

**FINAL**

**BOARD OF SELECTMEN'S MEETING**

**JANUARY 31, 2000**

**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, Brian Walsh. Present were: Brian Walsh, Chairman; Marilyn Black, Vice Chairman; Katherine S. Connolly; John Manchester; John Colligan; Julia Griffin, Town Manager; and members of the public.

Mr. Walsh 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.**

Mr. Walsh encouraged the public to vote in the New Hampshire primary elections on Tuesday, February 1st. Voting is from ~~7:00~~ a.m. to 7:00 p.m. in the gymnasium at the Richmond School.

**2. DISCUSSION OF HANOVER'S PARTICIPATION IN THE COALITION COMMUNITIES EFFORT REGARDING THE STATEWIDE PROPERTY TAX.**

Mr. Manchester commented that he is discouraged by Peter Burling's indication that the court process considered by the coalition communities could take up to ten years. He pointed out that if the lawsuit is won, the communities will still have to pay but a different method would be used.

Ms. Griffin explained that if, for whatever reason, the statewide property tax under its current format was deemed unconstitutional because of either variations in assessing practices or an overly simplified equalization process, one of two key things could happen. Either the legislature would have to appropriate substantially more money to overhaul the State's equalization process and revaluations would have to be done statewide to try to bring everyone to a point where the values are comparable, or the statewide property tax would be thrown out and some other revenue collection method would be utilized to fund education.

Mr. Manchester noted that if a statewide property tax is to be used, the State would have to bring their assessing practices up to speed, which would cost another \$25 million. He added there could be another gubernatorial election that could change everything.

Ms. Connolly pointed out that this also would give the legislature time to find a solution to the problem. Mr. Manchester stated that as they have not yet figured it out, he has lost confidence that they are ever going to. Ms. Connolly noted that the lawsuit may provide needed inspiration to the legislature.

Ms. Black explained that the lawsuit primarily questions the State's ability to have equalized assessments. It focuses on the way the State equalizes valuation which does not say that they do not like the property tax, it only says they do not like the way it is administered.

Mr. Manchester indicated that he has talked to a lot of people in Town who encourage joining the lawsuit. He stated that he realizes this is a difficult situation, and questioned if the taxpayers really understand what is happening.

Mr. Colligan asked for Mr. Manchester's assessment of whether the people that are encouraging a lawsuit understand the issues. Mr. Manchester answered that for the most part he feels that they do understand; he also feels that they may want to undertake a lawsuit just to satisfy themselves that they are not lying back and doing nothing.

Mr. Walsh asked when the full consultant's report could be expected. Ms. Griffin answered that there are two key dates looming before the Town. She indicated that payments of the statewide property tax that was collected have to be paid to the State by the middle of March. She stated that there are communities that have said they are not going to send the money to the State, and other communities that have talked about petitioning the Court to escrow the funds pending a legal resolution of the class action suit that has been filed. Ms. Griffin explained that if communities are going to petition Superior Courts to ask them to consider escrowing money from the coalition communities who are concerned about the equity of the statewide property tax as it has been implemented, this has to happen before payments are sent to Concord in March. She pointed out that the second date of concern is that the full consulting report will not be received until the study is fully funded. Portsmouth is now indicating that the full report will be done by April 14th. Ms. Griffin stated that this timing is crucial in terms of documents that have to be filed for the class action suit. The challenge for the coalition is that \$145,000 has been collected to date to fund a \$200,000 consulting bill. Portsmouth has given \$20,000, and a half dozen other communities, including Hanover, have donated \$10,000. Ms. Griffin will mail an updated financial report to the Board members when it is received. In addition, she indicated that the Portsmouth City Council in November or December appropriated \$135,000 for their legal bill associated with the filing of the class action suit. Ms. Griffin explained that there are attorneys from other coalition communities that have been involved in a working group, but that Hanover has not had an active attorney involved as the Board did not want to necessarily take the next step and get involved directly with the lawsuit. Hanover has not incurred any legal expenses in this regard.

Ms. Black asked if Hanover could support an individual plaintiff if individuals are the ones filing the suit. Ms. Griffin explained that later in the process individuals from coalition communities, or any individual in the State, will potentially be offered an opportunity to join the lawsuit.

Ms. Black asked how Hanover could contribute to that suit under those circumstances. Ms. Griffin answered that the three individuals on whose behalf the suit has been filed cannot afford to fund the suit themselves. She added that the three individuals are representing taxpayers in every affected community.

Ms. Black asked why the lawsuit started with individuals rather than towns. Ms. Griffin explained that the impact of the statewide property tax

is about individual taxpayers, not towns. The feeling on the part of the attorneys is that individuals who have seen their taxes go up are the ones who have suffered the pain.

Ms. Black pointed out that the lawsuit only involves the method of equalized valuation, it does not focus on the fact that the property tax is inequitable. Ms. Griffin stated that she thinks the suit says that because there is a wide variation in assessment practices which the plaintiffs will demonstrate, and because the equalization method used by the State is very rudimentary and some would argue flawed, a statewide property tax cannot be constitutionally implemented.

Ms. Black commented that the judges may say the State has to improve its assessment practices and keep the statewide property tax. She stressed that you have to be careful what you ask for because you might get it.

Ms. Griffin agreed that the judges could say that the statewide property tax as it is currently implemented is unconstitutional and has to be fixed, and the way to do that is to order a revaluation statewide and significantly upgrade the equalization process. This would probably mean adding substantial new staff.

Ms. Black commented that this would still not get rid of the property tax. Ms. Connolly agreed, but added that it may change the property tax so significantly that the 210 communities that are now enjoying the largesse of this particular tax will, in fact, be donating to it as well.

Mr. Colligan referred to a letter dated May 24th drafted by Ms. Griffin and sent to Governor Shaheen, Senator Below and the four Representatives. He highlighted for the record the fact that 180 people in attendance at the end of the Hanover Town Meeting on May 5, 1999 with regard to HB 117 unanimously agreed that the current funding method was inadequate to meet the needs for education funding, and that HB 117 failed to take into consideration the impact on citizens living on fixed incomes. Further, they agreed that the current method was generally unfair by failing to spread the support for education across all those in the State who are in a position to pay, and that the short term effect would be a decline in property values in donor communities. Mr. Colligan noted that this was on the narrow question of HB 117, and that the Town of Hanover is not on record as saying that they do not approve of a property tax. He noted that Channing Brown at the January 17th meeting of the Board of Selectmen stated his opinion that the Town's unanimous agreement on HB 117 at the May 5th Town Meeting also applies to the law that was passed, HB 999.

Mr. Colligan feels that the most important thing that has to happen is that the focus should shift away from creating a revenue source and toward addressing the issue of education. In his opinion, the source of the political gridlock is that the entire focus has been on creating a revenue stream; that is why there is a gridlock in the State where anywhere from 50% to 70% of the people are against an income tax. He feels that clearly there are probably as many as a half to two-thirds of Hanover citizens that might prefer an income tax. Mr. Colligan indicated that his strongest

real issue that needs to be addressed; not creating a new source of revenue, but trying to respond to the Supreme Court's focus on State education. He feels that, in his opinion, it may or may not require an income tax. However, as the Board looks at the narrow question before it, he feels it would be very hard for any Board member to conclude that the current situation is good.

Mr. Colligan noted that as discussed at the last meeting, the Board has to make some type of determination as to whether to do nothing, to take legal action or some political action working through legislative channels, or some combination of political and legal action. He added that the crux of defining an adequate education is something that has yet to be defined, yet it is the sole basis for the entire legislation and current problem. Mr. Colligan noted that he would not prescribe the specific legal action, because he feels there is some wisdom in giving a little more time as there may be some different legal action.

Also as discussed at the last Board meeting, Mr. Colligan feels that it does matter where the money is being spent. So far, his view is that the burden is very much on the receiving towns and very much on the legislation; it is known for a fact that the money has only been spent by Claremont entirely on education, and that most of the other Towns sent back tax cuts to their taxpayers. If the solution is really going to address education, Mr. Colligan feels that the money should go into education.

Regarding the issue of local control, Mr. Colligan stated that local control has already been severed; when the connection between the source of the revenue and where the revenue is spent is severed, local control is gone. He commented that there are a lot of bills now in the legislature which are trying to do what should have been done before they focused on generating a revenue source. Mr. Colligan stated that he feels with the benefit of more information and allowing Hanover residents an opportunity for feedback, the Board is probably in a better position in terms of its decision.

Mr. Colligan referred to the last Board meeting and Mr. Walsh's comments that the consultant's report states New Hampshire has the worst tax system they have ever seen in the 27 studies they have done. He feels that the Town is on a very reasonable path and he would continue to welcome any feedback from Hanover residents. He hopes that the Board can stay focused on the issues and ultimately be in a position to make the best decisions for the interests of the community. His concerns and observations with some of the State legislative sessions is that there are people that want to vote for a solution that is in the best interest of all children in New Hampshire. He indicated that while every member of the Board wants to do what is best for all of the children of New Hampshire, they were elected to do what is best for the children and taxpayers of Hanover, and he feels there is a prioritization in terms of how to approach the issue.

Ms. Connolly stated that she has received more feedback from Hanover taxpayers, and the bottom line is that they feel the current solution is not tolerable. Further, they reminded the Board that the DRA's conception of

the problem does not rise to any professional standard. Ms. Connolly stated that the legislature moves slowly, and does not move well without any inspiration at all. Therefore, she feels that the only thing the Town can do is to try to inspire the legislature through the courts.

Ms. Black recommended that until the Board sees what the other towns have done for the initial part of the study, they should wait and see if the towns that have not contributed would contribute the other \$55,000 to complete the study. At that point, if financial help is required for the legal costs the Board can debate whether or not to send an additional appropriation for this purpose. She stated that at this time, because of the size and population of the Town, she feels Hanover has done more than its share of financing the studies.

Mr. Walsh stated that although he understands the logic of Ms. Black's thinking, he is more and more firmly convinced that the issue is not a donor community/receiver community issue. It is an issue of a flawed system, and he would prefer to see the consultant's work finished soon and made available to the public to inform the debate about the financing system and its inequities. He feels that it is very important to get that information in front of the voters of the State, in front of the House, the Senate, the Governor, and those people who are paying taxes. Mr. Walsh stated that he is very disappointed to learn that the report will not be available until April because he feels that this will avoid informing the debate. He added that he would be more willing to fund making that work available than he would be willing to fund litigation.

Ms. Black pointed out that the information may not be given to the public, but would instead be held to be used in the lawsuit. Mr. Walsh stated that he would have absolutely no interest in providing further funding in that case, adding that the information needs to be made available to the public. Ms. Griffin explained that once the information is admitted to the court it is available to the public.

Ms. Black indicated that if the information is just going to be held to use in a court case and not be made available to use politically, it will not help the political process.

Ms. Griffin pointed out that there may be some information the Board members want to have available to them. One item would be an update from Portsmouth on how much money they have collected to date and from whom. In addition, she can furnish the Board with information about the status of the legal effort, the timing of the suit and the report, and the record being made public. She believes that the Board needs to listen to what the attorneys are saying, but also needs to be mindful of making the information available ultimately to the legislature because they are the ones who need to understand the gravity of the problems as portrayed by the consultants.

Ms. Connolly stated that she is not in favor of indulging in any extralegal activities concerning withholding of funds from the State.

Mr. Colligan asked what further information might be received that would

be different from the executive summary. Ms. Griffin answered that it will be a 200 page report containing detailed data from the audits of the 26 communities. Mr. Colligan stated that he presumed the 200 pages of detail support the key principles in the executive summary, and that there should be enough information now for informing the taxpayers and representatives. He asked Ms. Griffin if the executive summary had been distributed. Ms. Griffin answered that it had been distribute, and added that many people had come into the Town offices to pick up copies of the summary.

In terms of a time table, Ms. Connolly stated that her sense is that the Board will have to make a decision before mid-March if something is to be done in the legal channel. Ms. Griffin agreed that if the Board makes the decision to be part of a motion to request that its payment be held in escrow pending resolution of the larger case, the motions will have to be filed well in advance of the middle of March.

Mr. Walsh asked what portion of the Town's legal budget would be used in such a lawsuit. Ms. Griffin answered that she will include that information in the next mailing to the Board, but feels it would be a very insignificant expense.

Ms. Black pointed out that the only problem with putting the money in escrow is that the State will have to raise more money. Ms. Griffin explained that the reason that the legal request to put the money in escrow came up is that so many of the coalition community citizens were calling upon their selectmen and city councils to withhold payment. The elected officials were saying that on one hand they wanted to be responsive to their voters, but on the other hand to withhold payment would be illegal. It was felt that the only way to be responsive to the voters' concerns while being realistic and legal was to petition the court to set the money aside. The attorneys are advising the communities to at least petition the court to escrow the money and let the court make the legal decision, rather than making the decision as elected officials.

Mr. Colligan stated that he is not expecting there will be new information that leads him to conclude that there is not a strong factual basis for pursuing a legal channel. That is why he believes that the more the public is informed, the better. His sense is that the information they need is available right now, and as long as a good job is done in distributing that information and soliciting feedback, the Board will be in a position to make an informed decision.

Mr. Walsh stated that given the work that has already been done, it is very clear that there are a large number of communities who should be aggrieved - they may be getting money or sending money, but they are on the bottom half of the fairness curve. He would like to know how Portsmouth, the coalition communities and the consultant approach all of the parties aggrieved by the inequities in the assessment practices. He stated that he would like to have a sense of who those communities are.

Ms. Griffin indicated that one role where Hanover exercised some leadership

back in the summer and fall and where it can continue to exercise leadership is not in the legal arena, but in the legislative arena. Her personal opinion is that it is necessary to take multiple steps simultaneously, to fight one piece of battle on the legal front and another piece in terms of interesting other communities in the inequity that exists in assessing practices. It is also clear to her that as the legislature winds up its second session that there needs to be a legislative effort. Ms. Griffin feels that there is a lot more room for the coalition to be better organized in developing a legislative alternative for the statewide property tax which can actually begin to receive support. She noted that this will not happen, however, unless communities get together and begin to develop something that is credible and realistic as an alternative. Agreement will first have to be reached among members, and then a legislative strategy will have to be developed that brings the issue forward in a credible fashion. She encouraged the Board to be thinking about how Hanover might play a leadership role on the legislative side. Ms. Griffin commented that Portsmouth has certainly played a leadership role on the legal side, spending a lot of staff time and their own money to advance the cause more than any of the other coalition communities have just in terms of staff time alone. She thinks that Portsmouth needs some help, and other coalition communities need to step up to the plate and try to move the legislative piece forward.

Mr. Colligan agreed with Ms. Griffin's comments, but stated that political reality would tell him from talking to people in Concord that the control on this entire solution rests with the leadership, the Governor, the Senate and the House. He feels that unless there is some change in that dynamic the gridlock will probably continue.

Mr. Walsh commented that nothing substantive is going to happen on this subject other than committee work until a year from now.

Ms. Black noted that in the November election it will be necessary to elect people who are going to be willing to listen for alternatives to a property tax, or those who are going to be open minded about the problem. Mr. Colligan emphasized that people should be elected that understand it is necessary to address education not just revenue.

Ms. Griffin noted that the Governor's race will begin to get geared up in May or June, and a strategy has to have been developed by then in order to get the issue into the circles of discussion that start to occur heading into the State primary. She feels that theoretically a legislative policy committee of the coalition communities should be meeting now to begin talking about understanding the political reality and what the alternatives are that can be advanced.

Ms. Black suggested that the AARP be involved as they are very strong politically.

Mr. Walsh indicated that at some point in March the Board will need to face the question of whether to quietly pay funds to the State or whether to do something with Grafton County. He noted that budget meetings are scheduled for February 28th, March 1st, 6th and 8th. He suggested that this question be put on the agenda for one of those budget meetings. Ms.

Griffin stated that the question could be put on the agenda as early as February 14th; Mr. Walsh suggested that this be done.

Mr. Manchester asked whether Hanover would be required to contribute more funding if the other coalition communities decide not to contribute. Mr. Colligan suggested that in that case the Board could rely on the executive summary. Ms. Griffin indicated that there is not an easy answer. Obviously, the communities who have already contributed want to see the process through and to do it right. The challenge is to see if it is possible to broaden the number of communities contributing. She stated that the good news is that some of the communities that could not afford to pay in this year may find funds available as they work through their town meetings in March.

Mr. Walsh asked if there was anything that the Board could do in connection with the list of communities that have not yet contributed. Ms. Griffin offered to draft a letter for the Board's review to send to these communities.

**3. DISCUSSION REGARDING COMMUNITY CENTER OPTION UTILIZING PORTION OF RICHMOND MIDDLE SCHOOL.**

Ms. Black explained that the issue of utilizing a portion of the Richmond Middle School for a community center came up at the Dresden Building School Committee meeting recently. The Dresden Building Committee has hired the firm of Banwell, White, Arnold and Hemberger who have brought up the possibility of utilizing the 1924 building for a community center. The architects are looking for direction from the Board as to whether or not to hold out that 1924 building, and if so, the Board must be committed to do something with it such as make it into a community center or use it for Town offices.

Mr. Walsh explained that Hanover taxpayers are looking at a 10% tax increase from Concord and substantial tax increases for the middle school and high school budgets this year, as well as another substantial increase if building plans and athletic fields go forward. Although the Board has said all along that private money should be raised for a community center, those funds are not available, and he is not ready to propose to the taxpayer that the Town buy the 1924 building. Conversation in the Joint Facilities Study Committee was that a community center was an option for the longer run.

Ms. Black pointed out that the schools cannot afford to leave the 1924 building for the long run; the site is so cramped for what they want to do they either need to use the building as part of their plan or get rid of it.

Since the building is so incredibly cramped, Ms. Connolly wondered how they could afford to let one inch of it go to other uses. Ms. Black explained that one option is to keep the building and use it if it is not going to be held in abeyance for a community center.

Mr. Walsh asked for the square footage of the 1924 building. Ms. Griffin



answered that the square footage is approximately 17,400 sq.ft. while the space needs analysis indicated that the Town would need 18,130 sq.ft. Original cost estimates for a community center were around \$500,000. She feels that if the School District has a preferred scenario that does not involve use of the 1924 building, the Board may want to say that they would be very happy to get revised cost estimates for conversion of the space. The only reason the Board might be interested in it is if the School District found it was not practical to be used as a middle school. Ms. Black explained that the plans are not to use it as a middle school; plans are to build a new middle school, but the 1924 building could be used as part of the high school renovation.

Mr. Colligan stated that he would have trouble with the Board giving any firm direction on this question. He feels that this is a school board decision, and that if the Board takes action that implies that it would try to put a community center into any part of the Richmond School that it would help to guarantee that the school building bond fails. His greatest concern is that the Dresden Building Committee has an opportunity to bring a great bond to the community that people want to endorse. To build a new middle school on the existing site of playing fields when there is an identified deficit of playing fields he feels would be a difficult sale to the taxpayer. It is his opinion that thorough consideration should be given as to what can be done with the existing facilities of the middle school, for example, taking the 7th and 8th grade Norwich students back to the Marion Cross School.

Mr. Colligan recalled that the public support for a community center was based on surveys which said that the residents wanted a community center, but did not want to pay for it. He agreed with Mr. Walsh that the Town is in a very unfair financial climate which is probably going to mean that all budgets will have to be cut as opposed to the normal situation where there are increases every year. He feels that the school building needs have to be addressed first, and if the school building bond is successful and ends up creating space in the 1924 building, at that point the Board could have a discussion regarding what an architect could do with the plans to utilize the space.

Ms. Black indicated that in order for a definitive plan to be prepared to go before the voters, the architects have to know what the 1924 building space will be used for. Her question is whether the Board wants them to hold the 1924 building out or whether they should consider it in their plans.

Mr. Colligan stated that he feels they should consider it in their plans. He indicated that his impression was one of the thoughts for building a new middle school would be to alleviate some of the pressure on that part of Town. He feels that the Board should tell the architects to bring back to the building committee what they feel is the best school building bond. He does not feel that the Board should influence those discussions at all.

Ms. Griffin pointed out that the assumption has always been that if a spot

were identified for a community center, a fund raising campaign would have to take place.

Ms. Connolly indicated that the schools are incredibly crowded and becoming more crowded by the hour. She cannot think of a reason to devote any space to anything but the schools.

Steve Crory stated that he hopes the Board does not influence what happens at the school. He feels that the decision should be made by the School Board based on what they feel is a necessity. He stressed that he does not feel both the school and a community center work on the same site, adding that parking and the problems of Lebanon Street which already exist would worsen. He feels that to put a community center on this site would have a huge adverse impact on the quality of life in the adjacent neighborhoods.

Mr. Walsh commented that he feels there are two courses of action the Board can choose to take. One is to tell the architects to go forward and not think about a community center in the 1924 building, and if there is space left over as their plans come out that the Town might be interested. The other course of action would be to ask them to provide the Board with a cost estimate regarding renovations to the 1924 building.

Mr. Walsh noted that he has been a strong a champion as most anyone in the community for the creation of a community center, but he is ready to let this idea go and possibly pick it up in several years in conjunction with something else as the financial situation of the taxpayer in Hanover clarifies. He added that at the present time he has trouble making commitments to anything. He suggested that the Selectmen ask the School Board to go forward with their plans, and if they have room left over that the Selectmen would be interested in looking at it; however, the Town is not now in a position of any degree of fiscal responsibility to make a commitment.

Mr. Colligan asked if the Board could be less encouraging by not even suggesting that there may be interest if the 1924 building is left over; he feels that this would probably complicate the process with the bond.

Ms. Connolly indicated that she loves the idea of a community center, but feels that if it were connected to the school it may make the bond vote higher risk than it already is.

Mr. Crory asked if there was a way to ask the architects to draw the plans for the Board to look at. He suggested that the architects will have to study all of the possibilities of the buildings to begin with.

Mr. Colligan pointed out that the School Board has been a party for a year and a half to public facilities discussions, and are acutely aware of all kinds of scenarios. He suggested that any encouragement would increase the risk that the bond for the school fails, which he would not want to see happen.

Mr. Walsh indicated that he would like to communicate that as the schools

are designed that they be designed so that limited public access in off school hours would be a very important part. Ms. Black commented that this is already in their plans.

Ms. Griffin stated that to the School Board's credit, her recollection is that it was people other than School Board members who initially had the idea that the Richmond Middle School original building could not be effectively reutilized in a renovation and expansion, and that it might make a good community center. She feels that the Board needs to thank them for holding the building out for the community's use, and to send a message that the Board understands their first priority has to be to find appropriate space for the schools.

Ms. Black noted that one of the suggested uses for the building was that it could be used as performance space because it was once an auditorium and gym.

Mr. Colligan thanked Ms. Black for all of her hours and commitment spent on the planning sessions.

Ms. Black noted that there was a lot of discussion among the committee about parking, and they have come up with 300 cars as the required number of spaces required for the two schools. She thinks that at some point the Town needs to look at this figure; there are more than 300 cars on staff with the two schools at the present time. She is not sure where they got this number, but believes that parking is going to be one of the bigger issues they will have to deal with.

Mr. Walsh stated that parking has been one of the most important issues since the very beginning, and it seems clear to him that the Dresden Building Committee needs to counsel with the Town of Hanover regarding parking requirements based on the Zoning Ordinance.

Ms. Black commented that she thinks Mr. Walsh's message needs to be sent soon because half of the committee does not want any parking for students on the site. She pointed out that 87% of the high school students arrive by car everyday, a lot of them driving themselves.

Ms. Griffin will contact Jonathan Edwards in Planning and Zoning to call the architect to discuss the square footage plans and the parking inventory.

Mr. Walsh asked if he was correct in understanding that the high school and middle school renovations require site plan approval by the Planning Board. Ms. Griffin answered that they do require this approval. Recognizing that site plan approval is required, Mr. Walsh noted that anyone else starting design work would start counseling with the Town about the regulations. Ms. Black explained that they are ready to do that, but someone has given them the number of cars and parking spaces as being 300, and she is not sure where that information came from.

Ms. Connolly pointed out that the application cannot go to the Planning

Board until all Zoning Regulations are satisfied.

Mr. Crory indicated that looking at the square footage of the two buildings under the Zoning Ordinance, it would come out to 285 spaces that would be required.

**4. RECOMMENDATION TO PURCHASE ADDITIONAL SIDEWALK PLOW UTILIZING SIDEWALK FUNDS.**

Ms. Griffin stated that the Public Works Department is looking to defer the purchase of a third plow, but to have the Board encumber the surplus money from this year's Sidewalk Fund and carry it forward into next year to purchase a third sidewalk machine. She added that she does not need the Board to take action at this time, and that this discussion will be included in the review of the proposed Sidewalk Fund budget for next year.

Mr. Manchester asked if this request for the third plow was in connection with the increased miles of sidewalks. Ms. Griffin answered that it is as much a customer service issue as it is a mileage issue. She agreed that mileage has been added in terms of sidewalks and more is anticipated, but the request is more in terms of how timely a sidewalk route can be finished up and how quickly a second run can be started.

Mr. Manchester noted that he understood this third machine would be able to do Ledyard Bridge and around Main Street. Ms. Griffin agreed, saying it would be easier to use and more maneuverable. Mr. Manchester indicated, however, that the Town just bought a snowblower to use on the Ledyard Bridge. Ms. Griffin explained that the snowblower was purchased as a replacement to an old snowblower, and will be used in several areas including the parking lots.

Ms. Connolly commented that the sidewalk machines have the shortest life spans in the history of Public Works and break down constantly; while there might be two at the moment, Public Works could be reduced to one very easily. Ms. Griffin answered that two old sidewalk machines have been replaced in the last two years, and the current sidewalk machines are much more reliable.

Mr. Manchester asked if another person would be hired for the additional machine. Ms. Griffin answered that another person would not be hired, and she will give the Board more details on this when it reviews the Public Works budget in the coming months.

Mr. Colligan asked for a cost benefit analysis, specifically including information about improving customer service, before the new plow is purchased.

Regarding the parking district and parking tax, Mr. Crory asked if the Board would say that this tax is revenue based or just a minor necessity to help the fund. He explained that his question refers to the Sidewalk District and the revenue that is raised from that district that would fund the proposed machine. He pointed out that in Hanover there are five kinds

of major sidewalks that are used by everyone. He asked why everyone in Town would not help pay the \$100,000 rather than one portion of the taxpayers paying for five major sidewalks. He stated that his intention is not to increase the Business District tax. Mr. Crory feels that if the fund were revenue driven, everyone in Town should pay the same tax. If it is not revenue driven, he suggested that the \$100,000 or whatever the amount that has been raised in the past be divided among everyone. He feels that everyone is having the same use of the sidewalks as the people that will never have a sidewalk on their street. He commented that if it is revenue driven, then everyone should be paying the 1% to result in greater revenue; if it is not revenue driven, he suggested everyone share equally in the amount to be raised.

Ms. Connolly suggested that the simple answer is that the one-third of the taxpayers that currently do not pay the sidewalk tax do not want to; she added that two-thirds of the taxpayers do pay the sidewalk tax. Mr. Crory noted that there are a growing number of houses in that one-third that do not pay the tax, and suggested that building is going to happen outside of the Sidewalk District. Ms. Connolly agreed that this may be true, but that those taxpayers still do not want to pay the tax. She noted that there had been a couple of hearings where the taxpayers convinced the Board not to fold the sidewalk tax into the General Fund.

Ms. Griffin indicated that when she puts the budget together she will show the Board what the General Fund tax rate would be if the Sidewalk District tax were eliminated and included as an operating cost of the Public Works Department General Fund budget. She explained that it is about a \$40,000 to \$60,000 a year appropriation which is a 1% or 1 1/2% tax rate increase in the General Fund. Ms. Griffin added that liquidating the Sidewalk District would require Town Meeting vote.

Ms. Griffin explained that most communities include sidewalk assessment districts; a person living on a street with a sidewalk maintained by the town pays an assessment fee for maintenance of that sidewalk. She added that opponents of assessment districts will always argue that everyone in town benefits from a sidewalk on a main street.

## 5. ADMINISTRATIVE REPORTS.

Ms. Griffin reported that she is done with the General Fund budget, including a 0% tax rate increase, and reductions of 2 1/2% and 5%. She explained that she has not put together the reductions that the Board should take if it wants to cut the tax rate by a certain percent. Rather, she stated that she has developed a list of items and how much the various services provided by the Town cost, and what combinations of things would total certain tax rate reduction percentages.

Ms. Griffin informed the Board that she had sent a letter to the State Representatives regarding land application of sludge. She added that this issue keeps coming up year after year, even though brand new sludge regulations were implemented in March of 1999 which are extremely stringent. This is now costing the Wastewater Fund \$15,000 a year in additional testing, which is an unfunded State mandate. She noted that

there is now a moratorium bill that would put a one-year ban on land application of sludge. If there were no land application of sludge, in Hanover's case it could only go to one location in New Hampshire which is the landfill in Rochester.

Mr. Walsh asked how many pounds of sludge Hanover generated per year. Ms. Griffin answered that 1,600 wet tons of sludge are generated yearly. The Town currently spends about \$56,000 a year to dispose of that sludge either through the compost facility or by land application. If it became necessary to landfill this sludge exclusively because the compost facility did not prove to be ultimately feasible and land application was banned, it would cost the Sewer Fund \$220,000 a year, a 28% increase in sewer rates. Ms. Griffin noted that all four Representatives voted in favor of a moratorium of land application of sludge last year, and she does not feel that they really understand the implications of this at a local level.

Mr. Walsh asked if ROT does something good for the Town. Ms. Griffin answered that the more biosolids of sludge that can be composted and sold as compost means that less sludge is being land applied; to the extent that new markets for compost can continue to open up and cost effective compost facilities can be developed, this is a good thing. However, she feels that even with the compost facility depending upon Hanover's solids in its sludge, which varies seasonally, they are only taking 25% to 50% of the sludge at the compost facility. The other 75% to 50%, depending upon the season, is being land applied. She explained that before the compost facility opened, Hanover was depending completely on land application for disposal of sludge.

Ms. Black suggested that a meeting be set soon with ROT. Ms. Griffin noted that there is an advisory meeting now being set. She pointed out that even if the composting facility were taking all of the Town's sludge, it would still be wise to have land application as an alternative because the only other alternative would be landfilling which would quadruple costs while filling up the landfills faster.

## **6. SELECTMEN'S REPORTS.**

### **Ms. Connolly**

Ms. Connolly reported that there had been one Planning Board meeting since the last Selectmen's meeting. The meeting dealt with Goodfellow Road which has finally completed its electrical connection to Two Mile Road. Also, Kendal came before the Planning Board in an informal discussion with plans to expand their health facility. The upcoming Planning Board meeting will include applications of two of the larger subdivisions, one on Blueberry Hill and the Simpson Development Corporation subdivision.

Ms. Connolly also reported that she had participated in the last two meetings of the visioning group for the downtown. A huge map of the central part of Town was presented at the first meeting; notes were made regarding this map and sent off to the consultants. The second meeting involved a smaller group lining up tasks to get organized. She explained that the true public meetings have not yet occurred; they will be held

sometime later when the group has more form to it.

**Mr. Colligan**

Mr. Colligan recalled that the Board had a brief discussion regarding subdivisions and whether or not the Town or the developers would be responsible for the sidewalks. He wondered if the Board needs to take action to indicate that sidewalks should be the responsibility of the developer. He explained that he does not want there to be any ambiguity in this regard, and added that he feels it should be the responsibility of the developer.

Ms. Griffin explained that she has talked about this situation with Planning staff, and in most communities sidewalks are an offsite improvement that is fully funded by the developer. She stated that she has sent this message to the staff. She has also raised the issue of where sidewalks should be constructed from the standpoint of maintenance. She added that she would urge the Planning Board to confer with the Town before they require the developer to install sidewalks as part of the subdivision simply from the standpoint of maintenance. Ms. Griffin stated that she will talk with Planning staff about how to most effectively have this discussion.

Ms. Griffin explained that her concern is that the further out sidewalks are built from the central Sidewalk District, the more time and mileage is added. For every length of sidewalk more responsibility is added. She noted that typically the developer will incur the offsite improvement expenses, but it is rare that they will set aside maintenance money for ongoing plowing, etc. of sidewalks. There is a bond for repair of a roadway once the Town accepts it, but she has never seen ongoing maintenance of sidewalks and plowing costs wrapped into a development. She suggested that the Town may need to have a more comprehensive talk between the Planning Board and Selectboard in terms of sidewalk extensions in the future, and where they are and are not required as part of a subdivision. She feels that if a sidewalk is required it should certainly be paid for by the developer, but there may be a more formal policy needed and a rational basis for making such decisions.

**Ms. Black**

Ms. Black reported that the Water Company held a recent meeting. She explained that the reason the water did not taste very good in the fall is due to the unusually warm temperatures. Normally the reservoir freezes over, but because of the because of the warm temperatures there were fairly high levels of turbidity. In this process, the lake turns over which disturbs the bottom. Ms. Black stated that now that there is ice on the reservoir, the water should taste better.

Regarding the budget, Ms. Black requested a report from Advance Transit for a two week period of the number of people getting on the bus at Thompson by hours, not by the number per day.

Ms. Griffin reported that the ridership numbers keep climbing, with 132

people riding the bus on a recent Friday which is the highest figure reported.

**Mr. Manchester**

Mr. Manchester had nothing to report.

**Mr. Colligan**

Mr. Colligan wished to remind the public that Tuesday, February 1st is the New Hampshire primary.

**Mr. Walsh**

Mr. Walsh reported that the Finance Committee met recently to consider the school budgets. He also reported that the League of Women Voters Forum round table will be held Thursday, February 3rd at 7:30 p.m. and will be broadcast on Channel 6.

**7. APPROVAL OF MINUTES – JANUARY 17, 2000**

**Ms. Connolly MADE THE MOTION to accept the minutes of January 17, 2000, as corrected. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ACCEPT THE MINUTES OF JANUARY 17, 2000, AS CORRECTED.**

**8. OTHER BUSINESS**

There was no other business to come before the Board.

**9. ADJOURNMENT**

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

**SUMMARY**

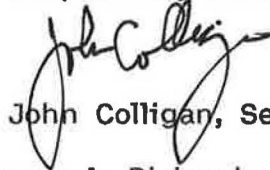
- 1. Ms. Connolly MADE THE MOTION to accept the minutes of January 17, 2000, as corrected. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ACCEPT THE MINUTES OF JANUARY 17, 2000, AS CORRECTED.**
- 2. Ms. Black MADE THE MOTION to adjourn the meeting of the Board of Selectmen. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING.**



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The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

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

John Colligan, Secretary

These minutes were taken and transcribed by Nancy A. Richards.