

FINAL

BOARD OF SELECTMEN'S MEETING

APRIL 5, 1999

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

The meeting of the Board of Selectmen was called to order at 7:30 p.m. by the Chairman, Marilyn W. Black. Present were: Marilyn W. Black, Chairman; Brian Walsh, Vice Chairman; Katherine S. Connolly; John Manchester; John Colligan; Julia Griffin, Town Manager; and members of the public.

Ms. Black announced that this meeting was being taped by CATV 6 and that hearing enhancement equipment was available for anyone who wished to use it.

1. PUBLIC COMMENT.

There was no public comment.

2. PUBLIC HEARING TO CONSIDER THE PARKING FACILITY OPERATION STUDY AND TO REVIEW AND APPROVE THE PROPOSED PARKING FUND BUDGET FOR FY 1999/2000.

Mr. Walsh explained that this agenda item is a continuation of a public hearing specifically on the parking district. That hearing was adjourned to this meeting so that the Selectmen had a chance to review the Parking Facility Operation Study submitted by Michael Gilbar and Sgt. Patrick O'Neill. This study is an overview of parking in Hanover in anticipation of the parking facility being completed.

Mr. Gilbar and Sgt. O'Neill summarized the study, and outlined the four options which were arrived at:

- 1) Moving 195 long-term parkers into the new facility by raising the remaining CBD meter rates to 50 cents an hour, and standardizing the maximum length of stay at a meter to two or three hours. This option would require the parking facility to have affordable long-term rates.
- 2) Move 120 long-term parkers into Thompson Arena and keep 78 parking spaces available in the Marshall Lot for long-term use. Raise the remaining CBD meter rates to 50 cents an hour and standardize the maximum length of stay at a meter to two or three hours. In addition, improved shuttle service would be implemented to reduce the amount of time employees would need to wait for rides into and out of Town. An all day run every ten minutes would cost approximately \$120,000.
- 3) Make available affordable long-term parking in four additional areas in the CBD in addition to the Marshall Lot. Suggested lots for this transition would be the Allen Lot, Allen Street Extension, Lot 5 and School Street. With this option there would be 60 long-term spaces in the facility and 135 long-term metered spaces on the street or in surface lots.

- 4) A combination of attempting to move 117 long-term parkers to the facility with affordable rates while leaving 78 25 cent an hour long-term meter spaces in the Marshall Lot.

Ms. Griffin emphasized that the goal of raising meter rates uniformly at 50 cents an hour as recommended by the consultants was not to make more money, but rather to change parking behavior.

Mr. Gilbar explained that the following assumptions were made in the study regarding pricing the facility and allocation of rental spaces vs. short-term spaces: In order to maintain uniform rates, the rate for the average shopper or short-term user should be at the same rate as the meters. That rate would be maintained at 50 cents an hour for the first three hours; hour 4 would increase to 75 cents an hour, and hour 5 until the end of the stay would be \$1.00 per hour.

Mr. Gilbar indicated that a range of usage for the parking facility was used, which indicated that more revenue was received from short-term usage if there was low demand and low rent. Various other scenarios for usage were considered. These results and the need to find a place for the employees were balanced, and Mr. Gilbar and Sgt. O'Neill arrived at the following final recommendations:

- 1) Raise meter rates in the CBD to 50 cents an hour. This pricing will curb most long-term meter feeding and open the spaces to transient use. Increased revenue from higher meter rates will raise additional revenue to help pay for the facility.
- 2) Phase in the 50 cents an hour conversions beginning July 1, 1999, focusing on CBD parking lots with the most demand and greatest competition for spaces between short-term users and long-term meter feeders.
- 3) Increase the parking meter hours of operation and enforcement to begin at 8 a.m. and end at 7 p.m., Monday through Saturday. Evening activity in the CBD is sometimes as busy as it is in the early afternoon. Increased metered hours of operations and enforcement will raise additional revenue to help pay for the facility.
- 4) Although the facility would be open 24 hours a day and seven days a week, an attendant would only be on duty weekdays between 7 a.m. and 10 p.m., and until 1 a.m. on Friday and Saturday. In conjunction with the parking meter hours of operation, pricing in the facility would enter a "bargain-mode" after 7 p.m.
- 5) Keep the 78 Marshall Lot spaces designated long-term metered parking and price them as close to the facility leased rate as possible, but under 50 cents an hour.
- 6) Provide 117 long-term parking spaces in the facility by charging reasonable lease rates, not to exceed \$50 a month. Pricing of facility leases at or above the 50 cent an hour "meter-feeding" rate, will not provide affordable alternatives for a

large section of downtown employees.

- 7) Provide 141 short-term parking spaces in the facility and price as follows: First through third hours of stay would be 50 cents an hour (price uniformity - conforms to similar parking meter stay). Hour 4 would be 75 cents an hour, and the fifth hour through the end of stay would be \$1 an hour. Under this pricing strategy, the total facility related revenue would be \$223,200.

Mr. Gilbar pointed out that increasing the enforceable hours of meter rates results in added costs of personnel of \$10,296, including benefits, with a revenue received of approximately \$133,848. He would recommend phasing in electronic meter replacement over the course of a couple of years to save labor costs. The net effect of this replacement on the FY 2000 budget would be an additional \$40,000.

Other costs would be \$60,000 for the shuttle service upgrade, and phasing in the parking district tax increase at a cost of \$50,000. A reduction in electrical costs of \$742 would be realized, and there would be an increase in charges from police of \$16,000.

The study refers to an "A" and "B" budget. Ms. Griffin explained that the "A" budget is as is, with no changes, and the "B" budget is as it would look if the changes discussed were made both on the expenditure and the revenue side.

Mr. Walsh asked for comments from the public. Jay Campion commented that the tax that is being put forth is a deficit support for the parking structure which was agreed to not exceed \$150,000 a year. In those years where revenue exceeds and there is a surplus, he assumes that the surplus goes against the tax first. Mr. Walsh answered that the surplus would go against the tax increment financing first, and the tax second.

Mr. Campion asked why the Town would charge only \$50 a month for parking spaces while the going rate for uncovered parking spaces in Town is \$100 a month. He feels it is better for the business people if people willing to pay the top dollar pay top dollar, and it will help finance the operation of the parking structure and reduce the deficit for everyone. He feels that increasing the price of a parking space from the \$50 recommended is the best way to discourage employees from parking downtown.

Ms. Griffin explained that the consultant's rationale in recommending that the long-term parking spaces in the parking structure be priced no higher than \$65 a month is that if the parking spaces are priced somewhat more affordably than spaces that are right downtown, it will encourage their usage.

Mr. Campion feels that if there are enough peripheral spaces for employees, the Town should feel fine about raising meter rates as soon as possible and enforcing meter feeding.

Mr. Ray Buskey stated that one issue that has kept the \$75 per month figure for rental parking is that a lot of the spaces the Town rents out are currently required by zoning under very old zoning ordinances, and the options are very limited to the property

owners who provide those spaces. The only option that exists is to pay half that rate and let the Town put a meter on it; credit is given for having the space, but the Town keeps the meter rental. He noted that many people have taken advantage of about half of the spaces in this manner. Mr. Buskey wondered if there were intended or proposed zoning changes that might address this issue and free up space as opposed to actually having those spaces, that might allow the Town the flexibility of not having to rent those spaces to people who need them for the required zoning. He suggested that an answer might be modification of the current tax district, or credit given to people who use alternate methods.

Mr. Bill Baschnagel indicated that Mr. Gilbar and Sgt. O'Neill had done a great job with the study, and added that there are some critical decisions that need to be made relative to the coming budget. He encouraged the Board to focus on items that will address near-term critical issues, such as the meter feeding issue and providing opportunities for employees in Town to find a reasonable place to park. He urged the Board to look at key issues that have been laid out -- raising meter rates that will reduce meter feeding, and compensating for that by providing easier access to Thompson Arena, and an enforcement issue which will allow the Town to manage the system over a longer term basis and generate some revenue.

Mr. Walsh summarized the four areas in the budget that require focus, both in terms of asking for public comment and Board comment: 1) change to 50 cents an hour, which is added meter revenue in metered lots; 2) lengthen hours of enforcement; 3) \$40,000 in operations equipment for meter changes, and 4) \$60,000 for contracted services.

Ms. Griffin noted that at a recent Chamber of Commerce parking briefing breakfast, she asked Chamber members for their reaction to increasing the meter rates to 50 cents an hour downtown. She wanted to be careful that the public's perception is not that meter rates are being raised downtown at a time when parking is significantly more difficult with the shortage of spaces. Her sense for the most part is that downtown merchants are not particularly concerned with raising in-town meter rates to 50 cents an hour. They felt it would help address some of the meter feeding, and that the extra 25 cents an hour was not enough of a disincentive for their customers to discourage them. They feel that their customers simply want convenient parking, and for that they are willing to pay 50 cents an hour.

Mr. Dave Cioffi stated that he feels the Town is in a danger zone right now as far as parking is concerned. He emphasized that the downtown merchants need help between now and the time the parking garage is constructed. He feels that an upgrade of the shuttle service is required. Mr. Cioffi pointed out that the business owners cannot take any more taxes. They have already committed themselves to paying more taxes when the parking structure goes up. He suggested that raising capital funds might help pay for the extra shuttle service. Mr. Cioffi stated that as far as the increase in meter fees to 50 cents an hour is concerned, the sooner it is implemented the better.

Mr. Shawn Donovan stated that 50 cents an hour for meter fees sounds acceptable, but wondered if people would be forced to move their vehicles after a certain period of time. Ms. Griffin answered that it would depend on the length of time their particular meter

allows them to stay, but the ordinance requires that once they have stayed for the length of time their meter allows, technically they should move their vehicle or risk being ticketed.

Mrs. Nan King wondered if there were any very short-term parking areas planned. Ms. Griffin answered that availability of short term parking spaces is an issue that will need to be looked at when the parking structure is opened.

Mr. Walsh asked for input from the Board regarding extending hours of enforcement.

Ms. Black suggested that the hours of enforcement be from 8:00 a.m. to 8:00 p.m.

Ms. Griffin asked whether merchants had any reaction to the hours of enforcement. Mr. Campion stated that he would rather see the hours of enforcement from 7:00 a.m. to 7:00 p.m.

Mr. Walsh suggested that the budget be adopted based on extended hours, and that an administrative decision be made at a later date as to what those hours are.

Regarding electronic meters, Ms. Griffin explained that the reason they have been recommended is that they are easier to maintain, require far less time to repair and tend to be more accurate and easier for users to read. She is recommending that over a two-year period all meter heads be upgraded to electronic meters.

Mr. Walsh asked for public comment on the \$60,000 cost for the upgraded shuttle.

Mr. Paul Gross of Designer Gold in Hanover Park stated that without the increase in shuttle service people will not use Thompson Arena or some of the other peripheral lots. He went on to say that the way Advance Transit works now is not reliable.

Mr. Jim Rubens stated that he feels shuttle service is mandatory in order to get the meter feeders out of downtown, but that peripheral parking has to be made more convenient. He added that people need to feel safe, and recommended that at least one light be installed at Thompson Arena for early morning and evening, as well as some type of phone that would be available in case of emergencies. He suggested that the shuttle service needs to be operated during the extended morning commute and extended evening commute, and until fairly late at night, and feels that this needs to be done immediately if possible.

Ms. Black asked at what point the employers bear some of the responsibility to get their employees to park out of the downtown area. Mr. Rubens answered that the employees certainly have a responsibility, but has talked to people in the Hanover Park building that cannot ask an employee who ends their shift at 8:00 at night to find a way to get back to Thompson Arena, particularly a single female.

Mr. Clint Bean pointed out that it is impossible to change human behavior which maximizes a person's own personal convenience unless really top notch service is provided. He feels that a shuttle service is needed on a regular and convenient basis,

and a traffic light is required at Park and Summer Street.

Ms. Griffin pointed out that the budget does not include funds to place a traffic light at Park and Summer Street. There is \$45,000 included in the budget for a traffic signal, which is earmarked for Etna assuming that Etna needs a signal. There was also an amount of money put into the Capital Improvement Program for a contribution toward a second signal. She stated that she does not believe more money has to be added for this signal, adding that between the amount budgeted this year and the amount set aside for next year, plus savings in the account allocated each year for signal upgrade, there will be adequate funds for a second signal.

Mr. Manchester commented that if shuttle service is increased without a signal at Park and Summer it will not do any good.

Joe MacPherson, owner of the Chocolate Shop in Hanover, stated that shuttle service as it is now is so unreliable that he would feel irresponsible recommending it to his employees. He pointed out that all merchants in Town are facing a very tight labor market, and it will be hard to attract employees if they are asked to stand out in the freezing cold weather for half an hour or 45 minutes for a shuttle. He strongly urged the Board to do whatever it can to get a shuttle bus that runs on a regular schedule every 10 minutes throughout the day. He feels that meter restrictions should start at 7:00 a.m. and that the shuttle should start running at 7:00 a.m. as well until the meter restrictions end in the evening.

Mr. Walsh closed the public hearing and asked the Board to deliberate on the budget.

Mr. Walsh MADE THE MOTION that the Board of Selectmen pass proposed Parking budget "B". Ms. Black SECONDED THE MOTION.

Ms. Connolly stated that she is willing to add enhanced shuttle service on a trial basis to be sure employees actually use it.

Mr. Colligan stated that he would like there to be more discussion before the traffic signal goes up on Summer and Park Street. He is not convinced that Thompson Arena is the best long-term solution for any shuttle system.

Ms. Griffin suggested that it would probably be very helpful to put together a small working group of downtown merchants to work with staff and Advance Transit on the logistics for the shuttle, with an expectation of attaching a very accurate cost estimate to the enhanced shuttle within the next week. If satellite parking were shifted to the medical school parking lot, for example, the intersection at Park and Summer Street would not need to be signalized quite so quickly.

Mr. Walsh would like to see a plan back to the Board before Town Meeting.

The Board of Selectmen VOTED UNANIMOUSLY TO PASS PROPOSED PARKING BUDGET "B".

3. DISCUSSION OF OPTIONS FOR IMPLEMENTING ADDITIONAL ON-STREET PARKING ON AN INTERIM BASIS.

Ms. Griffin displayed a drawing depicting options for implementing additional on-street parking on an interim basis. She stated that she had tried to identify parking spaces that are not currently available in the immediate downtown area to which permit parkers could be moved. Permit parking covers only Monday through Friday from 8:00 a.m. to 5:00 p.m. This is a way of providing interim spaces on streets that currently do not have parking spaces, and to free up the top of the Fleet deck and potentially some of the Marshall Lot. She explained to the Board the various locations for the 69 new parking spaces.

Ms. Griffin pointed out that 17 new spaces would be created on the east side of Crosby Street and 7 spaces on the west side of Sanborn Street. On the east side of Hovey Lane there are 14 metered spaces which are currently used by the High School students at a rate of 10 cents an hour. Mr. Griffin indicated that she had talked with the principal at the high school about shifting those students over to Thompson Arena where there are an excess of spaces, thereby freeing up the spaces on Hovey Lane for permit parkers. On the north side of Lebanon Street there is room for 5 additional on-street spaces. As soon as the fence is moved back when some of the excavation work is finished, there will be room for 4 spaces in front of Hanover Park, the original two spaces and two additional spaces. There is room for 11 spaces on the south side of Lebanon Street in front of St. Denis Church. On East South Street on the north side across from the hostel there is room for six spaces. On the north side of Allen Street Extension there is room for five additional spaces. Ms. Griffin commented that she has not had a chance to talk with the neighbors in these various locations, but will be doing so.

If all of the above locations were implemented, it would add 69 new spaces. It is proposed to move as many of the permit parkers as possible to these spaces, freeing up some of the closer in-town spaces for shoppers.

Mr. Manchester asked if there was additional parking planned for Currier Street. Ms. Griffin answered that there were three locations that she chose not to push with regard to parking. One such location is North College Street along College Row, because when the Hopkins Center and the Hood Museum have overflow events, this is the only place those patrons can park. There is room for 32 spaces on Currier Street; this is obviously convenient to Town, but Ms. Griffin pointed out that the neighbors in this location have strongly opposed parking in the past, yet they came out in favor of the parking structure despite the fact that it was going to be an inconvenience for them. She had hoped not to impact those residents with this problem. Ms. Griffin noted that there was room for 17 spaces on the south side of Ripley, but that this is also a neighborhood issue. She has indicated to these three locations that if after implementing the recommendations set forth the merchants still perceive that there is a problem, it would not prevent the Town from going back to Currier, Ripley or North College to implement additional parking.

Mr. Bob Norman asked if the term "temporary" parking means that the intention is not

to continue using the additional parking spaces, and wondered how the Town planned to resist the temptation to continue them. Ms. Griffin answered that she would need to see how these spaces function during the interim time period.

Mrs. Susan Rubens spoke regarding the overflow parking for the Hopkins Center patrons. She stated that she cannot reinforce enough to the Town that Hanover is at crisis proportions with its customers. She pointed out that in contrast to the two or three days that there are people inconvenienced for events at the Hopkins Center, customers of downtown businesses are inconvenienced five days a week.

Ms. Griffin suggested that the Board agree with the 69 new spaces proposed, but that merchants need to provide the Board with their input for the next couple of weeks.

Mr. Manchester MADE THE MOTION to approve the implementation of additional on-street parking on an interim basis as proposed by Ms. Griffin. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE IMPLEMENTATION OF ADDITIONAL ON-STREET PARKING ON AN INTERIM BASIS AS PROPOSED BY MS. GRIFFIN.

4. DISCUSSION OF DRAFT WARRANT ARTICLES, INCLUDING REVIEW OF WARRANT ARTICLES RELATIVE TO ESTABLISHING AND FUNDING A CONSERVATION FUND.

Ms. Black gave a brief overview of the events that have happened since the Board's last meeting. A committee was formed consisting of Judy Reeves Davidson from the Conservation Commission, Mike Mayer from the Planning Board, Nina Banwell from the Conservation Council, and Ms. Black from the Board of Selectmen. The group met with Jonathan Edwards. Ms. Black explained that some of the funds were established before State law was changed, and Hanover has not kept up with all of the changes in State law. Much of what is being discussed is mainly to make everything legal for the auditors and lawyers and the Department of Revenue. Ms. Black briefly explained the different funds and where the money comes from that goes into those funds. She explained that initially there was a conservation fund that Town meeting used to appropriate money in. This fund contains a balance of about \$18,000. There is also money that comes from timber tax that has gone into a timber tax fund. Additionally there is a land acquisition and capital improvements fund that was created to take money from the tax revenue for land coming out of current use, and a capital improvements restricted purpose fund which is the Elm Street money.

It was decided to add the Elm Street money and land acquisition and capital improvements money together and split it in half; one half would go to the conservation fund, which is a newly created fund, and the other half would stay in the land acquisition and capital improvements fund. Step number two was to take the Elm Street money, which had the confusing name of capital improvements restricted purpose fund, and split it in half giving one-half to the conservation fund and one-half to the existing land acquisition and capital improvements fund. All of the timber tax money would be put into the conservation fund. One-half of the money that comes out of the current use land tax would go to the Conservation Commission and one-half would go to the land acquisition and capital improvement fund.

Ms. Black explained that the RSA that controls the conservation fund indicates that the monies can be expended without Town Meeting approval. The group discussed this and decided that for the beginning it would be well to set a cap on what could be spent without Town Meeting approval until it could be determined that the process was working well. The cap agreed upon was \$50,000. This should be enough money to bind a property to take to Town Meeting. In addition, it was agreed that the Commission, the Council and the Planning Board would set in writing a priority list of plans for land the Town needs to acquire either through easements or purchase, and that no monies would be expended from the conservation fund unless they fell within the parameters of the plan. All of the six warrant articles are the legalities to make those decisions happen.

Ms. Black explained that under this proposal the Conservation Commission would have the authority to spend up to \$50,000 in any fiscal year without Town Meeting approval, but a public hearing and approval by the Selectboard would be required.

Mr. Colligan agreed that such an expenditure would require one public meeting, a majority vote of the Conservation Commission and approval by the Selectboard. He thanked Ms. Black and other members of the committee, including Judy Reeves Davidson, Dennis Kelemen and Elaine Bent. He feels that this is an excellent achievement for the Town, and exciting because it is so consistent with one of the greatest core values, which is the rural sense of place and quality of life that is enjoyed by Hanover residents. Mr. Colligan noted that 2/3 of the Town's land is in current use, and since 1976 a little over \$700,000 of current use tax has been generated, with recent history indicating about \$20,000 to \$30,000 a year being generated. He wished to comment for the record that he does not agree with condition number two in the proposed memorandum of understanding which calls for a \$50,000 cap.

Mr. Colligan added that he understands that there are concerns regarding what resources are available as a community to direct capital improvements, land acquisition, conservation activities or general fund purposes. If there are concerns about making this investment in conservation, it obviously comes at a cost from other areas where the money might be directed. Pointing out various expenditures in recent history, Mr. Colligan stated that it is clear to him that the Town has underinvested in the area of conservation.

Mr. Colligan also pointed out that if the Town votes all of the warrant articles, there will be approximately \$180,000 to \$200,000 which will be in a new conservation fund. These funds can be accessed by a majority vote of the Conservation Commission, followed by a public meeting and required approval of the Selectboard. He feels that this process is overkill; as he sees it, the Selectboard appoints the Conservation Commission members. If the Selectboard feels that a proposal does not make sense, the Board has the opportunity to defer through an advisory vote, and still have a Town Meeting vote. An additional check is financial in nature. He feels that whatever the size of the cap, there will probably often be a situation where it will be necessary to go to Town Meeting for a bond vote. Mr. Colligan feels that there are people on the Conservation Commission that can do this work, and he has complete confidence in their abilities.

Ms. Black explained that she would prefer to have this plan in place for a year or two and then drop the restriction. The hope is to protect getting this plan into place and making it legal; then if the process works, the restriction can be dropped in a year or two. The restriction is not a part of the warrant articles.

Judy Davidson indicated that if the warrant articles are passed, tremendous strides will have been made in helping the Town to begin the process that started before the Scenic Locales Committee in identifying properties and areas of Town that are of value. She stated that there is still much work to be done, but that the critical step now is to get the warrant articles passed.

Shawn Donovan expressed his concern regarding the requirement that there be a public plan of land that the Town wants to acquire. He feels that this is a requirement which could prove to be a practical problem in the future, and something which needs further review. He also stated that he is concerned with how the arrangement might work if a parcel becomes available for purchase that is desirable but is not on the plan. Ms. Black answered that an option could be put on the property to bind it, and it could be brought to Town Meeting.

Ms. Griffin explained that a memorandum of understanding would be developed between the Board of Selectmen and the Conservation Commission that would be renewed and negotiated annually which would establish procedures and guidelines governing the placement of revenues from the land use change tax, timber sales and environmental fines and penalties into the proposed conservation fund. The memorandum of understanding would contain the following elements: 1) that no capital expenditures would be made by the commission from the fund except in conformity with an open space acquisition and priorities plan which would be developed through a public meeting and hearing process by the Commission with the assistance of the Planning and Zoning Department; 2) annual capital expenditures by the Commission from the conservation fund would not exceed \$50,000 which could be used for the acquisition of property or for property interests such as easements or for obtaining a binding option so that a property can be held in order that Town Meeting can have the opportunity to consider approval of and financing for prospective purchase of fee simple interest in property; 3) that the Board of Selectmen as part of the budget process recommend to Town Meeting that each year's accumulated balance in the land use change tax restricted fund would be appropriated annually by Town Meeting in the following manner: 1/2 to be transferred into the capital improvement restricted purpose fund and the other 1/2 into the conservation fund; 4) all proceeds from timber sales as well as fines and penalties resulting from conservation and natural resource related environmental violations would be accounted for as Conservation Commission revenue within the general fund budget along with associated appropriations for Conservation Commission operating expenses and trail and forest maintenance, the balance of which will be a reserved fund balance at year end to be recommended by the Board of Selectmen to be appropriated at the ensuing Town Meeting for transfer into the conservation fund; and 5) that the Board would rescind an old ordinance #22 which set up the old land use change tax formula that we would no longer be proposing to use.

Mr. Bill Baschnagel stated that he believes very strongly that Town Meeting ought to

be a place where significant expenditures are approved. He believes it is absolutely important that the Town buy in, and the way to get citizens involved is through the actual approval process. He thinks that it is critical that Town Meeting play a role in making expenditures. He suggested that the memorandum of understanding be made a part of the warrant.

Mr. Ed Chamberlin stated that he was concerned about targeting certain properties. Ms. Black explained that the intent is not to target certain properties.

Bob Norman indicated that any good open space plan acquisition priorities plan should include clearly understandable principles without targeting specific properties. He added that he sees the memorandum of understanding as being somewhat more flexible than the articles of the warrant, noting that it can be revised and would not require a Town Meeting vote. He asked what information Town Meeting will have regarding the memorandum of understanding. Ms. Griffin answered that typically position papers are put together which give background on each warrant article and go into much more detail than the warrant article wording itself. She proposes a graphical presentation for these particular six warrant articles to make a complex situation simple, and also a couple of paragraphs to highlight the framework that will control how the money is expended.

Dennis Kelemen noted that if some feature of the memo of understanding between the Selectmen and Conservation Commission becomes impractical at some point in the future, with the consent of both parties the memorandum of understanding could be changed. He suggested that as much flexibility as possible be maintained in this regard.

Ms. Connolly pointed out that there is an open space chapter for the Master Plan which gives principles under which open space can be acquired and maintained.

Bill Baschnagel encouraged people to think broadly in terms of open space, rather than narrowly. He suggested that the acquisition of open space to preserve it is probably the least likely process to follow, as well as the most expensive. He noted that purchasing easements would accomplish the same thing at a lower cost, and also talked about utilization of the zoning process to preserve open space at virtually no cost. He urged the Board to think very carefully not to equate purchase with accomplishing open space objectives.

Mr. Baschnagel went on to say that the warrant articles as proposed give carte blanche to the Conservation Commission to use whatever funds in whatever manner it chooses that the Town puts at their disposal. This is the reason he encourages the Board to put in the warrant articles the scope or intent of the process of the memorandum. He believes it is imperative that the intentions of this process are put before the Town.

Mr. Colligan explained that the Conservation Commission does not have carte blanche to expend the funds in any manner. The RSA is very straightforward and requires Selectboard approval.

Ms. Griffin indicated that the Town attorney has said that a warrant article which legally restricts the fund in this manner is in fact illegal and counter to State statute. He has

said that it is fine to talk about this in terms of a memorandum of understanding between the Conservation Commission and the Board, but to make it a legally established warrant article is more restrictive than the Statute and would be illegal to take to Town Meeting.

Mr. Walsh stated that he thinks this has been a superb process. The Conservation Commission and Conservation Council have done hard work on this process trying to come up with a proposal, and in the spirit of the Town working well together the Selectboard, the Planning Board, the Conservation Council and the Conservation Commission's interests were joined together with appropriate legal and administrative talent to draft a set of articles that will meet the conservation interests of the Town as well as its fiscal interests.

Ms. Connolly asked if the memorandum of understanding might be incorporated into the Town ordinances. Ms. Griffin believes it could not as it is more restrictive than State law and there is no home rule in New Hampshire.

Mr. Colligan MADE THE MOTION to approve the six warrant articles as presented. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE SIX WARRANT ARTICLES AS PRESENTED.

Mrs. King wondered if the Town would be ready to include in its budget a land acquisition fund, noting that the monies available to the Conservation Commission at this moment are not adequate. Ms. Griffin explained that the warrant articles proposed create the conservation fund for land acquisition.

Ms. Black pointed out that this year's budget does not have an appropriate of general fund money to go into this fund. However, the Conservation Commission has been informed that if it wants an annual appropriation to bring it forth at budget time for consideration.

There was discussion of what would happen if the first two articles were to pass to dissolve the existing funds, and the other warrant articles failed. Mr. Walsh answered that discussion would be re-opened on the first two articles, and they would ask for reconsideration of those articles. Ms. Griffin added that in the case of linked articles the Moderator would note that all of the warrant articles need to be approved. Information in this regard will be included in the position papers.

Ms. Griffin informed the Board that there are three warrant articles not on the warrant currently that may go on it. One has to do with the AFSCME agreement if agreement is reached in time. The second warrant article deals with the IAFF agreement, and the third regards the fact that the administration cannot grant or accept easements without Town Meeting approval. She has asked the Town attorney to review whether or not there could be a blanket easement warrant article which should authorize the Board over the coming year to accept and grant easements as required to conduct Town business.

The Board discussed the order of the various articles, and Ms. Black stated that she

feels very strongly that the business of the Town should be attended to before any petition articles.

Ms. Griffin stated that another article for consideration is Article 22 which is the local option fee for motor vehicle registrations. The Town attorney has said that the legislative body needs to enable collection of the fee, and delegate to the elected board the decision through the budget setting process as to how to direct the funds to be used. The funds can be used for shuttles, bicycle paths, etc.

Mr. Walsh explained that this process will start the accumulation of a fund, and how that fund will be spent will be subject to a public hearing as part of the budget process.

Mr. Colligan stated that he would rather people know when they are voting what the funds will be spent on, rather than finding it out later.

Ms. Connolly asked if the fund were cumulative, and whether it must be expended every year. Ms. Griffin explained that the funds can be set into a reserve, and added that the State statute is very open with respect to use of the fund.

Mr. Walsh MADE THE MOTION that the \$5 local option fee be put on the warrant, with the understanding that a public hearing process will be held after Town Meeting to decide how to spend the funds. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY THAT THE \$5 LOCAL OPTION FEE BE PUT ON THE WARRANT, WITH THE UNDERSTANDING THAT A PUBLIC HEARING WILL BE HELD AFTER TOWN MEETING TO DECIDE HOW TO SPEND THE FUNDS.

5. DISCUSSION OF RESOLUTION URGING COLLABORATION BETWEEN THE NEW HAMPSHIRE MUNICIPAL ASSOCIATION PROPERTY-LIABILITY TRUST AND COMPENSATION FUNDS OF NEW HAMPSHIRE.

Ms. Black indicated that there is a competition between the Property Liability Trust and the Compensation Fund of New Hampshire concerning how towns and municipalities will be insured. She urged the Board to write a letter asking the two entities to sit down at the table and negotiate a settlement that will be to the advantage of the municipalities.

Ms. Connolly MADE THE MOTION to write a letter to the Property Liability Trust and the Compensation Fund of New Hampshire urging them to go to the bargaining table. Mr. Manchester SECONDED THE MOTION.

Mr. Colligan does not feel that the Town should send a statement that discourages competition in any area. He feels that he does not have enough information to make that endorsement. He indicated that a generic statement of collaboration would be fine, but that to make any statement that could be considered anti-competition would be inappropriate.

Ms. Griffin will draft a letter based on her knowledge of the issues.

The Board of Selectmen VOTED FOUR IN FAVOR, ONE (MR. COLLIGAN) ABSTAINING, TO WRITE A LETTER TO THE PROPERTY LIABILITY TRUST AND THE COMPENSATION FUND OF NEW HAMPSHIRE URGING THEM TO GO TO THE BARGAINING TABLE.

6. DISCUSSION OF CEREMONY CELEBRATING SISTER COMMUNITY RELATIONSHIP WITH NIHONMATSU, JAPAN

Ms. Black indicated that the delegation from Nihonmatsu, Japan will be arriving in Hanover on July 29th and leaving on August 1st. July 30th has been set as the day for the ceremony, the outline of which is subject to change.

Ms. Griffin added that Ms. Black has been working on putting together what looks to be a fun celebration.

Ms. Black added that the people of Nihonmatsu have invited ten people from Hanover as their guests to go to Japan the first week in October for their twinning ceremony.

Ms. Black also informed the Board that there is a delegation from Joigny, France which arrived in Hanover recently and will be here for two weeks. The group consists of 16 students and two adults. The adult delegation will be arriving May 23rd and staying until May 30th.

7. RECOMMENDATION TO SET PRE-TOWN MEETING PUBLIC HEARING ON APRIL 19, 1999.

Ms. Black MADE THE MOTION to set pre-town meeting public hearing on April 19, 1999. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO SET PRE-TOWN MEETING PUBLIC HEARING ON APRIL 19, 1999.

8. ADMINISTRATIVE REPORTS.

Ms. Griffin reported that the Howe Library volunteer luncheon is scheduled for May 25th, and there has been a request for the volunteers to be allowed to park on Currier Street. Ms. Black indicated that she would agree as long as the neighbors are notified.

Ms. Griffin noted that a question had been raised as to whether there will be call-ins during the pre-town meeting on April 19th. Ms. Black indicated that this would be a good idea, and that a transaction ad should be placed in the Valley News indicating telephone numbers.

9. SELECTMEN'S REPORTS.

Ms. Connolly

Ms. Connolly reported that the Planning Board finalized the warrant at its last meeting, and heard no cases. The next Planning Board meeting will include two Dartmouth College cases, and discussion of the Board's visitation to Etna which is scheduled for April 14th at Trumbull Hall.

Mr. Walsh

Mr. Walsh reported that the Community Substance Abuse Advisory Committee held a successful forum recently at the Ray School with about 120 to 130 people in attendance.

Mr. Walsh also reported that the Joint Facilities Committee met recently with Nancy Carter as the new chairman, and began working on its options. There is another meeting scheduled for late April.

Mr. Manchester

Mr. Manchester questioned whether delinquent taxes would be included on the Town Report. Ms. Griffin answered that the Board had discussed in the past whether or not to publish delinquent taxes, and whether to post the delinquent list. The Board agreed that the delinquent taxes list should be posted.

Mr. Colligan

Mr. Colligan had nothing to report.

Ms. Black

Ms. Black reminded Board members to sign up for the regional NHMA dinner on April 22nd at Jesse's Restaurant.

Ms. Black stated that she feels it is time to write the Town's legislators and the Governor to say that the Board feels it is inappropriate to fund public school education on tobacco, liquor and gambling. She does not feel that this is the model of behavior that children should grow up with to assume that this is the way to run the country. She feels that education is a right of the children and it should not be funded by sin taxes.

Mr. Colligan stated that he supports Ms. Black's statement on the sin taxes, but observed that to send such a statement without providing suggestions as to the solution of the problem may not be productive.

Ms. Black will draft a letter to the legislators and Governor regarding education funding.

11. OTHER BUSINESS.

There was no other business.

12. ADJOURNMENT.

Ms. Connolly MADE THE MOTION to adjourn the meeting. Mr. Walsh SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING.

Mr. Manchester MADE THE MOTION to go to non-public session to discuss a matter which may affect the reputation of an individual. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO GO TO NON-PUBLIC SESSION TO DISCUSS A MATTER WHICH MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.

SUMMARY

- 1. Mr. Walsh MADE THE MOTION that the Board of Selectmen pass proposed Parking budget "B". Ms. Black SECONDED THE MOTION. The Board of Selectmen VOTED UNANIMOUSLY TO PASS PROPOSED PARKING BUDGET "B".**
- 2. Mr. Manchester MADE THE MOTION to approve the implementation of additional on-street parking on an interim basis as proposed by Ms. Griffin. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE IMPLEMENTATION OF ADDITIONAL ON-STREET PARKING ON AN INTERIM BASIS AS PROPOSED BY MS. GRIFFIN.**
- 3. Mr. Colligan MADE THE MOTION to approve the six warrant articles as presented. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE SIX WARRANT ARTICLES AS PRESENTED.**
- 4. Mr. Walsh MADE THE MOTION that the \$5 local option fee be put on the warrant, with the understanding that a public hearing process will be held after Town Meeting to decide how to spend the funds. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY THAT THE \$5 LOCAL OPTION FEE BE PUT ON THE WARRANT, WITH THE UNDERSTANDING THAT A PUBLIC HEARING WILL BE HELD AFTER TOWN MEETING TO DECIDE HOW TO SPEND THE FUNDS.**
- 5. Ms. Connolly MADE THE MOTION to write a letter to the Property Liability Trust and the Compensation Fund of New Hampshire urging them to go to the bargaining table. Mr. Manchester SECONDED THE MOTION. The Board of Selectmen VOTED FOUR IN FAVOR, ONE (MR. COLLIGAN) ABSTAINING, TO WRITE A LETTER TO THE PROPERTY LIABILITY TRUST AND THE COMPENSATION FUND OF NEW HAMPSHIRE URGING THEM TO GO TO THE BARGAINING TABLE.**
- 6. Ms. Black MADE THE MOTION to set pre-town meeting public hearing on April 19, 1999. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO SET PRE-TOWN MEETING PUBLIC HEARING ON APRIL 19, 1999.**
- 7. Ms. Connolly MADE THE MOTION to adjourn the meeting. Mr. Walsh SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING.**
- 8. Mr. Manchester MADE THE MOTION to go to non-public session to discuss a matter which may affect the reputation of an individual. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO GO TO NON-PUBLIC SESSION TO DISCUSS A MATTER WHICH MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.**

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The meeting was adjourned at 10:55 p.m.

Respectfully submitted,


John Colligan, Secretary

These minutes were taken and transcribed by Nancy Richards.