

FINAL

BOARD OF SELECTMEN'S MEETING

June 21, 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 "Kate" Connolly, Vice-Chairman; Peter Christie, Selectman; William "Bill" Baschnagel, Selectman; Allegra Lubrano, Selectman; Julia Griffin, Town Manager and members of the public.

1. PUBLIC COMMENT

Mr. Charles Young Hitchcock Jr. commended the Selectmen on getting additional voters to Town Meeting, with the baby sitting, ect.

Mr. Hitchcock said he received a questionnaire about the Town Meeting. He wrote back to the Town Task Force in March, enclosing a warrant for the Town of Needham MA. He has no knowledge that the Task Force ever received this. There is an advisory committee set up in Needham, MA that makes recommendations that may agree with the Town or make their own recommendations. This works well for that Town. Mr. Hitchcock thought it might work for Hanover as well.

Mr. Hitchcock wrote to the Selectboard back in November suggesting each Board member view the cemeteries. Mr. Hitchcock expressed concern about the rather large pine trees and problems with them in the past as well as potential problems with them in the future. Mr. Hitchcock said he feels the maintenance of the cemeteries is poor. Trees and bushes have been allowed to grow where they shouldn't. He came back to Town of Hanover few years ago and went to the cemetery where his parents are buried. He couldn't even walk around the stone because of the pine branches. They don't grow overnight. Mr. Hitchcock said he strongly recommends that each Selectboard member view each of the cemeteries. He thinks all the old pine trees should be taken down in the old cemetery. He thinks these trees may fall down within the next few years.

Mr. Hitchcock also recommended that each member of the Board visit all the Town Departments. He thinks the Board should have a good knowledge of all these departments.

Chairman Walsh started out by publicly apologizing to Mr. Hitchcock for not answering any of his letters sooner. He said he feels Mr. Hitchcock is correct about the Board members visiting each of the cemeteries. Chairman Walsh said he toured the Dartmouth Cemetery with Ms. Griffin and the Public Works Forester, William Desch. He can understand the concern about the tall trees. One question he asked Mr. Desch is how long trees of this size are likely to live. The Mr. Desch told him if the trees are not diseased they can last for a very long time. Mr. Desch said we keep our eyes on which ones look

like they are getting weak. When we see one or two that look like they are getting weak, we take them down, at a cost of about \$3,000 to \$5,000 a tree. It is an expensive process. Relative to the section behind Lords Hall, there is a retaining wall that clearly needs to be buttressed and rebuilt. Chairman Walsh said he walked around Mr. Hitchcock's family stones and they looked relatively well cared for. There weren't any branches at that time. There are some very large bushes that have become overgrown. Unfortunately they are in plots that are owned by individuals.

Mr. Hitchcock said those were not there originally. In the northeast corner there is a little tree growing out from the plot. It was never planted there; it just happened to grow there and was never pulled out. Mr. Hitchcock said this is the type of thing that bothers him.

Chairman Walsh said he didn't notice that one specifically. He did notice about 25 to 50 feet from Mr. Hitchcock's family stone, a very large lilac. Chairman Walsh said he was told this is in a family plot and we don't have the right to take it out.

Chairman Walsh said the other issue with some of those big trees that their roots are critical to holding some of the embankments. Mr. Hitchcock agreed the roots are tremendous but you can always throw a load of loam on them as they subside. Chairman Walsh said he is more worried about the banks because many of the tree roots are holding the bank structure together. Mr. Hitchcock said he was an engineer for 50 years and he wouldn't worry about the bank structure.

2. PUBLIC HEARING FOR CONSIDERATION AND APPROVAL OF THE PROPOSED RATES AND FEES FOR FY 2004-2005

Ms. Griffin said the Selectboard has been provided with the proposed rate schedule for the fiscal year 2004-05. Copies of this have also been made available for the public. On this schedule the fees that would change for fiscal year 2004-05 have been highlighted.

Ms. Griffin said the first proposed fee increases are for Alcohol Diversion: ages 12-15, from \$250 to \$305 and Alcohol Diversion: ages 16-20, from \$305 to \$315. Each of these fee increases includes an additional \$5 for the room rental fee.

The next proposed fee increase is the Ambulance Per-Capita fees for Hanover, Lyme and Norwich. This is from \$12.71 to \$15.44 for all three Towns. Ms. Griffin said the adopted budget that was proposed to the Board recommended an annual fee of \$13.54. We then were directed to factor in the community contributions and the amount being lost from Medicare and Medicaid for the disallowable expenses. This takes the annual Per-Capita fee up to \$15.44. If we were to not raise the community contribution fees, the Town of Hanover would end up eating that loss of revenue of almost \$70,000. This way we are allocating the loss of revenue to the three communities. Vice Chairman Connolly said she recalls a discussion about making the charges uneven again since Hanover is the service provider. Ms. Griffin said this was talked about but the Board didn't adopt it. We are now keeping records in terms of the amount of disallowable expense that should be allocated to Norwich, Lyme and Hanover.

Selectman Baschnagel asked Ms. Griffin if the additional \$2 in disallowables is what the next item (Pro-Rated Share of Lost Revenues) is. Ms. Griffin said we seek the Pro-Rated Share of Lost Revenues through that \$ 15.44. The reason for this is because we can't seek direct reimbursement for lost revenues from those disallowable expenses, but we can look to recover that lost revenue through increasing the community contributions. Selectman Baschnagel asked if these towns have a budget prepared that would cover these fees and if have we talked to them. Ms. Griffin replied she doesn't know if they have a budget that will cover these fees and we are about to talk to the towns about the increase. We did keep these towns apprised of the changes during our budget process, but their Town Meetings are in March so they may have to find the money in their budget this year. Chairman Walsh asked Ms. Griffin if the Pro-Rated Share of Lost Revenues is a statement of policy. Ms. Griffin said this is correct.

Ms. Griffin said those are the only fee increases relative to Fire and Ambulance. We have no recommended increases for General Administration. The next fee increase is on page 6 for Planning and Zoning.

Ms. Griffin said she distributed a letter to the Selectboard from Reed Bergwall and Paul Olsen, representing Dartmouth College. The letter expresses concerns they have with proposed increases. Mr. Bergwall and Mr. Olsen are on hand to voice their concerns about allocation of costs for projects requiring outside plan review. This deals with projects that are significantly complex or significantly complicated in that we have several iterations of the plan coming to the Planning Board for review. Jonathan Edwards is proposing a revised approach to those kinds of expenses. Jonathan Edwards and Ryan Borkowski were on hand to answer any questions regarding this.

Ms. Griffin said the increases in the building permit fees stem from the Selectboard's discussion about funding the additional two days a week for an electrical inspector. It was decided to fund this position by raising our general building permit fees.

Chairman Walsh said Jonathan Edwards' memo demonstrates what other towns are charging for permits fees in comparison to what the Town of Hanover is charging.

Jonathan Edwards explained the proposal on page 7 with regard to charges for outside review services. This has come up because there have been a large number of complicated projects lately and with the economy rebounding we have a large number of significant projects come to us. The Planning and Zoning department doesn't gear up for the volume periods, but rather covers the regular periods of time. Large projects tend to be more complicated with a variety of code issues. Sometimes it is wise in those situations to seek a second opinion or to ask a specialist to look at particular aspects of the plan. For those reasons there has been discussion to create a new fee schedule. The current fee schedule allows for consulting fees up to one-third of the total building permit fee to be covered by the Town with any costs in excess of one-third to be back charged to the applicant. It is the opinion of the Planning and Zoning Department that if a project is done properly, the code review shouldn't amount to more than about ten percent of the

permit fee. Anything more than 10% amounts to the taxpayers subsidizing sloppy work by the applicants.

Paul Olsen, representing Dartmouth College, stepped forward to voice his opposition to the proposed fee changes for outside review. It is his opinion that buildings permit fees should be assessed to cover all expenses and inspections regardless of whether they are done internally or externally. Mr. Olsen said Jonathan Edwards mentioned that outside consultants have to be called in because of the Town's peak staffing requirements. He doesn't think it is fair to charge applicants that come before the Town the cost of having to staff the Town's peak requirements. Mr. Olsen's position is that there isn't the need so much for specialized consultants, the issue is whether or not there is sufficient staff to cover projects at any point in time. He is also suggesting that the Town look at building permit and fee schedules in general, for next year as to whether they are being equitably assigned.

Chairman Walsh asked Mr. Olsen what specifically he is suggesting instead of the proposal presented by Planning and Zoning. Mr. Olsen said his specific suggestion is not to modify the current fee schedule with regard to outside plan review.

Reed Bergwall said with respect to Jonathan Edwards concept that outside review does not frequently cost more than \$5,000; he did some research on his subject and discovered if they were to have full review outside of the Town by the ICC, it would cost around \$23,000 on the Thayer School project. He wanted the Board to understand the full magnitude of the cost of outside review.

Chairman Walsh asked if the Selectboard was to make no change right now, how would that tie into the budget passed by Town Meeting compared to if they passed the change. Is this a budget issue or a policy issue? Ms. Griffin said to the extent that we can't recover our cost percentage to send plans out to outside review, then we wouldn't send them and everyone will wait much longer. Outside review will give expedited review of a complex project by a code consultant. Without that Ryan Borkowski is our only project review individual. The biggest issue Planning and Zoning deals with is unhappy customers who don't want to wait 6 weeks or longer for Ryan to adequately review their plans. Frequently he is required to review multiple iterations of the same plan. Some developers use Town staff to do some of their code review for them. The notion behind allowing Planning and Zoning to assess for the cost of outside review is in part to supplement our building staff, but also make review as expeditious as possible for complex projects.

Selectman Baschnagel said that current policy allows Planning and Zoning to charge for outside review that exceeds one-third of the permit fee. He asked what would prevent us from seeking outside review in those cases. Jonathan Edwards said we have not availed ourselves of this to speak of. In the last few years it hadn't seemed likely to become a problem. Given the boom that we have been facing since last fall, it is likely to become a problem. Selectman Baschnagel said he does not understand what is wrong with our current system. He can understand the challenge of going through a stack of drawings for

something like the engineering school. He would like to understand why one-third of the permit fee for outside review is not sufficient. Jonathan Edwards said this assigns expenses to the tax payers that do not really belong to them. Planning and Zoning's view is that anything over ten percent is more properly assigned to the applicant and not the taxpayer.

Chairman Walsh said the Board has a couple of different approaches to this issue. They can take the approach of digging for facts now. They can take the approach of making an arbitrary decision now. Chairman Walsh feels there is not enough wisdom in the room to understand the difference between the two alternatives. He would like to put this aside until July. Chairman Walsh is not persuaded that either approach is the correct one.

Vice Chairman Connolly said one thing she would like to see is an end point. With all these complicated projects that Ryan has to work on, she doesn't want to see a situation where a taxpayer comes in and has a kitchen addition and has to wait two months to have their plans looked at because someone is busy with larger projects.

Selectman Baschnagel said he would like to have more information so he has a better understanding.

Ms. Griffin said we could offer large projects two choices, they can have their plan review done in 6 weeks or we can send it out for expedited review with the cost being \$5,000, which they would be required to pay. What she believes that Dartmouth is arguing is that if Planning and Zoning is not reviewing the plans the permit fee should be reduced to reflect that. The sobering reality is that Planning and Zoning's operating budget is \$380,857 per year. We have projected revenues of \$407,000; of that amount \$33,800 is grant money. We are reeling in less money than our projected revenues. We are conservative in our projections because what we have learned with building projects is that is that when we rely too heavily on the list of projects Dartmouth or anybody else says are in the pipeline for next year, we get burned. Right now this department is not paying for itself in revenues. In New Hampshire your related building permits and inspection fees are allowed to cover one hundred percent of the cost for a Planning and Zoning department. Our challenge every year is how to manage our revenues so that Jonathan doesn't have to go to Betsy McClain at the end of the year and say he has under realized his revenue. Then the general fund subsidizes projects that benefited individual applicants. Planning and Zoning needs to know that if there is a case where they don't want John Q. Public to be delayed because they have a large project with a lot of high priced consultants who are ringing Ryan's phone off the hook; we need a way to make an administrative decision that something has to go out to independent review. Sometimes we just can't get to it and keep up with all the other customers who are waiting and have pretty straight forward plans to be reviewed or approved.

Chairman Walsh said he is not persuaded that ten percent is any more magic than thirty-three percent and he hasn't hear any logic about \$5,000.

Paul Olsen said the College is not looking to reduce the building permit fee. If anything the building permit fee may need to be increased to cover the staffing costs that the Town will have through its peak period by hiring consultants.

Chairman Walsh said there is another way to go at this. We could take the proposed fee increases and say we are going to live with it for a year. As part of the budgetary hearing we have done for next year, we will have an analysis done. Ms. Griffin said this is what she was trying to say; our fiscal year starts next week. She is concerned that we don't have the time to do this study retroactive to July 1st. Chairman Walsh said that conversation is for the budget talks for the next fiscal year. We need a policy that gets us from this year to next year. Selectman Christie said he would like to be able to understand what the implications are in our budget between these two. He is confused right now in terms of that process.

Ms. Griffin said she can get Jonathan Edwards to work on this, but he will be on vacation when our next meeting takes place. This would have to be deferred to the August Selectboard Meeting.

Vice Chairman Connolly said she thought that the Selectboard was leaning toward adopting the new fee and reviewing it next year. Selectman Baschnagel said he hearing a concern the Board doesn't fully understand the alternatives. He is hearing a concern and he is not ready to evaluate the validity of the concern. He also doesn't understand the accounting of the funds. He would be happy to set aside the discussion until August.

Selectman Lubrano said she is also not comfortable with these numbers; there is a lot of room between ten percent and thirty-three percent. She would like to know more before deciding. She also is intrigued with Paul Olsen's suggestion that they look at the permit fees to cover the costs.

Vice Chairman Connolly said she would be happy to try the suggested fee increase for a year. One thing she would like to do is make sure is that we have enough money and staff for what's coming down the pike in the future. She is uncomfortable letting it drift.

Selectman Christie said he is not prepared to act on it as is.

Chairman Walsh said the policy as is, will remain in effect until the Selectboard changes it. Ms. Griffin said that is correct. She thinks it merits having the right staff members on hand to talk about this rather than trying to rush it. Chairman Walsh said on this proposed fee, the Selectboard will come back to in August.

Selectman Walsh said he would like to start the work on doing a comprehensive building fee schedule structure review. This is the kind of thing that should be started in September. Ms. Griffin asked if he would like us to look at what other communities are doing. We are like many other communities in New Hampshire in the way we assess fees. Chairman Walsh said there are a couple of pieces to be addressed. He would like to see some statements about policy that people can understand. We can make some

statements in policy about timeliness in review. We can make some statements in policy about equity in different classes of applicants.

Ms. Griffin said another approach would be to say that we are only willing to do so much plan review and then a plan has to go to outside review. One of the issues is how many times we are willing to look at plans; seven and eight times on the same building is too much.

Chairman Walsh said there are some high level things that speak to what we are doing; this is what the policy is behind what we are doing. The number will start to fall out of that as opposed to focusing on the numbers. The Selectboard needs some suggestion in policy from Planning and Zoning. Then we need to go back and make some policy level decisions and then go back and look at what a structure would be that reflects those.

Ms. Griffin asked Jonathan Edwards if he would be able to gather the information the Selectboard is looking for on the proposed changes to the permit fee. Jonathan said it would help if he could get a digest of what the Selectmen are looking for in information. Selectman Christie said one thing that hasn't been answered is what's the financial implication of this change. How much more revenue do you think we will be generating? Ms. Griffin said that will depend on whether we will need to send anything out between now and then. Selectman Christie said it seems strange to him that it was never necessary to implement the current option and now we are looking to change it. Ms. Griffin said one of the issues wrestled with is that we are too kind to everybody. Her fear is that if we don't create some sort of mechanism for allowing him the ability to farm out complex projects, we will end up angering more of our customers. We need to have a mechanism to insure that when we have a situation where time is of the essence and outside review is required that we have a way of recovering that cost so taxpayers aren't funding that outside review. This is what Jonathan and Ryan need to huddle over a little more, what is the most equitable way to recover our expenses. The time pressures placed on Ryan by our customers have him trying to leap through hoops to keep everyone happy.

Selectman Baschnagel said if he can help by being a sounding board let him know. Vice Chairman Connolly said one thing she would like to request is when Planning and Zoning starts giving examples, give some numerical examples.

Chairman Walsh asked Ryan if the Selectboard has just made his life impossible for the next two months. Ryan said he doesn't think it will affect him directly, he will probably approach Jonathan and Julia to farm out a couple of the big projects just because they are on his desk now. It would be impossible to review them, which will have a direct impact on the budget. He couldn't speak as to what that is, but it is not going to be \$5,000. The middle school project is now in its third design, he is not even sure if he has a complete set of plans to review. Another project on the table is the South Block plans that have been presented to Ryan for preliminary review, which then leaves the College's Engineering and Sciences on his desk. If nothing else comes in he can probably get to Engineering and Sciences, but this week three new residential houses come in that were

an average of one million dollars a piece. These were totally unexpected. They are screaming for their permits to start work next month. He has told them sixty days but they don't want to hear that, so something's got to give. This is going to have a direct impact immediately on the budget. He can't determine that number because he has no basis to.

Chairman Walsh said given what he has just heard he is willing to be arbitrary and say twenty percent is about half way between ten percent and one-third. If we are sitting here in a place where we are trying to decide whether to deliver timely service to the public on the one hand or spend substantial amounts of money; he'd rather be arbitrary and act.

Selectman Lubrano said she would like to hear what Reed Bergwall has to say. Mr. Bergwall said that if Dartmouth plans are poor and have to be gone over multiple times, then he would agree that they should have to pay more. He knows that Ryan has run into this frustration, sometimes with their consultants and sometimes with other projects.

Selectman Christie asked, given what we know about the next three months if we stay with our current policy will we spend so-much and recover so-much. Given a change in policy we spend the same amount and recover a different amount.

Ryan Borkowski said this is all new to him. The problem is determining how much of a project is sent out. If he were to send the entire middle school out the cost would be \$35,000 to \$55,000. It is hard to pin the exact cost for outside review down. It can start at about \$5,000 for a good set of plans and then grow from there. The problem with our current system is that we are obligated to the one-third. That is a big chunk of change that comes out of the budget until someone starts reviewing those plans. Right now, with what's happening in the steel industry, he is seeing plans continually revised because contractors are trying to work within their budgets.

Ms. Griffin said the rationale behind the proposed approach is because there will always be peaks and valleys that correspond with the levels of construction. She has been reluctant to staff up the department because it is tough to let those staff members go when things get slow. One way to supplement the Department is to have outside code consultants available to help when construction peaks.

Selectman Christie asked who makes the decision to spend the customer's money with the proposed new policy. Jonathan said that Ryan would make that decision. Selectman Christie asked if with the new policy we would tell the customer that their plans will be sent out and force them to accept the additional bill. Jonathan Edwards said that both old and new policy do this, just to different degrees.

Selectman Baschnagel said in the longer term, one of the issues has to be with us setting standards both to ease Ryan's judgment call and to communicate that to the applicants.

Selectman Baschnagel said he is not comfortable with this because he can't project what the implications are with this.

Selectman Christie asked if we have set the permitting fees. Ms. Griffin said that all the building permit fees are listed on pages 5 and 6 of the proposed fee schedule. The significant fees are on page 6. Jonathan Edwards has proposed modifications in the building permit fees for single and two-family houses as well as commercial, institutional, other single and two-family residential construction, additions, renovations and alterations for portion of construction up to \$10,000,000. These increases are proposed to fund our two day a week electrical inspector. We certainly could raise these fees more to pay for outside consulting services, the problem there is then you have to pick some number. The problem is we may not use that much and Ms. Griffin would hate to assess everybody a higher building permit fee for a service they may not directly benefit from. Vice Chairman Connolly said that she has problem with this as well. Some of these projects generate the huge costs because of the duplication. Vice Chairman Connolly said she can not think of any reason why the projects that are well done and don't require that much time and effort should pay higher fees.

Chairman Walsh suggested that if a third set of plans or later is submitted for review and if the applicant wants timely review and outside work is needed to achieve that timely review, then the applicant will pay eighty percent of the cost. Ms. Griffin said she would not want to even go to a third set of plans; it should be right when it comes in the door. Jonathan Edwards said the problem is not that one set of plans comes in and replaces another one, it is that pages come in as revisions. Chairman Walsh withdrew his suggestion.

Ms. Griffin said another approach would be that the applicant pays for any outside consulting. The applicant would pay a permit fee and if the project has to go for outside consulting they would pay for that as well. We're trying to say that some portion of the building permit fee legitimately shouldn't have to be paid if they have to pay for outside consulting.

Chairman Walsh said that this has not been explained clearly enough to the Selectboard for them to feel comfortable.

Chairman Walsh moved on to page eight of the proposed rate and fee schedule. There is no longer a use charge per mile for cruisers. Ms. Griffin said this has to do with the way we bill for special services, which are outside details. Selectman Baschnagel asked if cruisers are ever involved in special detail. Ms. Griffin said yes. Selectman Baschnagel asked if we charge mileage for special details. Ms. Griffin said it is easier to have the \$28 per hour plus the 35% administrative charge.

Chairman Walsh moved on to page nine of the rate and fee schedule. Vice Chairman Connolly asked why we are monitoring things out of Town, referring to the Out-of-Town monitoring fee. Ms. Griffin said we have other communities that we dispatch for, consequently we also monitor some alarms in those communities. Doug Hackett, Head of Dispatch wanted Ms. Griffin to point out to the Selectboard that our alarm monitoring ordinance, the \$300 for in Town and \$400 for out of Town is appropriate in the

ordinance. Somehow we failed to accurately portray that in the rate and fee schedule. This is our actual current practice.

Selectman Lubrano asked what the penalty charge for inaccurate call list is. Ms. Griffin said when someone has a private alarm service they are supposed to give a list of phone numbers that can be called in case of an alarm. A lot times those numbers are not current.

Chairman Walsh said monthly parking lot rentals are up \$5 per month. Ms. Griffin said there are a series of recommendations for parking beginning on the bottom of page nine of the proposed rate and fee schedule. There is a recommendation that we increase the peripheral parking space rentals from the current \$35 to \$40.

Ms. Griffin said there is a recommendation that we establish a new fee of \$150 for the parking facility; this is a monthly facility pass. We have six-month minimum leases that range from \$85 to \$125 per month. We are offering this as an alternative to individuals who don't want to commit to a six-month lease. Many college students are looking for covered parking for their cars during the winter. Lt. O'Neill said purchasers would be given a red pass to complete that would allow them to park anywhere in the covered levels. Chairman Walsh said he understands that this is the PTB's recommendation and he does not intend to go against it, but if this parking facility starts getting full we did not build it to house student's cars during the winter.

Selectman Baschnagel said the greater concern is with people who are parking there all day long. Ms. Griffin said Lt. O'Neill produced a chart that shows the number of days we had when the facility has been full, by month. This starts with the 2001 time period and goes through 2004. This chart shows month-by-month, at different times of the day. This shows that we are having an increasing number of days when the facility is full. As of the first five months of 2004, it has been full 132 days, at different time periods of during day. In 2003 it was only full 170 days at different time periods during the day, for the entire 12-month period. This is good from the stand point of maximum utilization, but it also let the PTB look at pricing strategies that would continue to generate revenue for the facility and also manage the utilization to a certain extent. This is why the PTB is recommending modifying the hourly or periodic rates for the facility. The recommendation for the modification is as follows:

- The 1st half hour is free, this remains the same.
- The 2nd half hour is \$.50, this remains the same.
- The 2nd hour is \$1.25, this is an increase from the current rate of \$.75. The total fee for 2 hours would be \$1.25.
- The 3rd hour is \$2.25, this is an increase from the current rate of \$1.00. The total fee for 3 hours would be \$2.25.
- The 4th hour is \$2.00, this is an increase from the current rate of \$1.00. The total fee for four hours would be \$4.25.
- The 5th hour is \$2.50, this is an increase from the current rate of \$1.50. The total rate for 5 hours would be \$6.75.

- The 6th hour is \$2.50, this is an increase from the current rate of \$1.50. The total fee for 6 hours would be \$9.25.
- The 7th hour would be \$3.75, this is an increase from the current rate of \$1.50. The total fee for 7 hours would be \$13.00.
- The 8th hour and over would be \$2.00 per hour, this remains the same . The total fee for 8 hours would be \$15.00, plus \$2.00 for each additional hour.

Ms. Griffin said these increases are to deal with the issue of all-day parkers. Selectman Lubrano said it looks like the peak usage is between 12:00 and 2:00. Selectman Baschnagel said that's lunchtime. Selectman Lubrano said those aren't all day parkers.

Lt. O'Neill said most of the parking garage transactions occur between 30 minutes and 3 hours and 30 minutes. This is why the PTB wanted to leave the first 3 hours alone because it reflects customer use. Usage then goes down from there until you get to about 7 ½ hours and then it spikes from that point on.

Chairman Walsh said this can say one of three things; you could say that one of the things we want to do is to get people to use the facility and we have succeeded. You could say that it is harder to find a parking space and the facility is being used more, that says we have a real supply problem. If people are using the facility because it's convenient and it's easy to park in Town that's great; that's where we wanted to get to. The other side of this is what's the space usage that's not in the facility and how did it look in the 3 years before it.

Lt. O'Neill said in FY 2003 all of our meters were used 62%; in FY 2004 up to the end of May it was 63%. On Main St. both of those fiscal years were 88%. This is based on our meter revenue. Another thing that was pointed out by Selectman Baschnagel at the last PTB meeting was the under utilization of our parking facility in FY 2003 was 312 daily and in FY 2004 is 305 daily. Selectman Baschnagel said another thing we should see is the spreading out of that noon peak; the question is are people coming to Town just to have lunch or are people coming to Town to shop and just timing their shopping.

Vice Chairman Connolly said she thinks these increases are a tad excessive. You're going up a total of 50% for the day. Her recommendation would be to make changes to the 6th and 7th hour and not make as much of an increase in the 4th and 5th hour. It makes enough of a shorter day where you are still driving people out. She wouldn't want to discourage anyone who wants to come into Town and spend over 3 or 4 hours shopping or perhaps is doing something at the Hood or Hopkins Center.

Selectman Baschnagel said the PTB talked a fair bit about that. The PTB is comfortable with these numbers.

Ms. Griffin said the only other fee associated with the Parking Facility is the \$1.00 flat fee for parking between 6:00 pm and 9:00 pm. This is just a statement of policy. We have always collected this fee but it was never enunciated in our rate and fee schedule.

Ms. Griffin said the next changes with regard to parking are on page 13 of the rate and fee schedule. These are simply incorporating into the rate and fee schedule, section of the parking ordinance, which was amended to address things like public parking in the Community Center parking lot.

Ms. Griffin said we are recommending an increase in the cemetery lot price, under the public grounds section. This would go from \$300 to \$400. This is in track with what other local cemeteries are now charging. One of the other concerns that William Desch, Grounds Superintendent has is that we have a fairly significant number of lots that are purchased by non-residents. William has taken a look at the percent of lots that are purchased by residents versus non-residents. Some of the area cemeteries either don't sell lots to non-residents or charge a higher lot price for non-residents. William is concerned that our rates are now somewhat low in comparison to the area and the amount of out-of-town purchasers is going up. We could be facing our cemeteries being filled up in 10 years as opposed to 25 years.

Vice Chairman Connolly said when we had a two-tier system, the non-resident price was quite high. We lowered it because we weren't getting any business so we figured that problem was solved.

Chairman Walsh moved on to page 16. Ms. Griffin said pages 17 through 19 reflect the sewer fees the Board adopted back in May. The only fee that was adopted at that time was the sewer connection fee on page 16. Chairman Walsh said what this fee means is that someone who is making a new connection to the sewer pays \$200 plus \$1.40/gallon, projected gallons per day. Ms. Griffin said that what this says is not only is the new user paying the initial fee of \$200 but the \$1.40/gallon projected gallons per day reflects the investment that our rate payers have made in the improvements that we are just now implementing in the plant. Selectman Baschnagel said he is much more comfortable with this methodology than linking up to a given diameter pipe that may or may not be well connected to the fee.

Chairman Walsh said he has a problem with the sewer rate fee schedule chart at the top of page 16. This lists the 2003-2004 user rates adopted in May of this year and then lists the 2004-2005 rates as the same numbers. He feels this is misleading. People will try to make budgets based on this and then we will change the fees again next May. Ms. Griffin said there is a notation that states "Sewer Rate Structure Analysis to Continue with Proposed Revisions for FY 2004-2005 to be presented to the Board of Selectmen during Fall 2004". Ms. Griffin said we don't have to restate them there if the Selectboard doesn't want to, but Betsy McClain felt it was necessary for courtesy. Chairman Walsh said he would rather have no numbers and put the notation right in the table where the numbers were.

It was MOVED by Selectman Baschnagel and SECONDED by Selectman Lubrano to approve the proposed Rate and Fee Schedule for 2004, with the reservations to consider the Planning and Zoning outside plan review changes in August. THE

BOARD VOTED UNANIMOUSLY TO APPROVE THE PROPOSED RATE AND FEE SCHEDULE FOR 2004, WITH RESERVATIONS TO CONSIDER PLANNING AND ZONING OUTSIDE PLAN REVIEW CHANGES IN AUGUST.

3. CONTINUED DISCUSSION REGARDING IMPLEMENTATION OF DOWNTOWN BUSINESS SERVICE DISTRICT

Clint Bean, President of the Hanover Chamber of Commerce said the Selectmen have the new revised report with a map that is more definitive and that he thinks is correct. Ms. Griffin said they have been over the map with a fine-toothed comb. It exempts from the Downtown Businesses Service District taxation, the properties that are highlighted in bold. Chairman Walsh asked if the content reflects the decisions made by the Selectboard at the last meeting. Ms. Griffin said it does.

Vice Chairman Connolly said the Marshall Lot is noted as excluded on the map, but she doesn't think it should be included in the Business District. It is a Town owned lot, totally in a residential zone. For both those reasons it does not belong in the District at all. Selectman Baschnagel said he would suggest that if it doesn't belong in the District neither does the parking Fleet parking platform. Vice Chairman Connolly said the Fleet Parking Platform is a business use in a residential zone and the Marshall Lot is a municipal use in a residential zone. Ms. Griffin said it was in the last list of properties in the district. Vice Chairman Connolly said we could simply adjust the boundaries of the district to exclude it from the district. Chairman Walsh said we should take it out of the district; it doesn't make any difference. Ms. Griffin said she will remove the Marshall Lot, otherwise known as 4 Maple St., from the Business Service District.

Chairman Walsh said the memo from the Chamber of Commerce makes it clearer to him who has what responsibility.

Ms. Griffin said within the next two weeks she will get a properly worded mailing out to all the property owners, notifying them of the Public Hearing taking place on July 12th.

Chairman Walsh said that Selectman Baschnagel had previously mentioned the possibility of having a Selectboard representative on the Business District Advisory Committee. Chairman Walsh said he would like to get the opinion of the Town Attorney as to whether they could have an ex-officio Selectman is okay or not okay. Chairman Walsh asked Mr. Bean if he would mind having a Selectman on the Advisory Committee. Mr. Bean said he wouldn't mind at all, the issue would be whether they are a voting member or non-voting member. Ms. Griffin said she thinks the Town Attorney would approve it as long as it is an ex-officio member. She said she will confirm that with him.

4. UPDATE BY THE CONSERVATION COMMISSION REGARDING PROPERTY ACQUISITION ON PIPER'S LANE

Ms. Vicki Smith said she is here on behalf of the Conservation Commission to update the Selectboard on where they are with the project of acquiring land on Piper's Lane. As you

may recall the 2003 Town Meeting authorized an expenditure of \$80,000 from the Conservation Fund. That was a placeholder amount because at that time the Conservation Commission had not received an appraisal on the property. The property was appraised at \$135,000. It took the owner about a year to decide what she wanted to do with that land, which was sell it to the Town. She felt the Town is the best steward for it. In that time a second appraisal was done and found that the property value had risen in that year from \$135,000 to \$154,000. The Conservation Commission took that under consideration and offered \$135,000, which was accepted.

Ms. Smith said the Conservation Commission is proposing that it fund that \$135,000 purchase with the \$80,000 authorized by the 2003 Town Meeting, \$50,000 which is the amount they are authorized to spend without going to Town Meeting and \$5,000 that has been fund raised. The deal is structured so that the Conservation Commission pays \$80,000 to start and the remaining \$55,000 after January 1st. This works out better for the seller. Between now and January 1st the Conservation Commission intends to fund raise in the hopes of not drawing as much money from the Conservation Fund. They have an enthusiastic volunteer to lead the fund raising effort. The Conservation Commission is hoping by talking about this effort they will encourage the neighbors to protect their backyards for the other side of the valley.

Ms. Smith said the Conservation Commission is looking for the blessing of the Selectboard before they go to their Public Hearing on June 23rd to see what the public thinks about the withdrawal of the \$50,000 from the Conservation Fund. She is also seeking permission for Ms. Griffin to sign the purchase and sale agreement so they may go forward with the closing on July 6th.

Selectman Baschnagel asked Ms. Smith if she has gotten an okay from Walter Mitchell, Town Attorney, relative to splitting the money between Town Meeting 2003 and \$50,000 from the Conservation Fund. Ms. Smith said he is considering it and thinks it all right.

Selectman Connolly said the lot being purchased is not huge in acreage but by its very location protects a tremendous amount of acreage just because of the lands next to and adjacent to it. It's a nice piece of land for the Town to be able to acquire.

Selectman Baschnagel said if you have not wandered down that portion of Piper's Lane he would encourage you to do so, it is really beautiful.

It was MOVED by Chairman Walsh and SECONDED by Vice Chairman Connolly to support and encourage the Conservation Commission in the acquisition of the Piper's Lane parcel and to authorize the Town Manager to execute the purchase and sale agreement for that parcel, subject to the approval of the Town Attorney. THE SELECTBOARD VOTED UNANIMOUSLY TO SUPPORT AND ENCOURAGE THE CONSERVATION COMMISSION IN THE ACQUISITION OF THE PIPER'S LANE PARCEL AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT FOR THAT PARCEL, SUBJECT TO THE APPROVAL OF THE TOWN ATTORNEY.

5. RECOMMENDATION TO ADOPT ABATEMENTS AS PROPOSED BY THE ADVISORY BOARD OF ASSESSORS

Mike Ryan, Director of Assessing was on hand to present the abatements proposed. Mr. Ryan said the Advisory Board of Assessors met on June 15th. These are the last abatements for the tax year 2003. There were no tax payers present at this particular hearing. Those attending the meeting were Xenia Heaton, John Hochreiter, Paul Young and Kate Connolly. The recommendations are listed on the memo; Mike said he would be happy to answer any questions about the recommendations. The Board reviewed the recommendations but had no questions regarding them.

It was MOVED by Selectman Lubrano and SECONDED by Selectman Baschnagel to accept the recommendations of the Advisory Board of Assessors as detailed in the memo dated June 17, 2004. THE SELECTBOARD VOTED UNANIMOUSLY TO ACCEPT THE RECOMMEDATIONS OF THE ADVISORY BOARD OF ACCESSOR AS DETAILED IN THE MEMO DATED JUNE 17, 2004.

6. RECOMMENDATION TO APPROVE ABATEMENT OF TAXES OWED BY DRESDEN SCHOOL DISTRICT FOR LYME ROAD PARCEL

Ms. Griffin this was overlooked at the closing of the Tri-Party agreement. This property was in the hands of the College. The Dresden School District is exempt from paying property taxes, but because the property was in the hands of the College at the beginning of the tax year, a property tax bill was sent to the Dresden School District. The College has agreed to pay the small pro-rated portion they owe on the property, \$803.68 for the period of April 1 through April 16. Dave Bradley, Counsel for the School District was asked to make a formal request to abate the remaining portion of the taxes in recognition that the School District is a public entity and does not pay property taxes.

It was MOVED by Selectman Christie and SECONDED by Selectman Baschnagel to approve the abatement of taxes owed by the Dresden School District for the Lyme Road parcel. THE BOARD VOTED UNANIMOUSLY TO APPROVE THE ABATEMENT OF TAXES OWED BY THE DRESDEN SCHOOL DISTRICT FOR THE LYME ROAD PARCEL.

7. RECOMMENDATION TO APPROVE SEWER ABATEMENTS

Ms. Griffin said there are always a few abatements that come up when we send out our annual sewer bills. Betsy McClain has prepared a brief memo detailing these abatements. Ms. Griffin said these abatements are essentially for accounts that are no longer active.

It was MOVED by Selectman Christie and SECONDED by Selectman Baschnagel to approve the sewer abatements recommended in the memo from Betsy McClain dated June 16, 2004. THE BOARD VOTED UNANIMOUSLY TO APPROVE

THE SEWER ABATEMENTS RECOMMENDED IN THE MEMO FROM BETSY MCCLAIN DATED JUNE 16, 2004.

8. RECOMMENDATION TO GRANT EASEMENT TO GRANITE STATE ELECTRIC FOR HOWE LIBRARY TRANSFORMER

Ms. Griffin said this is a standard easement document that we now received from Granite State Electric for permission to install a transformer with padmount on Town property. This is the padmount transformer that will be serving the newly improved Howe Library. This is the same easement document the Selectboard approved with respect to the padmount transformer for the new Richard W. Black Community Center, on Town property. Town staff is recommending the Selectboard authorize the granting of the easement and if the Selectboard is comfortable with that, Ms. Griffin has the easement document for the Selectmen to each sign.

It was MOVED by Selectman Baschnagel and SECONDED by Selectman Lubrano to grant an easement to Granite State Electric for the Howe Library transformer. THE SELECTBOARD VOTED UNANIMOUSLY TO GRANT AN EASEMENT TO GRANITE STATE ELECTRIC FOR THE HOWE LIBRARY TRANSFORMER.

9. REQUEST TO INSTALL JULY 4TH BANNER

It was MOVED by Vice Chairman Connolly and SECONDED by Selectman Christie to approve a request from Hanover Recreation to install a July 4th banner over Main St. between June 21st and July 5th. THE BOARD VOTED UNANIMOUSLY TO APPROVE A REQUEST TO FROM HANOVER RECREATION TO INSTALL A JULY 4TH BANNER OVER MAIN ST. BETWEEN JUNE 21ST AND JULY 5TH.

10. COALITION COMMUNITIES UPDATE

Ms. Griffin said the Coalition is trying to gain some sense of how much interest, desire and money member towns are willing to bring to the table to engage in further legal battle on this issue. It is evident from the Coalition memo that they are not really sure that is makes sense at this point. If there were something to overturn that was just done by the Committee of Conference and not primed by the Governor there would be the potential to pay even more statewide property tax. The statewide property tax was supposed to go completely away in 2005, based on the legislation that was adopted last year.

Ms. Griffin has a questionnaire that she needs to return to the coalition, she would like to get a general sense of where the Selectboard stands on this.

- 1) *Do you support the filing of a lawsuit to stop the implementation of a new education fund law that returns all of us to donor status?*

Chairman Walsh said not at this time.

- 2) *Given that there is a poison pill in the new education funding law that could cause the State to revert to a \$4.92 tax rate, if we are successful in challenging the constitutionality of the law, do you still support the idea of filing a lawsuit.*

Chairman Walsh said not only not at this time but never.

- 3) *Will your Town contribute to a fund to pursue legal action?*

Ms. Griffin said the answer to that is no.

- 4) *If another Town files suit to stop the legislation, do you think we should intervene, file a legal brief to protect ourselves against the poison pill portion of the new law? Will your Town financially contribute to a legal fund to protect our interests?*

Selectman Lubrano asked how likely is that lawsuit to succeed? Chairman Walsh said the answer to that question is that we will deal with that if it happens.

Ms. Griffin said the coalition is asking for help in funding a part-time twenty-hour a week position, plus fees to contract consultants to help protect our interests under any legislative proposal. There is \$37,000 dollars in the coalition account currently. The coalition would like to know if our community would continue to support this office. Selectman Lubrano asked if they are asking if Hanover will contribute toward the \$18,000 to fund the position. Ms. Griffin said that is the implication. Chairman Walsh said his sense is that as much as he disagrees with the concept, the coalition has done good work. At the \$1,000 or \$2,000 level he thinks it's a worthwhile thing to do, at the \$10,000 level, no way. Selectman Lubrano said they are asking for a specific amount. Ms. Griffin said she thinks they are just asking if the Town is willing to pledge some money. There are 18 communities, so that would be \$1,000 each. Chairman Walsh asked what a reasonable number would be for Hanover to contribute, he thinks the \$1,000 to \$2,000 range is okay, but nothing beyond that. Ms. Griffin said Hanover hasn't contributed in a while; other communities have contributed in the mean time. Ms. Griffin said she could certainly take \$1,000 from the Selectmen's miscellaneous budget beginning July 1st, as a ready source of funding. Vice Chairman Connolly said she was looking over the list of towns that have made contributions over the past two years. After our initial effort we really have just sat back and watched. Vice Chairman Connolly said she thinks we should send \$2,000. Selectman Lubrano said we should give \$1,000 with the proviso that if more is needed we will give more.

Chairman Walsh said he is there for a different reason. His vote would be that there is a much broader group that starts to deal with the question of education funding and

taxation. He doesn't know if that group will come together. He would like to give \$1,000 and have another \$1,000 or even more to think about if the voters come together.

Chairman Walsh said so far this is the only group that has in any way been productive. Whether you like the product is another question.

Ms. Griffin said she would send \$1,000 by July 15th. She asked the Selectboard if they would like to indicate that the Town of Hanover would be willing to send another \$1,000 depending on the status of the Coalition's fund raising. Chairman Walsh said she could indicate that the Town would consider \$1,000 later in the year.

11. ADMINISTRATIVE REPORTS

Ms. Griffin said she has no administrative reports. She does have some things to talk about in non-public session. Ms. Griffin said she is getting ready to leave for vacation. She will give everyone contact information. Barry Cox will fill in her absence.

12. SELECTMEN'S REPORTS

Peter Christie

Selectman Christie reported the Affordable Housing group has been very active. At the most recent meeting they saw an early draft of the proposal for the Gile tract by the Hartland Group. Everyone describes this lot as challenging both topographically and geologically. They also see some tremendous potential if they can overcome some of those challenges and turn them into assets. The Affordable Housing Group saw the first preliminary ideas that would do that and they look very exciting. He expects the Hartland Group will come before the Selectboard for an update within two months.

There was also some good talk about the Grasse Rd. III project. It would appear that everyone is really on the same page in terms of working together with the College.

Kate Connolly

Vice Chairman Connolly reported the next-door neighbor to the Gile Tract is the Halverson- Hanover Woods project. This is seventy-five condominium units of assorted sizes on equally challenging ground. It seems to be progressing at a reasonable pace. There are some aspects of it such as its effect on Route 120 coupled with the Gile Tract project, which will have to be looked into. This should be done before anything is built. This will involve the Town, the developers and the State of New Hampshire. Selectman Baschangel said they are trying to sort out what the alternative to putting in a light might be. There was some discussion to see if we could get some developers to contribute to doing a study of this. Ms. Griffin said a letter from Jonathan Edwards went out to all the key property owners along the Route 120 corridor, from the hospital all the way into Town, with the notion that rather than having the Planning Board having to address this in a piece meal fashion, they could come up with a corridor plan that makes sense.

The other discussion was on a small subdivision way out on Ladd Road. There are three small lots and the rest of it comes back into some sort of conservation concept.

The week prior the Planning Board discussed a document called Managing Growth in Rural Hanover. Eight to ten members of the Guiding Growth Committee wrote this. It was a well-researched document. It made several proposals to how we can accomplish the Master Plan and keep our population at 75/25 and still be able to accomplish the proper use of the land.

Selectman Connolly said she went to her last meeting with the Upper Valley Lake Sunapee Regional Planning Commission as a bi-state commission. It was very sad because it was in fact the last bi-state meeting. They went over a budget for a one state Commission for next year.

Bill Baschnagel

The Conservation Commission met last week; Piper Lane was one strong topic of discussion. The other topic they spent a fair amount of time on is that the Conservation Commission has been working for some time to put in management plans for the Town owned timber properties. These have been coming along. They had the Town Forester in to talk about whether it is time to start implementing some of these plans. They will be starting to move ahead in the next couple of years.

Selectman Baschnagel said he has been sitting in on a group traffic committee. They have been looking at traffic on this side of Wheelock St. and alternatives. It is turning out to be an excellent exercise in understanding how difficult it is to make choices. They are wrestling with a very difficult problem and how to find a way to present it to the Planning Board and to understand it.

Allegra Lubrano

Selectman Lubrano reported that the Howe Library received a \$250,000 grant from the Kresge Foundation. It is a matching grant so Howe needs to raise \$250,000 in order to receive the funds. This is very exciting news.

13. OTHER BUSINESS.

Ms. Griffin said the last extension agreement the Town signed with Adelphia expires at the end of June. We're still not there yet; we are waiting on Adelphia. It was suggested that we take the bull by the horns and agree to another three-month extension till the end of September and simply send it to Adelphia as opposed to negotiating an extension. This expires at the end of June anyway. Chairman Walsh said it's okay, let's do it.

14. ADJOURNMENT.

It was MOVED by Selectman Baschnagel and SECONDED by Selectman Christie to adjourn the meeting at 9:45 pm. THE SELECTBOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:45 PM.

SUMMARY

- 1. It was MOVED by Selectman Baschnagel and SECONDED by Selectman Lubrano to approve the proposed Rate and Fee Schedule for 2004, with the reservations to consider the Planning and Zoning outside plan review changes in August. THE BOARD VOTED UNANIMOUSLY TO APPROVE THE PROPOSED RATE AND FEE SCHEDULE FOR 2004, WITH RESERVATIONS TO CONSIDER PLANNING AND ZONING OUTSIDE PLAN REVIEW CHANGES IN AUGUST.**
- 2. It was MOVED by Chairman Walsh and SECONDED by Vice Chairman Connolly to support and encourage the Conservation Commission in the acquisition of the Piper's Lane parcel and to authorize the Town Manager to execute the purchase and sale agreement for that parcel, subject to the approval of the Town Attorney. THE SELECTBOARD VOTED UNANIMOUSLY TO SUPPORT AND ENCOURAGE THE CONSERVATION COMMISSION IN THE ACQUISITION OF THE PIPER'S LANE PARCEL AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT FOR THAT PARCEL, SUBJECT TO THE APPROVAL OF THE TOWN ATTORNEY.**
- 3. It was MOVED by Selectman Lubrano and SECONDED by Selectman Baschnagel to accept the recommendations of the Advisory Board of Assessors as detailed in the memo dated June 17, 2004. THE SELECTBOARD VOTED UNANIMOUSLY TO ACCEPT THE RECOMMEDATIONS OF THE ADVISORY BOARD OF ACCESSOR AS DETAILED IN THE MEMO DATED JUNE 17, 2004.**
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Respectfully Submitted,



Allegra Lubrano, Secretary