

FINAL

**BOARD OF SELECTMEN'S MEETING**

**JANUARY 19, 2004**

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

The meeting of the Board of Selectmen was called to order at 7:30 pm by the Chairman, Brian Walsh. Present were: Brian Walsh, Chairman; Katherine Connolly, Vice-Chairman; William "Bill" Baschnagel; Peter Christie; Judson "Jay" Pierson; Julia Griffin, Town Manager; and members of the public.

**1. PUBLIC COMMENT**

There was no public comment.

**2. DISCUSSION WITH CA-TV ABOUT STATUS OF LIVE BROADCASTING OF BOARD OF SELECTMEN'S MEETINGS**

Bob Franzoni, Executive Director of the CA-TV stations in White River Junction and Hanover, advised of a CA-TV Board of Directors vote, taken in March 2003, to stay live broadcasts for all meetings for one year. He explained that this was done for a number of reasons, one of which was audio quality issues in Hartford, Norwich, and Hanover; another was the questionable status of Adelpia's future. He said that Adelpia's efforts over the last year to rewire the Upper Valley have since enabled CA-TV to broadcast the Town of Hartford meetings live. Tests would be conducted on Wednesday, January 21<sup>st</sup> to determine if Hanover's audio problems still existed. Mr. Franzoni said if good audio quality was achieved in Hanover, CA-TV would resume live broadcasts for all towns in February beginning with the Town of Hanover Board of Selectmen's February 23, 2004 meeting.

Mr. Franzoni advised that there would be changes to the channels from which the meetings would be broadcast. Channel 8 would carry Hanover, Norwich and Dresden meetings. Channel 10 would be designated as an educational channel but would also carry the Hartford and Hartland School Boards and Selectboards meetings if broadcast live. Channel 6 would carry Lebanon, Enfield, and Canaan.

Town Manager Griffin asked if Adelpia's work alone fixed the audio issues. Mr. Franzoni stated that CA-TV had not done anything in Hanover to correct the audio problems that existed in the past. Selectman Connolly recalled that the audio issues had been resolved at one point, allowing live broadcasts from the Hanover Town Hall.

Selectman Walsh requested that CA-TV report back to the Town if the January 21<sup>st</sup> line tests prove to be unsuccessful with details of how and when Hanover's meetings will be broadcast live. He spoke of the value in having the budget hearings broadcast live and said that if it required extra effort to make that happen the effort should be put forth. Mr.

Franzoni agreed to report back to the Town Manager of the test results and subsequent actions that will be taken if necessary. He added that CA-TV too realized the importance of broadcasting live. They also realized that Hanover was the start of public access in the Upper Valley and that if it had not been for Hanover, CA-TV might not exist. He said that was why it was the CA-TV Board's intent to resume live broadcasts with a Hanover Selectboard meeting. Selectman Connolly said if audio problems were found that proved to be unrelated to Adelphia's equipment she would like to know that as well. She said that the Town was looking for a complete report in every direction.

Selectman Pierson asked if the Selectboard wanted to pursue the previously discussed option of possibly broadcasting live from the Richard W. Black Community & Senior Center. Town Manager Griffin explained that the Center was not currently wired into the cable network. She suggested including that connection into the next franchise agreement with Adelphia.

Selectman Baschnagel asked if the Town had ever considered broadcasting the Planning Board meetings live. Town Manager Griffin said that the issue to broadcast any other board or commission meetings had never been brought up in Hanover since she joined the Town. Mr. Franzoni said that CA-TV's policy had been to broadcast the regular meeting schedules of the local Selectboards and School Boards. Selectman Connolly noted that a few Hanover Planning Board meetings had been broadcast live over past years but not on a regular basis. She suggested consulting with the Planning Board prior pursuing that option further.

Selectman Christie asked for the reasoning behind CA-TV's policy to not show any area board meetings live. Mr. Franzoni explained that that the CA-TV Board of Directors felt that it would be unfair to broadcast some towns live and not others. Selectman Walsh said that he shared Selectman Christie's displeasure in the CA-TV Board's action to make such a decision without consulting with the Hanover Selectmen, who worked so hard to establish the CA-TV Board and get it off the ground. He asked that Mr. Franzoni convey the Selectboard's dismay and displeasure to the CA-TV Board in the hopes that this does not happen again. Mr. Franzoni apologized and explained that there was a changeover in the Executive Director position, which created miscommunication among the CA-TV Board in general. He reiterated that it was their intent to resume live broadcast starting with a Hanover Selectboard meeting.

Town Manager Griffin asked if the CA-TV station would remain at the Hanover High School after the school's renovations were completed. Mr. Franzoni said yes, as far as he knew.

**3. UPDATE ON STATUS OF WASTEWATER TREATMENT PLANT IMPROVEMENTS**

Ed Rushbrook, of Underwood Engineers, walked the Board through two handouts he provided. Beginning with the UV Disinfection Pilot Status Report he said that in mid-

2001 the Town began experiencing exceedances of E. coli discharge from the treatment plant. This meant that the UV Disinfection System was not doing its job. A decision was made, in concert with the State and Underwood Engineers, to conduct a complete evaluation of the system by the equipment manufacturer, to review the sampling and lab analysis, and to evaluate the wastewater characteristics. Following the submission of an action plan to the State, an Administrative Order was issued by consent to the Town stating that the UV System needed to be replaced. An evaluation was done over a three-month period of the UV disinfection at the Hanover facility. The results indicated that Hanover's wastewater is more difficult to treat than it might be at other plants. This means that Hanover would need a much larger UV system to treat its water. The construction and operation costs for this larger system would cost the Town 50% more than it would cost to change to an alternative system, such as chlorination/dechlorination.

Mr. Rushbrook said that Underwood Engineers was now working to design a chlorination/dechlorination system to replace the existing UV System. It will be completed by late March or early April. Construction bidding will begin in April 2004. He said that per the Administrative Order, construction of this system must be completed by November 30, 2004. Mr. Rushbrook pointed out the location of the proposed chlorine contact chamber and the change of flow of the wastewater through the new system. Selectman Walsh asked if Hanover would be one of the first communities in the East to use chlorination/dechlorination. Mr. Rushbrook said no, it was probably the most common disinfection system used in wastewater treatment facilities and was used throughout the Northeast, the country, and the State of New Hampshire.

Selectman Christie asked of the cost to install the chlorination/dechlorination system. Mr. Rushbrook said it would cost approximately \$1 million. Town Manager Griffin added that this was about what was budgeted for to replace the UV System. Mr. Rushbrook said the new system would also have significantly lower operating costs than the existing UV System.

Selectman Baschnagel said it was known that the plant was geographically constrained and asked if this would exacerbate that situation. Mr. Rushbrook said that he and Pete Kulbacki, Director of Public Works, had met and discussed a long-range plan. They determined that the proposed location of the new system was indeed the best location and that this would not be shoehorning the Town into a situation that would later become a problem.

Selectman Pierson asked what this would do to capacity. Mr. Rushbrook explained that the new disinfection system would easily accommodate future growth or capacity, and if over designed, the cost for over capacity would be very small. He said that a conservative future peak load could be handled at the facility with minor changes to the plant. Town Manager Griffin added that the Town's next move would be to construct an additional clarifier to address growth/capacity issues. Mr. Rushbrook said every measure was being taken to be sure that construction of that future unit is not blocked. Selectman Baschnagel said it was expected that in the distant future the federal government would

again upgrade its treatment requirements. He asked if this upgrade was consistent with what actions might be necessary to meet future requirements. Mr. Rushbrook said yes, and explained that disinfection was somewhat unrelated to water quality conditions, as far as loading and hydraulics were concerned.

Town Manager Griffin reminded the Board of DES' initial concern that the Town immediately replace and upgrade the UV System. She said Underwood Engineers pushed for the UV pilot program, which has now proven that given the change in Hanover's wastewater characteristics, UV is not a reliably effective means of disinfecting Hanover's wastewater. Selectman Walsh asked why the plant was not originally designed to use chlorination/dechlorination. Selectman Connolly said the UV System's abilities were overestimated back then and that the change in State requirements had added to its functional problems. Mr. Rushbrook suggested that the UV was chosen back then at the encouragement of the State. He said the EPA was offering funding incentives to use innovative alternative technologies.

Reviewing the second handout, Overall Project Status Review, Mr. Rushbrook advised that construction on the interim improvements was complete and was done within budget. This included:

- The installation of a temporary selector zone in the aeration tank to gain short-term capacity,
- The installation of DO probes in the aeration tank to modulate the amount of oxygen entering into the system to match the biological demand,
- The installation of specialized baffles in the secondary clarifiers to improve performance there,
- The installation of a baffle in the UV System to distribute flow more evenly throughout all of the UV lamps,
- The installation of VFD's on the aeration blowers, tied into the DO probe system, to have the air coming into the system to match demand,
- Pacing the return sludge from the secondary clarifiers to the aeration tanks, and
- The installation of sludge blanket detectors in the secondary clarifiers to alert the operators when the blanket rises too high, which might allow solvents to exit the system.

Mr. Rushbrook explained that one piece of the interim improvements, to install full surface skimmers on the secondary clarifiers, was postponed, as it was determined that minor changes would be needed in the clarifiers in order for the equipment manufacturer of the skimmers to guarantee their equipment. He said that those changes could not have been done in the winter but would be done in the spring. He reported that since the selector went on line, there had been a noticeable improvement in the plant operation, even compared to what typically would be occurring this time of year at the plant. Town Manager Griffin added that the Town had only one violation since the Administrative Order by Consent went into effect. It was caused by the changeover of equipment. A fine was paid.

Mr. Rushbrook said that following the completed design of a chlorination/dechlorination system, he and staff would begin working to address long-term improvements, which would be funded by the \$4.7 million appropriated at Town Meeting 2003. He said one issue not covered by that appropriation was outfall extension. He explained that the State had determined that the Town's wastewater was being discharged into Mink Brook and not the Connecticut River. The brook has very little flow in the late summer/early fall, which leads to very little dilution. As such, the State was requiring that the outflow be pushed from Mink Brook to the Connecticut River. Mr. Rushbrook said that this was intended to be done as part of the plant's original construction in 1979 but was eliminated to cut costs. He said that by pushing the discharge out to the river the dilution rate would increase to 198:1, which will change the permit limits in the future. Selectman Connolly asked if that would address the odor problems that occasionally pop up. Mr. Rushbrook said no, typically odor problems were generated in the process units rather than from the discharge. He said the digester modifications, included in the long-term improvements, would improve the odor problems by burning off the gas generated in the digestive process rather than releasing it into the atmosphere. Mr. Rushbrook explained that the installation of piping and pumps to allow the tanks to be drained easier would be postponed to allow the outfall extension work to be done. Mr. Walsh summed up that this was an exchange for infrequent, more complicated maintenance in return for much higher dilution levels. Mr. Rushbrook added that this outfall extension would save the Town \$5 million to \$10 million in plant costs.

Touching on future improvements, Mr. Rushbrook said for long-term capacity issues the Town should upgrade the main biological treatment process to the selector, the Modified Litzig/Ettinger Process, and some solids handling portions of the treatment facility. If done this would meet the 15 to 20 year needs of the Town of Hanover. Selectman Walsh asked if all of the long-term improvements could be paid with the appropriations approved at Town Meeting 2003. Ms. Griffin said yes.

Selectman Baschnagel asked if staff was comfortable putting together a long range forecast. Ms. Griffin said almost, they had received good data from Dartmouth and had developed good data on Hanover. They were waiting for good data from Lebanon and the hospital and for cost estimates from Underwood Engineers to look at what could be implemented over the long-haul to buy additional plant capacity.

Mr. Rushbrook concluded stating that the SRF funding totaling \$3 million had been approved. Frank Underwood added that the approved loan was structured around the lowest interest rate in the history of the State Revolving Loan Fund (3.27%). It will work like a credit line. The Town will draw the money down at a charge of 1% per year interest on the borrowing. The money would not be paid back until one year after the project is complete, which to date is projected at 2006.

Selectman Walsh thanked Mr. Rushbrook and Mr. Underwood.

**4. RECOMMENDATION TO SET A PUBLIC HEARING ON MONDAY, FEBRUARY 9, 2004, TO CONSIDER EXECUTING LETTER OF INTENT TO NEGOTIATE A FRANCHISE AGREEMENT WITH HANOVER BROADBAND, LLC**

Terry McGarty, of The Merton Group, advised of a letter he had received from the US Department of Agriculture stating that the Rural Utility Service (RUS) application, filed in July, had been accepted and qualified. The funding requested would not be allocated until The Merton Group paid the required 20% down payment. Currently The Merton Group was working to choose a vendor and was filing applications for a Keene cluster and a Peterborough/Jaffrey cluster. Mr. McGarty said that they were also interested in talking to representatives from Lebanon and White River Junction.

Mr. McGarty stated that the Hanover Broadband Network LLC (HBN) had filed all the necessary paperwork with the Secretary of State in New Hampshire and have reached preliminary agreements to work with Valley Net. Their intent for the February 9<sup>th</sup> public hearing is to speak with the Town about its equity interests in the various agreements. He advised that a video head-in was added to the RUS funding application. HBN will ask to establish an open video franchise to provide an open network, consistent with the public/private partnership, and avoid any of the legalistic complexities of creating many video head-ins and multi-franchises. Mr. McGarty said that HBN was now trying to go back and address what it is they are truly trying to sell. It is not just faster Internet and video access, but is a fundamentally different way to communicate between and betwixt each other in a much broader context.

Selectman Baschnagel expressed concern for open video franchising. Mr. McGarty stated that HBN would recommend that the open video franchise be managed or governed by the equivalent of a cable commission. Mr. Baschnagel suggested that that group needed to be pulled together sooner rather than later. Selectman Walsh asked of the number of existing open video franchises. Mr. McGarty admitted that this would be new to New Hampshire but reported that the entire RCN effort in Massachusetts and New Jersey were open video franchise.

Selectman Walsh asked how security would be dealt with in this open network. Mr. McGarty stated that HBN was working with an international firewall expert to focus on that issue. Selectman Baschnagel asked if the architecture would be such that everyone would be assigned an RTF. Mr. McGarty said yes, every location would have an IP address.

Town Manager Griffin said that statutorily, the Town was able to execute multiple franchise agreements as a community. Hanover did have an existing franchise agreement with Adelpia. HBN was now asking that the Town execute a franchise agreement with it. By statute, the Town was required to set and hold a public hearing on that request. She added that staff and HBN were still reviewing a draft version of a Letter of Intent, authored by Town Attorney Walter Mitchell and Rob Ciandella. She said that State Law

required that the franchise agreement be executed before HBN proceeds to implement the project.

Selectman Connolly commented on the 46 possible OPS franchise elements and asked if someone would review them and try to match them up. Ms. Griffin explained that the newer franchise agreements looked significantly different than those drafted fifteen years ago. The 46 possible elements were things that were now addressed in agreements of this sort. She said that Mr. Ciandella and Attorney Mitchell would be in attendance at the public hearing to walk the Board through the proposed agreement. Mr. McGarty suggested that sometimes the open video franchise agreements should be a lot simpler, as they do not require all of the FCC reporting and constraints Adelphia and other franchises are required to provide.

**It was MOVED by Selectman Connolly and SECONDED by Selectman Baschnagel to set a public hearing for Monday, February 9, 2004, to consider executing a letter of intent to negotiate a Franchise Agreement with Hanover Broadband, LLC. THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING FOR MONDAY, FEBRUARY 9, 2004, TO CONSIDER EXECUTING A LETTER OF INTENT TO NEGOTIATE A FRANCHISE AGREEMENT WITH HANOVER BROADBAND, LLC.**

**5. BANNER REQUEST – POND PARTY**

**THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FROM THE HANOVER PARKS AND RECREATION DEPARTMENT TO HANG A POND PARTY SIGN OVER MAIN STREET FROM FEBRUARY 1<sup>ST</sup> TO FEBRUARY 14, 2004.**

**6. APPOINTMENTS: BALLOT CLERKS**

**It was MOVED by Selectman Walsh and SECONDED by Selectman Connolly to appoint James Walk, Elizabeth Walk, Martha Whitney, James Mitchell, Nancy Mitchell, Corrine Cassidy, Marilyn Curphey, Virgil Lunardini, Susan Cohen, Emily Duncan, Antoinette Jeffery, Janice Chapman, Elizabeth Crory, Ruth Lappin, Priscilla Weismann, Phoebe Hickin as Ballot Clerks. THE MOTION PASSED UNANIMOUSLY.**

Selectman Connolly noted that one half of the nominees were Republicans and the other half were Democrats, as was required by State law.

**7. APPROVAL OF MINUTES: JANUARY 5, 2004**

**It was MOVED by Selectman Baschnagel and SECONDED by Selectman Pierson to approve the minutes of January 5, 2004 as amended. THE SELECTMEN VOTED**

**UNANIMOUSLY TO APPROVE THE MINUTES OF JANUARY 5, 2004 AS AMENDED.**

**8. ADMINISTRATIVE REPORTS**

Ms. Griffin reported that staff had developed a bottom line for the budget and was now busy cutting items to meet that figure. The CPI floated down to 1.9% in October and November but was back to 2.1% in December. Staff was also wrestling with the issue of staffing the Richard W. Black Community & Senior Center. The demand for its space was exceeding the supply of staff people to be there after 6:00 pm. Staff will also be meeting with an architect and roofers to discuss snow issues on the roof of the Center.

**9. SELECTMEN'S REPORTS**

**Peter Christie**

Mr. Christie reported that the Finance Committee was finishing its review of the school budget. The Recycling Committee was continuing its efforts to investigate alternatives to colored glass issues. The Affordable Housing Commission has decided to postpone any proposals or activity relative to Grasse Road Phase III until 2005 when they hope to have better coordination between the College, Town, and the Commission.

**Katherine Connolly**

Ms. Connolly reported on the Planning Board's continued review of the new Richmond Middle School and of their preliminary review of the first half of the proposed zoning amendments.

**Bill Baschnagel**

Mr. Baschnagel reported on the Parking & Transportation Board's agreement with Dartmouth associated with the Thompson Arena Lot. Ms. Griffin added that this agreement would be brought before the Selectboard in the near future. Mr. Baschnagel stated that the College was looking to take over one of the hospital's Route 120 lots which would then be made available to Coop employees as well as College employees. The PTB had also discussed the possibility of combining the Town and College shuttle systems. The PTB also endorsed a zoning proposal submitted by staff relative to park & rides. The Conservation Commission was given a presentation by David Wunsch, the State Hydrologist, of the mapping study being conducted relative to water sources. The Commission also reviewed the Slade Brook agreements between the Conservation Council and the developer in terms of land swaps. The Upper Valley Transportation Management Association met a week prior and elected Shawn Donovan as Chairman. Their application to the State was submitted for CMAQ funds to support the TMA in the future.



**Jay Pierson**

Mr. Pierson reported that the Chamber of Commerce was working to increase its membership amongst the downtown merchants. They achieved their goal to raise funding to conduct a survey by contributing the final \$1,100 needed. Their education programs have been very successful. They also discussed the possibility of bringing a regional event, such as winter carnival back to Hanover.

**Brian Walsh**

Mr. Walsh reported that the Town Meeting Task Force held its third meeting earlier in the day. The group was functioning well, reviewing a questionnaire that will be sent out in February and planning a public information session to be held in late March.

**10. OLD BUSINESS**

Primary Polling Hours

The Board reviewed their scheduled polling hours and agreed to the following:

Jay Pierson	7:00	to	10:00
Peter Christie	10:00	to	1:00
Brian Walsh	1:00	to	4:00
Kate Connolly	4:00	to	7:00
Jay Pierson	4:00	to	7:00

Mr. Walsh will return at 7:00 pm to assist with certification.

**11. ADJOURNMENT**

**It was MOVED by Selectman Baschnagel and SECONDED by Selectman Connolly to adjourn the meeting. THE SELECTMEN VOTED UNANIMOUSLY TO ADJOURN THE MEETING.**

**SUMMARY**

- 1. It was MOVED by Selectman Connolly and SECONDED by Selectman Baschnagel to set a public hearing for Monday, February 9, 2004, to consider executing a letter of intent to negotiate a Franchise Agreement with Hanover Broadband, LLC. THE BOARD VOTED UNANIMOUSLY TO SET A PUBLIC HEARING FOR MONDAY, FEBRUARY 9, 2004, TO CONSIDER EXECUTING A LETTER OF INTENT TO NEGOTIATE A FRANCHISE AGREEMENT WITH HANOVER BROADBAND, LLC**

2. **THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FROM THE HANOVER PARKS AND RECREATION DEPARTMENT TO HANG A POND PARTY SIGN OVER MAIN STREET FROM FEBRUARY 1<sup>ST</sup> TO FEBRUARY 14, 2004.**
3. **It was MOVED by Selectman Walsh and SECONDED by Selectman Connolly to appoint James Walk, Elizabeth Walk, Martha Whitney, James Mitchell, Nancy Mitchell, Corrine Cassidy, Marilyn Curphey, Virgil Lunardini, Susan Cohen, Emily Duncan, Antoinette Jeffery, Janice Chapman, Elizabeth Crory, Ruth Lappin, Priscilla Weismann, Phoebe Hickin to Ballot Clerks. THE MOTION PASSED UNANIMOUSLY.**
4. **It was MOVED by Selectman Baschnagel and SECONDED by Selectman Pierson to approve the minutes of January 5, 2004 as amended. THE SELECTMEN VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF JANUARY 5, 2004 AS AMENDED.**
5. **It was MOVED by Selectman Baschnagel and SECONDED by Selectman Connolly to adjourn the meeting. THE SELECTMEN VOTED UNANIMOUSLY TO ADJOURN THE MEETING.**

Respectfully submitted,



Peter Christie, Secretary

These minutes were transcribed by Beth Rivard.