

FINAL

BOARD OF SELECTMEN'S MEETING

OCTOBER 6, 2003

7:30 PM – MUNICIPAL OFFICE BUILDING – HANOVER, NH

The meeting of the Board of Selectmen was called to order at 7:31 pm by the Chairman, Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice-Chairman; William "Bill" Baschnagel; Peter Christie; Judson "Jay" Pierson; Betsy McClain, Director of Administrative Services; and members of the public.

Selectman Walsh advised that the Town Manager was not in attendance due to illness. As such, agenda items number three and four would not be addressed at the current meeting but would be continued to the Selectmen's October 20, 2003 meeting.

1. PUBLIC COMMENT

There was no public comment.

2. RECOMMENDATION TO AUTHORIZE EXECUTION OF LEASE-PURCHASE AGREEMENT FOR MOTOROLA RADIOS

Betsy McClain, Director of Administrative Services, explained that the State, through a generous grant, provided Hanover's Police Department with twelve portable radios and a base station. This enabled the department to move from analog technology to digital technology. The proposed six additional radios, associated with the lease-purchase agreement currently before the Board, would allow each of Hanover's full-time police officers to have their own radio. Ms. McClain stated that the Selectboard had previously discussed and approved a line item for this three-year lease-purchase agreement during their annual budget review process. She said the Town Manager needed authorization from the Board to enter into and sign the lease.

Selectman Walsh asked how the Town was induced to set aside these funds. Ms. McClain said she could not speak to the particulars of the grant funding. Mr. Walsh asked if the State could be expected to provide similar funding in the years to come. Ms. McClain said no, and reminded the Board of the Town Meeting's action to transfer funds into a Capital Reserve Fund for dispatch equipment from which the replacement of these radios would be funded in the future.

Selectman Connolly asked if Hanover's dispatch system would be fully digital. Ms. McClain said yes and added that the old radios would no longer interface with the new digital technology.

It was MOVED by Selectman Connolly and SECONDED by Selectman Baschnagel to authorize the Town Manager to execute the lease-purchase agreement for six Motorola radios as proposed. THE SELECTMEN VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE LEASE-PURCHASE AGREEMENT FOR SIX MOTOROLA RADIOS AS PROPOSED.

3. REVIEW OF CURBSIDE RECYCLING OPTIONS

Selectman Walsh acknowledged the large number of Hanover High School students in attendance. He explained for their benefit that Hanover participated in curbside recycling of waste paper, glass, and plastic to keep these items from being landfilled. This was paid for out of the Town budget at an annual cost of \$186,000. Of that funding, approximately \$40,000 is used to dispose of brown and green glass, as there is no market to recycle these items. This represents 1% of Hanover's tax rate.

Mr. Walsh explained that during the Selectboard's annual budgetary review process they asked Town administration and the Recycling Committee to find ways to use brown and green glass or get it into the recycling stream and keep it from being landfilled. He recalled from a recent memorandum that three or four options had been developed by staff to address this matter. Those options would be reviewed on October 20, 2003.

4. UPDATE ON WATER FILTRATION PROJECT

Selectman Walsh explained that the Hanover Water Works Company served roughly two-thirds of Hanover's residents. It was owned jointly by the Town and Dartmouth College. It has been operating on a waiver by the State of New Hampshire Department of Environmental Protection to have open reservoirs without a filtration plant for a large number of years. The \$5 million to \$7 million water filtration project being considered involves installing a filtration plant at the inlets of the main water mains. This would then filter all of the water coming out of the reservoirs.

Mr. Walsh acknowledged the many complaints that the Selectboard receive about the water quality. He noted that the water changes color and tastes funny at different times of year when the water mains are flushed or when the reservoirs turn over due to temperature changes. This filtration project would improve the water quality, public health and assist in keeping the water mains clear from debris.

Selectman Pierson clarified that Hanover's water quality was not bad nor was it creating a health problem. He said that the Town was not in a position where it had to conduct this filtration project but a big advantage to utilizing filtration would be an increase in the Town's water supply.

5. UPDATE ON IMPLEMENTATION OF BROADBAND

Ms. McClain advised that at the last Selectboard meeting the Town was offered a percent of ownership interest in Hanover Broadband LLC, an entity put together by The Merton Group. Ms. McClain explained that it was the Town Attorney's opinion that the state statute does not allow towns to accept such interest. The Town Attorney proposed three courses of action:

1. Not to pursue participation in this entity,
2. Participate in Hanover Broadband LLC on the grounds that the Town would accept the ownership interest as a gift with the understanding that it might be deemed contrary to statute, or
3. Try to move through an act of legislation that would recognize and update the state statute to allow towns to participate in this kind of business.

Ms. McClain said the statute did allow towns to participate in certain utility services. She added that the New Hampshire Municipal Association (NHMA), in conjunction with the New Hampshire Local Government Information Network (Login), would most likely be pulling together some language the Town could use when working with its local representatives to propose to the State legislature.

Ms. McClain said staff would be meeting with representatives from The Merton Group the following week. At that time staff would work to obtain a written commitment from The Merton Group to keep some sort of option open should the Town be able to participate. Selectman Baschnagel suggested proceeding forward under options b and c, accepting the ownership interest as a gift while encouraging NHMA and others to work the legislative route to formalize town participation. Ms. McClain said once a formal written opinion was obtained from the Town Attorney that could very well be the conclusion the Board draws.

Selectman Walsh asked Ms. McClain about Bond Counsel's opinion. Ms. McClain advised of a presentation that NH Login, NHMA, and The Merton Group hosted for people throughout the state on the status of municipal broadband. A panel discussion was held with Bond Counsel representatives from Massachusetts and New Hampshire. It was reported that the Massachusetts legislation allows towns to issue bonds to construct municipal broadband networks. In New Hampshire, Bond Counsel was of the opinion that towns do not. Mr. Walsh said it was interesting to him that New Hampshire state law did not yet recognize information as a potential municipal utility like other states. He said this was something the state needed to deal with and that it was not clear to him that providing broadband to the towns in New Hampshire is not in fact public responsibility. In many towns, borrowing public money at public rates will be the only way to support

such action. He said lacking high-speed communication is going to be a very important economic disadvantage in the future.

Selectman Connolly asked if The Merton Group's estimates of work, provided at the last Selectboard meeting, were similar to what was reported to staff from actual vendors. Ms. McClain explained that The Merton Group's figures were developed from responses obtained from national vendors. Ms. McClain said she did not attend a vendor meeting held on Tuesday but was able to report that The Merton Group had said that the estimates they quoted for the electronics, the boxes that would connect to each home, were dropping off dramatically.

Selectman Baschnagel asked if staff had received any response from the Adelphia representatives who also attended The Merton Group's presentation at the last Selectboard meeting. Ms. McClain said no but believed that they were speaking through their actions to turn up neighborhoods with cable modem service.

Selectman Pierson asked if the Technology Advisory Committee members also present at The Merton Group's presentation had responded or acted further. Ms. McClain explained that the Technology Advisory Committee would reconvene once a decision is made with respect to the RUS funding that was applied for. She said staff would be following up on many of the questions raised by Committee members following The Merton Group's presentation. Mr. Pierson asked of Valley Net's status in this business venture. Ms. McClain explained that Valley Net and The Merton Group were holding independent discussions. She said the Town Manager would be contacting Ron Boehm of Valley Net for information on their Board's actions. Selectman Walsh asked that a joint meeting be scheduled involving the Technology Advisory Committee, Selectboard, and Valley Net to discuss these issues further.

Ms. McClain reiterated that the Town's next action on this issue would occur after the Town Attorney's written opinion was received.

6. APPOINTMENT: RECYCLING COMMITTEE

It was MOVED by Selectman Walsh and SECONDED by Selectman Baschnagel to nominate Willy Black to the Recycling Committee. THE SELECTMEN VOTED UNANIMOUSLY TO APPOINT WILLY BLACK TO THE RECYCLING COMMITTEE.

7. APPROVAL OF MINUTES: SEPTEMBER 22, 2003

It was MOVED by Selectman Connolly and SECONDED by Selectman Baschnagel to approve the minutes of September 22, 2003 as amended. THE SELECTMEN

VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF SEPTEMBER 22, 2003 AS AMENDED.

8. ADMINISTRATIVE REPORTS

In Town Manager Griffin's absence there were no Administrative Reports given.

9. SELECTMEN'S REPORTS

Peter Christie

Mr. Christie reported on the Finance Committee's action to forward their recommendation regarding the sixth grade tuition issue to the Dresden School Board. They discussed and voted in support of the School's request that the current assessment be used for Thompson Terrace as it relates to the Tri-Party Agreement. They also reviewed the budget guidelines for both Dresden and Hanover School Boards. Mr. Christie advised that Nick Harvey and Athos Rassias will serve as co-chairs. Mr. Harvey will address school activities and Mr. Rassias will address town activities. Mr. Christie added that the two newest members, Phil Harrison and Dick Podolec have been steady contributors and are coming up to speed quickly.

Mr. Christie reported on the Senior Citizen Advisory group's discussions to offer additional programs on Tuesday and Thursday afternoons. They are enjoying their new facility. They also discussed fees and traffic patterns. Mr. Pierson advised that some seniors in town had approached him about the Center offering more active programs such as hikes. This information will be forwarded to an advisory committee for the Center. Mr. Walsh suggested consulting the Hanover Conservation Council.

Kate Connolly

Ms. Connolly reported that the Planning Board would review a subdivision and proposed building project for the area adjacent to the Gile Tract the following evening.

Bill Baschnagel

Mr. Baschnagel reported on the PTB's efforts to find locations to park tour buses. They also discussed alternatives to parking at the Thompson Lot.

Mr. Baschnagel reported on an Advanced Transit Board meeting he attended a week prior where it was reported that the AT served 834,000 passengers last year making it the largest public transportation system in the State of New Hampshire on the basis of

ridership. Mr. Walsh asked that during budget review, ridership trends are provided both in aggregate and by town over the past 20 years.

Mr. Baschnagel reported on his attendance at a Department of Transportation hearing on the ten-year highway plan. He said Governor Benson's commitment to widen I-93, south of Manchester, would absorb the majority of the State's highway funds for the next five years. On the local level, a few key corridor studies received good support at the meeting. They involved Route 120, Route 12A and Route 4A.

Jay Pierson

Mr. Pierson reported that the Recreation Department would bury two time capsules at 10:00 a.m. the following morning at the new Richard W. Black Community and Senior Center.

Mr. Pierson reported on the Chamber of Commerce's action to submit a letter to the Zoning Board of Adjustment requesting a more friendly response to the interpretation of the Zoning Ordinance. The Chamber will put together a fact finding group to discuss and recommend improvements to the zoning and planning process in town. The Chamber also held a "Call to Action" breakfast to identify town, Dartmouth College and Chamber issues that they would like to address. Mr. Walsh asked that the notes from the "Call to Action" be provided to the Board.

Brian Walsh

Mr. Walsh did not have anything further to report.

10. OTHER BUSINESS

There was no other business discussed.

11. ADJOURNMENT

It was MOVED by Selectman Connolly and SECONDED by Selectman Pierson to adjourn the meeting. THE SELECTMEN VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 8:14 PM.

SUMMARY

- 1. It was MOVED by Selectman Connolly and SECONDED by Selectman Baschnagel to authorize the Town Manager to execute the lease-purchase agreement for six**

Motorola radios as proposed. THE SELECTMEN VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE LEASE-PURCHASE AGREEMENT FOR SIX MOTOROLA RADIOS AS PROPOSED.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. Christie", written in a cursive style.

Peter Christie, Secretary

These minutes were transcribed by Beth Rivard.