

Ms. Griffin noted that there are other areas in the State that are going to be hit harder. She stated that she's never seen the other managers as discouraged as they are now. Chairman Walsh stated that he felt that the managers need to make a statement and shine a spotlight on the broken process.

Ms. Griffin reported that before the downturn, the NH Retirement System was funded at 67% of its obligation. With the downturn, it is now down to 53%. The Towns are looking at a retirement contribution increase on July 1, 2010 and at that time they will announce the increase amounts for July 1, 2011 and July 1, 2012. Ms. Griffin stressed the importance of knowing these amounts

as soon as possible. Vice Chairman Connolly asked if this meant that the towns were going to get charged to bring that percentage up to 100%. Ms. Griffin stated that it is clear that the Towns are going to get hit hard.

10. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie reported that the Finance Committee met today. John Aubin did a presentation regarding the School Budget and how they report out and manage the budget vs. actuals. There has been continued work on how to set guidelines using the Grand List and taxpayer income growth.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board had its first re-hearing on a lot line adjustment because the Town of Lyme was an abutter that was not notified.

Vice Chairman Connolly also reported Dartmouth College is working on changing its real estate downtown at 7 Austin Avenue. They will be building a single family house in addition to the apartment house.

Vice Chairman Connolly stated that the bus stop study came before the Planning Board and they had questions similar to those asked by the Select Board.

Vice Chairman Connolly reported that the Planning Board continues to work on the residential project.

Athos Rassias

Selectman Rassias reported that the Howe Library Corporation met last Thursday. They are having some issues with their air conditioning and had a presentation by Frank Austin. The issues may come as a big ticket item for the Trustees.

Selectman Rassias also reported that the Bike and Pedestrian Committee met and have started meeting twice monthly. They are working on the sharrow signage and will be coming to the Board of Selectmen on June 15th. They will run some trials of the sharrow on Lebanon Street.

Judy Doherty

Selectman Doherty had nothing to report.

11. OTHER BUSINESS.

There was no Other Business reported.

12. ADJOURNMENT.

Board of Selectmen
May 18, 2009

Vice Chairman Connolly MOVED to adjourn the meeting. Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:03 P.M.

Respectfully Submitted,

Judith A. Doherty, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Vice Chairman Connolly NOMINATED Brian Walsh to serve as Chairman for the Board of Selectmen. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE NOMINATION OF BRIAN WALSH TO SERVE AS CHAIRMAN FOR THE BOARD OF SELECTMEN.

2. **Chairman Walsh NOMINATED Kate Connolly to serve as Vice Chairman for the Board of Selectmen. Selectman Christie SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE NOMINATION OF KATE CONNOLLY TO SERVE AS VICE CHAIRMAN FOR THE BOARD OF SELECTMEN.

3. **Selectman Rassias NOMINATED Judy Doherty to serve as the Secretary for the Board of Selectmen. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ACCEPT THE NOMINATION OF JUDY DOHERTY TO SERVE AS SECRETARY FOR THE BOARD OF SELECTMEN.

4. **Vice Chairman Connolly MOVED to appoint Bill Baschnagel to the Parking and Transportation Board. Selectman Christie SECONDED.**

THE BOARD VOTED UNANIMOUSLY TO APPOINT BILL BASCHNAGEL TO THE PARKING AND TRANSPORTATION BOARD.

5. **Selectman Christie MOVED to adopt the abatement recommendations prepared by the Advisory Board of Assessors. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE ABATEMENT RECOMMENDATIONS PREPARED BY THE ADVISORY BOARD OF ASSESSORS.

6. **Vice Chairman Connolly MOVED to appoint Sheila Buckley as an alternate to the Zoning Board. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPOINT SHEILA BUCKLEY AS AN ALTERNATE TO THE ZONING BOARD.

7. **Chairman Walsh MOVED to approve the banner request for Open Air Summer Family Concerts-Upper Valley Presents for a period of one week. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR OPEN AIR SUMMER FAMILY CONCERTS-UPPER VALLEY PRESENTS FOR A PERIOD OF ONE WEEK.

8. **Vice Chairman Connolly MOVED to approve the Minutes of April 27, 2009. Selectman Doherty SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED AND 1 ABSTAINED TO APPROVE THE MINUTES OF APRIL 27, 2009. (Selectman Doherty abstained from the vote.)

9. **Vice Chairman Connolly MOVED to approve the Minutes of May 4, 2009 as amended. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 3 IN FAVOR, 0 OPPOSED AND 2 ABSTAINED TO APPROVE THE MINUTES OF MAY 4, 2009. (Chairman Walsh and Selectman Doherty abstained from the vote.)

10. **Vice Chairman Connolly MOVED to adjourn the meeting. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:03 P.M.

FINAL

**2009 TOWN MEETING
TOWN OF HANOVER
Tuesday, May 12, 2009
Hanover High School Gymnasium**

The annual Town Meeting of the Town of Hanover, New Hampshire convened on May 12, 2009 at 7 a.m. by the Town Moderator, Daniel Nelson, at the Hanover High School Gymnasium. Moderator Nelson explained that the polls would be open from 7:00 a.m. until 7:00 p.m. for the purpose of voting for candidates for Town Offices and for all other articles requiring vote by official ballot as set forth in Articles One through Four of the Town Meeting Warrant.

ARTICLE ONE: To vote (by nonpartisan ballot) for the following Town Officers:

Two Selectmen, each to serve for a term of three (3) years;

Katherine S. Connolly	302 (Re-elected)
Judith A. Doherty	288 (Elected)
Write-ins	6

One Moderator to serve for a term of one (1) year;

Daniel M. Nelson	324
Write-ins	2

One Library Trustee to serve for a term of three (3) years;

Rhonda N.S. Siegel	314
Write-ins	1

One Trustee of Trust Funds to serve for a term of three (3) years.

Judson T. (Jay) Pierson	322
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ARTICLE TWO (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 1:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 1 as proposed by the Hanover Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 1 would amend two definitions in Section 902 Term Definitions: the definition of “essential service” by adding “electrical transformers” to the list of minor additions; and the definition of “structure” by adding “electrical transformers” to the list of those items not considered structures.

At a public hearing held on March 10, 2009, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS: YES 317 NO 29 ARTICLE PASSED

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ARTICLE THREE (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 2:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 2 as proposed by the Hanover Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 2 would amend Section 317.2 paragraph E to allow the display on a scoreboard of a team logo, the name of the athletic field, and the name of the athletic facility donor(s); and to prohibit commercial advertising of any type on an athletic scoreboard.

At a public hearing held on March 10, 2009, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS: YES 310 NO 35 ARTICLE PASSED

ARTICLE FOUR (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 3:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 3 as proposed by the Hanover Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 3 would amend Section 502.5 by adding a new paragraph G which grants the Planning Board the authority to approve any arrangement and dimension of required parking spaces in a Planned Residential Development that the Board deems appropriate to the safety and design of the development.

At a public hearing held on March 10, 2009, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS: YES 282 NO 64 ARTICLE PASSED

BUSINESS MEETING

Moderator Nelson started the meeting and introduced Rohan Zeng and Rine Uhm (students from the Ray School) who performed *America the Beautiful*.

Moderator Nelson asked that the members of the Board of Selectmen introduce themselves. Chairman Brian Walsh, Vice Chairman Kate Connolly, Selectman Bill Baschnagel, Selectman Peter Christie, and Selectman Athos Rassias introduced themselves to the audience.

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Moderator Nelson asked Julia Griffin, Town Manager, to introduce the Department Heads and Town Staff. Ms. Griffin introduced Hank Tenney, Recreation Director; Mary White, Howe Library Director; Corey Stevens, IT Director; Roger Bradley, Fire Chief; Nick Giaccone, Police Chief; Peter Kulbacki, Public Works Director; Mike Ryan, Assessor; Betsy McClain, Administrative Services Director; Jonathan Edwards, Planning & Zoning Director; and Myra Johnson, Human Resources Director.

Moderator Nelson noted that it was a daunting task to appear as the Town's Moderator. He attended his first Town Meeting in 1977 and he has long been an admirer of Harry Bird's and Willy Black's management of these meetings. He stated he would do his best and be mindful that this is the townspeople's meeting; this is one of the few places and few occasions where they practice direct democracy and his role is to facilitate the proceedings that allows full deliberation of the matters before them and that provides the procedure for voting that reflects the will of the people of the Town.

Moderator Nelson gave an overview of the process for Articles being brought forth and subsequent discussions. Moderator Nelson stated that the Select Board members would read the motion only once unless there was a request that it be repeated. He also requested the meeting's permission to allow non-residents to speak to the articles pertaining to Social Service funding requests.

Moderator Nelson noted that he would be recusing himself during deliberation and voting for Article Fourteen concerning the Hanover Water Works Company because he has been involved in this issue as an employee of Dartmouth College. Willy Black has agreed to preside over that discussion.

ARTICLE FIVE: To choose the following Town Officers to be elected by a majority vote:

Vice Chairman Connolly MOVED to nominate the following persons for the following offices:

One member of the Advisory Board of Assessors for a term of three (3) years;

- ***Richard Birnie***

Three Fence Viewers, each for a term of one (1) year;

- ***Edward Lathem, William Garrity, and Robert Morris***

Two Surveyors of Wood and Timber, each for a term of one (1) year;

- ***John Richardson and Ed Chamberlain***

One Pine Park Commissioner for a term of three (3) years;

- ***Linda Fowler***

Such other officers as the Town may judge necessary for managing its affairs.

Chairman Walsh SECONDED the motion.

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There was no further discussion on Article Five. **The motion passed and the nominees were ELECTED.**

ARTICLE SIX: To receive reports from the Selectmen, Town Clerk, Treasurer, Collector of Taxes and other Town Officers and to vote on any motion relating to these reports and to receive any special resolutions that may be appropriate and to vote thereon.

Vice Chairman Connolly MOVED that the reports from the Selectmen, Town Clerk, Treasurer, Collector of Taxes and other Town Officers as printed in the 2008 Town Report be accepted, as well as any Special Resolutions. Chairman Walsh SECONDED the motion.

Vice Chairman Connolly read the following statement to recognize Nancy Collier's contributions to the Town of Hanover:

"Nancy Collier has been an appointed official in Hanover for over 21 years. She joined the Hanover Conservation Commission in 1983 and served as its' chair from 1987 until 1992. A break from public service began in 1993, presumably to tend to her two young sons and lasted until 1997 when Nancy was appointed to the Planning Board. In 1999 Nancy was elected Chairman and served as the chair of the Hanover Planning Board for a decade until her resignation last month.

Nancy has provided thoughtful, reliable and intelligent leadership through the review of over 200 site plans and subdivisions.

The leadership required to complete the nine-year 2003 revision of the Hanover Master Plan demanded stamina, negotiating skills, and determination. Through the last half of the nine year Master Planning process and for a number of successful smaller planning projects that contributed to the Master Plan or that have implemented the Master Plan Nancy kept the Board on task, always patient, working through complex sets of goals and recommendations and always maintaining a spirit of camaraderie amongst board members.

Nancy's leadership has included active participation in many of the other projects that she oversaw over the years. Some of the projects in which Nancy has been involved are:

As a Conservation Commissioner, Nancy helped to locate and apply for funding to protect three properties using LCIP funds and as Chairman she oversaw the development of our first Wetlands Ordinance.

During her tenure as Chairman of the Planning Board; Nancy chaired the Scenic Locales Committee which undertook an inventory of scenic locales in Hanover and developed a strategy for protecting these beautiful and/or historic places.

Nancy participated as a member of the Downtown Vision Committee in 2001 which developed a set of downtown design guidelines as well as a comprehensive set of Zoning Amendments for our downtown, the Mountain Bike Subcommittee which produced a plan for a system of mountain bike trails, the Route 120 Corridor Management Plan Steering Committee in 2006-

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2007 which sought a management plan for the inter-municipal Route 120 corridor, the Rural Group in 2007 which sought strategies for protecting natural resources in rural Hanover and the Wetlands Group in 2007 which amended the wetlands regulations to more closely conform to State regulations.

On to the best part; Nancy, as Planning Board Member & Chair:

She ran efficient meetings keeping the discussion on track and on point. Her minimal tolerance for a lack of succinctness, beating around the bush and for intellectual rambling and musing was well known. At the same time, she respected divergent views and consistently showed her respect for others and their ideas, including the most long-winded. She handled all manner of frustrations such as the inevitable slowdowns, tangents, and side-channels appearing in the discussions in an exemplary manner and with a self-control that over time became legendary.

She was always well prepared for every meeting, going over all the identifiable issues ahead of time and mentally organizing the meeting in advance distilling and organizing the issues as well as keeping track of the progress on each case.

She has always challenged the P&Z staff--on timeliness, diligence in researching and consideration of all aspects of a case relevant to the Planning Board's review and decision-making. She demanded adherence to lawfully prescribed procedures and standards in guiding the Board on prospective improvements to rules and regulations as well as proper follow-through on processing and enforcing the Board's decisions.

She has always been intelligent, creative, cheerful, energetic and positive in her leadership of the Planning Board. The policies that evolved and the laws and ordinances that were created and enacted during Nancy's tenure on the Board will serve to guide the Town's development well into the future. The Town of Hanover has been truly enhanced by the selfless service of Nancy Collier and will forever be in her debt."

Vice Chairman Connolly and Julia Griffin, Town Manager, presented Nancy Collier with a Town of Hanover rocking chair as a token of the Town's appreciation for her service.

Moderator Nelson invited Jill Polli to make a presentation for the Recreation Volunteer of the Year. Ms. Polli made the following presentation:

"The Hanover Parks and Recreation Department has 5 great employees, but that is not nearly enough people to run all of the programs and sports events that we put on each year. The department requires dozens of volunteers each year as coaches and for special events such as Pond Party, Muster Day and the Old Fashioned 4th of July. Without volunteers we would never be able to offer the programs we have available to all of you here in Town. That being said, each year we as the Parks and Recreation Board like to acknowledge and individual who has provided some of the much needed support that our department requires.

I am honored to be acknowledging the person who is receiving the Hanover Parks and Recreation Department volunteer of the year award for 2009. He is someone who runs a local

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family business but somehow has found the time to coach baseball, basketball and football for our department. You all may know Mike Campbell has the owner-operator of the Hanover True-Value Hardware Store but you may not be aware that he has been an invaluable resource to our children. In asking around about Mike, I found that Mike volunteered to be the head coach of the 4th-6th grade football program which, as Mike Ivanoski pointed out to me, is no easy task and it translates in to a lot more than just coaching. Being a head coach required Mike to oversee the coaching staff, plan practices, help with fundraising – and the list goes on. Mr. Ivanoski pointed out that Mike Campbell volunteers so that the children in our community can be children, and that they are provided with numerous opportunities to shine as teammates and as individuals. Mr. Ivanoski said that Mike “is an inspiration to me and many of our community members.”

But while he finds time to coach three sports, Mike is also a Scout Leader and an annual volunteer at the Howl at the Moon event put on by Dartmouth.

Mike is also active as Hartford High Schools Alumni Association President and has been so since 2004. Mike is husband to Sonya and father to Larissa, Spencer and Bryce.

I know that Mike is going to have a tough call next fall when his son Bryce moves up and out of the age bracket that Mike coaches in football – as the younger players are begging Mike to remain with them. It is heartening to see that Mike has gained the respect of his players that they do not want to see him go.

I could go on for quite a while as I spoke to numerous other folks who were happy to tell me Mike Campbell stories – but I think you get the idea!

Mike is valued by the school community, the Dartmouth community and certainly by the Hanover Parks and Recreation Department. He is a kind, caring and hardworking man who constantly gives to others. It is time for Mike Campbell to be recognized for all that he does. Congratulations Mike!!”

ARTICLE SEVEN: To see if the Town will vote to raise and appropriate \$10,380 for deposit into the Land and Capital Improvements Fund, and to authorize funding of this amount by transfer from the Land Use Change Tax Reserve, with no funds being raised by taxation. The amount appropriated is the equivalent of 50% of the total collected in the Land Use Change Tax Reserve in the fiscal year 2007-2008. Funds that have been deposited into the Land Use Change Tax Reserve Fund come from land use change taxes, paid by property owners when they take their land out of current use.

Selectman Baschnagel stated that he would read each Article (Articles Seven through Eleven) and then ask for discussion before a vote.

ARTICLE EIGHT: To see if the Town will vote to raise and appropriate \$10,380 for deposit into the Conservation Fund created as authorized by RSA 36-A:5.1, and to authorize funding of this amount by transfer from the Land Use Change Tax Reserve, with no funds being raised by taxation. The amount appropriated is the equivalent of 50% of the total collected in the Land Use Change Tax Reserve in the fiscal year 2007-2008. Funds that have been deposited into the Land

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Use Change Tax Reserve Fund come from land use change taxes, paid by property owners when they take their land out of current use.

ARTICLE NINE: To see if the Town will vote to raise and appropriate \$1,187,570 and authorize payment into existing capital reserve funds in the following amounts for the purposes for which such funds were established:

Ambulance Equipment Capital Reserve Fund	\$ 50,100
Bridge Replacement and Renovation Capital Reserve Fund	\$ 30,000
Building Maintenance and Improvement Capital Reserve Fund	\$ 50,000
Dispatch Equipment and Dispatch Center Enhancements and Capital Reserve Fund	\$ 10,000
Fire Department Vehicle and Equipment Capital Reserve Fund	\$ 64,000
Highway Construction and Maintenance Equipment Capital Reserve Fund	\$ 240,000
Parking Operations Vehicles and Parking Facility Improvements Capital Reserve Fund	\$ 62,210
Police Vehicles and Equipment Capital Reserve Fund	\$ 66,000
Road Construction and Improvements Capital Reserve Fund	\$ 20,000
Sewer Equipment and Facilities Improvements Capital Reserve Fund	\$580,260
Town Revaluation Capital Reserve Fund	\$ 15,000

ARTICLE TEN: To see if the Town will vote to raise and appropriate \$369,986 for the purposes listed below, and to authorize funding these amounts by withdrawal from the listed capital reserve funds in the following amounts:

Ambulance Equipment Capital Reserve Fund <i>Ambulance 150</i>	\$161,000
Highway Construction and Maintenance Equipment Capital Reserve Fund <i>Leaf vacuum, Truck 03, Chipper, Dozer, V-Box Sander</i>	\$169,700
Police Vehicles and Equipment Capital Reserve Fund <i>Cruiser – Utility Vehicle</i>	\$ 39,286

This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until these specified purchases are complete or June 30, 2012, whichever is sooner.

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ARTICLE ELEVEN: To see if the Town will vote to raise and appropriate \$35,135 for deposit into the Municipal Transportation Improvement Fund, and to authorize funding of this amount by transfer from the Transportation Improvement Fee Reserve, with no funds being raised by taxation. This amount is equivalent to the total Transportation Fee surcharge for each motor vehicle registered in the Town of Hanover (\$5.00 per vehicle) during fiscal year 2007-2008.

Selectman Baschnagel MOVED Articles Seven through Eleven as written in the Town Warrant. Chairman Walsh SECONDED the motion.

John Ruth questioned the need to replace the ambulance and the police cruiser in this budget. Fire Chief Roger Bradley stated that the ambulance is 10 years old and needs extensive repair or to be replaced. Police Chief Nicholas Giaccone stated that the cruiser up for replacement is the Expedition. The Expedition is now 7 years old and should have been replaced last year according to the fleet management schedule. The amount of \$39,286 includes the cost of the vehicle and the extra equipment such as the radios, lights, sirens and mobile data system.

Chairman Walsh stated that the Town has capital reserve schedules that are developed by Frank Austin from Public Works and Betsy McClain, Finance Director for all of the vehicles and equipment in Town. They project when it is economically beneficial to replace vehicles and sell the used vehicles in the market. During budget discussions, the Board asks this very question and whether they can put off replacement for another year or how they can save money on this transaction.

The motion PASSED and Articles Seven through Eleven were ADOPTED as written.

ARTICLE TWELVE: To see if the Town will vote to raise and appropriate \$18,154,412 to pay the operating expenses of the Town for the 2009-2010 fiscal year, for the purposes set forth in the Town budget. This sum does not include the funds voted in any of the preceding or succeeding articles.

Selectman Christie MOVED that the Town vote to raise and appropriate \$18,154,412 to pay the operating expenses of the Town for the 2009-2010 fiscal year, for the purposes set forth in the Town budget. This sum does not include the funds voted in any of the preceding or succeeding articles. Chairman Walsh SECONDED the motion.

Selectman Christie made the following presentation to Town Meeting:

“This is a great budget. Usually I tell you all the bad stuff first and then end with the good, but I am going to reverse that order this year.

I am also going to try and be brief, since I think there is perhaps more interest in Article 14 coming up shortly and because I have not yet negotiated with our new town Moderator my “one minute per million” prerogative. I am also not sure of the size of his hook should I run over.

We started this budget season forecasting a 7.5% overall tax increase to maintain the status quo based on our five year plan. This gave us concern in light of the economic downturn, the State

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threat to withhold significant money that normally comes our way, and a possible county tax increase for the new jail.

Given all these concerns, the Select Board asked Julia to prepare not only a steady state budget, but also to identify and prioritized cuts that would get us to 5% and 3.5% tax rate increases.

Julia, Betsy, and the Department Heads rolled up their sleeves and in the spirit of understanding that this could not be a “business as usual” budget, did a exemplary job of delivering proposed budgets that started at 5% and worked their way down to a 0% increase. The Board ultimately settled on a final budget with a Town –wide overall tax impact of 0.6% for municipal services, including fire protection. Because we are still phasing in the new Fire District allocations approved in 2008, the impact on your taxes will vary based on your Fire District as highlighted in the Town Report.

This overall tax increase of less than one percent was accomplished even while taking into account anticipated decreases in local revenue from such areas as building permit fees, car registration fees, and short term investment income.

These lower revenues were somewhat offset by a low December CPI which impacts many wage increases, by a low increase in health care costs, and by retirements that were filled by staff earlier in their careers.

All this is good, but the elephant in the room is what the State will eventually do to balance their budget. The State is facing a budget shortfall in the range of \$550 million, and because they have no broad based taxes to turn to, they are going through their usual gyrations to balance their budget. Although this is still a work in progress we are fearful of a significant downshifting of taxes to the local level. This would take the form of the State no longer sharing the customary amount from Meals and Rooms taxes, for Building Aid, and for Block Grants to name a few. In total the Town received over \$900,000 from the state in the current fiscal year, much of which is at risk for next year.

After much discussion the Select Board decided that should the State renege on its commitments to the Town, we will have no choice but to pass those revenue shortfalls along as an additional tax hike compliments of Concord. The amounts are potentially too big to be dealt with at the local level without serious disruption to local services. This may also be compounded by the underfunding of the State Retirement fund and the eventual building of the new county jail, both of which will require significant tax revenue to pay the bills

So, I think we have done our job at the local level to reduce spending in line with reduced local revenues and general economic conditions for our citizens, but we will have to wait and see what comes out of Concord.

I once again thank all of Department Heads and, for that matter, all Town staff who do such a fine job day in and day out. With that I would like to open the floor for discussion.”

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Elizabeth Crory asked about the Downtown Business Service District which showed a decrease and she wondered what it was and why it has changed. Chairman Walsh stated that this is the Downtown Marketing District which was created at the merchants' request approximately five years ago and there is a Selectmen's Advisory Committee which decides how much they would like to tax themselves for the coming year. This year they are asking that the amount of funds raised be half of what it has been previously because of the economic conditions. Instead of raising \$50,000, they have asked that the Town raise \$25,000. It comes directly from the downtown properties and goes into creating business for the downtown properties.

Elizabeth Crory asked if this was connected to the Parking Garage Fund. Chairman Walsh stated that this is different from the Parking Garage.

The motion PASSED and Article Twelve was ADOPTED as written.

Moderator Nelson moved on to Article Fourteen at the recommendation of the Board of Selectmen and then would return to Article Thirteen.

ARTICLE THIRTEEN: To see if the Town will direct its Legislative Delegation to support continued full funding of municipal aid for Rooms & Meals, Revenue Sharing, Highway Aid and the New Hampshire State Retirement System contributions on behalf of municipalities from State revenue sources and not Federal stimulus funding.

Chairman Walsh MOVED that the Town vote to direct its Legislative Delegation to support continued full funding of municipal aid for Rooms & Meals, Revenue Sharing, Highway Aid and the New Hampshire State Retirement System contributions on behalf of municipalities from State revenue sources and not Federal stimulus funding. Vice Chairman Connolly SECONDED the motion.

Moderator Nelson asked for any discussion on Article Thirteen. Chairman Walsh stated that this motion was written by the New Hampshire Municipal Association and put into a number of March Town Meetings throughout the State when it appeared that the money which is usually given to municipalities was being used to balance the State's budget instead. There was hope that there would be Federal stimulus money that would help fund the schools. Since that time, the budget that was passed by the House took half of the money provided to the Town's and it is unclear how much money will come through to the Town. The essence of the motion sends a message to the legislators in Concord telling them not to balance the State budget with property taxes.

The motion PASSED and Article Thirteen was ADOPTED as written.

ARTICLE FOURTEEN: To see if the Town will vote to acquire those assets of Hanover Water Works Company, Inc. necessary to operate the water system as a municipal utility serving the Town's inhabitants, in accordance with RSA 38. If approved, there will be a second vote by Special Town Meeting in the fall of 2009 to approve the price to acquire the water utility assets. A two-thirds vote is required on this article.

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Moderator Black was asked to present Article Fourteen. She noted she was approached just prior to Town Meeting to act as Moderator for this Article.

Selectman Christie stated that he would be drinking a lot of water during this presentation and made the following statement regarding Article Fourteen:

“The wording on this article was mandated by State law, but unfortunately does not fully reflect our intent. To correct this I have added language in my motion that hopefully makes it clear that the vote tonight merely allows the Select Board to negotiate a final municipalization agreement and that that agreement will be subject to a vote at a Special Town Meeting in the fall.”

Selectman Christie MOVED that the Town vote to acquire those assets of Hanover Water Works Company, Inc. necessary to operate the water system as a municipal utility serving the Town's inhabitants, in accordance with RSA 38. If approved, there will be a second vote by Special Town Meeting in the fall of 2009 to approve the price to acquire the water utility assets. In addition to price, the final transfer agreement between the Town and the Hanover Water Works Company to acquire the assets will be brought before the above mentioned Special Town Meeting. A two-thirds vote is required on this article. Chairman Walsh SECONDED the motion.

An audience member asked Selectman Christie to read the wording that was added to the original Article 14. Selectman Christie re-read the following:

“In addition to price, the final transfer agreement between the Town and the Hanover Water Works Company to acquire the assets will be brought before the above mentioned Special Town Meeting in the fall of 2009.”

Selectman Christie offered the following as an overview of Article Fourteen:

“Municipalization of the water supply is not a new topic and has been discussed periodically over at least the past 30 years. In fact, one of the reasons that the Town agreed to actually operate the water company under contract some 5 years ago was in anticipation of possible municipalization.

So why now? About nine months ago the Town approached the College to reopen discussions. We realized that we had a small window before Jim Wright's retirement and that dealing with the Water Company would probably not be a high priority for the new President. We had also built and were successfully operating the new filtration plant which was a major investment that was now behind us. From our operating experience we could also see many opportunities to be more cost effective and were anxious to take advantage of them. In early discussions, the College generously agreed to increase the Town's ownership in the Water Company from 47.2% to 50% which was a major step forward in giving the Town additional control of future use of the Water Company land.

The time seemed right, and a joint task force was created. The College was represented by Adam Keller (VP of Finance), Bob Donin (College Council) and Dan Nelson (Special Assistant

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to the President). The Town was represented by Julia, myself and Jay Pierson. Jay is one of four Town representative on the Water Company Board and the current President of the Water Company, a CPA by training and profession, a former Hanover Select Board member and long time Hanover resident and contributor to the Town - and perhaps most importantly a member of the infamous Over the Hill skiing gang so Jay and I had plenty of time to discuss all the issues riding up chairlifts at Sunapee and the Skiway.

Hopefully you have read the FAQ's that were sent to you. I do not plan on repeating all of that detailed information but rather to give an overview. Please remember that we are NOT voting tonight on municipalization, but rather only to authorize the Select Board to take the next step of developing the final plan. The work to date has been aimed at putting enough meat on the bones so that you have a pretty good idea of where this might all lead, but there is a lot more to do before the fall.

Let's quickly look at where we are today and what we hope to accomplish with municipalization.

Today the Town receives its water from a private company which is regulated by the Public Utilities Commission (PUC). Under municipalization the Town would assume ownership of all the hard assets of the water company, along with its liabilities, and would no longer be regulated by the PUC.

The PUC has several expensive requirements that would be reduced or eliminated by municipalization. For example, the current water company must keep a separate set of books in PUC format, must apply to the PUC for any rate increases at a cost of around \$50,000 per application, and cannot have capital reserve funds to address capital project needs.

As a municipal service the Town would set up an Enterprise fund within its existing accounting structure similar to what we now have for waste water treatment. Water rates would be set by the Select Board and we would be able to utilize capital reserve funds. In the event of a need for bonding, the Town would have access to less expensive financing than the existing Water Company. We would also see additional savings on insurance, billing, and audit costs to mention a few.

It is important to remember that the costs of supplying water are supported entirely by the rates charged to water customers. Current rates are adequate to offset current costs, and the plan is to use the savings from municipalization to fund capital reserves. Municipalization will have no impact on current water rates and will have a positive impact in funding reserves and controlling future costs.

The Water Company customers will be well served by this change.

Property taxes will also not be impacted by municipalization. The property taxes currently paid by the Water Company to the General Fund will continue to be paid via a "payment in lieu of taxes" from the new water supply enterprise fund to the General Fund thus keeping the General Fund whole.

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So what happens to the Water Company? As described in the FAQ's, specific hard assets will be sold to the town for \$1. These include the filtration plant, the reservoirs themselves, the water distribution system, storage tanks, etc. The Town will also assume the debts of the Water Company which are primarily the bond obligations which were used to purchase the assets that are being transferred. In essence the Water Company will be converted to a land holding company and will retain some 1,400 acres that make up the current water shed. That land will continue to be protected by the existing Federal, State and local ordinances and by being in a "forestry" zone. None of those protections will change. Also remember that a Town Meeting vote is required to change zoning or to sell Town owned land, thus giving considerable control over future use of Water Company land to you the citizens.

In addition, the Town's ownership in the Water Company would increase from 47.2% to 50%. This is significant, because it makes the Town an equal partner with the College in proposing any future use of the land. I know that this is not everything that some would like, but please do not underestimate the importance of this change as it moves the Town from a minority interest to an equal partner with the College as we move down the road. If we move forward with municipalization, no change in use could be proposed for this land without consensus between the Town and the College.

Where from here? Full municipalization will require a vote by the Trustees of the College and by two Town Meeting votes, one tonight and one in the fall. Tonight we are asking the Town to give the Selectmen approval to consider municipalization and subsequently to call a Special Town Meeting in the fall to seek approval of the specific agreement with full terms and conditions. As I have mentioned, the work so far has been aimed at giving you a good sense of where this all leads, but there is a lot of detailed work still to do prior to a final Town Meeting vote.

Again, we are NOT voting tonight to municipalize the water system, but only to authorize the Select Board to do the remaining homework and to prepare the definitive agreement which will be subject to additional public hearings and eventually to a Town Meeting vote.

Through the public hearing process we have heard many questions and concerns about the long term future of the land, the governance of the revised Hanover Water Company, the legal separation of the reservoirs from the surrounding watershed to name a few. Many good ideas and legitimate concerns are on the table to be considered as we move to the final plan. So with that let me open the floor to questions."

Moderator Black asked for discussion from the floor.

David Bradley had a procedural question and asked what it is that requires a two-thirds vote and wanted to know if it applied to both votes. Ms. Griffin stated that RSA 38 specifically addresses the municipalization of water and electric utilities and that RSA requires two votes, one at a regular Town Meeting and the other at a subsequent Special Town Meeting; each vote needs to be two-thirds.

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Judy Reeve, Chairman of the Conservation Commission, stated that she wanted to reiterate their previous statement that the Commission made regarding their position on the municipalization proposal: *The Hanover Conservation Commission withholds support from the present HWWC municipalization proposal. The proposal is insufficiently specific regarding the ultimate protection, control and disposition of Hanover watershed land.*

Ms. Reeve stated that the Commission was established to protect the proper utilization and other natural resources and the protection of watershed resources.

Ms. Reeve personally and separate from the Conservation Commission, has concerns about the liabilities and finances that the Town of Hanover would be taking on with the municipalization of the Hanover Water Works Company. She noted that Dartmouth would be released from liabilities and they would disengage from activities unrelated to Dartmouth's mission. Her opinion is that Dartmouth engages in many activities that are unrelated to their mission. She has three areas of concern: 1) contamination, 2) liabilities and 3) finances. She didn't find enough information to make a rational vote. She wondered whether Dartmouth would agree to a hold harmless clause as part of the contract.

Barbara McIlroy, President of the League of Women Voters, asked whether the agreement will include the final disposition of the land holding company. Selectman Christie stated that it would clearly address the structure of the land holding company

Ms. McIlroy encouraged people to vote for this proposal as it is now worded. The League of Women Voters asked the Board to consider the following regarding the process:

- 1) Arrange for maximum transparency in the negotiation process; to maximize the understanding about the evolving agreement, they urge the Board to keep the public informed on the negotiations and ideally this would mean that meetings would be properly noticed and that the public would be permitted to observe, not necessarily speak and be able to review the Minutes. They understand that this may not be possible under such negotiations but other ways to update the public are regular listening sessions, use of the website and full debate and discussions about various actions and sticking points.

- 2) Consider several alternative arrangements for managing the watershed land. The Select Board has proposed a 50/50 proposal but somebody may have a better proposal. The disposition of the watershed land remains an open question. They urge the Board to explore options for protection.

- 3) Gather input from citizens at Town Meeting and during the negotiation period.

Bob Russell noted that he listened to the previous comment regarding concerns about contamination and felt that it was an irrational objection.

John Ruth asked what the benefit would be for him to approve municipalization since he is not on Town water.

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Selectman Christie stated that by not being on the water system, he would not be impacted positively or negatively relative to the cost of the water coming out of his well. There is considerable advantage to having the Town be an equal partner with the College which will help the entire Town including those individuals on wells. There will be no impact on property taxes with this proposal; currently the Water Company pays taxes to the Town and that goes into the General Fund. If the municipalization goes forward, the current plan is to have the Enterprise Fund make a payment in lieu of taxes in that same amount so that the General Fund is kept whole and therefore the property taxes will not be affected by this.

Peter Bouchard asked what assurance does he have in future years that this will not affect property taxes and the issue regarding the \$280,000 payment in lieu of taxes; what is the assurance that the Town will receive that money?

Selectman Christie stated that all costs of water supply are paid for by the water customers in the form of rates. Payment in lieu of taxes will require a vote from Concord and they must get approval before going forward. The Board anticipates that they will receive this approval.

Nancy Carter supports and encourages other to allow staff to move forward with this proposal.

Kim Perez has concerns that the Hanover Water Works Company does not have to hold public hearings. Selectman Christie confirmed that the Water Works Company would continue as a private company. The land holding company would have to go through the zoning process including Town Meeting for any changes.

Anne Downey, Sargent Street, asked whether the vote in the fall would be a Town Meeting vote or whether it could be done as an all day ballot vote. Selectman Christie stated that this would be done with a Town Meeting vote. Ms. Downey stated that her concern is that this is not on people's radar and asked for an all day ballot vote. Selectman Christie stated that they cannot have an all day vote on this per State law. Ms. Downey encouraged an increase in communication and there are a lot of things that people need to learn about this. She would hate to see this proposal defeated now and would encourage people to support this proposal and move forward.

Bob Keene asked how this can be a private company for which they are stockholders and not have access to meetings in some form. Selectman Christie stated that the current ownership is 47.2% by the Town and it is a private company and not subject to Right-to-Know laws or State laws. That status doesn't change; the only change is the percentage of ownership.

David Bradley asked that the Town get an expanded opinion on the all day voting issue and asked whether Town Meeting can vote for all day voting. He feels that this can be done.

Robin Carpenter stated that it is his understanding that an action should be by paper ballot. Mr. Carpenter provided a petition with signatures to require a paper vote on this issue. Moderator Black announced that with receipt of the petition, they would conduct a paper ballot vote.

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Mr. Carpenter went on to express his concerns regarding the finances, governance process and issues surrounding land protection. He stated that there is not a firewall between the rates and the taxpayers. He fears that 10 years from now, the agreement will not be flexible enough. He has questions about the savings benefit the Town claims it will receive with municipalization and how this will get shared between the users and the taxpayers. He also had questions about risk. If there is a bond, the assumption is that it will sit on the Town for the ratepayers to pay.

Mr. Carpenter offered the following amendment to the motion:

“To see if the Town will vote to authorize the Select Board to negotiate to acquire those assets of the Hanover Water Works Company, Inc. necessary to operate the water system as a municipal utility serving the Town’s inhabitants, in accordance with RSA 38; and to negotiate with Dartmouth College, a Charter, By-Laws and a Mission Management Plan for the surviving entity retaining all other assets of the Hanover Water Works Company. If approved, there will be a second vote by Special Town Meeting in the fall of 2009 to see if the Town will vote to approve the Charter, By-Laws and Plan and acquire the water utility assets. A simple majority vote is required.”

Mr. Carpenter explained the differences between the wording he proposes, versus the wording provided by the Select Board.

The motion was SECONDED from the floor.

Moderator Black re-read the proposed amendment. Moderator Black noted that the amendment cannot include changing the two-thirds vote requirement.

Rich Howarth, 2 Sausville Road, stated that there was huge value in having 1 neighbor versus having 2. The Town and the College took 2,000 acres of land and manage it under one entity. The staff of the Water Company not only works on the infrastructure but it also oversees the land. Mr. Carpenter’s amendment is so important because having one entity in charge of the eco systems and the land; he worries about who is actually going to be handling land management and it bothers him that this hasn’t been answered.

Elsa Garmine asked whether this amendment is changing the vote in September. Moderator Black stated that the changes in the amendment requires a Charter, By-Laws and a management plan by September.

Jim Mitchell stated that it is his understanding that tonight’s vote is to move forward. He applauds the amendment and the concerns brought forth. He urges everyone to vote down the amendment and have the Select Board bring the right package for final approval in September.

Sheila Buckley asked the Select Board to clarify why Mr. Carpenter’s amendment isn’t a good idea. Ms. Griffin stated that the wording for the Article is specific to RSA 38. The statute was written anticipating that the municipalization of a water utility would be a hostile takeover. The Town has consulted with two attorneys in addition to Walter Mitchell who suggested the

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wording of the Article. Removing the word “price” from the Article would not be appropriate. Ms. Griffin stated that in changing the vote to majority vote might be challenged later.

Selectman Christie reiterated that through the public hearing process, the Board has gathered questions and concerns that will be worked on.

Deb Nelson called the question. The audience voted to end the discussion. **The proposed amendment to the original motion FAILED by majority vote.**

Elizabeth Crory suggested that the Town consider placing part of the savings into a reserve fund and part of it to reduce the rates. Ms. Crory asked how the title will be held and had concern that the Town will own the assets but not the land.

Ms. Griffin explained that the land on which the hard assets sit will be owned by the Town.

Peter Williamson made a suggestion that they provide an explanation as to why this is fair for the Town and the College. He would like to know how the College is being charged for water. There is suspicion that the College will be taking advantage of the Town. He would like to see this information before the vote in the fall.

Hilary Pridgen would like to see what the Charter and the By-Laws will be for the land holding company prior to the next vote.

Richard Podolec stated that he works on the Finance Committee. He noted that they asked many of the same questions regarding this transaction. He read the following statement in support:

Hanover Finance Committee supports Article Fourteen as moved by Selectman Christie and looks forward to reviewing the final agreement before the Town Meeting in September, 2009.

Winifred Stearns, 5 Dorrance Place, noted that she heard that the public would not have to worry about any changes to zoning on this land. She was interested in the word conservation and felt that this is the only thing that will protect the land. Zoning can be changed through the Planning Board and presented to Town Meeting. She wanted to know who would be allowed to challenge the forestry designation. She would like to see some form of commitment between now and September from the Select Board that they would consider putting this land into conservation.

Jed Williamson called the question regarding the original motion. The audience unanimously agreed to end the discussion.

Moderator Black instructed the audience to use their paper ballots to vote for or against the original motion for Article Fourteen.

RESULTS: YES 196 NO 10 ARTICLE PASSED

ARTICLE FIFTEEN: To see if the Town will vote to authorize the Hanover Planning Board to delegate its site plan powers and duties in regard to minor site plans to a site review committee

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of technically qualified administrators designated by the Planning Board, with the concurrence of the Town Manager, in accordance with the provisions of RSA 674:43 III. This special site review committee shall have final authority to approve or disapprove minor site plans; however, the decision of the committee may be appealed to the full Planning Board.

Vice chairman Connolly MOVED that the Town vote to authorize the Hanover Planning Board to delegate its site plan powers and duties in regard to minor site plans to a site review committee of technically qualified administrators designated by the Planning Board, with the concurrence of the Town Manager, in accordance with the provisions of RSA 674:43 III. This special site review committee shall have final authority to approve or disapprove minor site plans; however, the decision of the committee may be appealed to the full Planning Board. Chairman Walsh SECONDED the motion.

Vice Chairman Connolly offered the following additional information regarding Article Fifteen:

“At the present time when an application is made to the Planning Board for Site Plan review which is required for construction of and /or the change in size or use of all principal and accessory uses of non-residential and multi-family residential dwellings, parking Facilities and outdoor Eating Establishments the application is reviewed by the Planning and Zoning staff and when it is considered complete placed on the Planning Board agenda and a hearing is held. Occasionally this request appears as a waiver of the Site Plan review usually when the expansion or use does not create more than 1000 sq ft and/or the change does not materially affect the abutters or the area.

This request is to allow the Planning Board to delegate the review of some Site Plans to a committee of qualified administrators designated by the Planning Board with the agreement of the Town Manager. This procedure is permitted by the NH State Law RSA 676:4 (III) and requires that "the Planning Board adopt or amend its regulations specifying application, acceptance and approval procedures and defining what size and kind of site plans may be reviewed by the Site Plan review Committee prior to authorizing the Committee". If this request is approved, after placing the use and size change thresholds and the application, acceptance and approval procedures into the Site Plan regulations, the Planning Board may delegate some Site Plan approval hearings to a committee of qualified administrators. The rights of the applicants and the abutters will be the unchanged as the hearings will be warned, the abutters notified and the hearings will be subject to public hearing procedures including minute taking. An appeal of the Committee's decision may be made to the Planning Board by the applicant or abutters. All of the applications are reviewed by the Planning and Zoning staff and the Planning Board wishes to be able to delegate "minor Site Plan" approvals to the staff or other qualified administrators.”

Moderator Nelson asked for additional discussion.

Robert Morris stated that he feels that this Article is disastrous. He wants to make sure that the people making the decisions are qualified to do so.

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Winifred Stearns, 5 Dorrance Place, felt that this Article provides an extra level of bureaucracy. She felt that this was more of a stalling tactic and that there would be employees with conflicts of interest. The term “minor” is of concern. Vice Chairman Connolly stated that the parameters regarding a minor subdivision or site plan review have not yet been set. Ms. Stearns felt that there were a lot of unanswered questions regarding the setting of the parameters and this could become a slippery slope. She felt that this would also create a large expense and questioned whether Minutes would be taken and at what cost.

Ms. Griffin noted that the Article came at the suggestion of the Planning Board. She also stated that the Planning Board is very busy and this would streamline the process for the smaller projects with a minor site plan review. There have been complaints about the wait on the Planning Board agenda for the smaller projects. Town Staff knows the regulations and has a feel for the Planning Board’s past decisions. The appeal is in place in case the applicant doesn’t agree with the Staff decision. She felt that 9 times out of 10 the applicants will be happy.

Ms. Stearns was concerned about what would happen if someone wasn’t happy with the outcome of the review and she doesn’t feel that it’s workable. She also questions the possibility of a conflict of interest.

Vice Chairman Connolly stated that the appeals would go directly to the Planning Board.

Rich Howarth questioned how this would work. Would an appeal be an issue of fact or would it be about interpretation of the ordinance?

Vice Chairman Connolly stated that this amendment allows the Planning Board to set up the process. She presumed it would be treated like any other Planning Board case on the basis of the law.

Bob Russell stated that he is in favor of this because he feels that the majority of the time, there would not be a problem. If there was a problem, it would go back to the Planning Board. **Mr. Russell called the question. This was SECONDED from the floor.** The audience unanimously agreed to end the discussion.

The motion PASSED and Article Fifteen was ADOPTED as written.

ARTICLE SIXTEEN: Shall the Town vote to adopt the provisions of RSA 36-A: 4-a, I (b) to authorize the conservation commission to expend funds for contributions to 'qualified organizations' for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property?

Selectman Baschnagel MOVED that the Town vote to adopt the provisions of RSA 36-A: 4-a, I (b) to authorize the Conservation Commission to expend funds for contributions to 'qualified organizations' for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property. Chairman Walsh SECONDED the motion.

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Selectman Baschnagel stated that this is an opportunity for the Town legislature to give the Conservation Commission some additional authority. Currently, the Commission is charged with overseeing the Town lands and acquiring land within the Town for conservation purposes. They do not have the authority to assist in the funding of an outside agency, for example, Upper Valley Land Trust in purchasing a piece of property in the Town. Approval of this motion would give the Conservation Commission additional flexibility in how they go about facilitating the conservation plan.

Moderator Nelson asked for further discussion. There was no further discussion.

The motion PASSED and Article Sixteen was ADOPTED as written.

ARTICLE SEVENTEEN: Shall the Town vote to adopt the provisions of RSA 36-A:4-a, I(a) to authorize the conservation commission to expend funds to purchase interests in land outside the boundaries of our municipality in contiguous municipalities, subject to the approval of the Board of Selectmen?

Selectman Baschnagel MOVED that the Town vote to adopt the provisions of RSA 36-A:4-a, I(a) to authorize the Conservation Commission to expend funds to purchase interests in land outside the boundaries of our municipality in contiguous municipalities, subject to the approval of the Board of Selectmen. Vice Chairman Connolly SECONDED the motion.

Selectman Baschnagel stated that this Article would give the Conservation Commission permission to spend funds to purchase properties that are not within the Town of Hanover but adjacent to Town properties that they have interest in.

Judy Reeves stated that the Conservation Commission would request a vote in favor on this Article.

The motion PASSED and Article Seventeen was ADOPTED as written.

Chairman Walsh asked that Selectman Bill Baschnagel come forward.

Chairman Walsh noted that this was Bill's last meeting as Selectman and read the following statement:

“This is both a sad moment and a time of celebration. It's sad because I'm going to miss Bill's sense of humor and his attention to both detail and the future. There are very few people that can look at both details and the future. And it's a time to celebrate, time to celebrate Bill's years on the Select Board and his long and continuing service to Hanover. Bill came to town in the late 1950's and fell in love with our Town.

As a student, Bill was involved with the volunteer Fire Department in Town and the Dartmouth Outing Club. He went away and he served our country for a number of years but in the end, his love for Hanover drew him back. Bill has remained connected to our Fire Department and our

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emergency services, he often will report at Selectmen's meetings, recent activity on the scanner, for example. He has continued to connect with the land in a number of very helpful ways. I want to review quickly Bill's service to the Town, it's broad and it's deep. He was on the Building Code Advisory Board from 1984 to 1998; he was elected as a member of the Hanover Improvement Society in July of 2000 and became a Director in 2007 and has served as Secretary for a year; he was on the Affordable Housing Commission in 2003; his actions on Parking and Transportation in the Town and the region have touched virtually everything that has happened; Bill has been on the PTB from 1990 to 1993 and then 2000 to 2009 but the records might have been wrong and he's sure that Bill served from 1990 to the present. He was on the Parking Facility Task Forces and co-chaired one of them. He's been on the Advance Transit Board since 2003; he's been on the Upper Valley Transportation Advisory Committee from 2000 to the present and the Transportation Management Association Board since its inception.

Bill has served as a Selectman to the Town between 2000 and 2009. He's been the Selectmen's representative to the Conservation Commission during that time as well as the Planning Board alternative. We, the people and the businesses of Hanover have been well served and owe you a debt of gratitude Bill, it's also time for you to have a proper place to rest and relax and reflect, thus we give you the chair." Selectman Baschnagel was presented with a chair from the Town of Hanover in appreciation to his years of service."

Selectman Baschnagel stated that it has been a privilege and pleasure to serve the Town. He appreciates the Town's support over the years. It's the little things that make the difference and it has been fun to get to know the staff and the volunteers within the Town and they are the ones making the difference.

ARTICLE EIGHTEEN: To see if the Town will vote to establish an Affordable Housing Commission, as a restructuring of the current Affordable Housing Commission, pursuant to RSA 673:1, II, which shall be constituted according to the provisions of RSA 673:4-c, RSA 674:44-h through j, and other pertinent New Hampshire Statutes which govern municipal commissions, their conduct, and their receipt of appropriated funds to carry out their charge; and to see if the Town will vote to establish an affordable housing revolving fund, pursuant to RSA 31:95-h, according to terms and conditions to be determined by the Board of Selectmen.

Selectman Christie MOVED that the Town vote to establish an Affordable Housing Commission, as a restructuring of the current Affordable Housing Commission, pursuant to RSA 673:1, II, which shall be constituted according to the provisions of RSA 673:4-c, RSA 674:44-h through j, and other pertinent New Hampshire Statutes which govern municipal commissions, their conduct, and their receipt of appropriated funds to carry out their charge; and to see if the Town will vote to establish an affordable housing revolving fund, pursuant to RSA 31:95-h, according to terms and conditions to be determined by the Board of Selectmen. Vice Chairman Connolly SECONDED the motion.

Robert Strauss, Chairman of the Affordable Housing Commission, stated that the current structure of the Affordable Housing Commission is as an advisory arm of the Board of Selectmen. They do not have the provision in their Charter to raise money for their own needs. The money they need would be used for studies needed within the Town. They have relied on

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other entities to fund the studies through money from the NH Housing Finance Authority. If this Article passes, the Commission could restructure and they would have the authority to go to the NHHFA themselves to obtain funding for projects within the Town. The name, however, will not change and they will remain the Affordable Housing Commission.

The motion PASSED and Article Eighteen was ADOPTED as written.

ARTICLE NINETEEN: To see if the Town will vote to authorize the Board of Selectmen to enter into a inter-municipal agreement by and among the Towns of Orford, Lyme, Hanover, Enfield, Springfield, Newbury, New London and Sunapee, to create a non-profit corporation to develop a broadband communications network, in accordance with RSA 53-A.

Selectman Rassias MOVED that the Town vote to authorize the Board of Selectmen to enter into a inter-municipal agreement by and among the Towns of Orford, Lyme, Hanover, Enfield, Springfield, Newbury, New London and Sunapee, to create a non-profit corporation to develop a broadband communications network, in accordance with RSA 53-A. Chairman Walsh SECONDED the motion.

Ms. Griffin stated that the Town of Hanover has coordinated with seven other communities to form WCNH which stands for West Central New Hampshire in order to gain access to broadband in the outer reaches of the Town. In NH, municipalities cannot bond for broadband unless they are significantly underserved. In looking at possible funding, if they create an inter-municipal non-profit organization, they may be eligible for some funding for this project. This question was also on the March Town Meeting Warrants for the other seven towns and all of the communities voted to enter into the agreement. It would enable non-profit corporation to be able to receive money including donations to move forward to develop a broadband communications network. This is not something that is going to happen overnight.

An audience member asked if the Town was going to be using Fairpoint Communications. Ms. Griffin stated that they could use any number of providers and Fairpoint could be one of them.

The motion PASSED and Article Nineteen was ADOPTED as written.

ARTICLE TWENTY: (Article by agency request) To see if the Town will vote to raise and appropriate \$1,650 to support the services provided for the residents of Hanover by the New Hampshire Association for the Blind. This is the third year this article has appeared on the warrant.

Selectman Rassias MOVED that the Town vote to raise and appropriate \$1,650 to support the services provided for the residents of Hanover by the New Hampshire Association for the Blind. This is the third year this article has appeared on the warrant. Vice Chairman Connolly SECONDED the motion.

Selectman Rassias explained that after three years on the Warrant, the request would then become part of the budget that comes before the Select Board.

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Moderator Nelson asked if there were any representatives from the NH Association for the Blind that would like to speak to the Article. There were no representatives and no discussion.

The motion PASSED and Article Twenty was ADOPTED as written.

ARTICLE TWENTY-ONE: (Article by agency request) To see if the Town will vote to raise and appropriate \$627 to support the services provided for the residents of Hanover by Tri-County Community Action Project (Tri-County CAP). This is the third year this article has appeared on the warrant.

Selectman Rassias MOVED that the Town vote to raise and appropriate \$627 to support the services provided for the residents of Hanover by Tri-County Community Action Project (Tri-County CAP). This is the third year this article has appeared on the warrant.

Moderator Nelson asked if there were any representatives from Tri-County CAP that would like to speak to the Article. There were no representatives from Tri-County CAP.

Bob Russell asked how the amounts are chosen for each agency. Selectman Rassias stated that these amounts came forward at the request of the agency. Chairman Walsh clarified that the money amounts relate to the number of residents that are served and the costs of the services that they provide. After three years, the agencies are included as part of the budget and are not brought forward individually.

Another audience member voiced her support of Tri-County CAP and acknowledged the work and the demand for the need. She suggested that this stay on the budget year after year.

The motion PASSED and Article Twenty-One was ADOPTED as written.

ARTICLE TWENTY-TWO: (Article by agency request) To see if the Town will vote to raise and appropriate \$550 to support the services provided for the residents of Hanover by the Court Appointed Special Advocates (CASA). This is the second year this article has appeared on the warrant.

Selectman Rassias MOVED that the Town vote to raise and appropriate \$550 to support the services provided for the residents of Hanover by the Court Appointed Special Advocates (CASA). This is the second year this article has appeared on the warrant. Vice Chairman Connolly SECONDED.

The motion PASSED and Article Twenty-Two was ADOPTED as written.

ARTICLE TWENTY-THREE: (Article by agency request) To see if the Town will vote to raise and appropriate \$3,410 to support the services provided for the residents of Hanover by the Outreach House. This is the second year this article has appeared on the warrant.

Selectman Rassias MOVED that the Town vote to raise and appropriate \$3,410 to support the services provided for the residents of Hanover by the Outreach House. This is the

FINAL

second year this article has appeared on the warrant. Vice Chairman Connolly SECONDED the motion.

Susan Shinn stated that she is not a resident of Hanover but the Administrator of Outreach House. Outreach House was founded in 1991 and opened in 1997 through the work of a group of Hanover residents concerned about the lack of affordable housing that could provide care for senior adults in the Upper Valley. Located on South Park Street across from the Dartmouth Athletic facilities; they provide daily supportive residential care for 9 older adults and their mission is to provide a loving, caring, supportive, and comfortable family living environment in an affordable and attractive setting that enhances independence.

Ann Chamberlain provided testament to the fact that her 95 year old mother loves it at Outreach House and encourages support of the Article.

Kim Perez thanked the Select Board for increasing funding for the social service agencies across the board in this budget. She noted that Outreach House raised money for an energy audit and noted that there would be future fundraising taking place.

The motion PASSED and Article Twenty-Three was ADOPTED as written.

ARTICLE TWENTY-FOUR: To transact any other business that may legally be brought before this Town Meeting.

Selectman Rassias MOVED that the Town vote to transact any other business that may legally be brought before this Town Meeting. Vice Chairman Connolly SECONDED the motion.

Tim Pillsbury stated that he would like the Town to encourage organizations from the social service agencies to send representatives to speak about the services that they provide to the Town and why the residents should fund them.

Moderator Nelson thanked the audience members for attending.

Chairman Walsh MOVED to adjourn Town Meeting. Vice Chairman Connolly SECONDED the motion.

THE MEETING WAS ADJOURNED AT 9:45 P.M.

Respectfully Submitted,

Charles Garipay, Town Clerk

Minutes prepared by Elizabeth S. Rathburn.

FINAL

BOARD OF SELECTMEN'S MEETING

May 4, 2009

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 Vice Chairman Kate Connolly. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Bill Baschnagel, Selectman; Athos Rassias, Selectman and Julia Griffin, Town Manager. (Chairman Walsh arrived after the meeting was called to order.)

1. PUBLIC COMMENT.

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

2. TELECOMMUNICATIONS UPDATE.

Vice Chairman Connolly read the following Resolution to Doug Hackett on behalf of the Hanover Board of Selectmen:

A PROCLAMATION RECOGNIZING THE EXTRAORDINARY SERVICE OF

E. DOUGLAS (Doug) HACKETT

WHEREAS, the Selectmen of the Town of Hanover have jurisdiction over all entities so employed in the Town of Hanover, New Hampshire; and

WHEREAS, The Hanover Police Department is such an entity whose mission is to “provide professional and compassionate police service through partnerships that build trust, reduce crime, create a safe environment and enhance the quality of life in our community”; and

WHEREAS, E. Douglas Hackett is employed as the Communications Supervisor for the Town of Hanover, its Police Department and its Regional Dispatch Center; and

WHEREAS, Supervisor Hackett has consistently shown an entrepreneurial spirit in managing a regional, top-flight emergency dispatching operation, in seeking out various grant funding opportunities for the Town, and in identifying innovative ways to reduce the Town’s operating costs; and

WHEREAS, Doug began in 2003, completely of his own accord, to explore the cost savings to be realized by aggregating all Town telephone activity through a single Internet Protocol (IP) telephone switch; and

WHEREAS, Doug worked with the City of Lebanon and others to secure a significant 2006 Homeland Security Grant Program Award for the construction of a municipal fiber network, making the installation of a single IP telephone switch possible; and

WHEREAS, Doug's enthusiasm for this project and his ability to work effectively with others was instrumental in the success of this endeavor, demonstrated in no small way by his ability to hold telecommunications vendors to favorable rates despite legal delays that resulted in a protracted delay in the installation of the IP telephone switch; and

WHEREAS, Doug showed a remarkable amount of patience and good humor in working with individual departments to deconstruct workflow issues related to the routing of telephone calls as the implementation phase of the project unfolded; and

WHEREAS, the Town of Hanover will benefit significantly from this project through the reduction of the number of leased telephone lines and from better call volume and flow reporting that will lead to more effective administrative processes.

NOW, THEREFORE, BE IT PROCLAIMED by the Town of Hanover Board of Selectmen that E. Douglas Hackett be commended and recognized for his initiative in better preserving Town of Hanover financial resources and for making more efficient key telecommunications processes.

Proclaimed this 4th day of May, 2009.

3. DISCUSSION AND ADOPTION OF ABATEMENT RECOMMENDATIONS PREPARED BY ADVISORY BOARD OF ASSESSORS.

Selectman Christie MOVED to adopt the abatement recommendations of the Advisory Board of Assessors. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE ABATEMENT RECOMMENDATIONS OF THE ADVISORY BOARD OF ASSESSORS.

4. DISCUSSION WITH STATE LEGISLATIVE DELEGATION REGARDING LEGISLATIVE SESSION AND STATE FISCAL SITUATION.

Vice Chairman Connolly invited Senator Matthew Houde, Representative Bernie Benn and Representative Beatrice Pastor.

Ms. Griffin stated that there is so much going on with regard to the State budget and the Retirement Fund that she wanted to touch base with the legislators. There was a Town Hall session at the R.W. Black Center about two weeks ago in which they received an update on the issues.

Senator Houde gave an overview of the budgeting process. He stated that the Governor proposes a budget; the budget goes to the House and then the House passes it to the Senate. The Senate has been in committee and it is early in the budget process. With respect to the social issues,

Marriage Equality was a bill that came over with a close vote. An amendment was drafted which then changed the vote and it passed in the Senate. He voted for this legislation because he thinks it's an equal rights issue. The second issue was the repeal of the death penalty. The Senate Judiciary committee struggled with testimony on this subject. There is concern regarding the litigation of the Addison case. By a 3-2 vote, it was decided to look at this further. Senator Houde stated that in the past he voted against the death penalty repeal as a Representative.

Senator Houde stated that they addressed the issue of seatbelts. The proposal regarding medical marijuana was approved in the Senate. It has a very narrow application. He had reservations about the bill and concluded that this was going have very restricted access for those with a chronic illness. He didn't feel that they were opening the floodgates.

The Non-Discrimination Bill with regard to transgender (also characterized as the "bathroom bill" in the media) turned into a very complicated issue. There was a unanimous vote to not recommend legislation at this time. There is a 1988 case that says the Human Rights Commission has the authority to fight discrimination cases today and they will continue to rely on case law.

Vice Chairman Connolly read the legislative bulletin and noted that there is a consideration for the retirement fund to consider base pay but then they were going to deal with the spiking charge. It appeared to her that if they are going to consider base pay, it will eliminate the spiking charge. Senator Houde stated that this was going to be discussed in Executive Session. His understanding is that there are multiple pieces of legislation to deal with the spiking charges.

Ms. Griffin read the bulletin regarding the spiking charge and the timeline for tomorrow's vote. House Bill 532 excludes extra duty pay from overall compensation for the purpose of computing the pension annuity which Hanover supports. This change will reduce employer contribution rates in 2012 and 2013. This is the next increase that Towns are all worried about due to the underperformance of the retirement system investments will result in some very large increases on the employer mandated contributions to the retirement system. It is anticipated that an amendment will be proposed to require local employers to charge vendors or contractors for the State's share of the retirement contributions and remit that amount to the Retirement System on a monthly basis. Right now, an officer works a traffic detail, we charge the individual for the Town's share for the retirement contribution in addition to an hourly overtime rate. The position on behalf of the Town is that they should only be making retirement contributions on base pay and part of what is depleting the reserve of the system is the fact that Group II members are commanding very high retirement salaries because of the overtime worked in their highest 3 years. NHMA states that they continue to hear claims that municipalities are charging for the State's share and then keeping the funds but they have found no evidence that this is occurring. Ms. Griffin stated that their feeling is that there shouldn't be any contributions on overtime.

Rep. Benn stated that it is his understanding that after discussions regarding this issue, they felt that this extra amount could be charged and this would be good for the system with those employees that are not near retirement and they felt that this was positive. Selectman Baschnagel stated that it may be "less bad" but not a positive and he felt that the real issue is that

Board of Selectmen
May 4, 2009

by not reducing special duty to base pay for retirement purposes, it is opening the door to a system that is subject to abuse. The core issue is to treat base pay as the basis of retirement. He can appreciate that the employees take exception to that but it is going to hurt the Towns. This is something that the legislature needs to deem inappropriate.

Rep. Benn stated that the employee gets extra money for doing the job. It doesn't need to be part of the retirement and he agrees with that.

Ms. Griffin stated that she had sent out an e-mail to everyone after the House voted on this but Hanover's delegation did not vote to support the Town's position and Sharon Nordgren didn't vote at all. Ms. Griffin felt that perhaps they hadn't been strong enough in stating their position to the delegation. This is a huge challenge for municipalities.

Vice Chairman Connolly asked why the spiking charge is still included. Ms. Griffin continued with the update from NHMA. Ms. Griffin stated that at tomorrow's session, they will address whether to increase the retirement age from 45 to 50 and the years of service to increase from 20 to 25 years for new hires. This bill does not change any benefits for current employees. It is estimated to save State and local employers \$2.8 in FY 2012 and \$3.8 million in FY 2013. From then on, employer contributions should gradually decline with projected savings reaching \$38.6 million in 2031. This is a huge long term savings but it will not help much in the short term.

Rep. Benn stated that in HB 1645, this provision was passed and went to the Senate and then Committee of Conference and there is a bill lobby for tomorrow and it is a bill by itself. Ms. Griffin stated that the study showed that having age 45 and 20 years of service is very low compared to the national average.

Ms. Griffin stated that HB 641 will be addressed regarding spiking charges. The bill modifies the calculation by using the member's average final compensation rather than base pay in the computation and provide a credit to employers for contributions previously made.

Rep. Benn stated that they passed something which was a little bit improved which stated that if a community wants to open themselves up to this spiking charge, it shouldn't be used as a statewide calculation but it should be charged to the community only. Vice Chairman Connolly asked whether any other state does this. Selectman Baschnagel stated that the State of Massachusetts does this and is notorious for having employees retire at a rate that exceeds their salary. Ms. Griffin stated that anything over 125% of base pay would be the responsibility of the Town. The Fire Department has a policy prohibiting an employee to work any amount of overtime which exceeds 125% of the employee's base pay. This puts the issue back on the table for the negotiation of contracts. Hanover also has rotating overtime opportunities so that one employee can't stack up on the overtime salaries. If there is a bad year, the Town is unable to control the costs.

Chairman Walsh arrived at 8:25 p.m.

Ms. Griffin stated that the two areas where municipalities are most vulnerable is the state of the retirement system and funding liabilities and also the State revenue and the extent in which they stand to lose revenue sharing, rooms & meals tax, and contribution to Group II retirements.

Vice Chairman Connolly stated that with regard to the Department of Transportation (DOT), she would ask that they pursue the gas tax. This is the only way that DOT is going to be able to support itself. Senator Houde stated that the House already voted on this and it's now part of the House budget which has gone to the Senate. Rep. Benn stated that revenues are down \$50 million and that rainy day funds are being used. Ms. Griffin stated that a reduction in School District Aid would be a \$750,000 hit to the Dresden School District budget. Rep. Benn stated that the will wasn't to not fund this but the Governor decided that he would put this money into the capital budget at \$40 million, and it was supposed to be a one-time thing and the House was not happy about doing it but when he produced this budget, he took it out of the operating budget and put it in the capital budget. The \$83 million is a one-time payment, with \$50 million for all other capital budgets in the State and this decision occurred within an hour of when the Finance Committee was working on the budget. Rep. Benn stated that the will is there. Ms. Griffin stated that if this doesn't come back into the school budget it is a \$750,000 hit.

Rep. Benn asked about the Warrant and Article 13. He read the Article:

“Article Thirteen: To see if the Town will direct its Legislative Delegation to support continued full funding of municipal aid for Rooms & Meals, Revenue Sharing, Highway Aid and the New Hampshire State Retirement System contributions on behalf of municipalities from State revenue sources and not Federal stimulus funding.”

Rep. Benn asked about what the Representatives should do when this passes and whether it's binding. Selectman Baschnagel stated that somebody sometime down in Concord needs to stand up. The State has inadequate sources of funds for what they want to do. He doesn't personally see either party handling things in a responsible manner. Senator Houde feels that there is a lot of good work going on in Concord. Rep. Benn stated that it is a cobbled together budget, there is a committee of conference, they have some good things in there and some things they prefer were not in there and the Senate is now going to look at the budget. This will all look different when the Senate has their chance to work on it. They will form a committee of conference and who knows if the funding sources they recommend will still be there. There will finally be a budget that they will get to vote on. The question is, voting against it at that moment, they can't possibly meet all of the criteria of Article Thirteen although he appreciates the importance of it.

Ms. Griffin stated that this is a Warrant Article that was crafted shortly after the Governor's budget message and it was too late to get it on the March Town Meeting warrant so that the few Town's that have May Town Meetings felt an obligation to include this even symbolically. The State should not be balancing its budget woes by down shifting the costs to the Town. The fundamental premise of the warrant article is that the State, if it were forced to find an alternative to downshift the costs to the Towns by reducing the revenue sharing funds, what would the State do if it were illegal for them to cut the revenue portions? The income tax might have to happen. This is an emphatic strong gesture to have this stop happening to communities. Rep. Benn stated

that as the County delegation also they understand the problem. Selectman Baschnagel would like the State to do a better job. How can the Towns find money that the State can not find? Rep. Benn stated that the State has committed to certain things and there are other things for which money is available. Rep. Benn stated that they are not obligated to contribute to the Retirement System and they could drop the percentage from 35% to 30%. Selectman Baschnagel asked why the Representatives think that the Town is in a better position to pay that than the State.

Beatrice Pastor stated that they could turn the argument around and the Town will feel the heat when the State cannot contribute to the Retirement System. Selectman Baschnagel stated that the State established the requirement, the Town does not. The State establishes the fact that the Town has the obligations. The fact that the State now interprets that they do not have to pay this piece is unacceptable. Selectman Baschnagel stated that there is no reason why the Town should have to fund the State at that level.

Ms. Griffin stated that communities feel they were wooed by the State to join the NH Retirement system for Group II employees and teachers with the promise of a 35% contribution. There are a lot of communities that are kicking themselves because when they look at the condition of the Retirement System, it's become a millstone hanging around their neck. This is why they were pushing for communities to remove themselves from the Retirement System to a different system that is managed more prudently. Ms. Griffin stated that they recognize that by pulling out of the Retirement System they would further destabilize it. Ms. Pastor stated that when the budget came to the House it was a carefully drafted budget. There were members of the Finance Committee that were unhappy with the final budget. This was the best budget they could produce under the circumstances. There have been a number of criticisms raised but no alternatives were proposed from either side. No workable alternatives were proposed to address issues including the burden on the municipalities.

Selectman Baschnagel stated that the burden passed on will be unequally distributed depending on tax base, income and a number of other factors. The Republicans and Democrats have not been able to come together to find an alternative for whatever reason but it is passed on to the citizens in the State in an inappropriate manner. It hits the poor and elderly harder because all the Town has is property taxes to raise the funds with. Let the State stand up and figure out how they are going to support themselves. Rep. Benn stated that given their situation right now, they are all in a crisis; the economic downturn has caused emergency measures. If things pick back up, they could go back to the 35% contribution. Everyone is taking hits on this. They've asked State employees to make more contributions and they are complaining. The ultimate pain is that a lot of the services provided by the State have been cut in the areas of corrections, and cuts across the board in order to find money for the most essential programs. This was not done easily, they recognize there is pain. It's not done to down shift the costs.

Vice Chairman Connolly thanked Senator Houde, Rep. Benn and Rep. Pastor for answering questions of the Board.

5. PRESENTATION OF BUS STOP FEASIBILITY STUDY PREPARED ON BEHALF OF ADVANCE TRANSIT.

Van Chesnut, Executive Director of Advance Transit, introduced himself and reported that studies have been done regarding the bus stop near the Hopkins Center. There is a desire to make it function better and a need to do so. They have had an increase in ridership and the idea was to come up with concepts to determine how things could work. They decided to review all of the bus stops in the scope of the study. They received funding from NH DOT and hired consultants, Lucy Gibson with Smart Mobility and Carolyn Radisch from ORW Landscape Architects and then they formed a Committee to include Chris Andreasson from Advance Transit and Johanna Whitcomb from the College. Bill Barr and Jonathan and Peter Christie joined in the discussions and there was constructive input.

This information will be provided to the Planning Board tomorrow night.

Lucy Gibson, Smart Mobility, reported that she and Carolyn Radisch worked together on the study. Chairman Walsh asked for them to give the Board a sense of priority order with relation to the projects and where the money might come from and who is anticipated to do the work. He was looking for opportunities beyond just the Town.

Ms. Gibson stated that the goal of the study was to make the Town more pedestrian friendly. Ms. Gibson directed the Board to review the maps included in the study showing the bus stops. They prepared a detailed inventory of the stops which was the basis for the recommendations. They looked at the number of people boarding the bus at each location, whether it causes safety or traffic problems. They looked at route changes and there were recommendations for improvements at the Maynard stop during the peak hours.

Ms. Gibson stated that there had been the idea of a bus lane through Norwich across the bridge and up Tuck Drive to get buses out of traffic in the peak hour in the morning only. This was something to encourage further discussion. Ms. Radisch stated that this was an idea that could be tested further to see if it could save time.

Ms. Gibson stated that they looked at other locations where buses could stop. They recommend keeping the stop in front of the Inn. The students use the bus service and they need to walk to the bus. This stop is an ideal bus stop for the students and it's very visible. There are concerns with the bus stop and she noted that the Hanover Inn doesn't like the fumes in the area. Vice Chairman Connolly stated that there has been a campaign to stop idling and she noted that in her experience, Dartmouth Coach has turned their engines off while parked there.

Ms. Gibson stated that there were recommendations for better map information. A bus turnout is the best way to go at peak hours. She stated that for the downtown core, a bus bulb would work well. A bus bulb is a curve extension where the bus can stop in traffic versus having to pull off and wait for traffic.

Ms. Gibson reported that there were some pedestrian safety recommendations including the Buck Road area.

Chairman Walsh stated that one of the things suggested was to have one-way routes through town. One-way south on Main Street from the Inn Corner up Lebanon Street and up Crosby Street to the football field and up around The Green. Another configuration was also suggested but it is unclear how this would affect busing.

Ms. Gibson asked about what the goal of the one-way would be. Chairman Walsh stated that public safety was one goal and the other was better traffic circulation. Ms. Radisch stated that she has worked with communities that have done that and then decided to change it back. One-way traffic promotes cars increasing in speed and the two-way streets have a natural traffic calming effect. Ms. Gibson felt that the Town should decide whether the change will solve one problem to create another.

Selectman Baschnagel stated that the study is important and there are 145 buses that travel past the Hanover Inn every day. Ms. Radisch stated that since AT doesn't collect fares, it is a quick load and unloading system. This contributes to more ridership and quicker service.

Ms. Radisch stated that there is one designated bus stop at the Inn. There are times when the buses get stacked up on Wheelock Street. The area where people wait is very narrow. There are pedestrians in the area at all times of the day at all times of the year and it is unrealistic to expect that pedestrians will cross at the Inn corner. At night it is hard to see pedestrians and the College is working on changing its light fixtures. Ms. Griffin pointed out that the Town is also helping with this project.

Ms. Radisch pointed out midblock crossing where the pedestrians come out near the Hopkins Center would eliminate some of the visibility problems going across Wheelock Street. Sidewalks along the area should be broader and a transit shelter and a sitting wall would make this space more amenable. With this configuration there would be a loss of 3 parking spaces.

Ms. Radisch noted that they met with the Bike & Pedestrian Committee and there were concerns about the pedestrian crossing. Over the long term, they looked at ways to accommodate Dartmouth Coach patrons who have luggage. They considered having a covered, even heated section. There were a couple of options brought forward including part of a future Hanover Inn remodel which would allow transit patrons to check luggage or have a café or have a "transit lounge" or a stand alone kiosk which could accommodate people standing with luggage. The Steering Committee also discussed a Hanover visitor/information center.

Ms. Griffin wondered whether there was the ability to create a more ambitious shelter that would allow for people waiting with luggage. Ms. Gibson and Ms. Radisch felt that there was room to make a larger shelter.

The Dartmouth Bookstore bus stop had the most AT patrons board in this area. The buses on the blue line to DHMC stop every 15 minutes. People can wait at the bookstore and get a coffee,

paper, etc. It needs more space. The proposal is to expand the bulb out, relocate the handicap space back one spot, add some benches and make a little more room for transit riders and people on Main Street. Hanover Park/Lebanon Street has quite a bit of traffic heading east to the hospital. The patrons are pushed back and don't have a lot of confidence that the bus is going to see them when they are not stopped. One solution would be to install a bus bulb at the corner in front of the plaza to make it an official stop with benches. A long term approach would be to change the cut through area and have it become a plaza in front of the buildings. If the building comes in for additional permits, this could be a consideration for future design.

Selectman Baschnagel asked if they have had any discussions with Jim Rubens. Ms. Radisch stated that they had not.

Chairman Walsh asked where the bus stop would be located. He was concerned about those coming down Lebanon and turning down S Main Street. When a truck is stopped in a traffic lane or turning near the Inn, how does this improve the circulation in that area? Ms. Radisch stated that the bus does not pull out of traffic. The proposal is not to have them do that. There would be traffic stopping behind it but although similar to the current situation, it would benefit the pedestrians. Chairman Walsh noted that half the time, traffic passes the AT bus on Lebanon Street. He has also experienced people walking around parked cars to get onto the bus.

Mr. Chesnut stated that when the design for 7 Lebanon Street was first put forth, he thought there was going to be more of a bus pull-off. He's not sure why the design changed but as things change it provides additional opportunity. Selectman Baschnagel remembered that the interest of the shop owners created some of the change.

Ms. Radisch stated that with the Visual Arts Center, this will have the new pedestrian walkway through to West Wheelock Street. The recommendation is a bus bulb at the corner. Selectman Baschnagel asked if this was consistent with the turning for the loading docks. Ms. Gibson advised that they were unable to get a bus bulb on the other side.

Ms. Radisch stated that for the Thompson Arena stop, Advance Transit would like the option of a bus turnout. She noted that there is a shelter in the lot and it adds time to the route. There is an opportunity to streamline some of the routes with a turnout.

Ms. Radisch reported that the Buck Road bus stop needs some work. There was a recommendation for a stop at the Greensboro Road intersection. There is also a proposal to install a sidewalk from Buck Road to Greensboro.

Mr. Chesnut reported that they have a grant that could fund several new shelters and maybe they can get something up sooner rather than later on Buck Road. Ms. Griffin stated that the challenge is keeping these areas plowed out and they are the lowest priority. Chairman Walsh noted that the sidewalk proposal for Buck Road to Greensboro would be a very steep incline.

There were general discussions about using one of the lanes on Route 120 as a pedestrian and bike lane which would encourage traffic calming.

Vice Chairman Connolly was amazed at the amount of usage. Ms. Griffin commended Ms. Gibson and Ms. Radisch for their compilation of information and the presentation.

Ms. Gibson noted that transit funding could be used for the initiatives. Selectman Baschnagel noted that this would require the Upper Valley Lake Sunapee Transportation Advisory Group's endorsement.

Chairman Walsh appreciated the pedestrian piece of the study but the bicyclists would be affected by the bulb outs. This could become more dangerous for bicyclists. Selectman Rassias stated that the Bike & Pedestrian Committee has been struggling with ways to route people through Town.

Ms. Radisch doesn't feel that it's more dangerous for bicyclists. The bulb outs would take over current parallel parking spaces. She felt that the bulb out near the Middle School is a problem in addition to the one on South Main Street. She felt that the solution would be a sharrow on Lebanon Street and the other bulb outs recommended would not affect bicyclists.

Chairman Walsh wants the improvements to keep both bicyclists and pedestrians in mind.

Ms. Griffin stated that these improvements could be done by Town staff, one big project at a time. A lot of times grant funding requires a match and the labor by Town staff would provide the match.

Mr. Chesnut applauds the efforts of the Town to clean out the shelters that are currently in place.

Vice Chairman Connolly thanked Ms. Gibson and Ms. Radisch for their presentation.

Selectman Christie asked what happens next. Mr. Chesnut stated that it is a good question and was open to the Board's suggestions as to how to move some of these things forward. Possibly working with the Town staff to work on the projects that would not be controversial but the hard part is going to be agreeing to the design on some of the suggestions. There is the issue of reducing the parking spaces. A lot of people are going to have concerns when they get into this on a project by project basis.

Ms. Griffin feels that the highest priority is in front of the Inn and felt that it is time to sit with the College. She would like to aim for the summer of 2010 and encourage the College to work on this to include the promenade in front of the Hopkins Center. Chairman Walsh thinks that a public hearing process on a design there would be about a year long. He thought they could work on the areas in front of the Bookstore and Maynard Street to include a look at bicycles, public safety, and lighting. If they are going to spend money, time and energy, he would like it to benefit the most people.

Selectman Christie felt that they should inventory those areas that are controlled by the Town, considering the expense and the degree of difficulty and start with those projects. Ms. Radisch

felt that the Bookstore area would be easy and cheap. Selectman Baschnagel didn't know if they wanted to get the PTB involved with the smaller projects. Vice Chairman Connolly encouraged them to remind the Planning Board to consider these improvements when looking at the Visual Arts Center proposal.

6. REVIEW AND APPROVAL OF PROPOSED CHARGE FOR SUSTAINABLE HANOVER COMMITTEE.

Vice Chairman Connolly asked Lynn Swett-Miller, Co-Chair of the Sustainable Hanover Committee, to speak to the Board.

Ms. Griffin stated that the Committee drafted a charge for the Sustainable Hanover Committee. Ms. Swett-Miller read the following charge:

“The purpose of the Sustainable Hanover Committee (SHC) is to help assure a resilient, prosperous, and healthy community for present and future residents, and to assure that Hanover does its part to sustain a healthy ecosystem and social well-being throughout our region and the interdependent nations of the earth.

In order to achieve this end, the SHC shall:

1. Advise the Selectmen and Town Manager on policies and practices that will contribute to sustainable prosperity and well-being for the community, and assist the Selectmen, the Town Manager, and Town departments in implementing policies and practices intended to achieve these goals.
2. Provide a clearinghouse and linkages for the several committees, commissions, institutions, and volunteer groups who are addressing the issues affecting sustainability including energy, waste management, mobility and transportation, food and agriculture, education, and land use.
3. Oversee the development and implementation of a town sustainability plan, with assistance from a steering committee of residents and Town staff.
4. Educate people who reside and work in Hanover regarding challenges to sustainable prosperity and well-being and ways to address these challenges and to enhance our long-term welfare.”

Selectman Christie asked about how the Sustainable Hanover Committee will coordinate with all of the other entities that have similar interests. Ms. Swett-Miller stated that the idea of the Natural Step Process would allow for them to work together within a common set of objectives. They hope to develop a plan with others to help carry out the plan.

Selectman Baschnagel felt that some of the fractionalization is due to the legislative responsibilities for the various committees so it will be a burden on the Committee to understand

what the other committees are working toward. Ms. Swett-Miller stated that they want to make these Boards aware of the Natural Step process and create a site where people can find links organized around the responsibilities of the different committees and groups without trying to take over what they are doing.

Selectman Baschnagel asked if they have established a membership for the Committee. Ms. Griffin stated that membership currently consists of members of the former Recycling Committee with a couple of new members. Ms. Swett-Miller stated that with the change in the charge, they have attracted new interest with people who may not have been interested in the "Recycling Committee." The new name also gives the Committee more structure while maintaining the recycling portion on the agenda.

Vice Chairman Connolly pointed out that energy conservation is also a big piece. Selectman Baschnagel asked that the Committee provide a report to the Select Board once a year. Ms. Swett-Miller noted that they are tasked with showing measurable results which would be included in a report to the Selectmen.

Selectman Christie asked about discussions with the other groups and if they had been contacted; he wondered how they were received. Ms. Swett-Miller stated that it is clear to her that it would be helpful to have the heads of the various committees meet to work together in the context of the Natural Step Process and learn what each group is doing.

Ms. Griffin stated that the CPC wants to make sure that they are not duplicating efforts. Ms. Griffin stated that, at some point, Marjorie Rogalski will discuss with the Board the street light study in an effort to reduce the number of street lights in Town.

The Board supported the charge for the Sustainable Hanover Committee and Ms. Swett-Miller stated that they would post this on the website.

7. DISCUSSION REGARDING DISBURSEMENT OF TRUST FUNDS TO THE VNA AND HOSPICE.

Ms. Griffin stated that this was part of an older discussion regarding the use of the Trust Funds. The VNA doesn't want to add a new program when they have to cut other programs. They are asking that the Board bequeath the funds to them so that they can use it whichever way they see fit.

Selectman Baschnagel MOVED to pass the Trust Fund money to the VNA without condition. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 AGAINST TO PASS THE TRUST FUND MONEY TO THE VNA WITHOUT CONDITION.

8. REVIEW OF WARRANT ITEMS FOR TOWN MEETING.

Ms. Griffin stated that they could amend the wording of Article 14 to clarify the intent of the September Special Meeting vote. Although the Article meets the letter of the law, it isn't as accurate in description as to what would happen in the fall. Selectman Christie asked if it was as simple as adding "In addition, the Town will vote on the transfer agreement." Ms. Griffin stated that it would not only include the purchase price but the transfer agreement.

Selectman Baschnagel stated that from reading the Minutes, it appeared that people wanted the wording of Article 14 changed to include allow the Selectman to prepare an acquisition proposal and then the proposal would be submitted to the Town in September to clarify what in fact is being done. He wasn't sure whether they could change the wording within the groundwork of the RSA. Ms. Griffin stated that she felt that they could. The law requires that they ask the question whether they can municipalize and at the final Town Meeting, how much it will cost. Between now and the Special Town Meeting, they will finalize the transfer agreement and what people will be voting on at the Special Town Meeting is the transfer agreement with a purchase price. Vice Chairman Connolly asked if they can just add a sentence to the required wording of the Article. Ms. Griffin stated that they can add to the wording of the Warrant Article. They don't want to eliminate any of the language. Vice Chairman Connolly noted that the Warrant is already printed. Ms. Griffin stated that they can amend the warrant at Town Meeting.

Chairman Walsh suggested the following wording "For clarification, this vote shall enable the Selectmen to negotiate an agreement with Dartmouth College which agreement shall be brought to a second Town Meeting in the fall for a vote."

Ms. Griffin noted that Selectman Christie is moving this at Town Meeting and can then amend the Article.

9. BANNER REQUESTS:
- Dartmouth College Special Olympics

Ms. Griffin noted that this is for an event for May 7th and not May 9th.

Selectman Christie MOVED to approve the Banner Request for Dartmouth College Special Olympics. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE DARTMOUTH COLLEGE SPECIAL OLYMPICS.

10. APPROVAL OF MINUTES:
- April 27, 2009

The Minutes of April 27, 2009 were deferred to the May 18th meeting for approval.

11. ADMINISTRATIVE REPORTS.

Ms. Griffin reported that there is a huge amount of work going on with the flu situation. This is giving towns an opportunity to work on their pandemic response plans. There have been daily conference calls with Dartmouth to monitor what is happening on campus. The State does not agree that cases on campus are included in this outbreak. The School District has been extremely proactive sending daily updates to parents. There has been very little concern brought forward by residents but there is good information out there and the schools are keeping people posted.

Ms. Griffin stated that she is heading to testify on the retirement bills tomorrow. There will be a roomful of public safety folks present and she feels obligated to support the Municipal Association but it becomes a standoff between unions and the employers.

Ms. Griffin reported that she has been working on a regional broadband stimulus proposal with Dartmouth and UNH that would enable more strategic data analysis and assessment for the government. WCNH are looking at the cost of putting their fiber in their conduit as part of the broadband effort. Ms. Griffin stated that she has spent a tremendous amount of time in meetings. Bob Bruce has been effective and for the first time in a while, she is excited that there is money to do this project.

Selectman Baschnagel stated that they should use the railroads. Ms. Griffin stated that there are issues surrounding the right-of-ways.

12. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie had nothing new to report.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board is still working on the residential project.

Bill Baschnagel

Selectman Baschnagel had nothing new to report.

Athos Rassias

Selectman Rassias had nothing new to report.

Brian Walsh

Chairman Walsh had nothing new to report.

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13. OTHER BUSINESS.

There was no Other Business reported.

14. ADJOURNMENT.

Selectman Christie MOVED to adjourn the meeting. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:25 P.M.

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Selectman Christie MOVED to adopt the abatement recommendations of the Advisory Board of Assessors. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE ABATEMENT RECOMMENDATIONS OF THE ADVISORY BOARD OF ASSESSORS.

2. **Selectman Baschnagel MOVED to pass the Trust Fund money to the VNA without condition. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 AGAINST TO PASS THE TRUST FUND MONEY TO THE VNA WITHOUT CONDITION.

3. **Selectman Christie MOVED to approve the Banner Request for Dartmouth College Special Olympics. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE DARTMOUTH COLLEGE SPECIAL OLYMPICS.

4. **Selectman Christie MOVED to adjourn the meeting. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:25 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

April 27, 2009

7:30 P.M. – TRUMBULL HALL – ETNA NH

The meeting of the Board of Selectmen was called to order at 7:30 p.m. by Chairman Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Athos Rassias, Selectman and Julia Griffin, Town Manager. Absent: Bill Baschnagel, Selectman.

1. PUBLIC COMMENT.

Chairman Walsh asked for Public Comment. An audience member asked for a sign-up sheet. Ms. Griffin noted that they don't usually have sign-up sheets for Board of Selectmen's meeting. A paper tablet was passed around for audience members to sign-in to the meeting.

2. SECOND PUBLIC HEARING TO DISCUSS PROPOSED MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY.

Chairman Walsh opened the second Public Hearing to discuss the proposed municipalization of the Hanover Water Works Company.

Selectman Christie gave an overview of the proposal. He noted that the Town became an operator of the Water Company in anticipation that the company one day would become a municipal service. Discussions with the College regarding the proposed municipalization started approximately nine months ago. The Town felt that it was timely to approach the College before the end of President Wright's term. Major improvements to the Water Company were now complete. With the proposal, the Town would gain additional interest in ownership.

Selectman Christie pointed out the members of the Task Force for the Water Company. Adam Keller, Bob Donin & Dan Nelson represented the College interests and Julia Griffin, Peter Christie and Jay Pierson represented the Town's interests.

Currently, the Water Company is a private company that is regulated by the Public Utilities Commission. By municipalizing the Water Company, the company would no longer be subject to the Public Utilities Commission's regulations; municipalization allows for money to be set aside into capital reserve for future improvements; rates would be set by the Select Board and capital costs could be bonded. Selectman Christie pointed out that the water supply is funded by the users of the system. This transition will not impact current water rates or property tax rates.

Selectman Christie reported that the Town water supply enterprise fund would assume the Water Company's debts. None of the current protections in place for the Water Company would change. The Town would become an equal partner regarding future land use. Selectman Christie stated that the Town would go from a minority interest to an equal partner and he

appreciates the efforts of the College regarding this change. Selectman Christie stated that the Board of Selectmen will be seeking approval to move forward at Town Meeting in May. The Board would then move forward to work out the details of the agreement with the College and would be looking for voter approval at a Special Town Meeting in September.

Anne Morris stated that she assumes that the spring vote would be non-binding. Selectman Christie confirmed that the vote in May would be to allow the Board to pursue this further and if approved, the binding vote would take place at the Special Town Meeting in September.

Kari Asmus asked about the language for the Warrant Article. She read the wording as follows: "To see if the Town will vote to acquire those assets of Hanover Water Works Company, Inc. necessary to operate the water system as a municipal utility serving the Town's inhabitants, in accordance with RSA 38. If approved, there will be a second vote by Special Town Meeting in the fall of 2009 to approve the price to acquire the water utility assets. A two-thirds vote is required on this article." Ms. Asmus asked if the Board needed to get court approval to hold a Special Meeting.

Ms. Griffin stated that the Town will not be required to get court approval to hold a Special Town Meeting because they will not be seeking an emergency appropriation. RSA 38 allows for the setting of an additional Special Town Meeting without court approval.

Bob Keene stated that the wording of the Article does not reflect what has been stated. The vote is to give the Board authorization to explore and negotiate the specific contract for the change of ownership. Ms. Griffin stated that this is what the statute requires that they ask from the voters. Mr. Keene asked what would happen when there is a lack of consensus on the part of the new Board. Selectman Christie stated that there are still details to be worked out but the Water Company will now become a land holding company and if there were six Directors for example, it could be made up of three from the College and three from the Town. If they were unable to come to an agreement on a particular issue, there would be a stalemate.

Rich Howarth felt that there might be some complexities about how two separate entities that operate under different legal framework and how that is going to work. In particular, the College would lose representation about how water supply was being run but would have equal stake in the land. Perhaps there needed to be additional wording so that there can be a public water utility and a private trust holding the land. How would the land management decisions be made and who would prosecute the governance body for the land management?

Selectman Christie stated that part of the hard assets acquired in the agreement is the water itself and some setback, yet to be negotiated, under the reservoirs, plus the dams, plus the filtration plant and enough land around the filtration plant to allow for reasonable expansion down the road. Those are details to be worked out but that is the general discussion that has taken place. That will be a municipal service governed by the Select Board similar to the Water Reclamation Facility. The watershed itself will be owned by the company and it will be subject to the same State, Federal, Local and zoning ordinances as it is today.

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Mr. Howarth asked whether Dartmouth College would be able to make decisions about the water supply in the reservoir itself. If a neighbor had a problem, how would that person address the issue and where would the question be directed? Mr. Howarth stated that he feels that the Water Company covers an array of services that go beyond just water supply. There is an opportunity to get the Conservation Commission involved in managing the watershed. If the land continues to be held in part by the College, the opportunity to manage the area is affected.

Chairman Walsh stated that if they look at the stewardship of the Water Company over the years, it has been a good steward. There's no expectation that there is going to be a change in the land use. The only change in the proposal is that the Town's interest will increase from 47% to 50% with more rights under State law.

Selectman Christie reported that at the last Hanover Water Works Company Board meeting, they appropriated money to update the forestry management plan in addition to conducting a natural resource inventory.

Barbara McIlroy asked about the governing bodies and whether meetings would be open to the public.

Selectman Christie stated that the water supply would be part of the Board of Selectmen's meetings or Town Meeting. Chairman Walsh pointed out that this is similar to the Water Reclamation Facility. Ms. McIlroy asked about the landholding portion and whether those discussions would be part of public meetings. Chairman Walsh stated that this would be a question that would need to be addressed between May and September.

Bob Keene asked about the determination of the setback for the bodies of water. Why isn't the existing footprint of land a sufficient setback for the bodies of water?

Chairman Walsh stated that Mother Nature determined the boundaries. The land has value and the Board couldn't find a way to make a proposal to the College to purchase the land for a value. The Town chose to propose a power share at 50/50 at no cost to the Town and to avoid a huge negotiation process. The Town is trying to separate the question of the municipal entity from an argument over how the land would be used. He saw an argument about the use of the land as potentially a long and destructive process that would not result in a better utility.

Mr. Keene asked why they didn't consider the entire footprint instead of just setbacks from the water. Selectman Christie stated that they are talking about 25 to 50 foot setbacks from the water. Chairman Walsh stated that the entire existing footprint is controlled by Federal, State and Local regulations and rather than making this about money to include all of the land, it would have changed the negotiations into a money negotiation.

Audience members asked for clarification of the regulations. Ms. Griffin stated that the regulations require protection of surface waters; protection of the purity of Camp Brook between upper and lower Hanover reservoirs and Hanover Center reservoir and its watershed. This prohibits use of the surface waters for any use including recreation; it provides protection for preventing the depositing of contaminants within 75 feet of a reservoir. There are several layers

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of protection; the EPA level of protection which prohibits anything within 75 feet of a reservoir so when talking about the transaction being negotiated for Town Meeting approval, this assumes that they would not be able to purchase the 1,440 acres of land. They are talking about a transaction between the College and the Town which turns over to the Town in an enterprise fund, the reservoir and a minimum of 75 feet around the reservoirs.

David Cioffi asked what would happen if the State shuts down the Reservoirs. Chairman Walsh noted that the State could always do something arbitrary but years ago the Town drilled looking into additional water sources. There weren't any additional water sources to be found. Chairman Walsh noted that at that time, Hanover was one of two Towns with a surface reservoir that did not have a filtration plant and there was question as to whether the State was going to shut them down. He cannot predict what the State would do but does not anticipate that this would happen now with the new filtration system.

Selectman Christie stated that the risks that have been mentioned are the same whether they municipalize or not.

Betsy McGean addressed the Board. She is the President of the Hanover Conservation Council, not to be confused with the Hanover Conservation Commission. The Council commends the Board of Selectmen and Dartmouth College for all of their hard work to entertain this proposal. The Conservation Council met this morning to discuss this issue and they voted unanimously in support of the proposal. The Council believes that the open discussion of this proposal is a very important step forward which is important for long term protection of this land. She invited everyone to look at their website at www.HanoverConservation.org.

Joyce Noll stated that she is confused about the buffer of protection for the water source. It is her understanding that, currently, no one can use the land for recreation. She understands that they are talking about 75 feet being used as a buffer around the water source and questioned whether the rest of the land would then become available for recreational purposes.

Selectman Christie clarified that the 75 foot buffer will define what land is being purchased by the Town for \$1.00 to include the water, the dams, the filtration plants, etc.

Anne Morris felt that the land use issue may become the Town's Achilles heel and questioned whether this should be dealt with now or later. Chairman Walsh felt that now is not the time.

Ed Chamberlain asked why the Town would consider separating the bodies of water thus fragmenting the property. Chairman Walsh stated that this is just a reality of the assets. Mr. Chamberlain asked whether two separate deeds would be required. Chairman Walsh stated that two separate deeds would be required. Mr. Chamberlain felt that this would target the properties with separate issues.

Ms. Griffin stated that the operationally the property is fragmented now. Short of buying 1,440 acres in a very expensive bond issue, that would most likely not pass, the existence of the water company as a private company regulated by the Public Utilities Commission, requires so much more money that the Town would not have to spend to provide drinking water for their

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customers. The proposal is to take the hard assets that make up the operation of the Water Company and make them municipally owned; convert the ownership of the land to include the watershed, to 50/50 ownership between the College and the Town.

John Richardson had a question regarding the taxes. He referred to the Frequently Asked Questions information distributed to taxpayers which indicates that the Hanover Water Company now pays \$280,000/year in property taxes toward hard assets and to transfer those to the Town, he assumes that means that they no longer pay the \$280,000. He asked if the \$280,000 would be an additional debt incurred by the Town.

Selectman Christie stated that the Water Company pays the \$280,000 to the Town. The cost of the water is born by the rate payers. The payment of \$280,000 would go away and it would be unfair to those who pay property taxes but do not use the water. In order for the General Fund to continue to receive the \$280,000, they need to make a payment in lieu of taxes from the Enterprise Fund (which is supported only by the rate payers) to the General Fund and they will need special legislation to allow for this.

Iain Sim asked how the Town expects to get this legislation passed and what would happen if it does not pass. Ms. Griffin stated that it requires a special act which is water utility specific. These are generally very easy to pass. They will ask the legislature to authorize the Hanover Water Utility (the Water Enterprise Fund) to replicate that payment to the General Fund as it currently does. She tried to attach this for this year but the State is too busy with their own budget so it will probably go before the legislature next year. Mr. Sim noted that the vote would take place in September before the Town would know whether the legislation was passed or not. Selectman Christie stated that they will make it happen before September. Ms. Griffin stated that the transaction would not occur until after the legislation is approved. Selectman Christie stated that their objective is to keep the General Fund whole.

Nancy Cole, 3 Mile Road, asked about rural land issues and the long term goal of the Master Plan to preserve the rural character of the Town. She could envision that there may be good reasons to build on Water Company land and suggested putting a stop to this process until there is a decision made as to how the land is going to be managed.

Robin Carpenter, Vice Chairman of the Hanover Conservation Commission, read the following statement on behalf of the Commission:

On May 12, the Hanover Town Meeting will be asked to consider municipalization of the Hanover Water Works Company. The proposed conversion could have consequences for the long-term status of the 1400 acres of watershed property.

The Conservation Commission discussed the proposed conversion at their meeting on April 15 and voted to adopt the following position:

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The Hanover Conservation Commission withholds support from the present HWWC municipalization proposal. The proposal is insufficiently specific regarding the ultimate protection, control and disposition of Hanover watershed land.

Chairman Walsh stated that he felt that having a broad public discussion on the use of the land would be divisive and would not serve a productive purpose. It seemed better to come to an agreement with a 50/50 partnership with Dartmouth College and to separate the conversation regarding use of the land. The residents can vote against an equal share of the land but a vote against would not help the dysfunctional private company.

Ed Sonk, Morgan Road, asked whether the costs of improvement would be spread across the tax base. Chairman Walsh stated that only the users would incur the costs.

Harold Frost questioned Dartmouth College's interest in preserving open space. He reiterated Ed Chamberlain's concern regarding a dispute over use.

Kari Asmus asked what happens between May and September if this warrant article is approved at next month's Town Meeting. She also wanted to know if there would be opportunity for the public to come forward with ideas and express their concerns, etc. Ms. Griffin stated that with Town Meeting approval, the Trustees of the College would have to vote in June. Then the Town and the College would have to finalize a Transfer Agreement 45 – 60 days prior to a Special Town Meeting and then there would be additional public hearings.

Ms. Asmus asked whether the Transfer Agreement would be crafted behind closed doors and whether it could be amended from the floor of the Special Town Meeting. Ms. Griffin stated that amending the agreement from the floor could create an issue for the other party so it would need to be a yes or no vote.

Ms. Asmus asked if would be possible to have an all day vote by paper ballot. Ms. Griffin stated that she would need to ask legal counsel, Walter Mitchell.

Doug McIlroy felt that the governance issue is vague and hopes that something is in writing requiring Town Meeting to change the use of the land. Chairman Walsh stated that this would require two votes; one to change zoning and the other for any change in ownership of the land.

Mr. McIlroy went on to point out that the watershed is where they get their water from and if the water company has no responsibility for the watershed to be kept as a watershed, he would like to know that the land holding company has a responsibility to gather water.

Joyce Noll stated that even if the Town votes not to support this proposal, the land is still forest and recreation and to change that status would require a town vote. Chairman Walsh stated that if this passes, the Town will have additional power. Ms. Noll asked who would be part of the new Board and would there be representatives who represent the conservation, agricultural and sustainability concerns of the Town of Hanover. Chairman Walsh stated that there are currently four people representing the Town on the Water Company Board: Jay Pierson, Peter Christie, Julia Griffin and Bill Boyle. The Dartmouth College representatives are Michael Blayney, Vice

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President Environmental Health; Bob Donin, Legal Counsel; Frank Roberts, Facilities Operations & Maintenance; Julie Dolan, Finance and Administration; and Tim McNamara, Real Estate Office. This group has handled all aspects of the water company and have provided good stewardship. Chairman Walsh stated that there would be a couple of people appointed by the Select Board with a broad view of the land to protect the drinking water. Ms. Noll would like to have someone sensitive to the issues that she brought forward be part of the Board.

Ann (unknown last name) expressed concern over the possibility that other parts of the land may be developed along the edges. She also felt that it would be a great boon to the Town if some of the property could be used for agriculture or recreation. The concern that she hears has more to do with opening Pandora's box without knowing what might happen to the rest of the land beyond the watershed. Chairman Walsh felt that by giving the Town 50% ownership of the land, the Town will have more control over Pandora if this transaction is approved.

Bob Norman feels that this is an important move and felt that it should have happened about 5-10 years ago. There were expensive and time consuming efforts that took place. He noted that there are 100 year old pipes throughout the Town and there are going to be capital investments needed to bring the facility forward. He also recognizes that this move forward brings forth concerns regarding land use. This land has wonderful recreational opportunity. He urges people to vote for this.

Robin Carpenter stated that he personally is not an opponent of municipalization. He does have a problem with the lack of specificity. The answer of "we'll work that out" isn't working for him. He also finds it interesting that the Hanover Conservation Council supports this proposal and the Hanover Conservation Commission does not. He stated that the Council welcomes the opportunity to explore and facilitate future dialogue. The Commission believes that this should all be done before a Town Meeting vote. Mr. Carpenter re-read Article 14 and noted that it suggests that they seek approval before coming up with a price. The vote calls for there to be a deal made with no financial firewall between ratepayers and taxpayers. The timing for the special legislation is also unknown. He didn't feel that there was enough information to say yes to and feels that there has not been enough open discussion. He appreciates the problem of divisiveness but the townspeople have a right to know more.

Chairman Walsh stated that there is a formula of words required by the Department of Revenue Administration (DRA). He also referred to the explanatory information provided in the Town Annual Report which he read aloud:

"This change requires the approval of the Trustees of Dartmouth College and of Town Meeting. Town Meeting approval is in two steps; in May, 2009 the Town will be asked to give the Selectmen approval to consider municipalization of the HWWC by making a formal request of Dartmouth College and, if so directed, the Selectmen would then call a Special Town Meeting in September, 2009 to seek approval of the specific agreement with full terms and conditions."

Chairman Walsh stated that the wording in the Warrant is mandated by the State because generally the assumption is that municipalization of a water utility is considered a "hostile takeover."

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Barbara McIlroy felt that by making the Transfer Agreement part of a very public process, it would possibly address concerns versus bringing something to the public that they have to approve or deny. She would like to see the public's concerns addressed.

David Cioffi would like to hear from the Dartmouth College representatives that are present.

Bob Donin, Dartmouth College legal counsel, stated that no one knows what the situation will be in 25, 50 or 100 years but nothing can be done to impair that land as it is protected by local, Federal and State law. Mr. Cioffi stated that they aren't looking beyond those years to consider what might happen to the land if it's no longer needed as a reservoir. Mr. Donin stated that they are not going to even try to predict what that might look like.

Mike Blayne stated that they should keep in mind that the College is the largest user of the water. The College has a huge interest in preserving the usability of the reservoirs.

Kari Asmus felt that more public input was needed. She noted that the warrant article states that the vote would be for the cost only. Is there any action that Town Meeting can take beyond the cost items?

Chairman Walsh stated that he doesn't have a legal answer to the question. He stated that he is troubled that with all the time that the Board has put in for this town that people have the opinion that the Board is somehow trying to "stick it to the residents."

Ms. Griffin stated that they need to keep in mind that there is limited discretion with Warrant Article wording but just because this warrant article has to do with approving a price but the question will be much broader.

Ms. Asmus stated that it wasn't her intent to offend anyone with her questions. Ms. Griffin stated that she needs feedback from the residents so that she can address them at future hearings.

Walter Noll expressed concern regarding what would happen with the rest of the land. He's not sure what joint ownership is going to mean. He doesn't want to see residential development on the property.

Chairman Walsh stated that he doesn't know what would happen to the land if there comes a time when it is no longer needed as a water source but he's certain that it will be at a time beyond his lifetime.

Mr. Noll stated that he remains skeptical about any type of arrangement that is set up with the College and he remains cautious. He does not feel that the College has the same goals. Chairman Walsh noted that the ownership of the land with the proposal, if approved, will be 50/50 and the Town will have more say over what happens. Selectman Christie stated that the long term use of the property has nothing to do with the proposal of municipalizing the Water Company. They are not going to accomplish deciding what can be done with this land in the long run between May and September. What they can accomplish is giving the Town a greater

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say and oversight of the land. Selectman Christie stated that in trying to answer questions regarding land use in the past, it has prevented them from going forward.

Iain Sim stated that he feels everyone is worried that Dartmouth College is going to somehow “screw them over” but he understands that currently, the Town is a minority partner.

Ms. Griffin noted that this was the Town’s proposal and not Dartmouth’s wish to get rid of the Water Company. By municipalizing, the Town can set up capital reserve funds for future improvements.

Bob Norman stated that in response to Kari Asmus’ question regarding the wording of the Warrant Article as written. The audience was not trying to come after the Board but rather expressed concern about defending the wording on the warrant and asked how he can convince people to vote for this article. Selectman Christie stated that the Board will do their best to make sure that the second vote is on the definitive agreement. Mr. Norman stated that lawyers would argue that what they are voting on is on the article, not in the explanatory agreement and he wants to know how to defend this. Mr. Norman noted that he appreciates the work that the Board is doing. Harold Frost also thanked the Board for their hard work.

3. HANOVER HOUSING AUTHORITY PUBLIC HEARING TO REVIEW AND ADOPT PROPOSED HOUSING FUND BUDGET FOR FY2009-2010.

Chairman Walsh MOVED to become that Hanover Housing Authority for the purpose of approving the Housing Fund Budget for FY2009-2010. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO BECOME THE HANOVER HOUSING AUTHORITY.

Ms. McClain gave an overview of the Hanover Housing Authority budget and noted that there was nothing new proposed. She noted that they are anticipating an increase in HUD subsidies.

Chairman Walsh noted that the tenant rate payment is increasing and the HUD subsidy was decreasing. John Chafee, Executive Director of Lebanon Housing Authority, stated that this was an estimate and HUD makes up the difference for what is projected.

Vice Chairman Connolly asked if they are over reserving. Ms. McClain stated that this allows Frank Austin to do longer term planning. Vice Chairman Connolly stated that they have year end balances of over \$100,000. Peter Kulbacki stated that there are large ticket items that are going to be coming up. Ms. McClain stated that she would extrapolate further out to reflect the upcoming large expenses.

Vice Chairman Connolly MOVED to adopt the proposed Housing Fund budget for FY2009-2010. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADOPT THE PROPOSED HOUSING FUND BUDGET FOR FY2009-2010.

Vice Chairman Connolly MOVED to cease acting as the Hanover Housing Authority and resume as the Hanover Board of Selectmen. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO CEASE ACTING AS THE HANOVER HOUSING AUTHORITY AND RESUME AS THE HANOVER BOARD OF SELECTMEN.

4. REVIEW OF FY 2007-2008 AUDIT WITH TOWN AUDITORS – MELANSON HEATH & COMPANY.

Ms. McClain introduced Frank Biron, Managing Partner, and Senior Auditor Matthew Angell from Melanson Heath & Company. She stated that the staff of Melanson Heath & Company did a great job during the audit of the Town's and performed an internal control assessment which has not been done in her tenure with the Town.

Mr. Biron gave an overview of the financial statements to the Board including the Independent Auditor's Report. He noted that the Town is mostly in conformance with generally accepted accounting practices. He noted that the Town does not maintain detailed historical capital records. Because there are no capital assets listed, it creates an artificial deficit regarding net assets.

Vice Chairman Connolly asked how the auditors came up with non-existent capital assets. Ms. McClain stated that there was a previous valuation done which provided some of the figures for which they had a historic value.

Mr. Biron reviewed the balance sheet which includes major and non-major funds. Chairman Walsh asked whether some of the figures were subject to timing issues. Mr. Biron stated that 99.9% of the property tax receivables is part of the '09 levy and he stated that he felt that Town is doing a very good job of collected property taxes. Mr. Biron stated that the Town's revenues exceed their expenditures by \$756,351 for a score of 7% of the budget. Bond rating agencies look at this number and it is a strong balance which can help the Town gain more favorable rates.

Mr. Biron reviewed other funds and figures with the Board. He stated that there is a small amount of money that the departments did not spend which was 1/10th of 1% which shows that they are doing a very good job at monitoring their expenditures.

Chairman Walsh felt that the presentation was very helpful. He wanted an idea as to how the Town of Hanover compares with other municipalities that Melanson Heath & Company handles. Mr. Biron stated that the records are in great shape and the Town is doing well in their operations. He stated that their audit handles efficiency and internal controls.

Vice Chairman Connolly asked about the custodial credit risk and thought that they had previously addressed this issue and whether there was a problem. Ms. McClain stated that with the Town Treasurer retiring, they are able to appoint a Town staff member to that position and

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therefore they will gain more control. Matt Angell pointed out that some of the issues are outside of the Town's control. Ms. McClain will revisit this.

Matt Angell, Audit Manager, stated that they had suggestions for improved internal controls.

- Improve segregation of duties. Current practices allow for irregularities. They have made suggestions to have some duties delegated to other people.

Selectman Christie asked if steps have been taken to fix this. Ms. McClain stated that a couple of things have been changed. Ms. Griffin is now the back-up check signer. Selectman Christie felt that delegating some of the responsibility was as important for Ms. McClain as it was for the Town.

Kari Asmus asked who signs the manifest and whether the check signer also signs the manifest. Ms. McClain stated that there are three people that sign the manifest.

- Create a written policy and procedure for cash receipts. The auditing firm recommends that Ms. McClain conduct cash receipt audits periodically. They also recommend implementing turnover forms for cash so there are duplicate records in the event of a lost deposit.
- Go over fraud prevention with employees.
- New FTC regulations specifically targeting water/sewer billing in which steps must be taken to protect consumer credit from identify theft.
- Maintain Capital Asset records. Mr. Biron stated that the Town is almost there.

Vice Chairman Connolly asked whether they have to look at every truck and every piece of equipment when reviewing the capital assets. Mr. Biron stated that the starting numbers should be reasonable and that the Town does not have to go over each piece of equipment. They should start with values of land, building, etc.

Ms. Griffin stated that the Property & Liability Trust needed a standard approach to value the assets to get them fully recorded. Chairman Walsh asked Ms. McClain about presenting this information to the Finance Committee. She stated that she has met with the Committee and provided them with the recommendations.

Chairman Walsh thanked Mr. Biron and Mr. Angell for their presentation.

5. RECOMMENDATION TO DIRECT TRUSTEES OF TRUST FUNDS TO TERMINATE AND LIQUIDATE THE HANOVER SCHOOL DISTRICT LEASED LAND FUND.

Ms. McClain thanked Kari Asmus and the School Board for addressing this issue. The School Board moved to terminate the small amounts in this fund.

Vice Chairman Connolly MOVED to accept the recommendation to direct Trustees of Trust Funds to terminate and liquidate the Hanover School District Leased Land Fund. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ACCEPT THE RECOMMENDATION TO DIRECT TRUSTEES OF TRUST FUNDS TO TERMINATE AND LIQUIDATE THE HANOVER SCHOOL DISTRICT LEASED LAND FUND.

Kari Asmus stated that once the School Board learns the final balance, they will have a conversation with the Board of Selectman regarding the disposal of the funds.

6. RECOMMENDATION TO SET POLLING HOURS FOR TOWN MEETING ON MAY 12, 2009.

Chairman Walsh MOVED to set the polling hours for Town Meeting from 7 a.m. to 7 p.m. on May 12, 2009 with the Business Meeting to begin at 7 p.m. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO SET POLLING HOURS FOR TOWN MEETING FROM 7 A.M. TO 7 P.M. ON MAY 12, 2009.

The Board set up the times that each member would be present at polling hours.

7. RECOMMENDATION TO PROCLAIM MAY 3-9 AS BUILDING SAFETY WEEK.

Selectman Christie MOVED to accept the recommendation to proclaim May 3 – 9 as Building Safety Week. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO PROCLAIM MAY 3 – 9 AS BUILDING SAFETY WEEK.

**PROCLAMATION
Building Safety Week 2009
May 3-9**

WHEREAS, our state's continuing efforts to address the critical issues of safety, energy efficiency and sustainability in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;

WHEREAS, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

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WHEREAS, these guardians—dedicated members of the International Code Council—develop and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work and play, and;

WHEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires and earthquakes, and;

WHEREAS, Building Safety Week is sponsored by the International Code Council and International Code Council Foundation, to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings, and;

WHEREAS, “Building Safety: Where You Live, Work and Play,” the theme for Building Safety Week 2009, encourages all Americans to raise awareness of the importance of building safety; green and sustainable building; pool, spa and hot tub safety; and new technologies in the construction industry. Building Safety Week 2009 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies.

WHEREAS, each year, in observance of Building Safety Week, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Town of Hanover Board of Selectmen that May 3 through May 9, 2009, as Building Safety Week. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Week activities.

8. APPOINTMENTS:
- Planning Board

Vice Chairman Connolly MOVED to appoint Joan Garipay to the Planning Board. Chairman Walsh SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT JOAN GARIPAY TO THE PLANNING BOARD.

9. BANNER REQUESTS:
- 4th of July

Vice Chairman Connolly MOVED to approve the banner request from the Parks & Recreation Department for the 4th of July banner. Selectman Rassias SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE BANNER REQUEST FROM THE PARKS & RECREATION DEPARTMENT FOR THE 4TH OF JULY BANNER.

**10. APPROVAL OF MINUTES:
- April 6, 2009**

Chairman Walsh and Vice Chairman Connolly had minor changes to the Minutes of April 6th.

Vice Chairman Connolly MOVED to approve the Minutes of April 6, 2009 with minor changes. Selectman Rassias SECONDED the motion.

THE BOARD APPROVED THE MINUTES OF APRIL 6, 2009 4 IN FAVOR, 0 OPPOSED.

11. ADMINISTRATIVE REPORTS.

Ms. Griffin had nothing new to report.

12. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie had nothing new to report.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board has been working on the residential project. There was a regional GIS meeting headed by the Regional Planning Commission which was not very well attended but a proposal will be coming to the Town of Hanover for the use of facility and personnel.

Athos Rassias

Selectman Rassias had nothing new to report.

Brian Walsh

Chairman Walsh had nothing new to report.

13. OTHER BUSINESS.

There was no Other Business reported.

14. ADJOURNMENT.

Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Christie SECONDED the motion.

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**THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING AT
10:30 P.M.**

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Chairman Walsh MOVED to become the Hanover Housing Authority for the purpose of approving the Housing Fund Budget for FY2009-2010. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO BECOME THE HANOVER HOUSING AUTHORITY.

2. **Vice Chairman Connolly MOVED to adopt the proposed Housing Fund budget for FY2009-2010. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADOPT THE PROPOSED HOUSING FUND BUDGET FOR FY2009-2010.

3. **Vice Chairman Connolly MOVED to cease acting as the Hanover Housing Authority and resume as the Hanover Board of Selectmen. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO CEASE ACTING AS THE HANOVER HOUSING AUTHORITY AND RESUME AS THE HANOVER BOARD OF SELECTMEN.

4. **Vice Chairman Connolly MOVED to accept the recommendation to direct Trustees of Trust Funds to terminate and liquidate the Hanover School District Leased Land Fund. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ACCEPT THE RECOMMENDATION TO DIRECT TRUSTEES OF TRUST FUNDS TO TERMINATE AND LIQUIDATE THE HANOVER SCHOOL DISTRICT LEASED LAND FUND.

5. **Chairman Walsh MOVED to set the polling hours for Town Meeting from 7 a.m. to 7 p.m. on May 12, 2009 with the Business Meeting to begin at 7 p.m. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO SET POLLING HOURS FOR TOWN MEETING FROM 7 A.M. TO 7 P.M. ON MAY 12, 2009.

6. **Selectman Christie MOVED to accept the recommendation to proclaim May 3 – 9 as Building Safety Week. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO PROCLAIM MAY 3 – 9 AS BUILDING SAFETY WEEK.

7. **Vice Chairman Connolly MOVED to appoint Joan Garipay to the Planning Board. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPOINT JOAN GARIPAY TO THE PLANNING BOARD.

8. **Vice Chairman Connolly MOVED to approve the banner request from the Parks & Recreation Department for the 4th of July banner. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO APPROVE THE BANNER REQUEST FROM THE PARKS & RECREATION DEPARTMENT FOR THE 4TH OF JULY BANNER.

9. **Vice Chairman Connolly MOVED to approve the Minutes of April 6, 2009 with minor changes. Selectman Rassias SECONDED the motion.**

THE BOARD APPROVED THE MINUTES OF APRIL 6, 2009 4 IN FAVOR, 0 OPPOSED.

10. **Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 0 OPPOSED TO ADJOURN THE MEETING AT 10:30 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

April 6, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Bill Baschnagel, Selectman; Athos Rassias, Selectman and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

Chairman Walsh asked for public comment. There were no comments from the public. Chairman Walsh decided to take the agenda items out of order. Chairman Walsh opened both public hearings for the Pre-Town Meeting Warrant and Hanover Water Works Company. The Board moved on to the presentation by the Friends of Hanover High School Crew regarding the use of Wilson's Landing.

2. PRE-TOWN MEETING PUBLIC HEARING TO REVIEW AND APPROVE THE PROPOSED WARRANT FOR 2009 TOWN MEETING.

Chairman Walsh stated that Town Meeting is scheduled for May 12th at the Hanover High School Gymnasium. The Board discussed the Articles that would be presented at Town Meeting and selected which member would be presenting the Articles. The following are the Articles that were discussed and voted on at the Pre-Town Meeting:

ARTICLE FIVE: To choose the following Town Officers to be elected by a majority vote:

- One member of the Advisory Board of Assessors for a term of three (3) years;
- Three Fence Viewers, each for a term of one (1) year;
- Two Surveyors of Wood and Timber, each for a term of one (1) year;
- One Pine Park Commissioner for a term of three (3) years;
- Such other Officers as the Town may judge necessary for managing its affairs.

Vice Chairman Connolly will present Article Five at Town Meeting.

ARTICLE SIX: To receive reports from the Selectmen, Town Clerk, Treasurer, Collector of Taxes and other Town Officers and to vote on any motion relating to these reports and to receive any special resolutions that may be appropriate and to vote thereon.

Vice Chairman Connolly will present Article Six at Town Meeting.

ARTICLE SEVEN: To see if the Town will direct its Legislative Delegation to support continued full funding of municipal aid for Rooms & Meals, Revenue Sharing, Highway Aid and the New Hampshire State Retirement System contributions on behalf of municipalities from State revenue sources and not Federal stimulus funding.

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Selectmen For 5 Against 0 Absent 0

Chairman Walsh will present Article Seven at Town Meeting.

ARTICLE EIGHT: To see if the Town will vote to raise and appropriate \$10,380 for deposit into the Land and Capital Improvements Fund, and to authorize funding of this amount by transfer from the Land Use Change Tax Reserve, with no funds being raised by taxation. The amount appropriated is the equivalent of 50% of the total collected in the Land Use Change Tax Reserve in the fiscal year 2007-2008. Funding deposited into the Land and Capital Improvements Fund derives from 50% of the land use change tax proceeds, paid by property owners when they take land out of current use.

Ms. Griffin stated that she put this item on early but it is up to the Board whether they would like to carry this warrant article.

Selectman Baschnagel felt that this was a good article but felt that there may be some changes.

The Board voted unanimously to include Article Seven on the Warrant and will bring this forward after the budget discussions.

The Board voted on the Consent Calendar including Articles Eight through Twelve and Selectman Baschnagel will present these Articles at Town Meeting.

ARTICLE NINE: To see if the Town will vote to raise and appropriate \$10,380 for deposit into the Conservation Fund created as authorized by RSA 36-A:5.1, and to authorize funding of this amount by transfer from the Land Use Change Tax Reserve, with no funds being raised by taxation. The amount appropriated is the equivalent of 50% of the total collected in the Land Use Change Tax Reserve in the fiscal year 2007-2008. Funding deposited into the Conservation Fund derives from 50% of the land use change tax proceeds, paid by property owners when they take land out of current use.

Selectmen For 5 Against 0 Absent 0

ARTICLE TEN: To see if the Town will vote to raise and appropriate \$1,187,570 and authorize payment into existing capital reserve funds in the following amounts for the purposes for which such funds were established:

Ambulance Equipment Capital Reserve Fund	\$50,100
Bridge Replacement and Renovation Capital Reserve Fund	\$30,000
Building Maintenance and Improvement Capital Reserve Fund	\$ 50,000
Dispatch Equipment and Dispatch Center Enhancements and Capital Reserve Fund	\$ 10,000
Fire Department Vehicle and Equipment Capital Reserve Fund	\$ 64,000

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Highway Construction and Maintenance Equipment Capital Reserve Fund	\$ 240,000
Parking Operations Vehicles and Parking Facility Improvements Capital Reserve Fund	\$ 62,210
Police Vehicles and Equipment Capital Reserve Fund	\$ 66,000
Road Construction and Improvements Capital Reserve Fund	\$ 20,000
Sewer Equipment and Facilities Improvements Capital Reserve Fund	\$580,260
Town Revaluation Capital Reserve Fund	\$ 15,000

Selectmen For 5 Against 0 Absent 0

ARTICLE ELEVEN: To see if the Town will vote to raise and appropriate \$369,986 for the purposes listed below, and to authorize funding these amounts by withdrawal from the listed capital reserve funds in the following amounts:

Ambulance Equipment Capital Reserve Fund <i>Ambulance 150</i>	\$161,000
Highway Construction and Maintenance Equipment Capital Reserve Fund <i>Leaf vacuum, Truck 03, Chipper, Dozer, V- Box Sander</i>	\$169,700
Police Vehicles and Equipment Capital Reserve Fund <i>Cruiser – Utility Vehicle</i>	\$ 39,286

This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until these specified purchases are complete or June 30, 2012, whichever is sooner.

Selectmen For 5 Against 0 Absent 0

ARTICLE TWELVE: To see if the Town will vote to raise and appropriate \$35,135 for deposit into the Municipal Transportation Improvement Fund, and to authorize funding of this amount by transfer from the Transportation Improvement Fee Reserve, with no funds being raised by taxation. This amount is equivalent to the total Transportation Fee surcharge for each motor vehicle registered in the Town of Hanover (\$5.00 per vehicle) during fiscal year 2007-2008.

Selectmen For 5 Against 0 Absent 0

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ARTICLE THIRTEEN: To see if the Town will vote to raise and appropriate \$18,154,413 to pay the operating expenses of the Town for the 2009-2010 fiscal year, for the purposes set forth in the Town budget. This sum does not include the funds voted in any of the preceding or succeeding articles.

Selectmen For 5 Against 0 Absent 0

Selectman Christie will present Article Thirteen. Chairman Walsh will be an alternate to present in the event of Selectman Christie's absence.

ARTICLE FOURTEEN: To see if the Town will vote to acquire those assets of Hanover Water Works Company, Inc. necessary to operate the water system as a municipal utility serving the Town's inhabitants, in accordance with RSA 38. If approved, there will be a second vote by Special Town Meeting in the fall of 2009 to approve the price to acquire the water utility assets. A two-thirds vote is required on this article.

Selectmen For 5 Against 0 Absent 0

Chairman Walsh stated that if the Select Board receives substantial negative feedback at the public hearings regarding Article Fourteen, they could consider removing this from the warrant.

Selectman Christie asked if there would be a full presentation regarding Article Fourteen at Town Meeting. Ms. Griffin confirmed that there would be a full presentation. Selectman Christie will present Article Fourteen with Chairman Walsh as alternate.

ARTICLE FIFTEEN: To see if the Town will vote to authorize the Hanover Planning Board to delegate its site plan powers and duties in regard to minor site plans to a site review committee of technically qualified administrators designated by the Planning Board, with the concurrence of the Town Manager, in accordance with the provisions of RSA 674:43 III. This special site review committee shall have final authority to approve or disapprove minor site plans; however, the decision of the committee may be appealed to the full Planning Board.

Selectmen For 5 Against 0 Absent 0

Vice Chairman Connolly will present Article Fifteen.

ARTICLE SIXTEEN: Shall the Town vote to adopt the provisions of RSA 36-A:4-a, I(b) to authorize the conservation commission to expend funds for contributions to 'qualified organizations' for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property?

Selectmen For 5 Against 0 Absent 0

Selectman Baschnagel will present Article Sixteen.

ARTICLE SEVENTEEN: Shall the Town vote to adopt the provisions of RSA 36-A:4-a, I(a) to authorize the conservation commission to expend funds to purchase interests in land outside the boundaries of our municipality, subject to the approval of the governing body?

Selectmen For 5 Against 0 Absent 0

Selectman Baschnagel will present Article Seventeen.

Chairman Walsh wanted to clarify that if the Conservation Commission spends more than \$50,000 it comes to the Select Board. If it is less than \$50,000 they do not need to have the Board of Selectman's approval. Chairman Walsh asked whether this article was going to be controversial and whether it is worth pursuing. Selectman Baschnagel didn't feel that it was going to be controversial and he sees Hanover & Lebanon doing something with Rix Ledges where it makes sense for one community to manage it more than the other. He feels that this allows neighboring communities to work together toward Conservation.

Robin Carpenter could see this being brought up at Town Meeting but doesn't feel that this will be a big controversial issue. Chairman Walsh stated that he is trying to avoid people being angry about this issue. Chairman Walsh wanted to make it clear in the Article that the local governing body is the Board of Selectmen. Ms. Griffin would change the wording of the Article to reflect "Board of Selectmen" versus "governing body".

Hilary Pridgen liked the suggestion of adding the wording "contiguous boundaries". Ms. Griffin will confirm with legal counsel that they can make changes to the wording to clarify.

Chairman Walsh wanted to include "contiguous communities" and Board of Selectmen in this Article. Vice Chairman Connolly felt that this will settle the question down.

Another member of the audience suggested changing the wording from "community" to "municipality". Robin Carpenter felt that the idea of acquiring properties that are not contiguous was not even part of the conversation when the Conservation Commission discussed this issue.

The Board unanimously agreed to add the wording "contiguous municipalities" and change the wording of "governing body" to Board of Selectmen if they were legally allowed to do so.

ARTICLE EIGHTEEN: To see if the Town will vote to establish an Affordable Housing Commission, as a restructuring of the current Affordable Housing Commission, pursuant to RSA 673:1, II, which shall be constituted according to the provisions of RSA 673:4-c, RSA 674:44-h through j, and other pertinent New Hampshire Statutes which govern municipal commissions, their conduct, and their receipt of appropriated funds to carry out their charge; and to see if the Town will vote to establish an affordable housing revolving fund, pursuant to RSA 31:95-h, according to terms and conditions to be determined by the Board of Selectmen.

Selectmen For 5 Against 0 Absent 0

Ms. Griffin stated that Article Eighteen came at the request of the Affordable Housing Commission which will allow for the Commission to use donated funds for feasibility studies in addition to other initiatives. There was a general discussion regarding the difference between the Hanover Housing Authority and the Affordable Housing Commission.

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Chairman Walsh stated that he reviewed the wording and it does not change the responsibilities or authority. Selectman Baschnagel stated that the RSA's listed threw him off. Selectman Baschnagel stated that he has the feeling that the thrust of the Housing Commission is changing. Ms. Griffin stated that this is reflective of what is happening all around the State and this is formalizing the role of the commission and allowing them to create a revolving fund. Ms. Griffin stated that this does not mean that the Town is contributing to the fund but allows them to have a revolving fund.

Chairman Walsh asked Jonathan Edwards to clarify the wording in the RSA's. Mr. Edwards stated that the legislative body, which is Town Meeting, establishes the housing fund; the Housing Fund is established by appointment by the governing body (the Housing Commission); the Commission is established by the Select Board; it clarifies who can be a member of the Commission (ex. Hanover Residents and a member of the Board of Selectmen). The Housing Commission members may serve on other municipal boards and commissions such as Conservation, Heritage and Agricultural Commissions. The meetings must be scheduled and conducted in accordance with State Law and requirements. The Housing Commission can be dissolved by action of the Town or by petition of 100 or more Town voters enacted upon on Town Meeting and the assets of the Commission would revert back to the Town.

Selectman Baschnagel stated that the Charter would have to be changed. Selectman Christie recalled this conversation and did not see a downside to this action. Bob Strauss indicated that there should be an updated Memorandum of Understanding (MOU) between the Housing Commission and the Select Board. The Commission has drafted one and it should be brought to the Board for approval after Town Meeting. The Commission would be restricted in the projects that they do and the projects that they have but they need it for feasibility studies. Chairman Walsh would like to see some clarification for people with regard to the Hanover Housing Authority vs. Affordable Housing Commission. Ms. Griffin stated that they can insert "Affordable" in front of the Housing Commission. Ms. Griffin stated that they could clarify the RSA's that are listed in the article and she can differentiate between the Hanover Housing Authority and the Affordable Housing Commission.

Selectman Christie will present Article Eighteen.

ARTICLE NINETEEN: To see if the Town will vote to authorize the Board of Selectmen to enter into a inter-municipal agreement by and among the Towns of Orford, Lyme, Hanover, Enfield, Springfield, Newbury, New London and Sunapee, to create a non-profit corporation to develop a broadband communications network, in accordance with RSA 53-A.

Selectmen	For 5	Against 0	Absent 0
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Chairman Walsh clarified that Article Nineteen is creating a corporation but not funding a corporation. Ms. Griffin also noted that there may be significant stimulus money available for this project. Under State Law, municipalities cannot borrow or enter into capital leases for broadband but they can create a non-profit organization to receive money for this project. Vice Chairman Connolly noted that Hanover would be the 8th community to approve this.

Selectman Rassias will present Article Nineteen.

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ARTICLE TWENTY: (Article by agency request) To see if the Town will vote to raise and appropriate \$1,650 to support the services provided for the residents of Hanover by the New Hampshire Association for the Blind. This is the third year this article has appeared on the warrant.

Selectman Rassias will announce Article Twenty at Town Meeting.

ARTICLE TWENTY-ONE: (Article by agency request) To see if the Town will vote to raise and appropriate \$627 to support the services provided for the residents of Hanover by Tri-County Community Action Project (Tri-County CAP). This is the third year this article has appeared on the warrant.

Selectman Rassias will announce Article Twenty-One at Town Meeting.

ARTICLE TWENTY-TWO: (Article by agency request) To see if the Town will vote to raise and appropriate \$550 to support the services provided for the residents of Hanover by the Court Appointed Special Advocates (CASA). This is the second year this article has appeared on the warrant.

Selectman Rassias will announce Article Twenty-Two at Town Meeting.

ARTICLE TWENTY-THREE: (Article by agency request) To see if the Town will vote to raise and appropriate \$3,410 to support the services provided for the residents of Hanover by the Outreach House. This is the second year this article has appeared on the warrant.

Selectman Rassias will announce Article Twenty-Three at Town Meeting.

ARTICLE TWENTY-FOUR: To transact any other business that may legally be brought before this Town Meeting.

Chairman Walsh will present Article Twenty-Four.

The Board decided that Article Seven will become Article Thirteen on the Warrant.

Chairman Walsh noted that there are no articles by petition at this time but the deadline is tomorrow at 5:00.

Chairman Walsh closed the Pre-Town Meeting public hearing at 8:30 p.m.

3. PUBLIC HEARING TO DISCUSS PROPOSED MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY.

Ms. Griffin stated that they mailed the Frequently Asked Questions information handout to taxpayers regarding the proposal to municipalize the Hanover Water Works Company. No one has contacted her office about this issue although that doesn't mean that there aren't concerns out

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there. Peter Kulbacki did put together some maps and she noted that the discussion regarding the municipalization of the Hanover Water Works Company has been on-going for years.

Ms. Griffin stated that the Town already operates the Wastewater facility. From Dartmouth's perspective, owning and operating a water utility is not really part of their core mission. Ms. Griffin gave an overview of the history of the Hanover Water Company noting that it dates back to a typhoid outbreak in New York which led the community to invest in better firefighting capability and a safer water supply. At the time, the College had money to invest in the water supply.

Ms. Griffin stated that as a private company regulated by the Public Utilities Commission (PUC) they cannot build up money for capital reserve. Ms. Griffin gave an overview of the cumbersome process for private companies to get approval from the PUC to make improvements or increase rates. With the proposed municipalization of the Water Company, the Town would work toward combining billing and accounting for water and sewer bills for residents. Another benefit would be that the Town would not be subject to the same amount and types of taxes that the private company currently has to pay. Ms. Griffin gave an overview of the "hard" assets: The water company currently has assets of \$14,139,493; liabilities of \$12,049,587 for a net equity of \$2,089,906. The land would now be a 50/50 split.

Chairman Walsh wanted to point out that there are no general fund taxes to support the water in town; the taxes are all paid for by user fees. This is a solvent entity supported by the users. Ms. Griffin stated that the Water Company would have a separate Water Utility Fund which could only be used for the Water Company. State law views the municipalization of a utility as a "hostile" action which is not the case with this proposal but they still have to follow the proper procedure.

Ms. Griffin gave an overview of the notice requirements including approval at Town Meeting, a session with the Public Utilities Commission, the College and the Town has to meet with the Charitable Trust and a second Town Meeting action (possibly in September) for the actual municipalization vote. Ms. Griffin stated that in January 2010, they will need a special legislative action to allow the Town's municipal water utility to continue to make a payment in lieu of tax to the general fund. One issue is that the Water Company pays taxes to the Town, County and School District and they hope to preserve the cash flow to those other entities.

John Creagh asked what happens to the 1400 acres of land. Chairman Walsh stated that the land is controlled by the fact that it is a watershed which is regulated by State and Federal laws. It is also controlled by zoning. The Town will be a 50/50 owner in the property with this proposed transaction. Chairman Walsh stated that the land would need to stay as it is for many years to come.

Robin Carpenter asked about the 50/50 ownership of the land and questioned what the Town and Dartmouth College governance supposed to be like? Selectman Christie asked Bob Donin to answer the question.

Bob Donin, Dartmouth College Counsel, stated that he assumes that once the stock ownership changes to 50/50, the Board of Directors will change to 50/50. He stated that there is not going

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to be a lot of business to conduct as nothing will be happening to that land in the near or distant future. Ms. Griffin stated that the Town has not spent a lot of time on this particular issue regarding the land.

Mr. Carpenter stated that equal balance with the College is not always that equal and the governance needs to be clarified. He wanted to clarify that the vote at Town Meeting would be whether the Residents support this idea or not. Ms. Griffin stated that they will be making a more detailed presentation at Town Meeting and if approved, there would be a second Town Meeting in the fall.

Anne Morris, felt that it was important to determine how the governing Board is going to be set up before the second vote. In the context of the Master Plan and the Open Space Plan the land is to remain undeveloped long term.

Hilary Pridgen noted that Dartmouth is giving up 2.8% and questioned what the College is getting in return. The wording states that "most" of the land and not all of the land and she wondered if there is more to it. Chairman Walsh stated that land under buildings and land under reservoirs are coming to the Town. Chairman Walsh felt that Dartmouth was benefitting by not having to operate a private utility which is a potential liability for the College in ways that it's not for a municipality. There is a lot of good will in this agreement to Dartmouth's credit. If this can be run more efficiently, Dartmouth also benefits.

Bob Donin stated that the liability of being responsible for the oversight of the system is not really the College's business.

Mr. Carpenter asked about estimates for future capital needs. Ms. Griffin stated that the numbers have not been updated in the last couple of years. The last big piece of work that needs to happen is the upgrading of the secondary water distribution lines. A few years ago, through revolving loan funds, they were able to update the primary water distribution lines. There are times of the year when the water is discolored because there are old cast iron pipes in place. The Town would like to have the ability to accrue money in reserve from the water rates so that they can make improvements to the pipelines at the same time that they repave a street. The Town anticipates that there is about \$6 to \$8 million worth of improvements in the future.

Chairman Walsh stated that they have already invested millions of dollars in improvements. He stated that in the mid 1990's they had \$25 million worth of work that had to be done. It would have been irresponsible to come to the Town with that kind of deficit.

Selectman Christie stated that they would certainly look at capital reserves to do some of these projects and take advantage of opportunities as they arise to do this at a much more favorable rate which the private company is not able to do. The rate payer will be better served.

Mr. Carpenter stated that this is a non-public corporation and asked whether the financial records would be made public. Ms. Griffin stated that the audit was just completed and would be made available.

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Selectman Christie would like to get a sense from the group regarding the FAQ's. The audience did receive them and understood them. The group made no suggestions regarding improvements to the Frequently Asked Questions information.

Ms. Griffin stated that the Board needs to set another public hearing.

Chairman Walsh would like to do the public hearing on April 27th at Trumbull Hall in Etna.

Selectman Christie wanted to recognize the members of the working group for this proposal that were present: Bob Donin, Dan Nelson, Jay Pierson, Julia Griffin, Michael Blayne, and Peter Kulbacki. (Selectman Christie was also part of the working group). Selectman Christie personally thanked them for their good support and spirit in which this was accomplished.

Chairman Walsh closed the public hearing at 9:08 p.m.

4. DISCUSSION REGARDING USE OF WILSON'S LANDING BY THE FRIENDS OF HANOVER HIGH SCHOOL CREW.

Chairman Walsh invited Nancy Carter to speak to the Board. Ms. Carter stated that the Friends of Hanover High School Crew wanted to make a presentation to the Board with regard to Wilson's Landing. She reported that they have already met with the Planning Board. She stated that Peter Kermond is going to give a PowerPoint presentation regarding Wilson's Landing and the docks.

Mr. Kermond stated that he has been involved as the Hanover Crew Coach since 1997. He has also been a resident for the past 14 years. He stated that they purchased property at the Fullington Farm site in June of 2008. The idea is to add storage facilities on the lower portion of the property near the water. The Hanover High School program has 115 high school boys and girls involved with the crew team. The opportunity arose to purchase the Fullington Farm property through the College. They would like to use Wilson's Landing as a dock site. They would like to put in a 180' dock. He stated that the reason that they need a dock that large is because they need to launch 3 at a time and the shells are 60' long. Currently they use the Dartmouth dock and the kids need to be there at 5:30 a.m. The existing dock is not operationally functional to launch a rowing shell. It is geared more toward motor boats and kayaks. He noted that this would be a community dock for boaters, kayakers and rowers. It's not necessarily specific to Hanover High School and he felt that this may draw in other local clubs from around the Upper Valley.

Since there were technical difficulties in presenting the PowerPoint presentation, Chairman Walsh moved on to the Pre-Town Meeting public hearing and would return to the hearing on the Friends of Hanover Crew later in the evening.

Chairman Walsh re-opened the discussion at 9:08 p.m.

Peter Kermond and Bob White made a PowerPoint presentation to the Board with pictures of the Dartmouth docks to give a sense of the scope of the project. Currently, the High School students

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have to use the Dartmouth docks at 5:30 a.m. It takes about 20 minutes to get all of the students into the water and 20 minutes to get them out. The proposal is to either set up something next to the existing dock or replace the existing dock which would accommodate other users within the community.

Selectman Christie asked what the group is looking for from the Select Board. Mr. Kermond stated that there is a permit application that they need the Town to be a co-applicant. Ms. Griffin stated that since it's a public boat landing, the State would like to know that the Town is comfortable with the proposal.

Chairman Walsh asked if there were alternate locations for a dock adjacent to other parts of the property that they own. Mr. Kermond stated that in order to accommodate their needs, this would require a lot of dredging and in some places the water is only 2 feet deep in addition to access issues, it doesn't appear to be feasible.

Nick Fiori, Engineering Ventures, displayed a map for the benefit of the Board and viewing audience. The proposal includes a looped driveway which would require a variance. There is the possibility of working off the existing dock and adding the 180' dock parallel with the shoreline.

Chairman Walsh asked Ms. Creagh about the island off Wilson's Landing and the history behind that. Alice Creagh stated that when a person drowned at Dartmouth, Mr. Fullington filled in the area and created the peninsula.

Ms. Carter stated that it is their intention to have the coaches take the gas tanks out of the boats on a daily basis and they intend on creating a shed similar to the one at Dartmouth near the daily use storage area. This would be the locked location of the gas cans in order to keep it from becoming an attractive nuisance.

Ms. Griffin stated that if the Town becomes a co-applicant, it is the responsibility of the Friends of Hanover High Crew to maintain the docks, to put in and take out the docks. She stated that the docks have not been a large expense for the Town and she had initial concerns that the general fund would inherit this larger dock and expense.

Chairman Walsh asked how the Creagh's feel about this project.

Ms. Creagh stated that the Town allows the College to have 2.4 acres across the property which allows this property to have 25 feet of frontage. She questioned who would be supervising the boats that are stored there.

Doug Moore, abutter, has mixed emotions about the project. He liked this area as his private sanctuary and with this proposal, there are going to be 120 kids around. He does want to support Hanover as he has children who attend Hanover High. He has concerns about car traffic around rush hour with around 30 cars a minute going through there between 6:30 a.m. and 8:00 a.m. He has concerns about the volumes of traffic around the worst time of day. He also has a motor boat and wondered about the increase in boat traffic. If he wants to water ski and move the boat

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quickly, he has difficulty in the no wake zone near the Ledyard Bridge so he avoids that and always travels north. Are they going to lose another 2 miles of river north- are they going to lose parking areas at the current landing? On a nice day the area is filled with trailers- is the parking going to be expanded and is this going to create an eyesore for the neighbor. He had concerns about noise. He has concerns about the hours. Are the times going to be changed to the afternoon because they are no longer impacted by Dartmouth's usage and schedule? Is this going to be more like a commercial presence with more rowing clubs? He doesn't know that he's in a position to stop it and he doesn't know that he wants to stop it.

Mr. Carpenter noted that there is a trail easement next to the water. He is assuming that this isn't an issue because the access is a roadway. The other idea of having an alternate access may not be feasible due to that easement.

Selectman Baschnagel stated that the Planning Board expressed concerns over the transfer of traffic.

Mr. Kermond stated that he felt that for the amount of time that they are in the water, he felt that the overlap should be manageable for co-existence.

Selectman Baschnagel asked about the hours that they are going to operate. Mr. Kermond stated that his sense is that this will give them the option of changing to an afternoon program. The ability to be able to go in the afternoon is something that they haven't had in the past. Their intention is to do some combination of both. Mr. Kermond stated that there is only one teacher within their coaching staff which provides certain limitations.

Selectman Baschnagel suggested that maybe one solution would be to have the Town lease a certain area south of the parking lot for the storage of the boats. Mr. Moore stated that he believes that the land just south of the docks is considered wetlands. Selectman Baschnagel felt that this was going to create a dangerous situation with others who may be dropping off boats or pickup trucks, etc. Mr. Kermond wondered if this would be an opportunity to create a two lane road.

Mr. Moore stated that he has spent a good deal of time in the inlet and felt that the engineers should take another look at the inlet and whether the dredging that they would need to do is a large area or not. Mr. Kermond stated that the rowing shell needs a minimum of 30' but they have not really explored the dredging option.

Ms. Creagh stated that from April 1 to June 1 the high school kids would be using the area. She questioned whether the storage racks would get used from June 1st to November 1st?

Mr. Kermond stated that the boats that the high school owns would be moved back up to the barn for winter storage. The community boats would be used for the summer and fall periods. There would be a combination of working boat house and storage boat house uses.

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Ms. Carter stated that the community program puts in half as many 8's in the summer and fall rowing seasons. Mr. Moore questioned whether there would be additional parking issues with all of the adults.

Chairman Walsh felt that the discussions indicate that there are a lot more discussions that need to take place. Chairman Walsh stated that it appears that there is an area that had a low intensity of use which is now looking at high intensity. He felt that there were some conversations that need to take place with their neighbors. He felt that it is a more difficult issue to get it right and it's worth taking the time to get it right. He can't think of alternatives in which they can try to accomplish this to meet the needs of the rowers, the neighbors, the traffic and the intensity change.

Mr. Kermond stated that they purchased the property from the College and they have a certain amount of time to make this happen and do not have an alternative. Mr. Kermond acknowledged that they do have more work to do.

5. RECOMMENDATION TO ADOPT ABATEMENTS AS RECOMMENDED BY THE ADVISORY BOARD OF ASSESSORS.

1. Mark Biles, 82 King Road, abatement in the amount of \$32,000.
2. Willis Labombard, 1 Gates Road, abatement in the amount of \$49,000.
1 Etna Highlands Road, abatement in the amount of \$33,600.
3. William & Sarah Young, 22 Rope Ferry Road, abatement in the amount of \$119,800.
4. Jeryl & Patricia Frankenfield, 89 Greensboro Road, abatement in the amount of \$13,900.
5. Vida Deming, 122 Lyme Road, abatement in the amount of \$23,900.
6. Robert Vashel, 30 Laramie Road, abatement in the amount of \$33,800.
7. Alan & Deborah Headrick, 5 Highland Avenue, \$100 refund for veteran tax credit retroactive to April 1, 2008.
8. Edwin Lord, 8 Pine Drive, abatement in the amount of \$17,400.
9. Mary Wojcik, 133 Lyme Road, abatement in the amount of \$18,500.
10. John & Jan Lovelace, 8 Lewin Road, abatement in the amount of \$149,500.
11. William Rosen, 201 Brook Hollow, recommendation to deny the abatement request.

Vice Chairman MOVED to adopt the abatements as recommended by the Advisory Board of Assessors. Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE ABATEMENTS AS RECOMMENDED BY THE ADVISORY BOARD OF ASSESSORS.

6. DISCUSSION REGARDING RIGHT-OF-WAY REQUIRED FOR POTENTIAL ROUNDABOUT AT 2 PARKWAY.

Ms. Griffin stated that the challenge is around the amount of additional right-of-way that a roundabout at this intersection would require. Dartmouth is looking for some sense from the Board as to whether they want to pursue a roundabout because they have someone interested in

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purchasing the property on the corner which would require a lot of the property to be removed. Mr. Kulbacki displayed two maps for the Board to review. The proposal is a two lane roundabout with some single lanes.

Chairman Walsh asked whether it made sense to move the roundabout to avoid the issues with the property in question. Selectman Baschnagel asked whether Dartmouth was looking for them to eliminate or decrease the impact to the property in question. Paul Olsen, Dartmouth Real Estate Office, stated that he was trying to find a way to carve off another area so that this area is not affected. Mr. Olsen stated that there is a lot of slope and to push it substantially in the other direction would need to happen. From what he has heard so far, it doesn't work without having a major impact on one of the other corners. Selectman Baschnagel felt that there was room to move in another direction.

Ms. Griffin asked about the impact on the other side of the road. Mr. Kulbacki stated that there would be ledge to deal with. Chairman Walsh asked why they aren't looking at the other options. Ms. Griffin stated that if the Board wants to continue with the roundabout option at the intersection and they are comfortable in changing it a little bit, they could look at the design and construction to see what modifications could be done.

Chairman Walsh asked if the Board felt that the roundabout is still a good option. Selectman Rassias was concerned about bicyclists making 90 degree turns traveling south on Route 10. Selectman Baschnagel stated that part of his concern is that in the course of doing traffic studies with college development in the Medical School area, the argument was made that you could make a series of left turn lanes to accommodate traffic into Dewey Field. He noted that everything they have been doing pushes traffic off Park Street and the roundabout seems to be a more forgiving design than new traffic signals in that area. Mr. Kulbacki noted that the light in that intersection is going to fall down soon.

Selectman Christie is a fan of roundabouts but he recalled from the last discussion that this is going to create traffic problems further down the road. Vice Chairman Connolly stated that she assumed that a roundabout was inevitable when the Life Sciences building was approved. She would like to see it executed as soon as the Life Sciences building is completed. Selectman Rassias asked about further ideas about getting bicyclists around the roundabout. Mr. Kulbacki stated that it appears that bicycles can make a faster run through a roundabout than a car. Chairman Walsh would like to see a robust 2 lane roundabout with minimizing the impact on the house at 2 Parkway. Chairman Walsh would like for Peter Kulbacki to go back to the drawing board considering the needs of the landowner.

Paul Olsen asked who would be building the roundabout and what the schedule would be. Ms. Griffin stated that the Town itself would be building the roundabout with funds from Dartmouth for the signal replacement being used for this project. Mr. Kulbacki will have to provide final cost estimates. Ms. Griffin stated that the state of the current signal needs to be addressed sooner rather than later. Chairman Walsh suggested that they come to the Board with this included in next year's budget. Mr. Kulbacki will look at this project again trying to move it southwesterly. Chairman Walsh wanted to know what the difference in cost is going to be for the suggestions to be implemented.

Paul Olsen noted that they have a party that is really ready to go and have been very patient. Chairman Walsh stated that the Board is unable to make a decision without knowing what the costs are going to be. Paul Olsen stated that the property is worth a lot of money and he doesn't feel that the Town wants to pay the cost for the loss of that property.

Mr. Kulbacki stated that they could get a feeling for whether this could be done within a month's time.

7. RECOMMENDATION TO AUTHORIZE TOWN MANAGER TO ACCEPT SIDEWALK EASEMENT DEED ON RESERVOIR ROAD AND LYME ROAD.

Ms. Griffin reported that this is a very straightforward easement.

Vice Chairman Connolly MOVED to authorize the Town Manager to accept the sidewalk easement deed on Reservoir Road and Lyme Road. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN MANAGER TO ACCEPT THE SIDEWALK EASEMENT DEED ON RESERVOIR ROAD AND LYME ROAD.

8. APPOINTMENTS:
- Sustainable Hanover Committee

Vice Chairman Connolly MOVED to change the name of the Hanover Recycling Committee to the Sustainable Hanover Committee and to appoint Larry Litten and Chris Soderquist to that Committee. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO CHANGE THE NAME OF THE HANOVER RECYCLING COMMITTEE TO THE SUSTAINABLE HANOVER COMMITTEE AND TO APPOINT LARRY LITTEN AND CHRIS SODERQUIST TO THAT COMMITTEE.

Larry Litten thanked the Board for their support and movement in the right direction. He also thanked Julia Griffin for her tremendous work in this area.

9. BANNER REQUESTS/STREET CLOSURE:
- Howe Library
- Farmer's Market
- StreetFest

Vice Chairman Connolly MOVED to approve the banner requests/street closure for the Farmer's Market and StreetFest. Selectman Baschnagel SECONDED the motion.

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THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUESTS/STREET CLOSURE FOR THE FARMER'S MARKET AND STREETFEST.

Chairman Walsh stated that the Howe Library's banner request was a significant expansion over what they have had in the past. Ms. Griffin stated that their standard policy was to have the banner displayed for one week but if there was additional time in the span that they requested they might be able to put it up again. Chairman Walsh stated that having the sidewalk banners on a more permanent basis is good but he's not sure about a banner across the street for a longer period of time. Chairman Walsh was fine with the idea of having the banner displayed for a week and then an additional week later on. Vice Chairman Connolly doesn't feel it is appropriate for more than a week at a time.

THE BOARD VOTED UNANIMOUSLY IN FAVOR TO APPROVE THE BANNER REQUEST FOR HOWE LIBRARY.

10. APPROVAL OF MINUTES:
- March 9th, 10th and 23rd, 2009

Chairman Walsh MOVED to approve the Minutes of March 9th & 10th, 2009. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF MARCH 9TH & 10TH.

Selectman Baschnagel MOVED to approve the Minutes of March 23, 2009. Selectman Rassias SECONDED.

THE BOARD VOTED 3 IN FAVOR, 2 ABSTAINED TO APPROVE THE MINUTES OF MARCH 23, 2009. (Chairman Walsh and Selectman Christie abstained from the vote.)

11. ADMINISTRATIVE REPORTS.

There were no Administrative Reports.

12. SELECTMEN'S REPORTS.

Athos Rassias

Selectman Rassias reported that the Hanover Bike & Pedestrian Committee met last week. They are working on a proposal for educational material for upcoming potential changes to signage for bikes and street traffic. This information would include an introduction to the Sharrow which are the road markings used to indicate a shared road for bicycles and vehicles.

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Selectman Rassias also reported that the Howe Library held a wine tasting with music playing on the second floor of the Howe. It was very well attended and there is talk of doing this again in the future.

13. OTHER BUSINESS.

There was no Other Business reported.

14. ADJOURNMENT.

Selectman Baschnagel MOVED to adjourn the meeting. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:24 P.M.

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Vice Chairman MOVED to adopt the abatements as recommended by the Advisory Board of Assessors. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADOPT THE ABATEMENTS AS RECOMMENDED BY THE ADVISORY BOARD OF ASSESSORS.

2. **Vice Chairman Connolly MOVED to authorize the Town Manager to accept the sidewalk easement deed on Reservoir Road and Lyme Road. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN MANAGER TO ACCEPT THE SIDEWALK EASEMENT DEED ON RESERVOIR ROAD AND LYME ROAD.

3. **Vice Chairman Connolly MOVED to change the name of the Hanover Recycling Committee to the Sustainable Hanover Committee and to appoint Larry Litten and Chris Soderquist to that Committee. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO CHANGE THE NAME OF THE HANOVER RECYCLING COMMITTEE TO THE SUSTAINABLE HANOVER COMMITTEE AND TO APPOINT LARRY LITTEN AND CHRIS SODERQUIST TO THAT COMMITTEE.

4. **Vice Chairman Connolly MOVED to approve the banner requests/street closure for the Farmer's Market and StreetFest. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUESTS/STREET CLOSURE FOR THE FARMER'S MARKET AND STREETFEST.

THE BOARD VOTED UNANIMOUSLY IN FAVOR TO APPROVE THE BANNER REQUEST FOR HOWE LIBRARY.

5. **Chairman Walsh MOVED to approve the Minutes of March 9th & 10th, 2009. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF MARCH 9TH & 10TH.

6. **Selectman Baschnagel MOVED to approve the Minutes of March 23, 2009. Selectman Rassias SECONDED.**

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THE BOARD VOTED 3 IN FAVOR, 2 ABSTAINED TO APPROVE THE MINUTES OF MARCH 23, 2009. (Chairman Walsh and Selectman Christie abstained from the vote.)

7. **Selectman Baschnagel MOVED to adjourn the meeting. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:24 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

March 23, 2009

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 Vice Chairman Kate Connolly. Present were: Katherine Connolly, Vice Chairman, Bill Baschnagel, Selectman; Athos Rassias, Selectman and Julia Griffin, Town Manager. Absent: Brian Walsh, Chairman and Peter Christie, Selectman.

1. PUBLIC COMMENT.

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

2. RECOMMENDATION TO SET PRE-TOWN MEETING PUBLIC HEARING ON MONDAY, APRIL 6th, 2009 TO REVIEW AND APPROVE THE PROPOSED WARRANT FOR 2009 TOWN MEETING.

Ms. Griffin reported that she finished the draft for the Warrant this afternoon. There is one more item to add regarding the Affordable Housing Commission which she needs to confirm with Walter Mitchell. There is still opportunity for additional articles to be added by petition. Ms. Griffin noted that there are two items from the Conservation Commission.

Selectman Baschnagel MOVED to Set the Pre-Town Meeting Public Hearing on Monday, April 6, 2009 to Review and Approve the Proposed Warrant for 2009 Town Meeting. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO SET THE PRE-TOWN MEETING PUBLIC HEARING ON MONDAY, APRIL 6, 2009 TO REVIEW AND APPROVE THE PROPOSED WARRANT FOR 2009 TOWN MEETING.

3. RECOMMENDATION TO SET A PUBLIC HEARING ON MONDAY, APRIL 6th, 2009 TO CONSIDER MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY.

Ms. Griffin stated that her plan is to have two public hearings in April as a precursor for the question on the Warrant at Town Meeting as to whether they should pursue municipalization of the Hanover Water Works Company. State Law requires that when you seek to municipalize a utility, it must be done over two Town Meetings. Ms. Griffin stated that they would hold a special Town Meeting in the fall. Ms. Griffin stated that she provided her draft of Frequently Asked Questions to the Board for their review or comments. If Town Meeting says "Yes" they will finalize the terms of agreement with the College and brief the Public Utilities Commission. She noted that Dartmouth would need to seek approval from the Attorney General's Office, Division of Charitable Trust because they are a 501(c) 3 and they would be granting the assets to the Town, they need to make sure that the AG's office is comfortable with the terms of the

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transaction. The second vetting would need to seek approval of the Board of Trustees and then plan to have its own special Town Meeting in September or October.

Ms. Griffin stated that Peter Christie has reviewed the draft of Frequently Asked Questions and the Water Works Company has reviewed this twice. Vice Chairman Connolly felt that with all of the proposed hearings, the residents will be well informed. She felt that it is an excellent and a safe proposal for the Town. Ms. Griffin noted that even with approval, this wouldn't happen until July 1, 2010. Ms. Griffin stated that they would need a special piece of legislation that would enable the utility to make a payment in lieu of tax to the General Fund. Currently the Water Company pays taxes to the General Fund.

Selectman Baschnagel MOVED to Set the Public Hearing for Monday, April 6, 2009 to Consider Municipalization of the Hanover Water Works Company. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO SET THE PUBLIC HEARING FOR MONDAY, APRIL 6, 2009 TO CONSIDER MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY.

4. RECOMMENDATION TO SET A PUBLIC HEARING ON MONDAY, APRIL 27th, 2009 TO CONSIDER AND APPROVE THE PROPOSED HOUSING FUND BUDGET FOR FY2009-2010.

Selectman Baschnagel MOVED to Set a Public Hearing on Monday, April 27, 2009 to Consider and Approve the Proposed Housing Fund Budget for FY 2009-2010. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING ON MONDAY, APRIL 27, 2009 TO CONSIDER AND APPROVE THE PROPOSED HOUSING FUND BUDGET FOR FY 2009-2010.

Selectman Baschnagel noted that he will not be present for that meeting.

5. STATE FISCAL UPDATE.

Ms. Griffin stated that after the Board's last meeting, she headed to testify at the House Ways and Means Committee meeting in Claremont. At that time they had the knowledge that the Governor chose to reinstate the funding for the Rooms & Meals Tax. She noted that the House Committee members listened to 4 hours of testimony from municipalities and social service agencies. She stated that her understanding is that the House Finance Committee voted to restore funding for revenue sharing which is another \$193,000/year but they also voted to reduce the State Retirement contribution for Group II and Teachers from 35% to 30% for the next fiscal year and then from 30% to 25% in the year after that. Selectman Rassias asked what this meant for the Town's budget. Ms. Griffin stated that this would be a \$60,000 to \$75,000 hit for the Town to take up. Selectman Baschnagel asked whether it was suggested to have more municipal

representation. Ms. Griffin stated that there were a number of companion bills in the legislature; one would allow municipalities to withdraw from the NH Retirement System and shift into an alternative retirement system; one that would cap compensable salaries that would not include overtime; one that would change the retirement age for Group II employees from 45 and 20 years to age 50 and 25 years; one would require Board members have extensive experience in managing investments before they could be appointment. She reported that none of those bills were going anywhere; they were either voted to be inexpedient or tabled. Ms. Griffin stated that none of the Town's representatives were on this committee. Ms. Griffin stated that she communicated to their Representatives that they appreciate revenue sharing but they don't think that the State can continue to reduce the contributions to the Retirement System.

Ms. Griffin stated that the Finance Committee made it clear that they wanted to reduce the State's contribution to 0 for Group II and Teacher's retirements over a period of 7 years at 5% per year. Ms. Griffin stated that the Teacher's contribution is the lion's share of the expense that the State incurs. Vice Chairman Connolly stated that the requirement on the part of the State is that they are to contribute 35%. Ms. Griffin stated that there are 2 House Bills. The second House Bill would allow for the changes to the laws in order to accommodate the reduction of the State's contribution requirement.

Selectman Baschnagel stated that this creates a State unfunded mandate. Ms. Griffin stated that labor has had a lot of representation on the Board and there has been instability of leadership and lack of objectivity on the part of the Board. Ms. Griffin stated that the Retirement Board sets the requirements for the retirement contributions from the Town. Ms. Griffin stated that the fund is in trouble and is currently at 60% for its retirement obligations.

Ms. Griffin stated that the House Ways and Means Committee and House Representative Almy (Lebanon) felt that the State can't afford to reinstate Rooms & Meals or revenue sharing in spite of what the Finance Committee has voted to do. The figures that they are working with indicate that the deficit is worse than originally reported. Vice Chairman Connolly stated that the rationale that she heard regarding Rooms & Meals was that the State received stimulus money to add to the education fund which allows for the Rooms & Meals tax to be reinstated. Ms. Griffin stated that their concern is that the revenues are worse than projected in February.

Ms. Griffin also reported that they are also looking at opportunities to receive money from the stimulus program and are looking at the Byrne program which is part of the Department of Justice and it appears that the Town is eligible for \$16,000 for the Police Department for a number of types of law enforcement and crime reduction opportunities. The application is due mid May.

Ms. Griffin reported that she filed an application today to the Public Utilities Commission (PUC) to apply for the Greenhouse Gas Initiative money. Companies sell their ability to generate Greenhouse Gases in exchange for reducing their output and the State has between \$4.5 - \$6.5 million in grant funds available. Ms. Griffin stated that they are putting together proposals including alternative heating systems and possibly removing the brick and replacing the insulation for Town Hall. Ms. Griffin stated that they are also finalizing the application through Underwood (Wastewater Engineers) to fund part of the WWTP projects approved last April.

Ms. Griffin stated that one thing that is interesting is that there was one city eligible for substantial wastewater stimulus funds; they bid the project and then bid it with the federal procurement projects and the price differential was \$4 million. The way the stimulus funding will flow to cities and towns is not an outright grant but a break on the loan. The state is injecting money into the revolving loan fund which offsets the payment due each year. Some communities found that with the federal requirements, even with the 20% payment reductions, it is more expensive to do the projects with the stimulus money than without. The Town will need to bid the projects with and without the stimulus funding to see if it is beneficial.

6. RECOMMENDATION TO ADOPT RESOLUTION AUTHORIZING THE TOWN MANAGER TO FILE APPLICATION FOR STATE REVOLVING LOAN FUNDS FOR WATER RECLAMATION PROJECTS APPROVED BY 2008 TOWN MEETING.

Ms. Griffin stated that this is a \$6 million dollar, 15 year loan through the State Revolving Loan fund that will fund a series of projects that were approved last year at Town Meeting. Ms. Griffin gave an overview of the projects involved and the associated costs.

Selectman Baschnagel MOVED to Authorize the Town Manager to File Application for State Revolving Loan Funds for Water Reclamation Projects Approved by 2008 Town Meeting. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN MANAGER TO FILE APPLICATION FOR STATE REVOLVING LOAN FUNDS FOR WATER RECLAMATION PROJECTS APPROVED BY 2008 TOWN MEETING.

**7. BANNER REQUEST:
- Prouty Banner**

Selectman Rassias asked whether the poles will be available. Ms. Griffin stated that they have worked out a deal with the company to be billed for the poles after July 1 but they will ship them early.

Selectman Baschnagel MOVED to Approve the Banner Request for the Prouty. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE PROUTY.

**8. APPROVAL OF MINUTES:
- March 9th and 10th, 2009**

Vice Chairman Connolly deferred the Approval of the Minutes to the next Board meeting.

9. ADMINISTRATIVE REPORTS.

Ms. Griffin stated that there was nothing else to report other than she is preparing the Warrant and background information for the Town Report.

10. SELECTMEN'S REPORTS.

Athos Rassias

Selectman Rassias reported that the Howe Library had a meeting in which they discussed the Hanover Town budget and the impact on the library. There were discussions regarding development of library funding.

Selectman Rassias announced that there will be a wine tasting this coming Friday at 7:00 p.m. at the Howe Library.

Selectman Rassias also reported that the Hanover Bike & Pedestrian Committee also had a meeting. It was an informal meeting where they discussed upcoming priorities.

Bill Baschnagel

Selectman Baschnagel reported that the Planning Board met and a site plan review was postponed. The rest of the meeting was used to discuss the residential initiative and review of non-conformance law. He stated that this was the first time that the Board had a broader discussion regarding the residential initiative.

Selectman Baschnagel reported that the Conservation Commission met. The Hanover Conservation Council is spearheading an effort to bring in the Lebanon Conservation Commission and the Hanover Conservation Commission to establish a community forest in the area of Route 120. He noted that timing will be an issue because the current study that the Hanover Commission is having done will not be complete until the end of the summer.

Selectman Baschnagel reported that the Upper Valley Transportation Advisory Committee met and noted that \$3.9 million of the stimulus funding will go into transportation enhancements. The transportation projects are huge and have gone unfunded for a number of years. They will go through the existing list and see how much the funding will cover. They have also committed to opening the project for FY 2010 for new projects. Vice Chairman Connolly asked whether Hanover has anything on the list. Selectman Baschnagel stated that Hanover does not and Ms. Griffin noted that Lebanon did. Ms. Griffin stated that the Route 4 bridge will be replaced. Selectman Baschnagel stated that Lebanon has items on the list including major repairs to Mechanic Street. He noted that the EPA has directed Lebanon to dig up Mechanic Street to finish up the separation of sewer and storm water before 2013. The TAC has tried to suggest that Department of Transportation wait on this so that they aren't tearing up this area twice. The EPA is ready to take Lebanon to court over this.

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Selectman Baschnagel reported that the State has a program for highway safety improvements for areas that are particularly accident prone. He stated that they were given maps to review that were color coded and marked with letters but there was no explanation as to what these maps were for. They provided feedback to the State that additional information was needed in order for them to comment on this but they are looking for potential projects.

Kate Connolly

Vice Chairman Connolly reported that she attended the Committee for Government Affairs and the NH Municipal Association felt that the legislators are not hearing from their constituents; there appears to be a disconnect. Vice Chairman Connolly also attended a meeting on the 11th in which they needed to express whether they supported or did not support the NHMA's position on various items. The suggestion that the NHMA be opposed to gambling became an issue for the Towns of Hinsdale, Salem, Seabrook and Berlin who were all in support of the gambling legislation. This item was tabled. The Rooms & Meals Tax was safe at the time of discussion but that has changed. The NHMA doesn't feel that they have the support that they need.

Selectman Baschnagel stated that part of the problem is the relatively poor coverage in the media and other concerns for Towns that this is not at the top of the list. Ms. Griffin stated that for communities that are larger and have a Town Manager, they can call their representatives to let them know of their concerns but for those communities that are being run by the Selectmen, they don't see the representation. It is a challenge for smaller communities to stay in touch with what is going on.

11. OTHER BUSINESS.

There was no Other Business reported.

12. ADJOURNMENT.

Selectman Baschnagel MOVED to adjourn the meeting. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN AT 8:10 P.M.

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Selectman Baschnagel MOVED to Set the Pre-Town Meeting Public Hearing on Monday, April 6, 2009 to Review and Approve the Proposed Warrant for 2009 Town Meeting. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO SET THE PRE-TOWN MEETING PUBLIC HEARING ON MONDAY, APRIL 6, 2009 TO REVIEW AND APPROVE THE PROPOSED WARRANT FOR 2009 TOWN MEETING.

2. **Selectman Baschnagel MOVED to Set the Public Hearing for Monday, April 6, 2009 to Consider Municipalization of the Hanover Water Works Company. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO SET THE PUBLIC HEARING FOR MONDAY, APRIL 6, 2009 TO CONSIDER MUNICIPALIZATION OF THE HANOVER WATER WORKS COMPANY.

3. **Selectman Baschnagel MOVED to Set a Public Hearing on Monday, April 27, 2009 to Consider and Approve the Proposed Housing Fund Budget for FY 2009-2010. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING ON MONDAY, APRIL 27, 2009 TO CONSIDER AND APPROVE THE PROPOSED HOUSING FUND BUDGET FOR FY 2009-2010.

4. **Selectman Baschnagel MOVED to Authorize the Town Manager to File Application for State Revolving Loan Funds for Water Reclamation Projects Approved by 2008 Town Meeting. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN MANAGER TO FILE APPLICATION FOR STATE REVOLVING LOAN FUNDS FOR WATER RECLAMATION PROJECTS APPROVED BY 2008 TOWN MEETING.

5. **Selectman Baschnagel MOVED to Approve the Banner Request for the Prouty. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE PROUTY.

6. **Selectman Baschnagel MOVED to adjourn the meeting. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN AT 8:10 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

March 10, 2009

7:00 P.M. – MUNICIPAL OFFICE BUILDING – HANOVER NH

The meeting of the Board of Selectmen was called to order at 7:00 p.m. by Chairman Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman, Peter Christie, Selectman; Bill Baschnagel, Selectman; Athos Rassias, Selectman and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

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

2. 4th BUDGET HEARING

- Budget Adoption – Review of Budget Strategies

Chairman Walsh stated that they had tasked Ms. Griffin and Ms. McClain to work on a list of potential revenue increases or decreases in expenses based on the budget information that they had and the budget discussions that have already taken place. Chairman Walsh reported that the assumption they are making is that they will receive the revenues that they traditionally receive from the State.

Ms. McClain advised that for the General Fund tax rate, the current tax rate is \$3.78 per \$1,000 of assessed value after the first group of suggested budget changes. A 5% tax rate increase, as originally presented in the budget binders, would result in a tax rate of \$3.96 per \$1,000. Ms. McClain stated that she provided a new comprehensive list of the budget cuts and divided them into different categories. Category A is the easiest of the cuts including corrections such as the use of gallons of heating oil which would save \$6,000. There was an adjustment of \$30,000 for an overstatement to the bridge replacement and capital reserve. They reduced building permit revenue by \$100,000 and increased Social Service Agency funding to a 10% increase from last year's level which doesn't include the special warrant articles. The flat 10% from 2009 to 2010 will add an additional \$5,626 of expense to the proposed budget. Ms. McClain noted that the Tier 1 and Tier 2 cuts in the original budget material amounted to roughly \$183,000. These cuts would allow for the Town to continue providing residents with the same level of service. The Tier 4 cut was a reduction in heating oil and she noted that Frank Austin is working with a broker that is quoting less than \$3/gallon which realizes a savings and moves this expense reduction up to the top tier.

Ms. McClain reported that Town Assessor, Mike Ryan, is now comfortable in moving the overlay down to \$30,000. There are proposed reductions in the Ambulance Fund which reduces the per capita fee which will result in a savings of approximately \$1,500. Ms. McClain noted that if they increase the non-resident fee for the library as proposed, it would result in an increase of \$1,500 in revenue.

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Ms. McClain stated that with all of the proposed cuts in Group 1, they are looking at a 3.4% tax increase. Ms. Griffin noted that they looked at additional cuts to get the tax rate under 3%.

Chairman Walsh asked the Board whether it seemed reasonable to reduce their building permit revenue by such a large amount. Selectman Baschnagel reported that there is someone who has purchased the hotel property and the rights to build on that area. Ms. Griffin stated that the new company is 99.9% sure that they are going forward but this was the case with the last company that fell through. Ms. Griffin stated that the Olympia project was estimated to bring in about \$45,000 in permit revenue and the Visual Arts Center was about \$116,000 in permit revenue. Ms. Griffin felt that the \$100,000 reduction was appropriate.

Selectman Baschnagel asked about the 10% for the Social Service agencies. Ms. McClain explained the rationale for the figure to come to \$5,626. One of the agencies did not ask for funding, others will appear as separate Warrant Articles and are not built into the proposed budget.

Selectman Christie asked about the broadband initiative change. Ms. McClain stated that this was a proposal to engage a consultant to work more aggressively to secure broadband service for the rural residents. Selectman Christie confirmed that this was entirely a Town level effort. Ms. McClain noted that their franchise fee revenue is coming up slowly and could be used toward this effort. It is one of the proposed Tier 1 cuts.

Selectman Rassias asked about how the Tier levels were chosen. Ms. Griffin stated that the Tier 1 cuts were things that she and Ms. McClain cut from the budget in the first round of review.

Vice Chairman Connolly asked about the reduction in the highway winter maintenance supplies in DPW and whether this was really a good thing to do. Ms. Griffin stated that it's a total guess. Vice Chairman Connolly expressed concern over reducing this area.

Selectman Baschnagel asked about the undesignated fund balance and the percentages that are in there now. Ms. McClain advised that it is 5.8% for the General Fund.

Selectman Christie wanted to see how the tax rate affected each Fire District. Chairman Walsh suggested handling the Fire Fund and then proceed to add the General Fund tax increase.

Fire District Tax Rate Calculation

Ms. McClain referred to the information sheet she had provided to the Board and noted that the starting point for changes to the proposed budget was the utilization of \$100,000 from the undesignated fund balance which will be 10.3% after that withdrawal. Ms. McClain noted that they realized they were over reserving in the Fire Department equipment reserve by \$42,000. There was a conversation regarding overtime in the Fire Fund and it was decided to reduce that item by \$20,000. There were discussions regarding the reduction in the number of new personnel from 4 to 3 including call force and retirements saving \$5,310. There was the discussion regarding the reduction of the professional development account in the amount of

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\$2,000. Ms. McClain included the Midwestern NH Hazardous Materials Response Team dues of \$2,000 which had been waived for this year.

Ms. McClain reported that with all of the reductions, the full impact would be \$1.41 for Fire District #1, \$1.04 for Fire District #2 and \$.52 to Fire District #3. Ms. McClain noted that they did receive some savings in the fire hydrant fees. Selectman Christie was trying to get an average for these figures.

Chairman Walsh asked Fire Chief Bradley if they make these changes whether it will risk the safety of the people in the Town of Hanover. Chief Bradley indicated that it would not and he reiterated that it will be challenging to meet this standard but they will do everything they can to meet that. Chairman Walsh expressed his appreciation for their efforts.

Chairman Walsh moved on to the Ambulance Fund. Ms. McClain stated that the Ambulance Fund budget was presented with a 4.7% increase in the per capita charge. The per capita charge is charged to Hanover, Lyme and Norwich. The Select Board suggested looking at delaying the purchase of the infant training mannequin and other minor reductions to move the 4.7% increase to a 3.78% increase. They can look at additional cuts by eliminating EMT certification training but the Board recommended keeping that in. Chairman Walsh wasn't sure that the cuts were worth going through for \$1,528. He didn't want to cut into training for EMTs. Vice Chairman Connolly agreed with Chairman Walsh's assessment.

Selectman Baschnagel asked about bringing the 10.54% down to 10% for the undesignated fund balance. Ms. McClain stated that the .54% would amount to \$3,400. Chairman Walsh suggested funding the training mannequin out of undesignated fund balance and cut the other items recommended to reach a 3.78% increase in the per capita charge. The Board agreed unanimously to the approach proposed by Chairman Walsh.

Vice Chairman Connolly would like a list of fire trucks and when they were purchased and where they are for future budgets. Ms. Griffin noted that for FY 2016/2017, they will need to make a decision whether they want to bump up the reserve so that in 2041 they can fully fund the Tower from the reserve.

Selectman Christie asked where the budget sits when they stop at the first level of cuts proposed for combined fire and general fund taxes. Ms. McClain reported that Fire District #1 goes from a current rate of \$5.39 to \$5.36. She noted that 70% of the tax base are going to see a tax reduction. Chairman Walsh wanted to see what the figures would have been if they had not phased in the Fire District Tax over 5 years. Ms. McClain stated that it is a presentation issue since residents in Districts #2 and #3 are not going to see the savings because their rates are going to go up as part of the phase-in.

Selectman Christie stated that the combined rate is basically at 0% and suggested that they consider looking at delaying the Lyme Road improvements. Chairman Walsh asked about the lights around the Green and whether the College is going to go ahead. Ms. Griffin stated that it is their intention to do the work so the \$25,000 will be left in.

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Vice Chairman Connolly asked about the reduction in advertising. Ms. Griffin stated that they would run an advertisement fewer times and use smaller display ads for their meeting agendas. Selectman Baschnagel stated that the communities that summarize their agendas, it is unclear what it going on. If they are interested in citizen participation, they need to review this carefully. Chairman Walsh said "No" for this item right now. Chairman Walsh felt that they should say "No" to the \$5,000 reduction to the contribution to the property revaluation Capital Reserve Fund.

Vice Chairman Connolly would like to leave the Lyme Road improvements in while they have the chance. Peter Kulbacki stated that some of the improvements for the Curtiss Road area and The Greens include enhancements to sidewalks, etc. Mr. Kulbacki stated that the concept assumes Rivercrest will move forward. Selectman Rassias asked about the sidewalk from the Co-op to the Richmond School. Mr. Kulbacki stated that the \$80,000 would get them that far but there is funding available from The Greens and Curtiss Road projects which were part of the site plan approval. Selectman Baschnagel felt that completing just this portion would be a step in the right direction. Ms. Griffin noted that it appeared that they could possibly reduce this amount by 50% assuming that the rest of the work would be funded by construction revenue.

Selectman Baschnagel suggested dropping the amount down by half. Chairman Walsh felt that the work should be done from the Co-op to the Middle School. Selectman Rassias stated that part of the issue is children getting to the Middle School. Ms. Griffin suggested leaving the full amount in the budget. Chairman Walsh would like it done right or not at all but there are public safety issues involving bicycles and children. The Board decided to stay at \$80,000 to fund this project.

Chairman Walsh asked about the retaining wall and whether this was going to be a problem for the next 12 months. Mr. Kulbacki advised that it would probably remain as is for the next year. Selectman Baschnagel stated that there are issues surrounding this retaining wall which needs to be taken care of. Selectman Christie felt that the Board has reached their tax rate target by cutting items through Category C on the distributed schedule.

Selectman Christie MOVED to create a budget with the proposed cuts as discussed in Categories A, B & C. Chairman Walsh SECONDED the motion.

Ms. White asked whether the increases for the Non-Resident Library fees would include senior citizens. Ms. McClain stated that her figures include an increase in all figures. Ms. White reported that the senior fee is currently \$80. Chairman Walsh didn't feel that it would create a problem to not increase the senior fee and would like to assume \$120 for all other Non-Resident membership fees.

Chairman Walsh asked to have Ms. McClain to write up where the tax rate ended up. The table appeared as follows:

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<u>FY 2010</u>		<u>FY 2009</u>		
Fire District #1				
Fire Fund	\$1.46	Fire Fund	\$1.61	
Municipal Rate	<u>\$3.90</u>	Municipal Rate	<u>\$3.78</u>	Average -.56%
Total	\$5.36	Total	\$5.39	
<u>FY 2010</u>		<u>FY 2009</u>		
Fire District #2				
Fire Fund	\$.92	Fire Fund	\$.86	
Municipal Rate	<u>\$3.90</u>	Municipal Rate	<u>\$3.78</u>	Average +3.88%
Total	\$4.82	Total	\$4.64	

Bill Garrity, Finance Committee noted that they were looking at the figures and this appears to be in keeping with Finance Committee expectations. The Finance Committee will meet again next week.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BUDGET WITH THE PROPOSED CUTS AS DISCUSSED IN CATEGORIES A, B & C.

3. ADMINISTRATIVE REPORTS.

Ms. Griffin had nothing new to report.

4. SELECTMEN'S REPORTS.

The Board members had nothing new to report.

5. OTHER BUSINESS.

Chairman Walsh stated that the Water Company issue will be brought forward at Town Meeting and wanted to know how the residents were going to be notified. Ms. Griffin stated that they just finalized the frequently asked questions and she is finalizing a schedule of key dates between now and Town Meeting. The first public hearing will be held on April 6th for the Pre-Town Meeting. The questions will be whether the Town shall pursue municipalization of the Water Company. They will need to set a Special Town Meeting date in late September to ask whether they should municipalize.

Selectman Baschnagel reported that the Parking & Transportation Board met this afternoon and discussed the shuttle operation. A survey was done regarding ridership and it shows that there are peaks in the morning for those getting on at Thompson or Dewey Field. Selectman Baschnagel reported that the single bus will run between 10:00 a.m. and 2:30 p.m. They are focusing on this year's budget and it may not be a permanent thing. In the winter, if it turns out that they want to reverse this, the Parking Fund budget could probably keep it running during the winter term.

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Selectman Baschnagel also reported that The Farmer's Market will take place on The Green. Ms. Griffin reported that it will not take place on The Green during the first two weeks in June and the last two weeks in September. They are looking at the possibility of closing down College Street. Lt. Evans is working with Sally Wilson regarding the layout.

6. ADJOURNMENT.

Selectman Baschnagel MOVED to adjourn the meeting. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 8:20 P.M.

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Selectman Christie MOVED to create a budget with the proposed cuts as discussed in Categories A, B & C. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BUDGET WITH THE PROPOSED CUTS AS DISCUSSED IN CATEGORIES A, B & C.

2. **Selectman Baschnagel MOVED to adjourn the meeting. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 8:20 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

March 9, 2009

7:00 P.M. – MUNICIPAL OFFICE BUILDING – HANOVER NH

The meeting of the Board of Selectmen was called to order at 7:00 p.m. by Chairman Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman, Peter Christie, Selectman; Bill Baschnagel, Selectman; Athos Rassias, Selectman and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

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

2. PUBLIC HEARING FOR CONSIDERATION AND APPROVAL OF MODIFICATIONS TO THE FY 2008-2009 RATE AND FEE SCHEDULE.

Chairman Walsh opened this item and announced that this would be discussed after the budget hearings.

Chairman Walsh advised that the Selectman's Advisory Committee made a recommendation regarding the Downtown Business District Tax to reduce it from \$50,000 to \$25,000. Vice Chairman Connolly asked whether reducing the tax by this amount would have a negative impact. Chairman Walsh reported that the comment made by the committee was that it should not have a negative impact on marketing and would be helpful to the merchants. Ms. Griffin referred to a memo from Jim Rubens which noted that they had an unexpended fund balance carryover of \$16,435.

Chairman Walsh asked about the proposed rate and fee schedule. Mr. Tenney noted that there is a recommendation to increase the playground program fee. The morning session is actually 6 weeks long and there is a 1 week Quest camp. Most of the people in the community are gone that last week so they wanted to change it to a 6 week program. Mr. Tenney noted that there is a proposed increase in the playground summer camp with a larger increase for the non-resident participants. Mr. Tenney gave an overview of the other programs and proposed rate & fee changes. Ms. Griffin noted that the Quest is a week long field trip camp. Mr. Tenney noted that the Recreation Center changes included in Category #5 would be a change in fees for Fundraising Events.

Chairman Walsh asked for an update on the request for the fingerprinting fee. Ms. Griffin noted that the police department is seeing an increase in the number of people requesting fingerprints and the number of cards. The request is for \$20 for the first two cards and \$5 for each additional. Selectman Baschnagel asked about the uses for the cards.

Elizabeth Rathburn, PD Administrative Assistant, reported that there are people coming in for multiple cards for various reasons including nursing licenses, security clearances and it is a very

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time consuming process when a person comes in for more than two cards. Lebanon PD only handles Lebanon residents or businesses and refer all others to Hanover PD. Sheryl Tallman and Elizabeth Rathburn are trained in providing this service to respond to the demand.

Chairman Walsh suggested revisiting this issue in June to determine whether the amount should be increased from \$5.00 for each extra card.

Vice Chairman Connolly MOVED to approve the proposed modifications to the FY 2008-2009 Rate & Fee Schedule. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE PROPOSED MODIFICATIONS TO THE FY 2008-2009 RATE & FEE SCHEDULE.

3. 3RD BUDGET HEARING

POLICE

Ms. McClain reported that the police department budget is looking at an increase of \$61,500 or 4.38%. The lion's share is an increase in salaries and benefits in the amount of \$59,000. The other piece of the increase is related to the charges from the Lower Grafton County Prosecutorial Association fee based on the case hours that the Prosecutor spends on the Hanover cases.

Chief Giaccone invited questions from the Board. Vice Chairman Connolly asked about the replacement of the 4 wheel drive vehicle with a pickup truck. Chief Giaccone reported that the Ford Expedition is beyond its proposed life cycle by 1 to 2 years. The goal was to find a vehicle with better gas mileage while accommodating the space needs that they have with the Expedition. Vice Chairman Connolly asked if the vehicle had to be used for an assortment of reasons including transport of non-police personnel. Chief Giaccone reported that this vehicle can carry passengers and there is a trunk in the bed of the vehicle which will provide additional storage. This vehicle is not used as often as the other cruisers and is not a general line cruiser. Ms. Griffin noted that the Board asked Frank Austin to look into options before purchasing this vehicle. Vice Chairman Connolly wanted to ensure that this vehicle was suitable to perform the functions needed in comparison to the other vehicle.

Selectman Christie asked about staffing. Chief Giaccone stated that the department is currently at full staff.

Selectman Baschnagel asked about the issues relative to the SOU (Special Operations Unit) and the liability issues. Chief Giaccone stated that he deferred the question with regard to liability to the liability carrier who then looked at the agreement. The liability carrier suggested some language changes to the agreement to reduce the liability to the Town.

Selectman Baschnagel asked about the "Light for Life" flashlights. Chief Giaccone stated that it is a flashlight that doesn't use any batteries and would have light for life or as long as they have the equipment.

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Selectman Baschnagel asked about the video surveillance system. Chief Giaccone noted that it was for the public safety facility. Ms. Griffin stated that the system at the station has outlived its useful life. Doug Hackett noted that the system has been down since July and they currently have a loaner.

Chairman Walsh would like to see in next year's budget the basis for the charges to the 20 to 25 other entities that the dispatch center dispatches for. He noted that it is an expansive area that the dispatch center handles.

Ms. Griffin noted that the Upper Valley Humane Society is no longer under the social service agencies but it is now in the police department's budget. Chairman Walsh stated that this was part of their policy of covering social service agencies in which the Town would be required to provide the service if the agency did not.

Chairman Walsh again stated that he is looking at the revenue from 2006 and the call volume and would like to see how this is distributed between all of the towns. Ms. Griffin noted that they have added towns to the dispatch center which inflates those figures but they can provide the Board with that information.

Chairman Walsh reported that Ms. McClain provided the Board with an overview of overtime accounts across the town and noted that the police department has overtime in the amount of \$152,000 which is flat against last year. He would like to request that since they are at full staffing, please work hard to keep the overtime down. Chief Giaccone noted that the outside billing is included so the real overtime piece is what is budgeted to cover shifts and the proposed is \$58,000 which is the same as the year before. Chief Giaccone stated that they still have 38% left in their overtime budget so they are right on track in the current fiscal year.

Chairman Walsh asked about contracted services \$9,000 increase in dispatch. Mr. Hackett stated that this is due to the first lease on the video system.

Mr. Hackett noted that there were questions about the dispatch capital reserve at the first budget meeting. He stated that they are looking at transitioning all of their radio systems by 2013. The police department and the fire department have received a large amount of money in a grant program but the fire department voting system (which listens to the base radios and gives the audio) is not compliant. The public works department has two bases which are not compliant. He is bringing this to their attention now because in two budget years, they need to replace \$90,000 worth of radios. Mr. Hackett reported that he received that figure today and wanted to make sure that they reserve enough money to anticipate this expenditure. The fire department has 22 radios which are not compliant. Chairman Walsh noted that this is an unfunded federal mandate. Mr. Hackett confirmed that this was the case and he will be looking for grant funding for this project.

Chairman Walsh noted that in looking at the statistics, he was wondering if there were any trends. Chief Giaccone noted that everything is pretty much the same except the names and faces. Chief Giaccone noted that last year they had only 17 DUI's and they have reached that number already in the current year. The patrol mileage and the fuel usage are consistent with

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being up to full staff. Chief Giaccone noted that being at full staff also gave them a boost in motor vehicle stops.

Vice Chairman Connolly asked about the (Uniform Crime Report) UCR. Chief Giaccone noted that the UCR code is a Uniform Crime Report which is used across the country to classify crimes and the dollar amounts that go with it.

Chairman Walsh asked about the asterisks that indicate the numbers are gone due to software upgrade errors and whether the figures were gone forever. Doug Hackett noted that the information is gone forever but he will have 2009 data in next year's budget. Those figures will remain missing in those columns in future budgets.

Selectman Christie asked about the increase in the budget compared to other budgets. Ms. McClain stated that a lot of the departments had significant reorganizations and department heads are being creative in configuring their staff. The police department is finally up to full staff and did not have the same opportunities for reorganizing or otherwise reducing personnel costs.

PARKING

Ms. McClain gave an overview of the Parking budget. Ms. McClain stated that the proposed capital improvements to the parking garage makes up the largest piece of the budget in the amount of \$264,228. The fund is absorbing a 5% increase for Advance Transit services. They did replace a full-time staff member with a part-time position which saved money. Ms. McClain also stated that it would be confusing to compare budget to budget sheets in the binder because this is the first year the facility budget has been broken out from the parking fund budget.

Lt. O'Neill noted that they are looking to replace equipment in the parking facility which would improve customer service.

Vice Chairman Connolly asked about the permit revenue decrease. Lt. O'Neill advised that the parking spaces are available to anyone who is interested in leasing them. The Parking & Transportation Board also discussed putting some meters back along Lebanon Street in front of the High School to create a more diversified interest in the parking facility.

Selectman Christie asked about the funding for the maintenance for the garage and clarified that it is coming from this year's budget. Ms. McClain stated that it was being paid for by the undesignated fund balance. Ms. McClain stated that in the proposed FY 2010 budget they have ramped up the amount of money going into reserve to begin saving for the next round of capital maintenance. She reported that part of the reason the undesignated fund balance grew was because they didn't have the plan in place to set aside the money for this work. Selectman Baschnagel noted that they didn't have the knowledge to anticipate the magnitude of the maintenance for that facility. Ms. Griffin noted that if they were going to do this over, the Town would have built the facility themselves. Selectman Baschnagel stated that the building was poorly designed in some respects.

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Vice Chairman Connolly noted that the undesignated fund balance is still really healthy even after the proposed FY 2010 withdrawal.

Selectman Baschnagel asked about the reduction of parking spaces now that they are now longer renting land for parking. Lt. O'Neill stated that there were 36 spaces in the upper deck and noted that he could provide figures to the Board. Chairman Walsh would like to see annually the amount of spaces that they have lost for the last 10 years.

Chairman Walsh noted that in the proposed budget the Town will be contributing roughly \$200,000 to Advance Transit. Selectman Rassias asked about the 5% increase. Ms. Griffin stated that part of this was catching up with the fuel increase. Ms. Griffin noted that Dartmouth (e-mail from John Gratiot) is looking to reduce the number of shuttle buses that run between the 9 a.m. the 3 p.m. shift. They are contemplating eliminating the 2nd shuttle bus which would save \$77,000 of which \$23,100 was the Town's share. Ms. Griffin stated that the PTB will be discussing this issue tomorrow.

Selectman Baschnagel noted that the impact is not capacity but the time between shuttles which is 30 minutes versus 15 minutes. The impact would be felt more on the college than the Town. Vice Chairman Connolly didn't feel that this was a good time to look at reducing this service. Ms. Griffin stated that they have asked for more information including ridership.

Chairman Walsh expressed his frustration with items that cost a lot of money and only last for 8 years. Lt. O'Neill felt that these parking facility expenditures would last longer this time around. Selectman Baschnagel noted that the garage is essentially open from top to bottom and he felt that it would be worthwhile to investigate closing in the areas that are open between the decks. He is concerned that the water is causing the damage to the facility.

Chairman Walsh asked what the undesignated fund balance would be after subtracting the \$270,000 relative to the guidelines. Ms. McClain stated that the fund would be at 9.23% of budgeted operating expenditures.

Selectman Christie asked if they are making enough of an investment now. Frank Austin stated that they talked to a number of different manufacturers of the coating and asked if they could look at a longer life. It comes down to what is applied to the surface and what they are using it for. The travel lanes need to be replaced and there are a few spots where the membrane has come up. The manufacturer of this product has developed a better product in the past 7 or 8 years. Mr. Austin felt that the real issue is whether the areas are being patched to the standard that the manufacturer recommends. Mr. Austin didn't feel that they were underestimating with the proposed expenditures.

Selectman Baschnagel noted that in the indicators, the Advance Transit (AT) fixed route ridership has increased significantly since 10 years ago. Ms. Griffin noted that AT saw an increase in ridership as fuel prices increased but as fuel prices decreased, their ridership has stayed the same.

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Selectman Baschnagel stated that AT is giving around 500,000 rides/year in the Upper Valley. There are also 4 other bus lines transporting people into the area and connecting to AT. Vice Chairman Connolly noted that the Department of Transportation (DOT) and the Federal Government has recognized Advance Transit as a superior public transit system. Selectman Rassias noticed that there were dramatic increases in the ridership and every couple of years there is a step change and wondered whether they were adding capacity during those periods. Selectman Baschnagel stated that they did not increase capacity but noted that in 2003 they went to free ridership. Chairman Walsh would like to have Van Chesnut include information about the 5 big changes at the bottom of the chart.

Chairman Walsh noted that the number of people getting tickets for those who park in handicap spaces is flat. Lt. O'Neill advised that the tickets are \$250. Chairman Walsh would like for it to be set at the maximum. Lt. O'Neill noted that if the offenders do not pay within 14 days, it goes up to \$500.

Chairman Walsh asked about the mobilization and warning letters which have seen an increase. Lt. O'Neill advised that the parking clerk is a tremendous worker and they have had the ability to expand their service to include sending letters to those who owe \$90 or more to give them a 5 day period in which to pay or otherwise contact Lt. O'Neill.

Selectman Baschnagel noted that page 231 shows the parking facility and he likes the data system collection which shows how many are using the facility. The first half hour is free and last year 2,000 people took advantage of the first free half hour.

HUMAN RESOURCES

Ms. McClain reported that the budget is looking at a \$4,000 increase or 2.3% which is tied to anticipated salary increases. There is a wellness program that would be fully funded by a grant that Myra Johnson and her staff have secured.

Selectman Baschnagel asked about the grant and whether the Town will ultimately have to pick up the money after a certain point. Ms. Johnson stated that in April, they are going to offer screening for blood pressure, cholesterol and glucose. This is a confidential program and the VNA nurses will provide this service. The grant money will be used for this screening and another one in the fall. In the meantime there would be education and classes. Ms. Johnson noted that the VNA came in with the best proposal and they will arrive on two different dates to do the screenings in the workplace. They will work with Local Government Center who will provide the education programs and the grant should cover everything.

Selectman Baschnagel stated that he liked the information on page 50 & 51 and would encourage the school board to use the same format with their employees.

Ms. Johnson noted the number of applications that came into the Town last year 328 which indicates to her that the Town is an employer of choice.

PARKS & RECREATION

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Chairman Walsh invited Hank Tenney to speak to the Board.

Hank Tenney introduced Liz Burdette, Assistant Director.

Ms. McClain gave an overview of the budget and noted that Mr. Tenney is asking for \$610 less to operate their programs. Ms. McClain noted that this speaks to the efforts Hank and his staff have made to calibrate their fees to keep pace with their increased costs in operating their programs. Ms. McClain noted that the gross appropriations go up significantly from \$493,000 to \$571,000. They have renewed their commitment to budget accurately for the After School Program. There was a strong effort to secure grant funding a few years ago and the program lay dormant for a year or so, but it has been re-energized.

Hank Tenney noted that the gross appropriation of \$493,000 includes the Senior Citizens and the After School Program. Selectman Christie asked whether they have been able to keep pace with the financial aid. Mr. Tenney stated that they have been able to sustain their financial aid for Hanover and Etna residents to give the opportunity for people to participate in programs and not worry about the fees.

Ms. Griffin noted that the line item for ASCAP (\$335) is included because the company threatened to sue for the music used at events such as 4th of July. Unless the Town pays a subscription fee, they can not play the music for public benefit. The Town opted to pay it rather than fight it.

(The rate and fee discussion took place at this time – see Item #2)

Chairman Walsh noted that the Hanover Recreation Department provides an impressive number of programs and still charges less than surrounding towns for their summer programs.

Vice Chairman Connolly asked about the use of the gyms and the revenue required to use them. Mr. Tenney reported that last year the Board approved a \$35.00 fee above and beyond the registration fee made payable to SAU #70. They instituted this charge and ended up collecting an extra \$350.00 which was applied to the fees for the basketball tournament (\$6,000).

Mr. Tenney reported that Sherry Colfer has done a great job in running the building and generating revenue. He reported that the Center is still in great shape and they continue to take care in maintaining the building.

Chairman Walsh thanked Hank Tenney and Liz Burdette for appearing before the Board and noted that the Town has a fantastic Parks & Recreation Board and wished for Mr. Tenney to pass along the Board's appreciation.

SOCIAL SERVICES

Ms. McClain reported that in looking over the whole Social Service Agencies' budget, the drivers of the budget is due to an \$8,000 increase in the ambulance per capita charges which

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have risen by 4.7%. There is an additional \$2,000 increase which would be used as a stipend for the Deputy Health Officer, Carolyn Murray. Ms. McClain noted that there are several people present to speak on behalf of their social service agencies and almost all are requesting level funding, recognizing it is a difficult economic climate.

Chairman Walsh requested that for next year he would like to learn how the Town can be more proactive regarding public health.

Selectman Baschnagel asked about the year-to-date actual amount spent (\$8,000 more than budgeted) on the Health & Social services line item. Ms. McClain noted that these are for the agencies that were on special warrant articles and they have raised tax money to cover these appropriations but they were not incorporated in last year's budget.

Family Place

Elaine Guenet, Executive Director of The Family Place, reported that they are requesting \$2,000. The Child Advocacy Center does education services for child abuse prevention. She noted that there have been some child abuse fatalities. The need for education has increased. She mentioned various programs offered at The Family Place.

Grafton County Senior Citizens Council

Roberta Berner, Executive Director of the Grafton County Senior Citizens Council, introduced Jill Vahey, Director of the Upper Valley Senior Center. Ms. Berner noted that that Ms. Vahey had been doing some outreach work with the Hanover Senior Center.

Ms. Vahey reported that in May of last year they started providing meals to the Hanover Senior Center twice a month which was helpful in getting people to the senior center to socialize. Ms. Berner noted that Ms. Vahey is an officer of the NH Association of Senior Centers and encouraged the association to have their meeting in Hanover last week. She felt that this was a good step forward. Ms. Berner noted that in looking at the last couple of years, they have gone up to 3,000 hours of care for elderly clients. There has been significant growth and also in the outreach support. Service Link offers Medicare counseling, Medicaid counseling, caregiver support, etc. and they have seen tremendous growth in that area in Hanover. They have seen growth in their transportation needs. They provide demand responsive rides in the Hanover Center Area. Their bus drivers are tasked with lift assists.

Selectman Baschnagel asked whether Advance Transit's demand response has lightened the load. Ms. Berner noted that they do quite a bit for Quail Hollow and noticed that one person was vetted to qualify for Advance Transit's demand response and chose to ride Advance Transit instead. Ms. Griffin noted that Myra Johnson and Willy Black have tried to increase the use of the Senior Center and that the Grafton County Senior Citizens Council is instrumental. Chairman Walsh stated that the Board appreciates the requests for level funding.

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Headrest

Mike Cryans, Headrest, stated that this will be their most challenging year. The State has notified them of a \$27,000 cut in funding. Headrest typically deals with people who have no ability to pay. Headrest handled 9,523 calls last year of which 602 were suicide calls. United Way, City of Lebanon, and Grafton County have been generous in their donations but the State has reduced their funding. Headrest provides alcohol and drug counseling, education & programs; they have 4 LADAC (Licensed Alcohol and Drug Abuse) counselors. Since 2002, Headrest has requested \$7,000 from the Town of Hanover, and they appreciate every bit of this support.

Chairman Walsh thanked Mr. Cryans for speaking to the Board and for serving as a County Commissioner.

VNA/Hospice of VT & NH

Dick Carney, Board of Visiting Nurse & Hospice, felt that the Board is familiar with their services but he outlined the services that VNA & Hospice provide. For the Town of Hanover, they provided service to 137 residents and made 2,880 visits. As part of their homecare program, 2 people were prevented from going into a nursing home. Mr. Carney offered to modify their request this year and not ask for an increase. They are trying to do their part by sharing in the same spirit voiced by other agencies during this tough economic climate.

Vice Chairman Connolly thanked Mr. Carney for their agency and noted that they do a fantastic job.

West Central Services

Suellen Griffin, President & CEO, introduced Ron Michaud, Director of Development for West Central Behavioral Health. Ms. Suellen Griffin reported that they are an agency that receives a lot of State support. West Central Services provides mental health services to 22 towns and 2 cities and noted that they will see a \$200,000 reduction in funding from the State. She reported that for the Town of Hanover, they served 73 clients last year, 21 of which were children. West Central provides 24/7 emergency services and 16 clients in Hanover were assisted by emergency services. She reported that out of the 22 Towns and 2 cities that they service, all but 2 are contributing this year.

SueEllen Griffin noted that they took a 2% reduction in the Medicaid rate and there was a 9.6% reduction in the lump sum that they receive and in total it is about \$200,000. Mr. Michaud noted that their fees are set by the State or the insurance companies and they don't pay for the full cost in a lot of instances so they have to ask the Towns to fill in the gaps. Mr. Michaud noted that they do approach every town for funding. Julia Griffin noted that there is an upcoming meeting of the House Finance Committee in Claremont to discuss the Governor's proposed budget and the agencies will want to be in attendance. Suellen Griffin noted that they are aware of the meeting and they do take every opportunity to attend meetings and stay actively involved. Mr. Michaud stated that the Governor's budget calls for a 30% decrease in substance abuse funding.

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NH has a low amount of money that they allocate (\$4 million/year) and this is a huge decrease. Mr. Michaud commended the Board for the treatment of the social service representatives.

Chairman Walsh requested that for next year, in looking at the amount of funding that Hanover provides in relation to the other towns and cities, he is uncomfortable because he doesn't feel that the Town of Hanover should be the largest contributor. He would challenge the other communities to contribute more. Mr. Michaud noted that the City of Lebanon pays their fair share and for a while Enfield was not contributing but now they are. West Central Services is asking for \$1.10 per population. Chairman Walsh felt that it appears out of balance. Chairman Walsh thanked them for speaking to the Board.

WISE

Lavinia Weizel, Development Director of WISE, was present to speak to the Board and thanked the Town for their continued support of their organization. WISE is the Upper Valley's designated provider of support services for domestic and sexual violence in the community. They run a 24 hour hotline, emergency shelter to their on-going support groups and coordinated advocacy services. WISE is also seeking level funding this year.

Chairman Walsh thanked her for speaking to the Board.

Youth-In-Action

Jessica Eakin, Director and Mary Proom, Board President were present to speak on behalf of Youth-In-Action. They are requesting level funding. Ms. Eakin stated that Youth-In-Action provides volunteer experiences for Hanover High students. Youth-In-Action is starting their 26th year and stated that their focus is to get kids involved in their community.

NH Association for the Blind

George Theriault, CEO, was present to speak to the Board and noted that this is the 3rd year that they have requested funds from Hanover. They have chosen not to ask for an increase this year. Their organization is not threatened with reduced funding from the State. He pointed out that 20% of their funding comes from other programs; 80% comes from other contributions. Other contributors had their asset values drop which reduced their operating budget by \$300,000. The NH Association for the Blind has had a strategy to cross train their staff to be more efficient in providing their services. They have seen an increase in individuals in need of their services in Hanover; they currently have 70 in Hanover but there are 45,000 in the State. They help people regain or maintain their independence and 80% of their clients are over age 60.

Chairman Walsh stated that the Town has supported this agency for 3 years and he feels that the other communities around the State are not providing the same level of support. Chairman Walsh felt that it would be hard to continue funding this agency without the organization being more successful in getting additional funding. Mr. Theriault stated that their challenge is that they don't have a statewide volunteer organization and although they have fundraising event volunteers, they haven't found a way to extend their influence to attract volunteers. They have a

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total staff of 30 and most of them are service providers. Mr. Therriault stated that it is ironic that they are providing a service to the blind yet they are invisible within the community. They will continue to work on securing additional municipal appropriations.

Tri County Cap

There was no one present to speak on behalf of Tri County Cap. They are asking for \$656.00. Ms. McClain stated that she believes that they are trying to achieve \$16.00 per household served per Town in the communities that they serve.

CASA

Donna Alvarenga was present to speak on behalf of CASA. Ms. Alvarenga stated that CASA is a volunteer organization where lay people are trained to become Guardian Ad Litem and advocates for children who are the victims of abuse or neglect. This organization alleviates the State from paying \$60.00/hour for a Guardian Ad Litem or a lawyer. Children are not heard in Court but the parents or guardians who are accused of abuse or neglect have representation. Ms. Alvarenga stated that determining what is in the best interest of the child often encompasses spending a year with the child and the family. In 2008, CASA asked all Towns in NH to include CASA in their budget and asked for \$500.00. The CASA organization is statewide and is a not-for-profit organization. Currently, CASA can only accept about 70% of the cases that come before them. The training is intense with at least 40 hours of training. In Grafton County they served 90 children with 22 coming from the Lebanon District Court. It is unknown how many children were represented from the Town of Hanover because statistics available to the public do not include this information. Regarding their funding, 67% comes from the State of NH & Federal Government through the Victims of Crime Act, 7% from private donations, 1% from companies and corporations and 25% from individual donors. This organization is 100% volunteer, workers don't even put in for gas mileage. Ms. Alvarenga thanked the Board and noted that they are requesting \$500.00 again this year.

Chairman Walsh stated that the Board would like to see Nashua, Portsmouth, Keene and Concord on the list of communities that donate toward this organization. Ms. Alvarenga stated that this is a national organization and some of the towns with fewer resources do not donate.

Outreach House

Carol Weingeist and Peter Runstadler were present to speak to the Board. Ms. Weingeist thanked the Board for their previous support. Outreach House is a residential care home that serves area families with their elders who cannot manage on their own. Their monthly rate is below the state average and they are hoping to keep it reasonable. She stated that when they have an empty room for a month or two, it is hard to fill the need immediately. They fundraise annually yet they've had to raise their room rates. Ms. Weingeist reported that the Hanover Police Union adopted Outreach House years ago and have organized annual barbecues. They have 3 Dartmouth grad students that live on the premises that provide night coverage. Mr. Rundstadler commented that they were able to reach a lot of people during the presentation at Town Meeting last year and they have seen an increase in people getting involved.

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Chairman Walsh suggested they ask Town Meeting for level funding which would be a reduction of \$100 from their request.

Chairman Walsh thanked the members of the social service agencies for their participation.

Selectman Christie stated that he would like to see the other towns improve; Hanover can continue to be the leader but he'd like to see the other towns rise to the challenge.

PLANNING & ZONING

Ms. McClain reported that a critical element of the Planning & Zoning budget is the permitting revenue. Each year they wrestle with predicting the upcoming revenue figures and the proposed FY2010 permit fees and projected to be relatively flat. The modest increase in salaries has been offset by the elimination of the cost of the software acquisition from last year.

Jonathan Edwards was present to answer the Board's questions.

Chairman Walsh wanted to reduce projected building permit revenues by \$100,000. Both of the large projects anticipated in the fee projection are questionable due to the economy.

Selectman Baschnagel would like to see a list for the basis of the building permit revenue for tomorrow's discussion. Ms. Griffin stated that they would have a detailed list. Mr. Edwards stated that they based this on their estimate of projects and adjusted them downward significantly. Selectman Baschnagel noted that Dartmouth planned on going forward in April with the loading docks. Ms. Griffin stated that the Trustees are still discussing this and they may come before the Planning Board in April or in June.

Vice Chairman Connolly asked about the professional services line item for the traffic count. She thought that they were doing this every other year. Mr. Edwards stated that this was an amount that was set aside every year. Ms. Griffin noted that the money is being set aside and may be used for special work that comes up for the Planning Board. It is also on the list to be reduced.

Doug McIlroy, Conservation Commission, would like to put in a plea that the conservation funds be better described in the text. Ms. McClain suggested that she could include a financial statement for the Conservation Commission with a snapshot of their reserve in the text. Mr. McIlroy stated that tree cutting hits the Conservation Commission budget hard from time to time. Every once in a while they need a professional which comes at a cost of approximately \$800/tree. Mr. McIlroy asked whether the money can come out someplace other than the Conservation Commission's operating budget when these unusual expenses occur. Ms. Griffin noted that William Desch has a tree cutting budget of a few thousand dollars. Mr. Edwards stated that one year they used traffic study funds for this miscellaneous item. Selectman Baschnagel felt that as long as the Conservation Commission can come to the Town and make this request, this would be fine.

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Mr. Edwards stated that he supports Ms. Griffin's proposal in the items that are slated to be cut tomorrow night.

Selectman Christie wanted to put on the list an increase of 10% for the social services with 3% representing a baseline increase and 7% being a one-time token of their appreciation as to what these agencies are now facing.

GENERAL BUDGET DISCUSSION

Chairman Walsh would like to see what a 0% tax rate increase with \$100,000 taken out of building permit revenues and go up from there. He felt that the \$100,000 worth of work on Lyme Road might be able to balance the decrease in building permit revenue.

Selectman Christie expressed his concern about moving \$100,000 from this year; they have the opportunity to bring in a budget of 3% or less. There were good things that happened with health care costs and changes in staff that aren't going to happen next year. He is reluctant to postpone something because he thinks it may be harder to accomplish it and even out the tax rate increase.

Chairman Walsh had concerns about the building permit revenue fee numbers and feels that they are going to continue to see a decrease.

Vice Chairman Connolly asked what the tax rate percentage is before the cuts. Ms. Griffin stated that they are at 5% and then the reductions take them down from there.

Chairman Walsh would like to see a list with the largest items down to the smallest and in priority order. Selectman Christie has concerns over the Board taking things item by item.

Ms. McClain felt that by reworking the Master List, it will help the Board in their discussions regarding possible cuts at tomorrow night's meeting.

Selectman Baschnagel felt that he would be comfortable with a 3% or just under for a tax rate increase. Selectman Christie would like to see 3% and determine if they can reduce the rate by another ½ percent with the use of the undesignated reserve funds. Chairman Walsh would like to see what it would take to get to 0%.

Ms. Griffin noted that the projected revenue for both large projects is just under \$160,000 in permit revenue. Chairman Walsh is concerned that the permit revenue fees would be down \$200,000. Ms. Griffin stated that they have discussed what they would do for the Planning & Zoning budget if this should happen.

Bill Garrity and John Hochreiter from the Finance Committee were present and indicated that they felt the Committee would support the Board's decisions regarding the budget.

4. APPROVAL OF MINUTES:
- February 9th, 23rd and 25th, 2009

Selectman Christie MOVED to approve the Minutes of February 9, 2009. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 1 ABSTAINED TO APPROVE THE MINUTES OF FEBRUARY 9, 2009. (Vice Chairman Connolly abstained from the vote.)

Selectman Christie MOVED to approve the Minutes of February 23, 2009. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR, 1 ABSTAINED TO APPROVE THE MINUTES OF FEBRUARY 23, 2009. (Vice Chairman Connolly abstained from the vote.)

Chairman Walsh MOVED to approve the Minutes of February 25, 2009. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF FEBRUARY 25, 2009.

5. ADMINISTRATIVE REPORTS.

Ms. Griffin reported that the State Rooms & Meals Tax was reinstated by the Governor. Ms. Griffin would like the Board to advise her as to how to vote at a hearing in Claremont with regard to the Governor's proposed budget. She could still convey that they are not happy about losing revenue sharing and the reduction to the Retirement System commitment for Group II. She encouraged Board members to let her know of any other issues before the meeting.

Ms. Griffin stated that she was in Concord last week and she and Vice Chairman Connolly will be down there tomorrow morning. Ms. Griffin reported that she did testify at a hearing relative to the NH Retirement System and whether cities and towns could withdraw from the NH Retirement System. She reported that many of the bills that the legislature has acted on already have been pushed away while they are dealing with the fiscal issues of the State.

Ms. Griffin reported that Ms. McClain wrote testimony to the State about the proposal for car dealerships handling motor vehicle registrations which would have resulted in a loss of 30% of motor vehicle revenue. The Senate Committee was going to kill the bill before she had a chance to testify.

Chairman Walsh stated that with regard to testifying in Claremont, revenue sharing was established when the towns gave up a level of taxation and the State has continued to look at it as its own savings account and has either level funded it or reduced it on a regular basis. He noted

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that there is a law that states that the State will fund 35% of the retirement system and that can't be changed to an arbitrary number to solve their budget problems. Ms. Griffin stated that there are two parts to the bill; the trailer bill has all of the changes in the law that would be required to implement the recommendation in the budget such as eliminating revenue sharing and reducing the contribution from 35% to 30% which would make things legal that would otherwise be illegal. If the Legislature is going to adopt the budget, they will also have to adopt the trailer bill.

Chairman Walsh encouraged Ms. Griffin to thank the House for killing the gambling bill on behalf of the Board. Vice Chairman Connolly noted that it is gearing up in the Senate.

Chairman Walsh will be there on Wednesday and asked for the Board's support to persuade (New Hampshire Municipal Association) NHMA to recognize that the problem of where the State gets its revenue is not NHMA's problem. The State should be getting their direction from their constituents. Selectman Baschnagel does not disagree with Chairman Walsh's assertion, but he is concerned about opening the door for them to have their discussions with the State without input. Chairman Walsh is worried about the NHMA cherry picking certain revenues.

6. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie had nothing new to report.

Kate Connolly

Vice Chairman Connolly reported that she attended a Planning Board meeting where they reviewed the redesign of the 6 lots on Burton Road to make them conforming. They reviewed a lot enlargement plan from Mr. Christie on Blueberry Hill which was approved. Dartmouth College renewed their extension to continue building on the Gile Tract.

Vice Chairman Connolly reported that tomorrow night there will be a meeting at the Black Center for a hearing of the proposed zoning amendments. One article will be to allow a committee to be formed to hear site plans for those projects which are determined to be too small to come before the Planning Board. This would require Town Meeting approval to set that up.

Vice Chairman Connolly reported that she attended Ben Thompson's funeral last Friday morning. Ms. Griffin stated that she was at the calling hours and reported that there was a good showing of the Hanover and Lebanon police departments in addition to members of the community.

Bill Baschnagel

Selectman Baschnagel reported that the Rotary pancake breakfast last weekend at the Fire Department was well attended.

Athos Rassias

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Selectman Rassias had nothing new to report.

Brian Walsh

Chairman Walsh had nothing new to report.

7. OTHER BUSINESS.

There was no Other Business reported.

8. ADJOURNMENT.

Selectman Baschnagel MOVED to adjourn the meeting. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:22 P.M.

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Vice Chairman Connolly MOVED to approve the proposed modifications to the FY 2008-2009 Rate & Fee Schedule.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE PROPOSED MODIFICATIONS TO THE FY 2008-2009 RATE & FEE SCHEDULE.

2. **Selectman Christie MOVED to approve the Minutes of February 9, 2009. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 1 ABSTAINED TO APPROVE THE MINUTES OF FEBRUARY 9, 2009. (Vice Chairman Connolly abstained from the vote.)

3. **Selectman Christie MOVED to approve the Minutes of February 23, 2009. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR, 1 ABSTAINED TO APPROVE THE MINUTES OF FEBRUARY 23, 2009. (Vice Chairman Connolly abstained from the vote.)

4. **Chairman Walsh MOVED to approve the Minutes of February 25, 2009. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF FEBRUARY 25, 2009.

5. **Selectman Baschnagel MOVED to adjourn the meeting. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:22 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

February 25, 2009

7:00 P.M. – MUNICIPAL OFFICE BUILDING – HANOVER NH

The meeting of the Board of Selectmen was called to order at 7:00 p.m. by Chairman Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman, Peter Christie, Selectman; Bill Baschnagel, Selectman; Athos Rassias, Selectman and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

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

2. 2nd BUDGET HEARING

- **Fire**
- **Ambulance**

Chairman Walsh invited Chief Roger Bradley to speak to the Board regarding the Fire and Ambulance budgets.

Ms. McClain gave an overview of the budgets for Fire and Ambulance. She noted that the Fire Department is proposing a level funded budget. The increases in salaries & benefits were offset by a correction in the budgeting of the fire hydrant fee. The vast majority of the fund is appropriated by Fire District taxes. This year will be year 3 of the 5 year phase in. The taxes for residents in Fire District 1 is either stable or going down but Fire Districts 2 and 3 will see an increase.

Chief Bradley introduced Captain Bert Hennessey and Captain Mike Hinsley who were present to assist in the presentation of the budget. Chief Bradley spoke of the budget process and the fact that they are proposing a lean budget. Chief Bradley stated that depending on the outcome of the budget, they are prepared to make certain adjustments without lowering their level of service.

Chief Bradley reported that there was a meeting of the Mid Western New Hampshire Regional Hazardous Material Response District Board and they voted to suspend the 2010 annual dues or contributions by the communities which is a \$2,000 reduction which is not currently reflected in the printed material. Chairman Walsh felt that it was exciting that there was an organization outside the Town of Hanover that is willing to make sacrifices of this sort that actually benefits the Town. Selectman Christie stated that it is noteworthy that \$2,000 is a significant amount out of a \$2.9 million budget.

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Chairman Walsh asked what the dollar amount is for a 1% increase in Fire District 1. Ms. McClain would be working to get this figure. (Ms. McClain later reported that 1% of the tax rate in Fire District one is equivalent to about \$22,000.)

Vice Chairman Connolly asked why overtime keeps climbing; with the addition of 4 firefighters, it was expected that overtime would go down but she suspects this is adding to it. Chief Bradley reported that their activity has increased and until recently they were doing a lot of callbacks but have changed their policies regarding callbacks and in the last two months overtime has gone down. Ms. Griffin noted that this was done in response to the concern over the New Hampshire Retirement System spiking charge. Chief Bradley noted that another factor that they have no control over is when a firefighter is injured and out on injury leave. There have been a couple of firefighters in the last year that were out for extended periods of time.

Vice Chairman Connolly is hopeful that they get a handle on the overtime because the amount is going in the wrong direction. Selectman Baschnagel asked if the call firefighters could be used to help address the situation. Chief Bradley reported that they are obligated by contract to offer callbacks to the full-time firefighters but on occasion they use the qualified call firefighters when the others aren't available. Selectman Baschnagel asked if this was something that they should speak to the Union about. Ms. Griffin stated that they could put this on the negotiating table. Ms. Griffin also noted that another issue is mutual aid to other communities who are cutting back on their 24/7 departments, resulting in the potential for more calls for Hanover.

Selectman Rassias noted that it appears that mutual aid calls had increased dramatically in prior years (FY '03 – FY '06) but they have reduced over the last three years. Captain Hinsley stated that one of the standards that have been put on them is that a certain number of people have to arrive on the scene for fire calls. One of the things that Hanover, Hartford and Lebanon have done is to have an automatic call in for coverage for confirmed structure fires. If Hanover sends an engine to one of the other communities, that community sends a cover engine to Hanover.

Chairman Walsh asked Ms. McClain to make sure that in the Town Report, there should be a five year chart showing what the tax rate amount would have been if they didn't phase the Fire District increase in tax in over five years. Selectman Baschnagel wanted to make sure that the wording was clear and that it didn't cause more confusion.

Chairman Walsh stated that the Town was "taken" by the ISO issue and felt that for next year's budget, maybe they should talk about cutting four firefighters. Selectman Baschnagel felt that it might help if the Fire Department could show an explanation for overlapping calls in an effort to show why there is so much overtime with the call backs. Chairman Walsh also wanted to know how this has changed from five years ago because the demand has not increased by that great of an amount and, since that time, there were four firefighters hired. Chief Bradley felt that another factor that will help with the overtime costs is the reduction in outside details. There will be no circus detail this year, they didn't do the demonstration at the Pond Party, these types of events that generate overtime are going away.

Ms. Griffin asked if they should break the overtime down into chunks, such as injury related overtime, detail related overtime, overlapping call overtime. Chairman Walsh stated that in

looking at the trends over the last five years the calls are going down. He wants to see the total demand and the number of people and look at that. Selectman Baschnagel wanted them to look at the minimum manning and the overtime which will be driven by different factors. Chairman Walsh expressed his frustration with the increase in personnel by 20 to 25% and overtime has not gone down and demand has gone down which doesn't make sense. Selectman Christie pointed out that with the expansion of staffing, they increased the minimum manning and it contributes to the overtime problem. Chairman Walsh is ready to reconsider their decision to be influenced by ISO and would like to look at whether they should continue with the current number of firefighters. Ms. Griffin felt that they could provide the Board a clear picture of the overtime breakdown. In the reductions list, they cut \$20,000 in overtime which Chief Bradley is going to have to figure out how to make it work. Chairman Walsh doesn't want the Board to get into the management of the overtime policy issues in the department.

Vice Chairman Connolly asked about the labor charges to the Ambulance Fund. Ms. Griffin stated that if they were to allocate their costs based on the percentages of the ambulance calls versus percentage of fire calls, they would be billing the General Fund and the surrounding towns a significantly larger amount of money. Vice Chairman Connolly felt that there was a huge disparity with having 25% of the firefighting force assigned to the ambulance calls. She feels that 10% allocated overtime is just too low. Selectman Baschnagel stated that they can pull the numbers to figure out exactly how much overtime is attributed to the ambulance call backs.

Vice Chairman Connolly noted that the supplies and materials line item has gone up significantly and questioned why this was the case. Chief Bradley noted that they consolidated \$300 in supplies that was budgeted in other parts of the department. Vice Chairman Connolly asked that the \$2,000 for professional development be put on the review list.

Selectman Baschnagel asked about the building repair and maintenance line item. Ms. Griffin referred to page 194 of the budget material and noted that there were a number of safety improvements made to the fire station itself.

Chairman Walsh asked about the increase in usage of the fuel rates at the Etna Station. Ms. Griffin stated that this is a more accurate figure provided by Frank Austin based on actual use.

Chairman Walsh noted that the ladder will be paid for in 2015/2016 and asked how long the Town will be payment free. Chief Bradley stated that the ladder has a 25 year life and Ms. Griffin stated that it should calculate to a 15 year period that would be payment free. Ms. Griffin stated that the old ladder was over 30 years old at the time of replacement. Chief Bradley noted that there was a very expensive major refurbishment of that equipment at one point.

Selectman Baschnagel asked whether they should look at raising the alarm fees which have been flat for a couple of years. Chief Bradley stated that the Fire Alarm service line is the charge for Master Boxes and to anticipate marketing in this area is just not practical.

Vice Chairman Connolly asked about the line items for new personnel. Ms. Griffin stated that between the upcoming retirements and the recruitment of call firefighters, they need money in

this account for those anticipated expenses. Vice Chairman Connolly asked about the professional development increase under the Prevention part of the budget. Chief Bradley stated that they incorporated training for Inspector Frankenfield to train other firefighters to be able to handle portions of his job. Ms. Griffin stated that they have concern over the issue as to when Inspector Firefighter may retire completely. Ms. Griffin noted that mileage reimbursement has gone up dramatically and that Inspector Frankenfield uses his own vehicle.

Chairman Walsh requested that for the items labeled Unintentional Alarm and Other on page 199; he'd like to see a subtotal that shows those that are fire related, those requiring substantial response activities and other indicators to break down what is required for these calls. Chairman Walsh noted that although they may require the same level of response, he is trying to get a feel for the data and the amount of manning/equipment required. Chief Bradley stated that the incident reporting systems that they use show "other" as the outcome of the call but the response is the same. Selectman Baschnagel felt that it would help to have a feel for what the calls were, whether it is a 15 minute call versus 1.5 hour call. Chairman Walsh is trying to get a feel for the breakdown of the "Other" calls and whether they are major calls or minor calls. Chairman Walsh stated that in looking at the calls from 2003 to 2008, the need has decreased by a significant amount so clarifying the calls and the effort required would be helpful.

Selectman Christie asked that there be a straight line forward projection of performance benchmarks where only a partial year's information is available. Selectman Christie would like to add use of Fire Fund undesignated fund balance to the review list. Ms. Griffin asked the Board to consider the fact that if they were to move away from the SAFER grant with the reduction of fire personnel, they will be required to repay that money. She suggested that they consider keeping the undesignated fund balance above the target if they are thinking of reducing the firefighters. Vice Chairman Connolly asked if there was a period of time that needed to pass in which the Town would not need to pay the money back. Chief Bradley stated that the SAFER grant would allow for a reduction of staff after the end of the grant in 2011. Chief Bradley also stated that if they had to repay back the SAFER grant, it would be in the amount of \$340,000.

Chairman Walsh reiterated his concerns and if they determine that they need to make cuts in staffing, this is the area that he would look at. Selectman Baschnagel pointed out that even if there were no calls in a year, you would still want to man the fire department.

AMBULANCE FUND

Ms. McClain gave an overview of the ambulance service budget. There was a significant increase of the appropriations from \$621,000 to \$833,000 which is substantially comprised of the acquisition of a new ambulance and additional funding to boost the amount of funding available to replace the rescue truck. The 2006 Town Meeting approved the replacement of the rescue vehicle but the vendor went bankrupt and (in the meantime) the cost of the apparatus has increased. Consequently, there is a request for an additional \$24,000 for the rescue truck and \$160,000 to fund the replacement of the ambulance. Ms. McClain stated that if they strip out those capital improvements that are funded by reserve funds, they are looking at a net budget to budget increase of 4.26%. The per capita charge for the Towns that are provided ambulance

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service (Lyme, Norwich & Hanover) would go up from \$21.50 to \$22.51. Selectman Christie clarified that the funding does not impact the tax rate. Ms. McClain confirmed that this is true.

Selectman Baschnagel wanted to clarify that they will be notifying the towns of Lyme and Norwich of a decrease from the original projected per capita in the late fall. Ms. McClain stated that they would be notified of the decrease from the projected \$22.58 to \$22.51 per capita charge, if the budget is adopted as proposed.

Selectman Rassias asked about the billing service and whether the Town is still happy with their service. Ms. McClain noted that they are very happy with the billing service and the City of Lebanon is now switching over.

Selectman Baschnagel asked about the professional development line because the numbers don't seem to line up. Captain Hinsley stated that this line item shows the course cost for the EMT basic training, paramedic training, overtime costs for personnel to attend the training, and off-duty firefighters get paid overtime to attend per the union contract. Vice Chairman Connolly asked why it is much higher. Captain Hinsley stated that there is a 2 year refresher and they are now charging this from the ambulance fund instead of a split between ambulance and fire. They are trying to assign the overtime and associated overtime to the correct fund which in this case is the ambulance fund. Ms. Griffin noted that the discrepancy in the narrative appears to be a clerical error.

Selectman Baschnagel asked about the training and how much is done on-duty versus off-duty and whether there is an opportunity to review this. Captain Hinsley noted that the training is not something that you can do while working because you can't stop and leave to respond to a call. There are other in-house trainings and continuing education training that is done on-duty. Captain Hinsley reported that they do certain things on duty but if someone is going to train them, it is hosted in Lebanon or Hartford and the training is done all at the same time. Lebanon hosts a training every year which is a requirement of their (Lebanon's) collective bargaining unit. Captain Hinsley noted that it is cheaper for them to attend local trainings. Ms. Griffin noted that a couple of years ago they took the EMS training out of the Fire Fund.

Vice Chairman Connolly asked about the proposed mannequin purchase and whether it could be put off for another year. Ms. Griffin noted that it was on the cut list.

Selectman Baschnagel asked about making the amount under 10% for undesignated fund balance. Selectman Baschnagel noted that the proposed capital purchases put both ambulances in the same time frame for service life and asked whether there was a way to mitigate this. Chief Bradley feels that the rescue truck will have a longer service life than the ambulance. Ms. Griffin noted that because they reserve a certain amount of money to replace vehicles, it doesn't really matter when they fund it. Ms. Griffin stated that when Frank Austin retooled this equipment truck, he assured them that it would have a longer useful life. Captain Hinsley noted that Frank Austin has this built into his plan and the fact that they will purchase both vehicles from the same dealer and Ms. Griffin noted that the Town did receive a discount because of this. Selectman Christie stated that he felt that what was proposed to help fund the rescue vehicle was an appropriate use of undesignated fund balance.

Chairman Walsh found it interesting that the Hanover calls have gone down by 100 in the last four years and questioned whether this was real or whether something else was happening. Captain Hinsley stated that it was real and there were certain areas that they had to respond to during 2005 but there were changes in the facilities procedures that have subsequently changed the responses. Chairman Walsh asked if there were things that could be discussed with Norwich and Lyme to see if there could be changes that would make a difference. Captain Hinsley noted that there is an increased aging population in the Town of Norwich. There is now DHMC clinic in Lyme which generates additional calls. Chairman Walsh stated that if they go back and are able to manage where their case load comes from, there may be ways to better manage what they need to do.

Chairman Walsh asked about the mutual aid figures from 2002 to 2006. Captain Hinsley will provide those numbers to Betsy McClain for the Board's review.

Chairman Walsh suggested going over the reductions list. Ms. Griffin referred the Board to pages 40 and 41 in the budget books. Ms. Griffin pointed out that the reductions would result in a reduction in expense since the proposed budget is currently level funded. Selectman Baschnagel asked about Fire Districts 2 and 3 and why it doesn't change with the reduction in the rates. Ms. McClain explained that it is because of the way that it is calculated with the smallest fire district driving the calculation of the rate of the larger fire districts. She could show him how that works by looking at the formulas but it is hard to articulate without a spreadsheet.

Selectman Baschnagel asked about the replacement of employees (two to replace retirees and two to replace call firefighters) and whether it would be worth considering budgeting for 3 firefighters and then taking the amount out of the undesignated fund balance. Ms. Griffin wanted to add that to the list.

Vice Chairman Connolly asked if there were anything else that the Chief would like to address. Chief Bradley expressed that the reductions would mean adjustments within the department and they would operate accordingly. He is not able to say that the reductions would be devastating to the department. Chairman Walsh asked about the \$20,000 overtime line. The overtime would be \$225,000 in 2009 and he is asking about the steps that were taken to reduce overtime as previously stated. Ms. Griffin stated that she implemented a freeze on any unnecessary overtime to deal with the fear of the overtime charges and the concerns over the spiking charge for the New Hampshire Retirement System. Ms. Griffin stated that the House of Representatives is reviewing this issue and agreed to put a freeze on the spiking charge but it is unclear what the Senate will do. Chairman Walsh stated that if they look at the amount spent so far, \$189,000, it annualizes to \$221,000. Ms. Griffin stated that if you take the \$235,554, it was prior to the change in cancelling unnecessary overtime expenses. The number that they project is \$225,000 based on the new policy. Chairman Walsh stated that it is possible to manage the department without damage with the reduction. Ms. Griffin stated that this reduction will have consequences including not providing ambulance coverage for Dartmouth football games. Selectman Baschnagel asked about the Dartmouth football games and asked why they don't take the active duty ambulance to sit at the end of the field. Chief Bradley reported that Dartmouth hires the ambulance and they dedicate the personnel and equipment to that event. Selectman Baschnagel

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asked if would be a serious change if the duty ambulance was assigned to the game and then responded to another call if it should happen during the game. Captain Hinsley stated that there would be an overtime issue in calling back either one or two people. Ms. Griffin stated that this would be a challenge that the department would be dealing with.

Chairman Walsh would like to retain the \$6,850 in training that was on the reduction list because they need to have fully trained EMTs.

Vice Chairman Connolly thanked the members of the Fire Department for making their presentation to the Board.

- Howe Library

Chairman Walsh invited Mary White to speak to the Board with regard to the Howe Library. Ellen Lynch joined Mary.

Mary White, Director, introduced Ellen Lynch, Assistant Director, Ann Bradley & Mado McDonald, Howe Library Board of Trustees.

Ms. McClain reported that the proposed budget is an increase of 1.4% over last year's budget. The Howe paid for a \$7,500 server replacement in FY 2009, helping to offset proposed FY 2010 salary increases. Ms. McClain reported that they are increasing their copying and printing charge to \$.25/page. The Howe has a separate committee that focuses on the appropriate charge for non-resident membership. This committee proposes keeping the fee flat. The revenue line item for non-resident fees has increased due to more accurately projecting the number of memberships.

Mary White invited the Board to ask any questions. Selectman Christie stated that last year they talked about what the average taxpayer pays. Ms. White reported that in FY '09, the average cost per household is \$262. Selectman Christie asked why non-residents are charged less than the residents. Ms. White reported that one of the dilemmas is that 23% of the borrowers are non-residents. At the \$115 rate, they feel that they can keep that percentage and keep the revenue. What they struggle with is where the tipping point may be in which people decide they can no longer afford it. Of the towns in NH, very few charge more than \$10, \$30, \$40 or \$50. One town in NH charges more than the Town of Hanover at a rate of \$150. Selectman Christie felt that it should be raised \$5/year until it comes in line with the residential charge and you see diminishing returns which would determine elasticity. Selectman Baschnagel felt that it would be beneficial to charge the fee quarterly. Ms. White noted that part of the issue is that most of the users pay by credit card and the Howe pays the percentage fees on the transactions. Ms. White stated that they did discuss raising it \$5.00 but in this fiscal climate, they decided against it. Chairman Walsh stated that without knowing what the elasticity, they could increase the amounts in small increments and if they see the interest drop off, re-visit it. Chairman Walsh added this item to the list for further review.

Selectman Rassias stated that he is unsettled with this and asked how many users are non-resident. Ms. White stated that 32% of the circulation is non-residents. Selectman Rassias noted

that the non-residents are very active users. Ms. Griffin stated that it might be helpful to know how many non-resident users support the Corporation through the Annual Fund and other donations. Chairman Walsh recognizes the points made by Selectman Christie and the other side of the argument concerning the elasticity curve. Chairman Walsh noted that the fee was raised by \$5.00 last year and Selectman Christie confirmed that they did not lose any users. Selectman Christie felt that non-residents should be supporting the library at the same rate as residents.

Vice Chairman Connolly asked Ms. White how many full-time equivalent (FTE) employees are included in the proposed budget. Ms. White stated that in addition to the part-time 17 hour employee, they have close to 14 FTE's. Selectman Baschnagel asked about the part timers and the balance between part-time and full-time. Ms. McClain stated that the full-time versus part-time is based on how Ms. White staffs the library versus the way the general ledger tracks wages. Ms. White stated that part of the people are full-time people but are part-time through a few different departments. Ms. McClain noted that what they are seeing in the proposed budget is the result of trying to clarify who is full-time and part-time from an accounting perspective. Selectman Baschnagel wanted it accounted for the same way the general ledger does. Although people are shuffled around, someone who worked less than 35 hours a week now works 35 hours/week and this then changes the dollar balance because they are now eligible for benefits. Ms. White was hoping that this information would make it clearer for the Board. Ms. White stated that they didn't change the number of employees. Ms. McClain noted that Ms. White had a certain amount of creativity in working with her employees to keep most of them below 20 hours/week without sacrificing the service quality. Selectman Baschnagel was looking at the change from a budgetary point of view regardless of where they were being placed to work but his concern is the dollar changes and benefits. Ms. McClain stated that there were budgetary savings with this approach.

Chairman Walsh felt that the Board should be managing full-time equivalents, a salary and wage line and a benefits line and ask the Department Heads to manage the rest of it within those confines. Selectman Baschnagel agreed but wondered whether they could be more efficient with part-time people versus full-time people. Ms. White reported that there was a restructuring with a recent retirement and she understands that any new hires will have fewer than 20 hours.

Vice Chairman Connolly asked about the charges from Innovative Software Maintenance. Ms. White stated that they are still in the gathering information stage of exploring Open Source options. She stated that there are meetings scheduled to look at the software and they feel that through FY '10 they would need to gather the information and would not see reductions in cost until FY '11 which would be next year's budget. Ms. White reported that the fee of \$28,048 was budgeted for FY '10.

Chairman Walsh was very pleased with Ms. White's Open Source memo and the efforts to get away from the captive position that they have funded for many years. Ms. White stated that Open Source is now in a place where it would be beneficial but a few short years ago, this would not have been something she would support. Vice Chairman Connolly asked if the Howe could get any help from Dartmouth. Ms. White stated that she would check into that possibility. Selectman Baschnagel asked about the operating system for the program. Ms. White wasn't sure but would check on this information.

Chairman Walsh asked about the reductions list for the Howe. Ms. Griffin stated that there were just small amounts from the Library in the form of professional development. Ms. White noted that their materials line item has been level funded for a few years.

Chairman Walsh reported that the Board had a conversation regarding the energy use at the Howe Library and the Board wants to see a lot of progress in the reduction the energy costs. Ms. Griffin noted that there is money available for weatherization and electricity reduction tools through the Public Utilities Commission. The first round of grant requests is due on March 21st and Frank Austin is getting costs estimates for monitoring options, etc. Chairman Walsh asked about whether this could work for Summer Street. Ms. Griffin stated that they are going to be getting cost estimates for a new heating system.

Ms. White announced that this fall there will be a community read where a lot of people will be reading the same book. They will be reading the book "March" about the civil war. Ms. White handed the Board a copy of the book.

Ms. MacDonald asked if the Board would be raising the fees. Chairman Walsh stated that they might make that decision on the night of March 10th. Ms. MacDonald pointed out that there is also a discounted senior rate to consider.

- Etna Library

Chairman Walsh invited Barbara Prince to speak to the Board. Barbara Prince introduced Beth Vesley-Gross, Chairman of the Etna Library Board of Trustees.

Ms. McClain reported that the proposed budget reflects a very modest increase related to merit and wage scale adjustments.

Selectman Baschnagel asked about the Innovative back-charge and whether the Etna Library should be charged for part of it as opposed to the Howe. There was a discussion regarding the database and the use of Tech Services use for collection and the shipping of books. Selectman Baschnagel was actually talking about the fiber project and not any other connection fee. Ms. McClain clarified that the Etna Library wasn't part of the fiber project.

Chairman Walsh asked about the decline in activities. Ms. Prince stated that patron visits increased and circulation went down slightly. She noted that recorded books was an area that went down but they have a new audio download system. Ms. Prince stated that a lot of it is the users that come in to use the wireless. Selectman Baschnagel noted that there are a lot of cars parked at the library when he drives by.

Chairman Walsh thanked Ms. Prince and Ms. Vesley-Gross for appearing before the Board.

Selectman Christie asked for a chart that would depict what is being charged to residents and non-residents on an annual basis and explain the rationale as to why they are not equal. He wondered what the Committee's thoughts were on this issue.

- MIS

Chairman Walsh invited Corey Stevens to speak to the Board.

Ms. McClain stated that the proposed budget for MIS is level funded. The anticipated wage scale and wage increases for the Director and the IT Assistant would be offset by savings enabled by the fiber network and a decrease in payments for software costs for the Planning & Zoning office and the Accounting office.

Mr. Stevens stated that his overtime costs are under control and he is not moving anyone from part-time to full-time.

Selectman Baschnagel asked about the \$1,000 increase in reclassifying the Howe Library bar scanners and receipt printers. Ms. McClain stated that this item was previously on the computer upgrade replacement line and was simply shifted to Technical Supplies.

Selectman Baschnagel asked about the 24 computers that MIS is looking at purchasing and wanted to put this on the review list. Ms. Griffin stated that they have had conversations about putting this off for another year but it wasn't clear that this would help in the long run. Selectman Baschnagel noted that Microsoft is coming up with new software and wondered if there were other reasons not to wait another year.

Mr. Stevens reported that he doesn't upgrade computers because the operating systems are in place; they upgrade to upgrade the hardware. He reported that 98% of the computers are XP. This could be stretched out but they buy 3 year warranties; if they stretch it out, the Town will have to cover more of the maintenance and repair costs. There will also be an efficiency issue with the speed of the machines. Ms. Griffin stated that she does defer to Corey on the IT issues and they look at the tradeoffs in delaying hardware upgrades.

Chairman Walsh was again looking for cost and energy saving alternatives whether it is vehicle replacement or computer equipment. Ms. Griffin stated that she knows that Corey is not going to replace computers when there is something in the works with regard to software upgrades.

Vice Chairman Connolly asked about the replacement of dispatch monitors. Mr. Stevens stated that they keep some money in the fund because the dispatch monitors run 24/7/365. Ms. Griffin noted that her monitor was re-appropriated to dispatch because it was a smaller monitor which was needed in dispatch. Chairman Walsh felt that at this point, they should have purchased all the software needed to run the Town. Ms. McClain stated that the website is an area where they are behind the curve. Ms. Griffin stated that they are looking at some website options because they are hearing from multiple people that the website is "tired." Chairman Walsh sees the website as an enhancement versus a requirement. He was asking about the productivity software and communication that does not require additional people. Mr. Stevens stated that he feels that the core systems are in place have the potential to allow the Town to operate more efficiently.

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Selectman Baschnagel felt that the website was more than just an enhancement. He suggested finding a consultant versus hiring a webmaster. He feels that they should push hard to upgrade the Web. Selectman Baschnagel also stated that 5 years from now they should have the GIS up and running to be used not only by staff but by residents.

Ms. Griffin stated that the challenge is to do it well without spending hundreds of thousands of dollars. The Recreation Department was one area that felt that an improved website would really help them out.

Chairman Walsh thanked Mr. Stevens for his presentation.

ASSESSING

Chairman Walsh invited Mike Ryan, Assessor, to speak to the Board.

Ms. McClain reported that the proposed budget shows a net reduction. This year's appropriation is \$170,000 and next year's requested appropriation is \$167,000. They are budgeting \$15,000 into the reserve for the next round of property revaluations.

Chairman Walsh asked what he felt the right number for growth in valuation should be for this year's budget. Mike Ryan stated that there are a couple of instances where they are going to lose money and one of them is Rivercrest. Also, 4 Currier Place will be tax exempt for a while because its ownership was transferred over to the College Trustees. Vice Chairman Connolly noted that it was supposed to be a visitor's building. Selectman Baschnagel stated that on Tuesday night, they received approval to start on the loading docks. He also reported that they plan on coming to the Planning Board meeting in April with the Visual Arts Center. Ms. Griffin noted that they are hoping for the approval at the April meeting but it might be postponed until June.

Mr. Ryan stated that the last of the dorms are coming on-line. The final touches on South Block will come on-line. Gile Tract is moving along but part of it is subsidized so it is not at the same level as market driven rentals. He feels \$20 million or plus is accurate but it could come down to \$16 million. There is no big ticket construction on-line.

Chairman Walsh asked about the overlay. Mr. Ryan reported that with regard to the overlay, they will be receiving 10 -12 more abatements in the next week. There are 21 so far and based on the balance and what could be funded this year, he feels they are in good shape. He likes to level fund it so there is no bouncing around of the amounts although \$40,000 or \$30,000 (down from the projected \$50,000) would not be unreasonable. He will know more on Monday.

Chairman Walsh thanked Mike Ryan for speaking to the Board.

- Board of Selectmen/Town Manager

Ms. McClain noted that the proposed increase is at 2.5%. The proposed budget includes \$10,000 to hire a consultant to proactively pursue securing broadband access for rural residents. Ms.

McClain reported that they met with CATV and agreed on a level of funding that keeps them whole. The increase in franchise fees allows for them to do something additional with what is not remitted to CATV. Selectman Christie asked what the consultant would do. Ms. McClain stated that she has been meeting with the Rural Hanover Broadband Task Force and they have commitments from Fairpoint that they will be bringing broadband service to the rural areas sometime in 2009. The area of Hanover Center Road should have a DSL like option. There will be parts of Dogford Road and Ferson Road that will still not have any service. A consultant could assess what other possibilities exist and be charged with an effort to get broadband access in the more rural areas. Ms. Griffin noted that this item is on the cut list as a potential reduction. Chairman Walsh stated that there have been conversations regarding where the Town has responsibility and where it does not. Maybe they should match the funds with those who have the need or draw a line and decide that it is the Town's responsibility to work on this issue with carriers. He is not convinced that they have a responsibility if there is a price issue versus an access issue.

Ms. Griffin stated that part of the reason that this came up is because some communities take franchise fee revenue to support areas of build-out when utilities won't extend the service further without matching funding. Selectman Baschnagel asked whether the \$10,000 was going to make progress toward getting this service or whether it was just going to provide an answer in determining what it would cost the town to get the service. Ms. McClain is hoping that they could pay someone to make this happen. Selectman Baschnagel is concerned about residents getting too involved in infrastructure but he is very sensitive to the fact that if they don't do anything, nothing will happen. Ms. Griffin stated that they weren't just going to spend the money just because it was appropriated.

Chairman Walsh would like to have an asterisk on this list item and would like to see the possibility of matching funds. Selectman Baschnagel is concerned about asking money up front in addition to what the residents might already be tasked with spending. Chairman Walsh felt that there is a matching principle whether the Town has a responsibility at all.

Chairman Walsh noticed an increase in the audit fee but asked for the actual figure. Ms. McClain reported that it is \$37,500. The Town has a new auditing firm and she feels that they are getting excellent value with the services they are providing. Ms. Griffin stated that there just aren't a lot of choices for audit firms for municipalities. Ms. Griffin stated that in working with these auditors they received a thorough review and a lot of information regarding controls within the Town.

Selectman Christie asked about the sustainability efforts. Ms. Griffin stated that this was an item on the potential reduction list.

- Administrative Services

Ms. McClain stated that the net contribution to the General Fund is being reduced by \$77,000 this year. This is due to the decrease in the projected motor vehicle fees. Chairman Walsh noted that this figure is consistent with what's happening around the State.

Selectman Baschnagel pointed out that return envelopes are no longer being included with the tax bill so the cost shift is being transferred to the taxpayers. Ms. McClain noted that people were understanding when it came to a reduction in their taxes.

- Unallocated Costs

Ms. McClain advised that this is the area that they will see the property tax generated. Solely because of the property tax revenue line item and the 5% tax rate increase, it will add \$438,000 in revenue but reducing this is a loss of \$130,000 from lower interest income. Ms. McClain noted that the new auditors were helpful in developing a collateralization strategy to secure the Town's short-term investments. The transition will be made right after Town Meeting. Selectman Baschnagel asked about any possible issues with controls in having a member of staff act as Treasurer. Ms. McClain stated that although she should reasonably act as Treasurer, she cannot hold the officers of both Deputy Town Clerk and Treasurer.

Chairman Walsh would like to figure out what things can go on the list. The tax rate is on the list. Chairman Walsh asked about the legal costs. Ms. Griffin noted that there is \$10,000 on the cut list.

Vice Chairman Connolly announced that she and Ms. Griffin will be attending the hearing for State Budget Revenue items and asked for guidance from the Board as to how she should vote on their behalf. Ms. Griffin noted that the issues at hand that the NHMA could support or oppose are the Rooms & Meals Tax increase, Communications Services Tax increase, Legacy & Successions Tax, Retirement Positions, Gambling, Regionalization, Motor Vehicle Registration Permit Fees, State Revenues and Federal Stimulus Revenues.

Chairman Walsh noted that the NHMA voted on this a week ago and adopted their position on the State Revenue option and he felt that it was unnecessary to have it on the list. He also felt that NHMA shouldn't be taking a position on any of these items. It is the Legislature and the Governor's job to deal with these issues and the cities and towns should be speaking to their legislators. Ms. Griffin noted that Vice Chairman Connolly needs some direction from the Board as to whether she agrees with the statements or not. Chairman Walsh felt that she and Ms. Griffin should caucus and vote as she felt fit. Chairman Walsh felt that it is the responsibility of the municipalities to talk to their legislators. Selectman Baschnagel felt that in refusing to answer the question, it gives them carte blanche to do what they want. Chairman Walsh felt that NHMA should deal with anything that has to do with municipal revenue but when it goes outside those areas, they should not be getting involved.

Vice Chairman Connolly asked whether they would support taking no position on gambling. Chairman Walsh felt that the Town of Hanover should vote against gambling.

3. RECOMMENDATION TO SET A PUBLIC HEARING FOR MARCH 9, 2009 TO CONSIDER MODIFICATIONS TO THE FY2008-2009 RATE AND FEE SCHEDULE.

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Chairman Walsh MOVED to set a public hearing for March 9, 2009 to consider modifications to the FY2008-2009 Rate and Fee Schedule. Selectman Rassias SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING ON MARCH 9, 2009 TO CONSIDER MODIFICATIONS TO THE FY2008-2009 RATE AND FEE SCHEDULE.

4. APPROVAL OF MINUTES:
- February 9, 2009

The Board deferred this item to the next Board meeting.

5. ADMINISTRATIVE REPORTS.

There were no Administrative Reports.

6. SELECTMEN'S REPORTS.

The Selectmen had nothing further to report.

8. OTHER BUSINESS.

There was no Other Business reported.

9. ADJOURNMENT.

Vice Chairman Connolly MOVED to adjourn the meeting. Chairman Walsh SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:15 P.M.

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

- 1. Chairman Walsh MOVED to set a public hearing for March 9, 2009 to consider modifications to the FY2008-2009 Rate and Fee Schedule. Selectman Rassias SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING ON MARCH 9, 2009 TO CONSIDER MODIFICATIONS TO THE FY2008-2009 RATE AND FEE SCHEDULE.

- 2. Vice Chairman Connolly MOVED to adjourn the meeting. Chairman Walsh SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:15 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

February 23, 2009

7:00 P.M. – MUNICIPAL OFFICE BUILDING – HANOVER NH

The meeting of the Board of Selectmen was called to order at 7:00 p.m. by Chairman Brian Walsh. Present were: Brian Walsh, Chairman; Peter Christie, Selectman; Bill Baschnagel, Selectman; Athos Rassias, Selectman and Julia Griffin, Town Manager. Absent: Katherine Connolly, Vice Chairman.

1. PUBLIC COMMENT.

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

2. TOWN MANAGER'S PRESENTATION OF PROPOSED 2009-2010 BUDGET.

Chairman Walsh thanked Julia Griffin, Betsy McClain and the Department Heads who helped prepare the budget. Chairman Walsh noted that the budget was prepared with careful consideration of the state of the current economy and the challenges facing the taxpayers. Selectman Christie stated that the Finance Committee met earlier today and had the same sentiments toward the preparation of the budget.

Chairman Walsh noted that the Governor is diverting money that is normally received by the Towns back to the State to try to balance their own budget. Chairman Walsh stated that he felt that the way that they should proceed tonight is to pretend that the State of New Hampshire doesn't exist for the sake of the Town's decisions regarding the budget.

Chairman Walsh stated that the Finance Committee spent some time working on the budget this afternoon. He invited Bill Garrity from the Finance Committee to speak to the Board.

Bill Garrity, Etna, stated that they met from 4:00 to 5:30 to get a preliminary view of the budget. They were impressed with the amount of work that was done in preparing the budget. They would like to see a budget that had no more than a 3% tax rate increase. He stated that given the uncertainty of the State revenue, the Committee also proceeded with the budget review without those considerations.

3. 1st BUDGET HEARING

- Public Works

Chairman Walsh invited Peter Kulbacki to speak to the Board. Peter Kulbacki, Director of Public Works, introduced himself and invited questions of the Board. Selectman Christie suggested an overview for the viewing public. Mr. Kulbacki stated that they were able to keep some of their labor costs down due to a couple of retirements. The cost of materials, fuel, and asphalt continues to create a challenge for their department. The paving program was reviewed

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several times and ultimately was broken down into categories based on the type of road, level of service, neighborhood streets and dead end roads. Mr. Kulbacki stated that their past practice has been to follow a specific schedule but now they have taken a look at the types of use and the types of repair instead. The Town leases a vehicle to paint lines on the roads in town which realized a significant savings. Fortunately, there has been a decrease in the cost of fuel although it is not expected to last. They have changed the way they handle road maintenance. They have figured out ways to change the way they handle maintenance but keep the same level of service.

Selectman Christie noted that the Public Works budget shows an increase of 3%.

Chairman Walsh expressed concern over the changes to the handling of paving. Residents have come to expect the schedule and respect it when the question is asked as to when a certain road is going to be repaired. He was concerned that the new approach may provide difficulty in answering the questions when the answer becomes that it will be handled when the Town feels that it is in significant disrepair. Mr. Kulbacki noted that it is not their intention to let the roads deteriorate. Mr. Kulbacki noted that they got rid of the "schedule" years ago. Four years ago the rate per ton was \$35/ton and it is now \$75/ton. They have looked at ways to stretch out the life of the roads.

Chairman Walsh felt that the philosophy is right for the Town's position but from a resident's perspective, it seems like there could be a better way. Chairman Walsh suggested that they come to the Board with a list of projects that could be done this summer and then another list of what could be done next summer. Mr. Kulbacki felt that this could be done during the budget hearings. Chairman Walsh felt that budget sessions were probably not the best time to handle this issue. Mr. Kulbacki stated that if they can project some prices, they might be able to do a 2 year projection.

Ms. Griffin noted that Mike Chase and Peter Kulbacki are very good about changing things as the situation with the roads change. The list is not intended to be hard and fast but instead a way to change their thinking with regard to paving. Mr. Kulbacki noted that they distinguished between in-town and out-of-town and those roads that get more traffic.

Chairman Walsh felt that they should look at the schedule when Public Works would know more about the conditions. Mr. Kulbacki suggested that it would be later in the spring.

Selectman Christie asked about the life expectancy of the roads that are listed and whether this was consistent with the Town's history. Mr. Kulbacki stated that they looked at the type of road and the level of service and some of the roads have a better base to them and some can go longer than projected before needing repairs.

Chairman Walsh asked about the sidewalk repairs on West Wheelock and South Park. Mike Chase, Public Works, clarified that it's a section across from Crosby Street they have been dealing with and a section on North Park Street with some patches that has been a problem for about 3 years.

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Mr. Kulbacki noted that City of Lebanon has suggested some ideas to keep recycling more sustainable at the landfill and the Town may look at this also. Ms. Griffin stating that there is little demand for recyclables and there isn't much of a market to buy. Northeast Waste is setting aside a lot of their recyclables. Selectman Rassias asked if there was anything that comes in for revenue. Ms. Griffin noted that they used to collect around \$25,000 but not anymore. Mr. Kulbacki stated that the Town could also do what Lebanon is talking about which involved paying a tipping fee and all recyclables would be picked up and there would be no sorting. There would be a potential savings in time and cost and there may be options resulting in savings with the sharing of equipment.

Selectman Baschnagel asked about the grounds maintenance line item and questioned why it isn't charged back to Parks & Recreation. Ms. Griffin noted that it would just be a transfer from one General Fund to another.

Selectman Baschnagel noted that overtime has increased in a number of areas within the Town. Mr. Kulbacki noted that the biggest increase in their overtime is picking up snow because their areas have increased. Ms. Griffin pointed out that she cut down on the overtime throughout the budget.

Chairman Walsh would like to add to the review list a year to year overtime schedule with the last actual, budget and next year's budget and he would like to see this Town wide.

Chairman Walsh noted that Lyme Road and the Retaining Wall and lights around The Green should be on the review list to look at carefully as far as timing with the funding. He felt that these were items that could wait. Ms. Griffin noted that these items are on the large list of reductions to consider.

Selectman Baschnagel asked about the Block Grants and whether this was going to be affected by the Governor's decision regarding Block Grant funding. Ms. Griffin noted that Block Grant funding for Highway was not being considered for cuts.

Chairman Walsh noted that personnel costs decreased by 0.3% and Ms. Griffin noted that this was due to recent retirements.

Chairman Walsh asked what the fuel price was being used in the projections of this budget. Frank Austin, Public Works, stated that vehicle fuels can not be projected. Mr. Austin stated that for the preparation of the budget, he used \$3.00/gallon for diesel and heating oil and \$2.00 for gas.

Chairman Walsh asked about the contracted services with recycling. Mr. Kulbacki stated that the CPI was locked in at the middle of the year vs. the end of the year.

- Town Properties

Chairman Walsh noted that the total increase for this budget is 2.3%.

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Mr. Kulbacki reported that there was potential savings in street lights. Ms. Griffin stated that they have been working with National Grid. Mr. Kulbacki stated that there may be initial expenses but a large savings. They want to work out a schedule to change out some of the lights. Mr. Kulbacki stated that they have been looking at some of their own street lights to see if they can make a change and see some savings.

Chairman Walsh asked about the savings. Mr. Kulbacki stated that they are looking at potentially \$7,500 in savings. Selectman Baschnagel asked if there would be a better cutoff with the change. Mr. Kulbacki stated that they have only one option for the type of fixture. Ms. Griffin noted that they would have more options if they owned the fixtures but they are owned by National Grid. Chairman Walsh asked if the Town would do better to wait a year. Mr. Kulbacki felt that there might be big changes in 5 years but not in the next year. Ms. Griffin suggested that a letter from the Board might be helpful asking National Grid to use the Town as a demonstration for some different options. Selectman Christie stated that there was interesting information on page 149 regarding KW usage.

Chairman Walsh noted that there was \$50,000 going into capital reserve and \$50,000 going into energy improvements. He noted that they put \$50,000 into that account last year. He stated that he didn't mind saving but he'd like to be saving the money and then use it. He would like to see a plan. Mr. Austin stated that they do have a plan including roof repairs at the library and the police department which this money would be used for.

Selectman Rassias asked about the reserve fund. Chairman Walsh stated that they started this fund knowing that they had a lot of deferred maintenance and Ms. Griffin noted that they wanted to build a certain amount of reserve to try to offset those maintenance issues. Selectman Baschnagel wanted to see a plan so that they could determine whether they are moving in the right direction. Chairman Walsh requested a plan for next year's budget. He would also like to see a replacement schedule for the police department because he recalls that they have done this a few times over.

Chairman Walsh asked about the Municipal Infrastructure. Ms. McClain stated that because of the upgrade in the phone system, the budgeted amounts were reduced for the Information Technology (IT) and Communications Departments by \$9,000 instead of the promised \$20,000. Ms. McClain reported that the cut over was just done and they will know more about the savings in the months to come. Ms. Griffin also pointed out that part of the issue was the litigation that held up the project. She also stated that there is a telephone line item in each budget and that is where they will see the savings.

Selectman Rassias asked about the power generator. Ms. Griffin noted that there is one right next to the Town office next to Molly's. Mr. Austin reported that the generator is an older, loud piece of equipment. The proposal is to change it to a propane unit that is smaller but could run the whole building. He noted that the last few times that they had load tests, the current generator's useful life was in question. Selectman Baschnagel questioned whether it had to be done this year. Chairman Walsh wanted to add this to his review list.

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Chairman Walsh wanted to see better progress regarding electricity use and the heating oil use in the RW Black Center and the Howe Library and would like to see some progress reflected in next year's budget.

Selectman Baschnagel noted that heat went up for the Public Works facility. Mr. Kulbacki reported that the fuel tank for the building is the same as the fuel tank for Fleet. It wasn't correctly separated out previously. Selectman Baschnagel asked about putting a meter on it. Mr. Austin stated that there is a by-pass system, there is a transfer pump and they need to come off the nozzle itself to get accurate readings.

Selectman Baschnagel asked about the cemetery fees going down. Ms. Griffin stated that this was due to the increase in non-residential fees.

Chairman Walsh wanted to review the police department heating oil gallons used and placed it on the review list. Chairman Walsh noted that there were 12% increases in the Howe Library and the Police Department fuel costs. Ms. McClain noted that it's the recalibration of the fuel costs. Chairman Walsh would like to see what the difference is that is causing a 12% increase in both of those buildings.

Selectman Christie asked about the safety lighting around the Green. Ms. Griffin stated the project is about to be implemented by Dartmouth. Selectman Baschnagel asked about the issue regarding the area around The Green. Ms. Griffin stated that the glare and the difficulty of seeing pedestrians is the issue and the goal was to replace the fixtures around The Green for which they have received numerous complaints.

Selectman Rassias asked about the decrease in usage from 2006. Mr. Austin stated that they are getting better control of the system at the Howe Library. The challenge is handling climate control for the hours of usage.

Selectman Baschnagel asked about the Parking Facility and the amount of electricity being used. Mr. Austin stated that they are challenged regarding this with regard to efficiency and what will withstand the climate.

- Capital Improvement Plan

Ms. McClain reported that they struggle every year to keep their purchasing power in line with what the market prices are driving. This year they applied a modest inflator to the normal contributions to equipment reserves. This increase also shows up on the possible cuts to the budget. She noted that there are no new reserve amounts proposed.

Ms. Griffin stated that this is a summary of proposed expenditures for the year including vehicles. Ms. Griffin reported that the police department suggested purchasing a Honda Ridgeline to replace the 7 year old Expedition. The Ridgeline is more fuel efficient than the Expedition. Chairman Walsh asked if this vehicle came in a hybrid. Mr. Austin stated that this vehicle does not come in a hybrid currently. Selectman Rassias asked about the vehicles that they are looking at in the next few years and suggested that they consider more fuel efficient options.

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Selectman Baschnagel noted that they should consider some of the clean diesel options. Selectman Rassias asked about the Truck 03. Mr. Austin noted that the Truck 03 is not a viable candidate for a hybrid option.

Chairman Walsh provided some guidance for Mr. Austin in making some assumptions regarding higher costs for fuel (for example \$4.00/gallon for gas) in order to look at options more clearly. Selectman Baschnagel stated that the vehicles need to be fit for the purpose. Mr. Austin also stated that they are extending their vehicles out a little longer but the variables that come into play are the costs of the vehicle and the accessories that come with the vehicle. Selectman Baschnagel stated that they need to stay with the life cycle and look at the gas mileage issues. Selectman Christie noted that the carbon footprint needs to be looked at in addition to life cycle costs; if the costs are the same, they will need to look at the one that has the least carbon footprint. Mr. Austin stated that the Ridgeline is a specific vehicle that is currently not available in hybrid.

Chairman Walsh would like more information on the Bridge Replacement Capital Reserve Fund to be sure the Town is not over-reserving.

Chairman Walsh asked about the traffic signals and wondered if there were useful paybacks to make the conversions to LEDs sooner rather than over the next few years. Selectman Baschnagel wanted to review the number of lights at the intersection of Lebanon Street.

Chairman Walsh asked about the \$110,000 expenditure in the year 2012 for the Communications Systems Upgrades and he is concerned that the number might be too low. He would like to review this for next year's budget.

Chairman Walsh commented that for the Fire Department equipment, he feels that they may be over reserving. Mr. Austin stated that some of the driving factors are the cost of the Fire Engines at over \$300,000. Chairman Walsh invited Mr. Austin to provide him with additional information but he is concerned about the estimated remaining balance of \$250,000 after the purchase of equipment.

- Water Reclamation/Sewer Fund

Mr. Kulbacki stated that the focus in preparing this budget was to determine how to stage the projects for the bond that was approved at last year's Town Meeting and to see how to fit that within their regular operations. They have looked at different types of digestion to see if there were potential long-term savings in composting. The blowers are the highest priority and there are pre-applications in for the stimulus package but it is unclear how much that will cover. The blowers are the biggest consumers of electricity and the turbo blower would result in a significant savings over current systems. Ms. Griffin noted that when the CPC identified the two biggest contributors to the WWTP it was the methane and the electricity usage.

Chairman Walsh asked about the methane. Mr. Kulbacki reported that they looked into the reasons that the old system failed and they are looking at alternatives for the new system. Selectman Baschnagel noted that McNamara's Dairy Farm in Plainfield has a methane co-

generation system and suggested that they look at that system. Mr. Kulbacki was familiar with the technology and noted that the Town is trying to get away from systems that require more electricity to get it to run. Mr. Kulbacki reported that the end result was Class B sludge which is not the most desired outcome. Chairman Walsh noted that the Town paid the price for some leading edge technology and he would prefer to follow others in this initiative. Mr. Kulbacki reported that the odors that the old system generated were not dealt with efficiently which was part of the downfall of the system.

Chairman Walsh noted that this budget had reduced expenditures by 2% for this budget. Selectman Christie clarified that after last year's Town Meeting; he stated that if they approved the \$6 million expense, they would not need to deal with it this year. Ms. Griffin stated that this was still the case.

Selectman Baschnagel asked about whether they were going to bill more than one time a year. Mr. Kulbacki noted that they are doing meter reading quarterly and it is up to the finance department. Ms. McClain reported that establishing a change in the billing would require an ordinance change. Ms. McClain was hoping to be able to generate a first quarterly bill this coming fall. Mr. Kulbacki noted that they will be bringing forward a revised ordinance request and an issue with the rates & fees.

Selectman Baschnagel noted that fees were raised but the sewer increases for the municipal buildings were higher than 50%. Ms. Griffin stated that this is due to better allocation of costs.

Selectman Baschnagel asked about the sewer connection income estimates for next year. Mr. Kulbacki stated that they reviewed the projects that have been approved for construction next year and based the estimates on that.

4. APPROVAL OF MINUTES:
- February 9, 2009

Chairman Walsh deferred this item for approval at the next meeting, Wednesday, February 25th.

5. ADMINISTRATIVE REPORTS.

Ms. Griffin had nothing additional to report.

6. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie reported that the Affordable Housing Committee had a meeting. They received an update on the Gile Hill activity. There are 61 rental units now available; 35 are occupied. There are 16 condos available and there are 7 either occupied or under contract. There are a total of 77 units available. The rest are on hold until they have the units occupied before proceeding with additional construction. They are getting the mixed community that they were hoping for.

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Selectman Christie reported that the Finance Committee met and noted that Bill Garrity had already provided the Board with an update.

Bill Baschnagel

Selectman Baschnagel reported that there was a Planning Board meeting on February 10th. They held the first public hearing on the proposed zoning amendments.

Selectman Baschnagel reported that the Conservation Commission met on the February 11th. They worked on a policy statement which clarifies their selection process for properties and recognizes that they need to balance the cost versus the benefits.

Athos Rassias

Selectman Rassias had nothing new to report.

Brian Walsh

Chairman Walsh had nothing to report.

7. OTHER BUSINESS.

There was no Other Business.

8. ADJOURNMENT.

Selectman Rassias MOVED to adjourn the meeting. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR TO ADJOURN THE MEETING AT 9:05 P.M.

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

- 1. Selectman Rassias MOVED to adjourn the meeting. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR TO ADJOURN THE MEETING AT 9:05 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

February 9, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Peter Christie, Selectman; Bill Baschnagel, Selectman; Athos Rassias, Selectman and Julia Griffin, Town Manager.

Absent: Katherine Connolly, Vice Chairman.

1. PUBLIC COMMENT.

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

2. RECOMMENDATION TO ACCEPT DONATIONS IN MEMORY OF JONATHAN PLACE MARDEN FOR THE PURCHASE OF AN ICE RESCUE SLED AND EQUIPMENT.

Chairman Walsh invited Fire Chief Roger Bradley to speak to the Board. Chief Bradley was joined by Firefighter Jay Whitehair. Chief Bradley stated that Firefighter Whitehair found a need for some additional equipment. Firefighter Whitehair reported that during one of the Hanover Fire Department's practice drills for ice rescue, they noticed that the scenarios that they practice are old fashioned, with some in place for 40 years. They were slow in getting people out of the ice and Firefighter Whitehair researched the equipment possibilities. The Rescue Sled allows firefighters to ride out on the sled and gain access to the victims because it distributes the weight more evenly; even if the ice is breaking, the rescuers on shore can assist. The Sled is like a stretcher on the ice. Matthew Marshall and his family came forward with donations that would fund the purchase of the Rescue Sled because they experienced a tragedy in which a family member fell through the ice and drowned. The whole family contributed toward the project. Firefighter Whitehair is thankful to the Marshall family and feels that this equipment will bring the Fire Department forward.

Chairman Walsh felt that this was a wonderful piece of equipment to have available to the department. Chairman Walsh would also like to find a way to thank the Marshall family in the form of a letter signed by the Board of Selectmen.

Chairman Walsh thanked Firefighter Whitehair for all of his work on this project.

Selectman Baschnagel MOVED to accept donations in memory of Jonathan Place Marden for the purchase of an Ice Rescue Sled and Equipment. Selectman Christie SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO ACCEPT DONATIONS IN MEMORY OF JONATHAN PLACE MARDEN FOR THE PURCHASE OF AN ICE RESCUE SLED AND EQUIPMENT.

3. DISCUSSION OF PROPOSED AFFORDABLE HOUSING PROJECT INVOLVING TOWN-OWNED PROPERTY ON SCHOOL STREET AND ALLEN STREET.

Chairman Walsh invited Bob Strauss and Bill Bittinger to speak to the Board. Mr. Strauss, Chair of the Hanover Affordable Housing Commission, introduced Bill Bittinger of Bittinger & Associates who would be the contractor for the project.

Mr. Strauss stated that they are interested in the School Street property owned by the Town for the purpose of Affordable Housing initiatives. The Affordable Housing Commission is in agreement to go ahead with pursuing this project. The New Hampshire Housing Finance Authority (NHHFA) has grant money available in the amount of \$30,000. He is asking the Board to work with the Commission on the application of the grant. The Commission does not have the authority to make the grant on their own. They may have the authority after Town Meeting this year if they are approved as a State approved commission. At this point they are just an arm of the Select Board. The Select Board would need to sign off as the Hanover Housing Authority.

Selectman Baschnagel asked about parking and what they were going to do to replace all of the parking in that area. Mr. Strauss stated that this is what the study is about and this is an important consideration. Mr. Bittinger stated that this request dovetails two activities: more affordable housing downtown and a neighborhood planning initiative. The planning initiative would include gaining perspective from all of the interested parties involved.

Selectman Baschnagel is concerned that the Board would be making an implicit statement that the properties are available and he is not ready to state that those properties are available. Mr. Strauss pointed out that this is what they are asking for and the Commission cannot get a grant if the properties are not available. Selectman Baschnagel stated that these are both Town owned properties and one has 16 parking spaces. He is concerned that they are going to be used for alternate purposes other than parking and is not ready to make a decision on behalf of the PTB or other interested parties.

Ms. Griffin pointed out that it is her understanding that the challenge appears to be that the Housing Finance Agency needs to know that the Town is committed to let the project go forward if the feasibility study demonstrates that it is feasible; if Town Meeting were to decide not to make the property available for housing, they would need to pay the grant back. Mr. Bittinger wasn't sure what the NH Housing Authority would do about that issue, but the project would try to find a way to substitute parking with a new project. Selectman Baschnagel stated that the School Street properties were purchased by the Parking Fund which is a separate fund.

Chairman Walsh stated that the possibility of using either of these parcels for something other than what they are currently being used for has been on the table for several years. Chairman Walsh felt that involving all of the interests in this property was essential to the success of the projects that are taken on within the Town and look at how that property could be used in the next 10-15 years. This would expand the conversation in a useful way and could be discussed

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without State money instead of getting into an argument between the Parking interests, the Parks & Recreation interest and the Affordable Housing interests. Selectman Baschnagel stated that he agrees with Chairman Walsh's statement but this is not what is being requested from Board.

Chairman Walsh doesn't want to create a situation where different interests in Town are pitted against each other over specific properties in Town. He's trying to find a way to go forward that's constructive.

Ms. Griffin stated that the Affordable Housing Commission is aware that part of the issue surrounding 10 School Street is the Town's interest in creating additional parking behind Town Hall.

Selectman Christie offered some background and stated that Affordable Housing has looked at a few different options for affordable housing and this project has risen to the top of the list and the Affordable Housing Commission wants to pursue it. Whether the goal is best accomplished by creating task forces to consider the various interests or go forward as Affordable Housing is what is on the table.

Chairman Walsh stated that the Board has not done anything with Parks & Recreation or the Parking & Transportation Board's request regarding their suggestions for the use of that property.

Ms. Griffin felt that ideally it would be good to ask the community for their input into what the property should look like. There could be presentations representing the Affordable Housing Commission, Parking, and Parks & Recreation. Ms. Griffin asked Walter Mitchell for an opinion as to whether the Town has the authority to enter into an option to enter into a long term Ground Lease Agreement.

Mr. Bittinger stated that the suggestion of the option to enter into a long term Ground Lease Agreement came from the NH Housing Finance Authority to meet the requirements for the feasibility study but it would be grounded in the fact that the owner (in this case the Town of Hanover) has consented to the study.

Chairman Walsh would like to see the Town be more resolved among the competing interests in the property on School Street before asking the State for money. Selectman Baschnagel feels that they need to get to the point where there is community support to look at all of the options and wondered whether there were funds to look at that. Mr. Strauss felt that this was going to be a large undertaking and there would be some money involved although he wasn't clear as to how much. Mr. Bittinger stated that architectural plans are part of the cost but he suggested earlier in the fall that the only way he would be comfortable working on this project is to have a kind of neighborhood planning initiative. He noted that he is a resident interested in open space in addition to housing. He felt that this particular piece of property is fragile and the Affordable Housing was just one piece in the effort to use that property. He feels that the potential is so great that it doesn't have a clearly defined role. Mr. Strauss pointed out that in doing the research, they went back to Master Plans dating 40 years back. He stated that they've been

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waiting a long time to do something with that property. Selectman Baschnagel stated that the neighborhood had strong opinions as to what they didn't want to happen to that property.

Selectman Christie stated that this is potentially a difficult project for Affordable Housing and there's no guarantee that this could be accomplished even with the Town's approval. Parking would have to be replaced and there will be other things that need to be done. They need the money to do the homework and you need some community consensus to make this happen. Money would need to be spent to determine this so it is a "Catch 22".

Chairman Walsh asked about the South Block and what it took to do a feasibility study. Ms. Griffin stated that they did fundraising to do the feasibility study in which the downtown businesses and the College raised funds. Ms. Griffin stated that it would take a long time to raise the money. Chairman Walsh questioned whether the State would actually have the money in this economy.

Selectman Christie stated that part of the dilemma for the Housing Commission is not having funding to do these kinds of studies. Mr. Strauss isn't too concerned about raising the money but he is more concerned about having the ability to apply for the funding.

Chairman Walsh stated that he could see part of the money coming out of the Parking Fund for this study. If all the interests come to the table, they could contribute toward the study. Chairman Walsh wanted to find a way to go forward to look at all the competing interests for the property. Chairman Walsh needs a sense of numbers and the maximum units allowed. Mr. Strauss stated that there would potentially be 16 units based on zoning density. Mr. Strauss stated that there is a new law (Senate Bill 342) which requires every community to build their fair share of Affordable Housing. Selectman Baschnagel stated at this point no one has been able to clearly define what the "fair share" would be. Mr. Strauss stated that there are other restrictions including 51% of the development has to be work force.

Selectman Christie stated that one of the questions is whether there is a desire on the Board's part to look at that part of Town at this time. Ms. Griffin mentioned that there were discussions with the Episcopal Church and she noted that the Conservation Commission has had an interest in the properties. Chairman Walsh stated that the Parks & Recreation Board didn't officially make the request when the Recreation Center was torn down but there has been some interest.

Selectman Christie stated that even without a feasibility study, the Affordable Housing Commission has a clear concept about what they want to do. Selectman Baschnagel felt that Affordable Housing has some baggage that comes with it and the real question would be how you want School Street to perform as a transition zone. It has a fraternity on it, it has a School on it with the Episcopal Church on it, and it's got a parking garage on it and a parking lot on it. Selectman Baschnagel stated that the neighborhood has been undergoing a large transition.

Chairman Walsh would expand the interest and felt that the Town has broader interests. Selectman Christie felt that there needed to be a forcing function to make this happen.

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Chairman Walsh suggested that the Board attempt to write a charge to take School Street and the competing interests and spend 6 months to see what they come up with. Chairman Walsh suggested a Select Board chartered Task Force including the Planning Board. Selectman Baschnagel noted that the Planning Board has had three public meetings soliciting the people's views of their neighborhoods and they have started a discussion related to zoning. Chairman Walsh wants it to be a process similar to other site specific projects such as South Block or the Parking Garage.

Mr. Strauss noted that they have spoken with Larry Ufford, President of Trumbull Nelson, and he would be willing to enter into a Purchase and Sales Agreement. Mr. Strauss stated that they are interested in working with three consecutive lots versus separated lots. Selectman Christie suggested working over the next 6 months with the neighborhood to see if the support is there.

Paul Campagna, 2 Allen Lane, lives in the neighborhood. He stated that he only knew that this meeting was being held by the notice in the paper. He felt that there were a lot of good points being made about the neighborhood. He stated that the neighborhood is not only in transition but it is messed up. There is a half-way house at the end of Allen Street. Mr. Campagna stated that he would not be in favor of supporting this group of units in such a small area. He stated that the tax exposure for the entire Town would go up just as it will for the Gile Tract. He speaks for himself and stated he does not want to see affordable housing in the neighborhood. Panarchy is another property behind his residence and his concern is that his value will be driven down by this proposed project. He had concerns about the number of children that would be occupying the property and the burden on the school. He's not sure how much this is going to benefit the Town. He assumes that the two lots would be worth about \$1 million and he doesn't see the benefit of giving it away.

Michael Tsapakos, 14 Allen Street, stated that Selectman Baschnagel and Chairman Walsh about the fact that if the Select Board gives its approval to proceed with the grant it would be in some small way sending the message that they are accepting it. He would be in favor of opening up the discussion to all interests.

Doris Zappala, 52 year resident of Allen Street, stated that she was unaware that there were going to be discussions about the prospect of building affordable housing on this property. She would want to know more about this going forward.

Mr. Strauss commented that the number of children in the affordable units is 1 for every 2 units. They are not talking about a lot of children impacting the school. It would most likely be an addition of 8 or 10 children. They don't yet have architectural drawings and it is not their intention to put up high rise apartments and noted that these units would be similar to the Courtyard on Verona Avenue.

Chairman Walsh felt that the Board needed to work out a Charter and find a group to work on this area with the various competing interests. Chairman Walsh would like to have a draft charge at the March 23rd meeting after budget. Ms. Griffin stated that she would work on crafting this for the Board to review representing all of the interested parties including neighbors,

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Parking & Transportation Board, Parks & Recreation, Conservation Commission, Planning & Zoning, etc.

4. ADOPTION OF RESOLUTION REGARDING UPDATED HAZARD MITIGATION PLAN.

Ms. Griffin stated that FEMA requires that communities that want to apply for Hazard Mitigation Funds, there needs to be a Hazard Mitigation Plan. The Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) helped with this project 5 years ago and since that time, a 5 year update needed to be done. Vicky Davis, Planner with the RPC, did the update and the Board needs to resolve that they have updated that plan.

FEMA will be in town to meet with DES, Homeland Security and Emergency Management Staff and Town Staff. There has been some interest in funding the Ruddsboro Road retaining wall. There may be \$60,000 available to handle that project.

Chairman Walsh MOVED to adopt the Resolution regarding the updated Hazard Mitigation Plan. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR TO ADOPT THE RESOLUTION REGARDING THE UPDATED HAZARD MITIGATION PLAN.

5. UPDATE ON COMMUNITY SUSTAINABILITY WORKSHOP.

Selectman Rassias reported that the Town of Hanover and surrounding communities are embarking on a project to evaluate and enhance the sustainability of the community. Natural Step is an organization which focuses on sustainability and focuses on four principles to minimize the impact on the earth, to minimize the pollution of the atmosphere, to minimize the extent to which they use limited non-renewable resources and to minimize the extent that they take from some people to give to others where it creates more problems for others. On Saturday, there was a workshop at the Black Center and there were close to 150 attendees. It was a busy 6 hour time period which included a lunch provided by the Steering Committee and donated by local food producers. There was a lot of brainstorming within the groups and there is a plan to move forward with the ideas produced. Ms. Griffin stated that it was great to have the high school, middle school and College students present. She noted that the Board will be invited to participate in another workshop in the future. Selectman Rassias noted that the ideas that came forward were not unrealistic.

Selectman Christie asked how this would be publicized. Ms. Griffin stated that a report will be prepared and provided to the Board, anyone who participated in the workshop and it will be posted on the website. Ms. Griffin stated that there were members from other communities observing because they will be taking similar steps within their areas.

6. BUDGET UPDATE.

Ms. Griffin reported that the budget is done and Penny will get the budget books to the Board next week. She advised that she is keeping a close watch on the Governor's budget. This budget makes assumptions that there will not be cuts in the funding coming from the State but that will be made clearer on Thursday. They are keeping close watch on processes to apply for stimulus package funding for projects. Ms. Griffin reported that Wastewater Funding is one area that there will be funding. The Methane Project is one that might be in line for funding. Ms. Griffin stated that this project was already funded and she has the feeling that stimulus money should be used for projects that are not yet funded.

Chairman Walsh suggested that if the Town received stimulus money, he would like to see the amount that was set aside for that project be put back into the Capital Reserve Fund. Ms. Griffin stated that if they receive funding from the stimulus package, they might want to consider how they set that money aside for additional energy efficiency improvements at the plant that would have the sustainability component. It appears that Wastewater Projects administered through DES will be the focus of the funding efforts.

Ms. Griffin reported that she will attend the NH DOT meeting on Wednesday night in Hartford regarding the Route 4 bridge. This may be funded through the stimulus package. Ms. Griffin stated that today they heard about the staff cuts for Dartmouth College. Now the Visual Arts Center may not be fast tracked to move forward. The building permit revenue has been budgeted at \$112,000 so there may be discussions about additional budget cuts if that money is no longer an option.

7. APPOINTMENT:
- Affordable Housing Commission

Selectman Christie MOVED to appoint Jim Reynolds to the Affordable Housing Commission. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR OF APPOINTING JIM REYNOLDS TO THE AFFORDABLE HOUSING COMMISSION.

8. APPROVAL OF MINUTES:
- January 26, 2009

Chairman Walsh had changes to Page 5.

Selectman Baschnagel MOVED to approve the Minutes of January 26, 2009 as amended. Selectman Christie SECONDED the motion.

THE BOARD VOTED 3 IN FAVOR, 1 ABSTENTION TO APPROVE THE MINUTES OF JANUARY 26, 2009 AS AMENDED. (Selectman Rassias abstained from the vote.)

9. ADMINISTRATIVE REPORTS.

Ms. Griffin reported that the County Jail project is being reviewed and may possibly be downsized. She hasn't heard from the Representatives or Commissioners.

10. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie reported that he has continued to work with the Finance Committee which supported both the Dresden and Hanover School District budgets and ultimately adopted them with a 5 – 6% tax increase.

Bill Baschnagel

Selectman Baschnagel reported that the Planning Board met and had the last of the neighborhood meetings. He reported there was good input from the residents. There were 4 or 5 zoning amendments discussed as possibilities for the warrant. There will be a public hearing tomorrow night.

Selectman Baschnagel reported that at last week's meeting, there was a presentation from Suncook Properties. They are asking for a re-zoning for a piece of property near Wilson Tire in Lebanon. This piece of property is adjacent to Hanover property including Mink Brook. They would like Hanover to re-zone 15 to 30 acres of land in Hanover on the Hanover-Lebanon line that would allow for it to be joined with the project on the Lebanon side. It would be a project similar to Centerra. So far, there have been no studies of wildlife or topography and it unclear exactly what the boundaries would be. The suggestion is that if they can get it re-zoned, they would get contribute the balance of the property to some sort of conservation easement held by a third party. The Planning Board was interested but needed more information regarding impacts, etc. There have been issues in the past regarding Hanover development accessible only from Lebanon which would be the case with this project.

Selectman Baschnagel reported that the majority of the meeting was spent reviewing the Spaulding/Hood loading docks which is a precursor to the Visual Arts Center. There were some negative aspects to it. The current design will require removal of Clement Hall and an old dorm. It will create a green space between the back of Spaulding and the Visual Arts Center. Adjacent to the back wall of Spaulding will be a two-lane loading dock running parallel to Spaulding. This proposal requires reconstruction of the exit ramps on both sides. The Hood project would be deferred until after the Visual Arts Center would be built. The Board had a lot of questions and the meeting was rescheduled for next month.

Chairman Walsh felt that there is a serious public safety issues with trucks entering on the other side already. Selectman Baschnagel stated that Dartmouth is committing to having the trucks call prior to arrival to assist with the directing of traffic. There was a lot of discussion and the College is not open to alternatives; the alternatives would be expensive. The College has made

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commitments to the Artists as far as their ability to live in the trailers adjacent to the facility while they are here.

Athos Rassias

Selectman Rassias reported that the Bike & Pedestrian Committee met last week. They have on-going discussions regarding bike lanes and sharrow plans. The second major topic was education initiatives. The Board will be seeing a proposal by the Committee in the future.

Brian Walsh

Chairman Walsh announced that the Pond Party will be held on Saturday, February 14th from 10 a.m. to 3 p.m.

Chairman Walsh reported that there will be a stockholder's meeting tomorrow at the Water Company. Ms. Griffin and Selectman Christie will be attending.

Chairman Walsh MOVED to authorize Selectman Christie and Julia Griffin to give the Board's proxy to vote the Town's shares at the Water Company stockholder's meeting. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR TO AUTHORIZE SELECTMAN CHRISTIE AND JULIA GRIFFIN TO GIVE THE BOARD'S PROXY TO VOTE THE TOWN'S SHARES AT THE WATER COMPANY STOCKHOLDER'S MEETING.

Chairman Walsh reported that someone asked him whether the Select Board should take a position on Gambling. The Select Board felt that the Reps were given the Board's position.

Chairman Walsh reported that he attended the New Hampshire Municipal Association Meeting (NHMA) meeting. The Towns and Cities voted to support the proposed 5 cent/gallon increase per year for the next 3 years.

Chairman Walsh reported that he introduced a motion that the NHMA oppose anything which would act to increase the property taxes of the Towns and Cities and that passed by a large majority. They made the decision to meet again in March to see if the Towns and Cities want to make a statement on anything else regarding the Governor's budget.

11. OTHER BUSINESS.

Ms. Griffin reported that there was a banner request from the School Board to put up the "Vote, Vote, Vote" banner.

THE BOARD VOTED 4 IN FAVOR TO APPROVE THE BANNER REQUEST OF THE SCHOOL BOARD.

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12. ADJOURNMENT.

Selectman Baschnagel MOVED to adjourn the meeting. Selectman Christie SECONDED the motion.

THE BOARD VOTED 4 IN FAVOR TO ADJOURN THE MEETING AT 9:20 P.M.

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Selectman Baschnagel MOVED to accept donations in memory of Jonathan Place Marden for the purchase of an Ice Rescue Sled and Equipment. Selectman Christie SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO ACCEPT DONATIONS IN MEMORY OF JONATHAN PLACE MARDEN FOR THE PURCHASE OF AN ICE RESCUE SLED AND EQUIPMENT.

2. **Chairman Walsh MOVED to adopt the Resolution regarding the updated Hazard Mitigation Plan. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR TO ADOPT THE RESOLUTION REGARDING THE UPDATED HAZARD MITIGATION PLAN.

3. **Selectman Christie MOVED to appoint Jim Reynolds to the Affordable Housing Commission. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR OF APPOINTING JIM REYNOLDS TO THE AFFORDABLE HOUSING COMMISSION.

4. **Selectman Baschnagel MOVED to approve the Minutes of January 26, 2009 as amended. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 3 IN FAVOR, 1 ABSTENTION TO APPROVE THE MINUTES OF JANUARY 26, 2009 AS AMENDED. (Selectman Rassias abstained from the vote.)

5. **Chairman Walsh MOVED to authorize Selectman Christie and Julia Griffin to give the Board's proxy to vote the Town's shares at the Water Company stockholder's meeting. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR TO AUTHORIZE SELECTMAN CHRISTIE AND JULIA GRIFFIN TO GIVE THE BOARD'S PROXY TO VOTE THE TOWN'S SHARES AT THE WATER COMPANY STOCKHOLDER'S MEETING.

6. **THE BOARD VOTED 4 IN FAVOR TO APPROVE THE BANNER REQUEST OF THE SCHOOL BOARD.**

7. **Selectman Baschnagel MOVED to adjourn the meeting. Selectman Christie SECONDED the motion.**

THE BOARD VOTED 4 IN FAVOR TO ADJOURN THE MEETING AT 9:20 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

January 26, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Bill Baschnagel, Selectman; and Julia Griffin, Town Manager.

Absent: Athos Rassias, Selectman.

1. PUBLIC COMMENT.

Chairman Walsh asked for Public Comment. Winifred Stearns, 5 Dorrance Place, was looking for an update from the Board of Selectmen regarding a firm date for when the transformers are going to be changed at the South Block. Ms. Griffin stated that National Grid will not give Dartmouth a date yet due to the ice storm and storm related repairs.

Ms. Stearns felt that the other Dartmouth projects should be put on hold until this issue is taken care of. Chairman Walsh felt that the Town should ask National Grid directly for a date. Ms. Griffin stated that she has contacted National Grid directly and they have told her that they are still working on the post ice storm work which is their highest priority.

Ms. Stearns stated that if the Town does not follow up on this, they are discounting the hard work done by the Planning Board and Zoning Board. Ms. Griffin stated that she disagrees with Ms. Stearns; she stated that they don't have the legal right to compel the work to be done. Ms. Griffin stated that she didn't feel that they should hold up other projects when this is a specific issue with this particular project and suggested that Ms. Stearns contact the President's Office at Dartmouth if she has a problem with what they are doing.

Ms. Stearns felt that the College is going to stall until they can get a zoning change at Town Meeting to allow for these transformers to remain where they stand. She believes the Town is responsible. Ms. Griffin stated that Dartmouth can't put anyone in the building until the work is done. Ms. Stearns challenged the fact that National Grid had any storm related damage and felt that it was only PSNH. Ms. Griffin pointed out that there were several residents affected by storm related damage including Ms. McClain who stated that she was without power for five days.

Chairman Walsh stated that the Town does have a responsibility but they do not have the ability to control the timing of the resolution. Chairman Walsh stated that the Town is not in a place where they can compel National Grid to act but they do have the ability to prohibit anyone from being able to live there until it's taken care of which has an economic impact.

Ms. Stearns stated that they have had the time to move the transformers since the decision on November 4th. Ms. Stearns is extremely disappointed and asked whether the Planning Board should reconvene to grant another extension to the South Block since their second extension

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expired on December 31st. Vice Chairman Connolly stated that she didn't know where things stood legally with the expiration of the extension. Ms. Stearns continued to lay blame with Dartmouth College and their efforts to stall this project. Selectman Baschnagel stated that he didn't see where it was the College's fault when National Grid has to do the work. Ms. Stearns thanked the Board for their attention.

2. DISCUSSION WITH STATE LEGISLATIVE DELEGATION REGARDING LEGISLATIVE SESSION AND STATE FISCAL SITUATION.

Chairman Walsh invited members of the State Legislative delegation to speak to the Board.

Representatives Sharon Nordgren, Beatrice Pastor, David Pierce, and Bernie Benn introduced themselves. Representative Benn referred to the questions that Ms. Griffin had provided to them in advance of tonight's meeting.

1. Current deficit projections for FY09 and FY10 as well as current options being considered to balance the budget – is revenue sharing or highway aid at risk?

Representative Benn stated that so far, he is unaware of any of these items being at risk for budget cuts. Rep. Nordgren stated that this has not been on any agenda that she has seen. Rep. Benn stated that there are currently no Bills in but they still have another \$75 - \$80 million to cut for this fiscal year.

Ms. Griffin handed out a reference sheet to the Representatives to show the impact on Hanover taxpayers if the cuts should come through. This information included what would happen to the tax rate if the State stopped contributing to the retirement system for Group II employees.

Chairman Walsh stated that the concern is that with the projected deficit in the State budget, they may consider not paying its portion of the retirement fund for Group II employees. They are also very concerned that they would be looking to reduce the amount of revenue distributed to the Towns leaving the deficit on the property tax.

Rep. Benn stated that they discussed the retirement system again this morning and there aren't any Bills calling for a reduction to the 35% contribution. Rep. Benn also stated that there were additional discussions regarding the 35% contribution and it is not clear as to whether the State is required to make any contribution to the Retirement System. There is currently no Bill proposing to reduce that amount. Rep. Benn stated that right now 35% is in the statute but it is unclear whether it has to be paid.

Chairman Walsh felt that this was confusing. Chairman Walsh felt that it was disturbing to think that the State would write a law requiring the 35% contribution and then question whether it has to be paid. Rep. Benn stated that the idea of the amount is specified but whether the State is obligated to pay any portion of the retirement is not clear. The State has been paying 35% but it doesn't mean that it was a forever obligation. Selectman Baschnagel questioned whether it stated the word "Shall" in the statute. Rep. Benn stated that they haven't read the statute so he's not sure.

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Rep. Nordgren stated that at some point the percentage was reduced from 40% to 35%. The question was raised as to how the issue of this contribution happened in the first place.

Chairman Walsh stated that part of the conversation is to look at how they came to be here relative to the 35% but the cost of the State Retirement System is set by a board which is dominated by the employees and has been run fiscally irresponsibly for the last few years with oversight from the Legislature. He feels that it is legitimate to have the State pick up part of the cost regarding what they are creating for cost and these things should be reviewed before the burden is put back on the cities and towns.

Rep. Nordgren didn't feel that anyone was expecting the cities and towns to pick this up. Rep. Nordgren reported that House Bill 223 is on the fast track regarding the 125 spiking charge and there will be a hearing set for that next week and she assumes that by mid February, that would be moved along quickly. Rep. Bernie stated that House Bill 641 is proposing a fix for the spiking problem.

Vice Chairman Connolly asked about Bill 401. Rep. Nordgren stated that it will go to the sub committee to determine if it comes to floor or if it's referred for study.

Vice Chairman Connolly asked about the source of the money for the Highway Block Grant. Rep. Benn stated that this is Federal money with a State match. Selectman Baschnagel stated that the Federal money did come through for transportation related initiatives.

Ms. Griffin stated that Rep. Paul Hodes briefed folks from his district down at the State house. Of the \$825 billion, \$275 is going to be in tax cuts, NH can expect to get about \$300 million and she has a list of the State by State breakdowns for the stimulus package and the formulas are based on a series of factors. About 90% of the money will come through the State; about 10% will be made through an application process to the municipalities. It's not clear how much will be used for State highway projects such as the Route 4 bridge.

Chairman Walsh stated that the Town is building a budget and will have hearings in a month. There are assumptions based on the anticipated revenue for the Highway Block Grant, Rooms & Meals Tax, the Retirement System, etc. Chairman Walsh reported that Town Meeting is in May and then if the Legislature moves some of this money, his concern is that the Town would find out about it in June.

Rep. Benn stated that this has always been an argument in the Legislature. Rep. Nordgren stated that they get the Governor's budget February 12th, the House will vote in April, then it goes to the Senate; knowing the deficit they are facing, they don't know what else they can tell the Towns.

Selectman Christie confirmed that they know nothing today that they didn't know two weeks ago. Rep. Benn stated that the gas tax seems to be a move in the right direction and is receiving a positive response. Chairman Walsh stated that the gas tax hasn't changed since 1991 and questioned the \$.05/year without tying it in to the rate of inflation. Rep. Benn stated that

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Commissioner Campbell was asked about this issue and he felt that an additional \$.05/year for 3 years would make them solvent.

Selectman Baschnagel stated that Commissioner Campbell spoke to the Regional Planning Commission and stated that without an increase in the gas tax, the 10 year plan will run out of money in 8 years. Chairman Walsh questioned the goal setting and whether they are going to stretch it out over the 30 year plan. Rep. Benn stated that the number of projects in the 30 year plan will still take 30 years. If the plan was pared down, the proposed \$.15 over the next 3 years would be enough to build the plan now; it doesn't mean that there wouldn't be more projects to be added.

Selectman Baschnagel felt that this is part of the unknown element of the stimulus plan but if the State gets a portion of those funds, this may change the equation of the 10 year plan. One of the reasons that the plan was stretched out was for the widening of the lanes from Manchester to the border; if there is a sum of money that comes into the State from the stimulus package, the widening would be a project to look at.

Ms. Griffin stated that there was a movement for the New Hampshire Municipal Association (NHMA) to support the gas tax increase. Vice Chairman Connolly stated that an increase in the gas tax was firmly rejected by the representatives of the cities and towns and perhaps the NHMA has seen the wisdom of revisiting this issue. Rep. Nordgren recommended that the NHMA promote some solutions other than just saying "no". Chairman Walsh asked the Representatives what else the Municipal Association should support. Chairman Walsh was hopeful that the State would not put in place a tax that would be flat for the next 18 years but rather keep up with the pace of inflation.

Rep. Benn reported that he did enter into discussions regarding the Route 4 bridge in West Lebanon. He stated that there is some conflict with the State of Vermont over whether the trestle bridge is historic which could cause additional delays. Ms. Griffin noted that there is a meeting on February 11th in White River Junction that the Department of Transportation is putting on. Ms. Griffin stated that it has been interesting to see the impact of the heavy trucks on South Main Street. She stated that Hanover has an interest in the construction of that bridge. Rep. Nordgren reported that it is the 5th project on the list. Ms. Griffin will inquire with Vermont as to what the issues are on their side.

Chairman Walsh stated that if there are things that the NHMA should support, he encouraged the Legislators to let them know. Chairman Walsh went on to the next question outlined by Ms. Griffin.

2. Any viable new taxes being considered that the Governor will agree to – gambling, gas tax increase, etc.

Chairman Walsh asked where this issue sits. Rep. Benn doesn't feel that it's going to go through. Rep. Nordgren agreed that she doesn't feel it will pass in the House. Ms. Griffin stated that the NHMA has been asked about their position on the gambling tax issue. Ms. Griffin noted that the Chief's Association has a meeting set for a secret ballot to vote on this issue.

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Chairman Walsh asked if there were other sources of revenue that have been contemplated. Rep. Nordgren stated that there is an effort to change the Estate tax. Rep. Benn stated that there is a proposed equine tax and there will be a meeting held tomorrow. The tax would be \$25/year per horse with \$10 of the tax going to the Towns.

3. Federal Stimulus package – any update as to how the funding will be disseminated through the State to local communities?

Ms. Griffin stated that she has been in touch with Lisa Levine in Paul Hodes' office and there is potential money in the package for water and wastewater projects. The methane recirculation project could be an area that could benefit. Ms. Griffin stated that they are waiting until they get more information from the State and the NHMA with regard to when they can apply for the funding.

Vice Chairman Connolly stated that broadband is a big issue and hopes that we continue to pursue this. Ms. Griffin stated that she has spoken with EC Fiber and the State needs to sit down with Fairpoint to determine what areas are and are not going to be served. Rep. Benn stated that Fairpoint is interested in talking to the independent groups.

Chairman Walsh asked about the education funding issue. Rep. Nordgren stated that they are not under any legal restraint; the Londonderry lawsuit was thrown out, the House is proceeding but they are not under a particular time constraint. Rep. Benn stated that it is their intent to get this accomplished even though there is not a specific timeframe.

Chairman Walsh asked about the Grafton County Jail proposal. Ms. Griffin stated that she hasn't heard anything from county staff as to where this issue sits. A number of towns sent letters to the delegation communicating their concern about either postponing or downsizing the project.

Representative Pastor stated that Lyme had already sent a letter and were interested in signing a joint letter. She noted that Lyme was under the impression that Hanover was spearheading this effort and she clarified for them that this was not the case based on her discussions with Ms. Griffin. Chairman Walsh stated that there is no question that the Jail is outdated and needs to be upgraded. Chairman Walsh stated that they have declined to organize a joint letter but he is hoping that the delegation would support additional discussion. Rep. Benn stated that the delegation has not formally reconvened to discuss this issue. Rep. Benn stated that they are wondering if there are any new estimates for building to the project. He felt that one good reason to do this now is the fact that this would add additional jobs and didn't feel that this project would cost less money if it is put off. The size is a question and it may have been reduced from the original scope. There are going to be large increases in staffing and he is unclear whether they are generated by the design.

Chairman Walsh stated that the State has gone out of the business of dealing with mental health and substance abuse issues which all end up at the jail and the sentencing guidelines set in some cases by the State Courts and in other cases by the Legislature drive the jail population. The

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funding restrictions in the Court system operate so that the time for case resolution stretches out and that's also a significant determinant to the jail population. All of these things are, at some level, at the control of the State Government; none of them are under the control of the Towns, Cities or Counties. The reason that they need a lot more people and a lot more beds is due to State actions and inactions. Chairman Walsh expressed his frustration with particular issue.

Rep. Benn stated that the treatment part of the Jail proposal would not reduce the cost by much. Selectman Baschnagel stated that the reduction would be 35%. Rep. Benn didn't recall that it would be this much of an impact. Selectman Baschnagel stated that the reason the staff is going up by such a significant amount is because the design of the facility and not the number of residents which he personally confirmed at two different presentation meetings with Glenn Libby.

Ms. Griffin stated that the scary part is that it may or may not be the right time to build this facility and the challenge is that with staffing being increased from 35 to 79; the total projected operation budget will increase from \$3.1 million to \$7.4 million which is a doubling of the cost and more than doubling of the staff. Ms. Griffin felt that there should be some options given with a list of the services that the Jail could provide with each proposed option. There is currently no basis for weighing the merits of the project. If \$800/year for the capital costs are worth it, it is unclear and in light of the economic downturn and not knowing where things are headed, they will want to present some lower cost alternatives. Ms. Griffin stated that this is a hugely expensive project in a scary economic time. Selectman Baschnagel stated that he is not against building a new jail but the scope of the project and the fact that it appears that they never went out and talked to any of the professional jail builders is an issue. You can contract today with companies that build jails on a fixed price basis at \$125,000/bed. Selectman Baschnagel stated that to his knowledge, they never looked into this option and he continued to ask the question about this and he didn't get the response that he hoped for.

Rep. Benn stated that he wasn't involved with the first go around when they hired their experts and did their projections. The costs seemed high to him too but the Jail itself was cut down from the original proposal. Rep. Benn stated that he questioned the treatment facility in the Jail since the residents are short term. He recalled a figure of \$2.5 million to remove the treatment facility from the Jail.

Ms. Griffin asked whether they have heard anything about the timing. Rep. Nordgren stated that there are still lawsuits and she does not have a feel for the timing.

Vice Chairman Connolly asked if the Jail portion could be built and then add the additional facilities later. Rep. Nordgren didn't feel that they could take this project apart due to the levels of security that have to be built.

Vice Chairman Connolly asked whether the services are necessary now. You've got people staying there for 2 weeks at a time. Chairman Walsh stated that he feels that the idea is to break up the amount of recidivism but they are unable to get any kind of feel as to how much of a change that would be. Rep. Benn stated that there is a movement to handle people in prison

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outside of prison. There is some legislation to be considered regarding the sentencing of individuals for certain crimes.

Ms. Griffin stated that they have seen how much the Grafton County Courthouse is backed up. Rep. Nordgren reported that they took out additional money from the Court budget last week.

Chairman Walsh thanked the members of the Legislative Delegation for attending and serving. Ms. Griffin invited them to return to meet with the Board of Selectmen at the end of February or beginning of March.

3. DISCUSSION REGARDING GAS TAX AND OTHER REVENUE OPTIONS AS REQUESTED BY NHMA.

Vice Chairman Connolly MOVED to instruct the NHMA to instruct the Legislature to raise the gas tax. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED 4 TO 0 IN FAVOR OF INSTRUCTING THE NHMA TO INSTRUCT THE LEGISLATURE TO RAISE THE GAS TAX.

**4. APPROVAL OF MINUTES:
- January 12, 2009**

Selectman Christie has some minor changes to the Minutes.

Selectman CHRISTIE MOVED to approve the Minutes of January 12, 2009 with minor changes. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED 4 to 0 IN FAVOR OF APPROVING THE MINUTES OF JANUARY 12, 2009.

8. ADMINISTRATIVE REPORTS.

Ms. Griffin stated that tomorrow she will look at the latest version of the budget. She will be providing the Board with several tax rate targets. She stated that they can easily give the Board a 5% tax rate target. There will be some options so that the Board can see what would need to be cut for a lower target.

Ms. Griffin reported that she has been busy keeping up with what is happening in the Legislature.

Ms. Griffin noted that Dartmouth has made some decisions about their financial situation and their impending layoffs. The Medical Center is concerned about what is happening on the Medicaid front.

Chairman Walsh felt it would be useful to look at the amount they are expecting from the State (by fund) and compare that to the undesignated fund balance. He pointed out that they are not

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going to know what they are going to be facing with the State until after all the budget decisions with the Town are already made. Ms. Griffin stated that with regard to the Retirement System State contribution, if the funding from Group II were to be cut, there would be movements from cities and towns across the State to remove themselves from the NH Retirement System. Ms. Griffin noted that the City of Manchester moved away from the Retirement System years ago. Vice Chairman Connolly felt that withdrawing from the system would break the system and Ms. Griffin wasn't sure whether legally they could do that.

9. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie reported that the Finance Committee attended the School Board budget meetings. They have a meeting scheduled for Wednesday night to review the final decisions of the School Board and offer an opinion. The Finance Committee has been very active and Selectman Christie reported there has been good communication and involvement all the way around.

Ms. Griffin asked where the School Board was going to land as far as a tax increase for Hanover. Bill Garrity stated that he felt that they would support the Tier 2 option which has a 5% tax rate increase. Ms. Griffin noted that it would be a lower rate for Norwich.

Selectman Christie reported that there has been some interesting work being done regarding developing some metrics on the residents' ability to pay. They are looking at two different metrics; the tax burden as a percentage of the grand list and the tax burden as a percentage of adjusted gross income as reported on income tax returns.

Kate Connolly

Vice Chairman Connolly reported that the Planning Board has a 3rd residential hearing scheduled. Two weeks ago they heard from in-town property owners. She reported that the people in that area had more of a focus on adding sidewalks and crosswalks. Vice Chairman Connolly stated that they also requested from the Select Board that there be a rental housing ordinance to reduce the amount of violations. Vice Chairman Connolly stated that the second meeting held was for the rural districts and the residents seem to be split between those who want to remain rural and those who want to be left alone to do whatever they see fit with their land. Vice Chairman Connolly reported that the Master Plan objective was to keep the ratio between the urban and rural areas of 3 (in town) to 1 (rural) and it is currently 4 to 1.

Vice Chairman Connolly announced that the third meeting will be held tomorrow night which will deal with the "other" areas north of the southern roundabout, Route 120, Goose Pond and the Greensboro Road area.

Bill Baschnagel

Selectman Baschnagel reported that with regard to the residential hearings, they are still living in the backlash of the Trumbull Hall meeting a year ago. The backlash was regarding the issue of

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legislating the preservation of land through the zoning ordinance and making the ordinance focus very strongly on not impacting a variety of classes of lands including wetlands. There were a lot of people who reacted negatively to that approach and that issue was reiterated at the meeting last week. He felt the challenge of the Planning Board is to set the discussion on a path that works cooperatively with landowners to preserve the characteristics versus legislative action.

Selectman Baschnagel reported that the Parking & Transportation Board had a meeting and they were also focused on the budget. They were happy to see a fiscally responsible budget and supported those efforts. There will be additional discussions regarding the membrane revitalization for the parking facility and noted that Patrick O'Neill has spoken with people in the membrane business but hasn't gained any positive alternatives.

Selectman Baschnagel reported that the Conservation Commission met. The discussion was focused on open space; they are speaking with landowners with a positive step toward putting a policy statement forward to provide guidance as to when they support properties for the conservation fund and the fact that they need to explicitly recognize that they are fiscally restrained and think about what is important.

Brian Walsh

Chairman Walsh announced that the Pond party will be held on February 14th.

10. OTHER BUSINESS.

Ms. Griffin reported that the Sustainable Hanover Community Workshop is scheduled for Saturday, February 7th at the Richard W. Black Center from 10:00 to 3:30. The goal is to have 150 people attend.

11. ADJOURNMENT.

Selectman Baschnagel MOVED to adjourn the meeting. Vice Chairman Connolly SECONDED the motion.

THE BOARD VOTED 4 TO 0 IN FAVOR OF ADJOURNING THE MEETING AT 9:05 P.M.

Respectfully Submitted,

Peter Christie, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

- 1. Vice Chairman Connolly MOVED to instruct the NHMA to instruct the Legislature to raise the gas tax. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED 4 TO 0 IN FAVOR OF INSTRUCTING THE NHMA TO INSTRUCT THE LEGISLATURE TO RAISE THE GAS TAX.

- 2. Selectman CHRISTIE MOVED to approve the Minutes of January 12, 2009 with minor changes. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED 4 to 0 IN FAVOR OF APPROVING THE MINUTES OF JANUARY 12, 2009.

- 3. Selectman Baschnagel MOVED to adjourn the meeting. Vice Chairman Connolly SECONDED the motion.**

THE BOARD VOTED 4 TO 0 IN FAVOR OF ADJOURNING THE MEETING AT 9:05 P.M.

FINAL

BOARD OF SELECTMEN'S MEETING

January 12, 2009

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 Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice Chairman; Peter Christie, Selectman; Bill Baschnagel, Selectman; Athos Rassias, Selectman; and Julia Griffin, Town Manager.

1. PUBLIC COMMENT.

Chairman Walsh asked for Public Comment.

Winifred Stearns, 5 Dorrance Place, stated that she was seeking a resolution from the Board to make a statement to Dartmouth College to finish the projects that have been started downtown before going forward with the proposed Visual Arts Center. Ms. Stearns read from the draft Board of Selectmen's Minutes of December 15th. Ms. Stearns pointed out that Chairman Walsh had made a statement that the Board needed to find out legally what they could or could not do before deciding how to proceed and she would like to know what the Board has decided.

Chairman Walsh asked Ms. Griffin if there had been a legal opinion on Ms. Stearns' request. Ms. Griffin stated that the Board of Selectmen has no legal authority to deny the issuing of permits pending the completion of on-going projects. The Planning Board will be taking up the issue of the loading docks very soon. Ms. Griffin stated that Town staff is requiring some additional work on the part of the College for the loading docks. Ms. Griffin stated that there is a groundwater issue behind the Maloney building and they have been proceeding very carefully not to damage that building while dealing with the engineering issues.

Ms. Griffin stated that the time and place to deal with this issue is at the Planning Board meeting when they have a site plan review for the Visual Arts Center which is coming before the Board within the next few months. Ms. Stearns felt that a builder would be given carte blanche with regard to their projects and that there will be no restriction and no recourse. Ms. Griffin stated that she would disagree with that statement and the College would feel that the Town is very difficult to deal with regarding obtaining permits for building projects.

Ms. Stearns is concerned about the flow of traffic downtown and she doesn't feel that the developer is concerned about this. Ms. Stearns is not asking for the Select Board to deny this project but to ask the College to finish their projects before they continue with additional projects. The transformers need to be taken care of and it should have been done 15 months ago. Ms. Griffin stated that she can only assume that part of the delay at this point would be the storm related work that they have been tasked with during the ice storms. Ms. Stearns is disappointed that the Town is burdened buy overzealous building. She would have loved to have an opinion expressed to the College from the Select Board to encourage them to finish their projects before proceeding with any new projects.

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Chairman Walsh would also like to know when the transformers will be taken care of; he agrees that this issue has been dragging on for a long time and asked Ms. Griffin to try to get a specific date by the next Select Board meeting and felt that this was not an unreasonable request.

Chairman Walsh wasn't sure that making a statement without legal standing would serve a productive purpose. He also noted that there are other residents within the Town that are very frustrated with the construction that goes on. Ms. Stearns felt that the on-campus construction is done very quickly but the areas in the downtown area do not get done as efficiently. Ms. Stearns thanked the Board for their attention in this matter.

2. UPDATE ON STATUS OF COUNTY JAIL PROJECT.

Ms. Griffin reported that she has had conversations with other people around the county that are concerned about the cost and the timing of the County Jail Project. There is a proposed draft letter that would be submitted by a number of communities jointly to the delegation which she believes is similar to the December 17th letter that was submitted by the Town. The Lebanon City Council will also be addressing this issue at their next meeting later this month. Ms. Griffin spoke with Lebanon City Manager, Greg Mandsager, and he will update her when the Council makes a statement about this project. The Town of Haverhill sent a letter expressing their concern. Ms. Griffin stated that she will again try to speak to Rep. Mulholland, Executive Committee Chairman, to get her sense of where things are. Recently, there was a tour of the current facility for the newly elected representatives.

Ms. Griffin asked the Board to let her know if there is anything additional that they would like for her to pass along to the representatives. Chairman Walsh felt that the letter that Ms. Griffin wrote was well written on behalf of the Board.

3. DISCUSSION REGARDING PROPOSED CHANGES IN CURRENT USE ASSESSMENT FOR FOREST LAND AND IMPACT ON TAX BASE.

Ms. Griffin stated that she wanted to get the Board's sense for this issue. The Current Use Board is a Board made up of various officials all over the State. The Board had concerns about the hard wood and soft wood values not being up-to-date and whether they could legally defend those values in court. A decision was made to reduce the values of white pine and hardwood. The impact for the Town of Hanover, which currently has 19,619 acres in current use, would be a loss of tax revenue in the amount of \$14,165.

Ms. Griffin stated that either the tax rate would have to be reduced by that amount or the burden would shift to non-current use property owners which would increase the tax rate by a small amount. Ms. Griffin stated that this does seem to be a legitimate revaluation of the land with current land values.

Chairman Walsh asked if there were any other real estate values established by the State and dictated to the Town. Ms. Griffin stated that utility values are established by the State.

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Selectman Christie asked how the tax rate range would work and whether towns could choose amounts between the ranges. Ms. Griffin stated that the Town of Hanover uses the higher end of the range for white pine, hardwood and all other. Selectman Baschnagel stated that the range was there to account for factors regarding the difference in value of the wood such as whether the wood is 5 years old or 50 years old. Ms. Griffin stated that Mike Ryan, Town Assessor, felt that the current use tax rate is so low that he wondered how low is too low.

Ms. Griffin stated that the Local Government Center (LGC) has heard from very few communities. Smaller communities don't have a full time assessor and an independent assessor would be costly.

Selectman Baschnagel stated that the purpose of the current use program is to encourage residents to not use their land. Many of the towns may look at this as a way to avoid development so it may be an easy one to pass by.

Ms. Griffin didn't want to push the tax shift to the non-current use landowners. She spoke with the Local Government Center about phasing this change in over a period of time. Vice Chairman Connolly is surprised that they have not heard from more communities. Ms. Griffin stated that there was a hearing today but she was looking for direction from the Board and they are taking testimony in writing until the 22nd or 23rd.

Selectman Christie stated that he supports the efforts to move to a more realistic valuation and trust that they are doing this correctly. Selectman Baschnagel felt that the current use program does what it's supposed to do in encouraging property owners not to develop their property. Vice Chairman Connolly stated that her question would be with regard to the rationale behind the amounts.

Ms. Stearns asked whether the Town or the State sets the tax rate for current use. Selectman Baschnagel stated that the State sets a range and the Town sets the amount within that range.

Chairman Walsh established with the other members that the Board would pass on this particular issue at this time.

4. BUDGET AND FISCAL UPDATE.

Ms. Griffin stated that she and Betsy McClain finished the first round of the budget today. It appears that they are going to be able to give the Board a 5% tax rate budget without any cuts and possibly get to 3% without a lot of cuts. Ms. Griffin stated that everyone has been watching what is happening in surrounding communities like Hartford and Lebanon and doesn't anticipate drastic measures to keep the tax rate down.

Ms. Griffin stated that the fuel decreases have helped and Dartmouth is coming forward with some big projects that are going to come in the next year with building permit revenues which she is not going to include in the projections at this point. Currently, the unknown is what the State is going to do in order to balance their budget which affects the revenue received by the Town through Highway Block Grants, Rooms & Meals Tax distribution and aid to cities and

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towns. She is asking the Board to be thinking about what strategy they will be looking for in a tax rate target as they move forward with the budget.

Ms. Griffin stated that the Consumer Price Index (CPI) had a massive drop which was depicted in a graph that was provided to the Board. She is interested in seeing the CPI figures for December. Department Heads have been very frugal in their budget presentations.

Selectman Christie reported that the Finance Committee met today (both Dresden and Hanover) and the School Board looks at the proposed budgets tomorrow night. The Committee is looking at 3 tiers within the budget. The Hanover tax impact with Tier 1 would result in a minimal impact on the day to day operations of the schools at a 6+% tax rate increase. Tier 2 would have a greater impact on the day to day operations at a 5.3% increase. Tier 3 was not recommended by the Committee and would change the quality and character of the school at a 3% increase.

Selectman Christie stated that the Finance Committee has had a lot of discussion on the potential impact of the economic downturn on Hanover residents. It would help to know the percentage of Town residents that are retired. Any data that the Town might have that would give the indication of the ability to pay would be helpful.

Ms. Griffin stated that car registrations are down and they are currently projecting about \$100,000 less in car registration revenue for the next fiscal year. Ms. McClain can provide the Finance & Dresden Committees with helpful statistical charts. Ms. Griffin also reported that delinquency notices were sent for those residents that did not pay their tax bill in December and there were approximately 100 delinquent taxpayers on the list. There is census information that might help them obtain numbers of retired residents.

Chairman Walsh reported that he attended a meeting at the Charitable Foundation on Friday and there was a conversation about pulling together data from towns and cities to learn how many tax bills remained outstanding after December 31st for the last two years to get a sense of the issue.

Selectman Baschnagel thought it might help to try to find out where the residents live that have been laid off recently in the Upper Valley. Ms. Griffin stated that the RPC may be tracking this and this would be reported to the Employment Security Department.

Selectman Christie reported that Bill Garrity has agreed to be a liaison to the Finance Committee and will be following the Town budget process closely.

5. RECOMMENDATION THAT HANOVER HOUSING AUTHORITY APPROVE REVISIONS TO SUMMER PARK POLICY AND RESIDENT LEASES RELATED TO THE FEDERAL VIOLENCE AGAINST WOMEN ACT.

Vice Chairman Connolly MOVED that the Board of Selectmen become the Hanover Housing Authority. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF BECOMING THE HANOVER HOUSING AUTHORITY.

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Chairman Walsh reported that the Board received specific wording regarding the Federal Violence Against Women Act.

Chairman Walsh MOVED to adopt the revisions to the Summer Park Policy and the lease addendum relative to the Federal Violence Against Women Act. Selectman Baschnagel SECONDED the motion.

THE HANOVER HOUSING AUTHORITY VOTED UNANIMOUSLY TO ADOPT THE REVISIONS TO THE SUMMER PARK POLICY AND THE LEASE ADDENDUM RELATIVE TO THE FEDERAL VIOLENCE AGAINST WOMEN ACT.

Selectman Baschnagel MOVED to cease acting as the Hanover Housing Authority and resume as the Board of Selectmen. Selectmen Christie SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO CEASE ACTING AS THE HANOVER HOUSING AUTHORITY AND RESUME AS THE BOARD OF SELECTMEN.

6. APPROVAL OF MINUTES:
- December 15, 2008

Selectman Christie MOVED to approve the Minutes of December 15, 2008. Selectman Baschnagel SECONDED the motion.

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF DECEMBER 15, 2008.

7. ADMINISTRATIVE REPORTS.

Ms. Griffin updated the Board on the Sustainable Hanover Steering Committee. There is a community workshop scheduled for Saturday, February 7th at the Richard Black Community Center from 10:00 – 3:30. There is great representation from the schools with the number of people involved. There have been two sessions with Sarah James, the Natural Step Planner. The first meeting was to learn the basic concepts of the Natural Step process in becoming a sustainable community. The second meeting was to identify key groups of people in the community that represent a particular perspective. The Committee has identified 7 groups of folks who recruited conveners and so far, everyone has said they will participate. The conveners are tasked with bringing 7 or 8 people to participate in the workshop. The workshop is open to the public as well as the people that are targeted to attend. Emily Neuman, Food Co-op, planned the whole lunch at the event and made it sustainable by having the event at the Community Center where they can use dishware that is not disposable.

Ms. Griffin invited the Board to attend the event but noted that elected officials will be invited to another workshop.

Ms. Griffin also noted that Barbara McIlroy had sent an invitation to the Board for an event on January 29th from 5:30 p.m. to 8:30 p.m. at the Montshire Museum with a snow date scheduled

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for January 30th. This is to have a regional discussion with elected officials throughout the area about the Upper Valley. Ms. Griffin committed to being there and invited other members of the Board to attend.

Ms. Griffin distributed the proposed budget review schedule to the Board. The Board discussed the arrangement of the schedule and made some revisions to the proposed schedule noting that all of the budget meetings start at 7:00 p.m. versus 7:30 p.m.

8. SELECTMEN'S REPORTS.

Peter Christie

Selectman Christie had already given his report on the Finance Committee and had nothing further to report.

Kate Connolly

Vice Chairman Connolly reported that the Regional Planning Commission (RPC) will be having a presentation on Resource Efficient Construction, January 21st at the AVA Gallery in Lebanon starting at 7:30 p.m.

Vice Chairman Connolly reported that the Planning Board waived site plan review for the conversion of an apartment house on Park Street into a sorority which will add 23 undergraduate beds for Dartmouth.

Vice Chairman Connolly stated that the Planning Board also reviewed property on Park Street that is proposed to be converted from a 3 unit property to a 6 unit property which is on-going. The site plans for the move of the Rivercrest building to the police station has also been waived.

Vice Chairman Connolly reported that the Planning Board will be holding some public meetings to get input from the resident's regarding the zoning ordinance for the entire town. Chairman Walsh asked Ms. Griffin to read the dates and times of the meetings for the benefit of the audience.

Ms. Griffin read the notice that was sent to Hanover residents:

“The Hanover Planning Board invites you to attend a public workshop to hear your ideas and concerns about preserving, enhancing and improving the character of Hanover's residential neighborhoods in order to help the Board develop zoning changes to achieve these goals.

January 13th - 7:30 p.m. in the Ray School Music Room – In Town Neighborhoods

January 20th – (same time and location) Rural neighborhoods

January 27th – (same time and location) Other residential areas including Route 10 North, River Road, Greensboro Road and Goose Pond.”

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Background information may be viewed by going to the Town's website, click on the Planning & Zoning tab and then select "Residential Zoning Project".

Ms. Griffin reported that this initiative was imposed by Michael Hingston who is an alternate to the Planning Board.

Ms. Stearns asked if there would be a microphone at these public meetings and whether it would be recorded. Vice Chairman Connolly advised that CATV would be recording and broadcasting the meeting. Ms. Griffin stated that she would ask Jonathan Edwards to work on this because the room does have a microphone. Ms. Stearns stated that she watches the Board meetings from home and when the members don't use the microphones, she can't hear anything. Chairman Walsh took note of this issue.

Bill Baschnagel

Selectman Baschnagel had nothing new to report.

Athos Rassias

Selectman Rassias reported that he missed a couple of meetings since he had to work. Ms. Griffin attended the Howe Library Trustees meeting and gave the annual budget speech to the Trustees. It was a good discussion and they asked a lot of questions. Howe Library Corporation needs to consider how they will fund the library since the value of the endowment has dropped over 26%. There will be a reduction in the amount that they will be giving the Town with regard to the maintenance fund since it is based on the value of the funds which has decreased. Ms. Griffin also reported that the Finance Committee of the Howe Corporation will meet in the next week or so and they will revisit the reallocation formula but the Town should expect to receive \$3,000 less than in past years.

Selectman Rassias reported that although he wasn't able to attend the Bike & Pedestrian Committee meeting, he did review the Minutes from their last meeting and they continue to be very active and plan on attending the sustainability workshop.

Brian Walsh

Chairman Walsh reported that Pond Party is scheduled for February 14th and hoped to see everyone there.

9. OTHER BUSINESS.

There was no Other Business.

10. ADJOURNMENT.

Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Baschnagel SECONDED the motion.

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**THE BOARD VOTED UNANIMOUSLY IN FAVOR OF ADJOURNING THE MEETING
AT 8:45 p.m.**

Respectfully Submitted,

Athos Rassias, Secretary

Minutes prepared by Elizabeth S. Rathburn.

SUMMARY

1. **Vice Chairman Connolly MOVED that the Board of Selectmen become the Hanover Housing Authority. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF BECOMING THE HANOVER HOUSING AUTHORITY.

2. **Chairman Walsh MOVED to adopt the revisions to the Summer Park Policy and the lease addendum relative to the Federal Violence Against Women Act. Selectman Baschnagel SECONDED the motion.**

THE HANOVER HOUSING AUTHORITY VOTED UNANIMOUSLY TO ADOPT THE REVISIONS TO THE SUMMER PARK POLICY AND THE LEASE ADDENDUM RELATIVE TO THE FEDERAL VIOLENCE AGAINST WOMEN ACT.

3. **Selectman Baschnagel MOVED to cease acting as the Hanover Housing Authority and resume as the Board of Selectmen. Selectmen Christie SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO CEASE ACTING AS THE HANOVER HOUSING AUTHORITY AND RESUME AS THE BOARD OF SELECTMEN.

4. **Selectman Christie MOVED to approve the Minutes of December 15, 2008. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF DECEMBER 15, 2008.

5. **Vice Chairman Connolly MOVED to adjourn the meeting. Selectman Baschnagel SECONDED the motion.**

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF ADJOURNING THE MEETING AT 8:45 p.m.