

FINAL

BOARD OF SELECTMEN'S MEETING

September 11, 2000

4:00 P.M. - MUNICIPAL OFFICE BUILDING - HANOVER, NH

The meeting of the Board of Selectmen was called to order at 4:00 p.m. by the Chairman, Brian Walsh. Present were: Brian Walsh, Chairman; Katherine S. Connolly, Vice Chairman; Marilyn Black; Jay Pierson; Bill Baschnagel; 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.

There was no public comment.

2. CONTINUED DISCUSSION REGARDING COMPOSTING FACILITY.

Discussion of this agenda item was delayed until later in the meeting after Craig Musselman had arrived.

3. DISCUSSION REGARDING OCTOBER OPENING OF PARKING FACILITY

Ms. Griffin explained that there were a couple of options available with regard to the opening of the parking structure. She indicated that the structure would physically be ready to use by October 9th, but the software which helps to run the mechanical equipment will be installed during that week; therefore, the equipment cannot really begin operating until October 16th. She pointed out that there have been discussions about offering a free week of parking in the parking garage, but not for the lessees. She noted that it would be possible to collect the funds manually, but this would probably create some slowness and they would rather have the first week run fairly easily. She asked for the Board's preference in this matter, adding that any decision reached would be subject to the construction schedule being met as established.

Mr. Baschnagel indicated that this possibility was discussed at a parking operations meeting recently, and there was enthusiasm with regard to opening up the facility when it is available to get people used to using it. Sgt. O'Neill added that the discussion also entailed whether or not parking during that first week should be free for leaseholders as well as short-term parkers. Mr. Baschnagel stated that the idea would be to take advantage of the time as a marketing tool.

Ms. Black stated that before any date for opening of the facility is decided upon she would like to be sure that the membrane has had the proper time to dry. She also asked if the parking staff will have been hired by the time the facility is set to open. Sgt. O'Neill answered that interviews are scheduled in the very near future.

Mr. Pierson indicated that he would be in favor of a free week in the parking facility.

Ms. Black MADE THE MOTION that a free one week period of parking in the parking facility if everything is in place and the facility can open on October 9th. Mr. Baschnagel SECONDED THE MOTION.

The Board discussed issues of training the parking personnel. Sgt. O'Neill stated that training for parking facility personnel is scheduled from October 9th to the 13th. The software will be installed first, followed by staff training.

Ms. Black AMENDED HER PREVIOUS MOTION to state that there will be no fees for short-

term parkers during the first week of operation of the parking facility, during which time staff and parkers will be trained, regardless of when the parking facility opens. Mr. Baschnagel SECONDED THE AMENDED MOTION and the Board of Selectmen VOTED UNANIMOUSLY THAT THERE WILL BE NO FEES FOR SHORT-TERM PARKERS DURING THE FIRST WEEK OF OPERATION OF THE PARKING FACILITY, DURING WHICH TIME STAFF AND PARKERS WILL BE TRAINED, REGARDLESS OF WHEN THE PARKING FACILITY OPENS.

Mr. Walsh expressed the hope that the Town or the Chamber of Commerce would do some publicity about the opening of the facility and the free week of parking, etc. Mr. Baschnagel indicated that the Chamber of Commerce is planning on taking the lead in the form of publicity, handouts, advertisements, etc. regarding the opening of the facility.

4. DISCUSSION REGARDING DRESDEN USE OF TOWN PARKING SPACES AT THOMPSON ARENA.

Ms. Griffin stated that poor communication occurred with regard to Dresden School District's use of Town parking spaces at the Thompson Arena. She stated that the Town was given to understand that the School District had budgeted \$10,000 for 50 parking spaces at Thompson; this represents the prorated share of the rent paid by the Town for the Thompson Arena parking spaces that the School District utilizes. During the last fiscal year that has just ended, as well as the fiscal year that has just begun, it was discovered that when the Town sent the School District their bill they had not budgeted for last year nor had they budgeted for this year. Ms. Griffin added that the parking fund under-realized revenue last year in the amount of \$10,000. She indicated that she had suggested to the principal this year that because of the concern on the part of the School District that they would have to pay for parking that would only benefit 50 students and concerns about administration of this program, that parking permits be given out to the students on a first come, first served system with each student being assessed \$200.

Ms. Black asked if this issue could be put on a future agenda for discussion as she has some concern that \$200 is too expensive. She suggested that the Board might want to look at reducing that figure to some lower level this year and have a much more thorough discussion with the School District in December to be sure that they were comfortable with this arrangement going into the next year. She noted that the other option might be to let go of the 50 parking spaces that are leased by the Town but are not being used by downtown employees, and reduce the Town's lease expense by the related \$10,000.

Mr. Walsh stressed that he is adamantly against the School District sending the students to the Town to obtain their parking permits; however, he would be very much in favor of the Town taking 50 parking stickers and giving them to the School District to sell. He stated that he thinks having the Town in the middle between the High School and its student parkers is the wrong place for the Town to be. It is a school and student concern, not a concern of the Town of Hanover.

Mr. Baschnagel commented that there is another issue which is that the intent is to provide parking for those students who truly need it. He feels that the Town is not in a position to make that assessment, and that the school has to put in place a mechanism which ensures that those students who need parking get it, and that those who have less of a need do not.

Mr. Pierson asked how the parking stickers were originally given out. Ms. Griffin explained that two and a half years ago the library director for the high school approached the Town to ask for 25 parking stickers, and then later asked for an additional 25. This was before the shuttle was beefed up and there was 100% utilization of the parking spaces at Thompson. The Town agreed to help the School District out because they felt it would be fair to the downtown parking district which funds that lease expense that in future years the School District would need to budget \$10,000 per year for the 50 spaces. She indicated that the Town was given to understand that the School District understood this, but obviously there was some miscommunication which occurred and they had not, in fact, budgeted for it.

Ms. Griffin explained that presumably the School District had previously distributed the parking permits based on need; the concern that the School District now has is that if there is a price attached to the parking permits, the fear is that the students who may in fact really need the parking may not be the ones who can afford it, and the students who end up buying the spaces will be the ones for whom \$200 for a parking space is not a major problem. Mr. Walsh suggested that this is the schools' problem, not the Town or the parking district's problem.

Ms. Black suggested a compromise; that is, that the Town would lower the price to \$100 per sticker for this year only with the understanding in writing that if they need the parking spaces another year the cost will be \$200 per parking space.

Mr. Walsh indicated that for him it is not a question of price; it is a matter of not wanting to put the Town parking administration in a position of making what are fundamentally decisions between the school and its students.

Ms. Black stated that she had suggested her compromise because it came as a shock to the kids and their families, and she feels that \$200 is quite a lot for many families, and the permits may not end up going to the students who really need those spaces.

Mr. Pierson asked what would happen if a hardship case could not pay the \$100. Ms. Black answered that she would think the school could find the difference. She pointed out that there is a precedent for this sort of issue; Dresden School District pays a fee for every out-of-town student to use the facilities of the Howe Library. This is in their budget, and she feels that they could also put this parking permit fee in their budget.

Ms. Connolly commented that she is disappointed in this discussion because it seems to her that the issue was talked to death at budget time. She also pointed out that at Planning Board meetings the school was worried about the loss of 50 spaces, therefore, she feels they were well aware that they have those spaces. She objects to lowering the price per space because it will end up being paid for by the taxpayers of the parking district.

Mr. Baschnagel offered a mechanism to address Ms. Connolly's concern, which was to raise meter prices along Hovey Lane and Lebanon Street to 25 cents an hour. Ms. Black noted that those meters were put at 10 cents an hour not only for students but for a lot of other people as well

Ms. Black MADE A MOTION that the Town of Hanover sell 50 parking permits to the Dresden School District for parking at Thompson Arena for \$5,000. Mr. Pierson SECONDED THE MOTION.

A representative of the School District noted that in conversations she has had with a number of parents and students over the past week it has become clear to her that for many people money is an issue. It seems fairly clear that the cost, regardless of the amount, will be passed on by the school to the individual students who receive the permits. She noted that in her position as executive of the council the school would be happy to continue to administer the distribution of the parking stickers and to decide who gets them. They do have a fairly sophisticated system of establishing hardship and feel that the students who have the greatest hardship should receive the parking permits. She expressed the hope that a decision would be arrived at fairly quickly.

Ms. Griffin noted that in recent discussions with Mr. Greenbaum it became clear that he did not wish to be in the distribution business with regard to the parking permits. She wishes to be sure that a plan is arrived at which she and Sgt. O'Neill feel comfortable administering.

Mr. Walsh stated that if the School District decides they do not want to administer the parking permit distribution, then certainly the Town does not want to do it either. The School District has an understanding of where the spaces should go, and the last thing he wants is for the Town to be in the position of making those choices.

Mr. Pierson noted that he feels the whole issue is a compromise for everyone involved because of a lack of communication, and therefore it seems to him that the School District should handle distribution of the stickers.

Mr. Walsh noted that it is the School District's choice to make the parking permits free or not free, and it is their choice next year in the budgeting process to decide whether or not the spaces are free.

Deb Gillepsie stated that she works at Hanover High School, and Ms. Black's previous motion leaves the School District to wrestle with the fact that \$5,000 was not placed in the budget, and to make a decision about collecting the money and reimbursing the Town.

Mr. Baschnagel stated that the spaces in Thompson Arena have never been free; they have always been paid for by the parking fund and the taxes downtown. He thinks the question to be addressed is if the spaces are not going to be used by the school, then the Town will have to look to the business community and ask if there are employees who need to park downtown. If not, then the Town will have to look at whether or not to turn those spaces back to the College.

The Board of Selectmen voted four in favor, one (Ms. Connolly) opposed. The motion carried.

2. CONTINUED DISCUSSION REGARDING COMPOSTING FACILITY

Ms. Griffin noted that she had suggested at the last Board meeting to get additional feedback from someone who had no vested interest in either composting or land applying, and for that individual to take a look at the proposal from New England Organics from an objective perspective to give the Board any feedback about the future of land application versus the future of composting. She is looking for direction from the Board as to whether or not the Town should go forward to revise the Memorandum of Understanding so that it can be executed by the Board.

Ms. Griffin noted that a cost benefit analysis has been done on the equipment that would allow the production of drier sludge. Bill Mathieu noted that this analysis shows that there would be a payback in eight to nine years.

The Board discussed the combined storm and sewage systems in Town. Mr. Mathieu explained that there has been a lot of work done on tightening up some lines, and there is also a lot less water coming in due to water conservation being done as a result of the new rates. Ms. Griffin agreed that significant improvements have been made regarding the issue of infiltration.

Ms. Black asked for information on the line from West Lebanon which has always been problematic. Ms. Griffin answered that West Lebanon continues to pay the fee with the surcharge, which is a revenue benefit to the Town, until they can completely verify the quantities. She added that the bigger concern from the West Lebanon line would be things like the 100 added units at Quail Hollow which will result in a significant amount of wastewater that has to be treated. Looking at Hanover's system, there is perhaps 20% to 25% of waste coming from Lebanon which is treated in Hanover. She added that Lebanon does consult Hanover in terms of impact on the wastewater treatment plan when it is considering developments.

Mr. Musselman pointed out that the engineering company he is with, C & A Engineers from Portsmouth, NH, is also representing the City of Lebanon in their discussions with ROT regarding a contract that exists between ROT and Lebanon. He pointed out that over the last month he has had a chance to go through the ROT facility; he has made a data request of New England Organics for information on the original design of the facility and the proposed modifications and economics of the facility over the last several years and going forward. He has quickly reviewed the contract and conditions in the original agreement between Hanover and ROT. Mr. Musselman stated that he is an environmental engineer having practiced in New Hampshire for 25 years, primarily representing New Hampshire municipalities. He noted that he has represented 160 municipalities out of 230 over the course of his career. He stated that he has a little bit of private work, but nothing in the wastewater field, and he has no preconceived bias or

ties to anyone in the industry.

Mr. Musselman indicated that he has reviewed the technical data and economics of the facility to date from an engineering and economic standpoint, and he concurs with the assessment that the facility is losing money and cannot continue to go on as is. There are provisions in the contract which are rather well addressed, and he feels the contract is fair between Hanover and ROT and sets forth a path for the Town to proceed in the event New England Organics chooses not to continue with the operation of the facility.

Mr. Musselman stated that there is a provision in the contract which provides that at any time within a 2 1/2 year period in the event the facility is not able to continue operating economically, that there would be a six month notice to the Town of the desire to cease service provided under the contract. Rather than deem it uneconomic under the terms of the contract, the proposal has been made to enter into a long-term agreement that would allow for sludge from Hanover to be processed at ROT when it can be, and transported long distance for disposal at an alternative composting facility when it cannot be processed at ROT. The proforma also indicates that the facility would likely still be incurring a loss at presumed full capacity, but that it is likely to operate at a smaller loss as opposed to the large loss which has been seen for the last couple of years.

Mr. Musselman pointed out that the Town is a participant in the project in the sense that it is one of the three participants that moved it forward. Hanover supports the project by providing the land on which the facility was constructed. However, he would term the contract an arms-length contract other than the Town's original involvement, which he thinks is a good thing for the Town of Hanover. He feels that Dartmouth College and Casella Waste Management are more integral partners in the facility.

Mr. Musselman explained that during the course of the contract the Town has been managing its Class B sludge at a lesser cost when ROT was not able to take the sludge. Bill Mathieu stated that it costs a little less to land apply the sludge. Mr. Musselman commented that land application of sludge has been controversial in New Hampshire, but not from a regulatory perspective. New Hampshire DES has set forth rules that prescribe methods for land applying of sludges which have been appropriately stabilized and those methods have been progressively modified over the years. Presently of the sludge in New Hampshire, Mr. Musselman's understanding is that about 10% to 15% of sludge is land applied as Class B sludge, roughly 20% is incinerated and about 20% is composted with the remainder being landfilled. He noted that the reaction of the environmental community to land application of sludge has shifted over the years. As time has gone on there has been opposition that has developed in communities where sludge is used, perceiving health and environmental impacts. There have been some in the environmental community who have attempted to change State statutes to preclude the application of Class B sludge. From a technical standpoint, Mr. Musselman does not feel that there is anything on the horizon that would preclude the Town from continuing to land apply sludge in the less costly fashion as has been done in the past. The Town has been land applying sludge now for over a decade and has not had problems finding acceptable local sites. Mr. Musselman indicated that land application of Class B sludge is required to be at a site for which a permit has been granted.

Mr. Musselman stated that the Town can create a rationale for staying with ROT for the same reasons it had as a rationale for getting involved in the project in the first place. He thinks that the Town can also create a rationale for continuing to land apply sludge as it has been doing for 12 years.

Reviewing the cost of composting versus land application, Mr. Musselman noted that the ROT contract versus land application would result in an approximate increase of 3 percent in the sewage treatment fee. Ms. Griffin explained that the additional expense has already been budgeted for in the current budget.

Jamie Ecker of New England Organics explained that the ROT contract right now is a ten year contract with a little over two and a half years over. Anytime after 30 months at New England Organics' option they could get out of the contract with six months notice.

Mr. Musselman noted that if the Town chooses to continue with ROT, there are some discussions he feel should be had between the Town and ROT. There are a number of different contingencies beyond what is on the table now that might allow the Town to take its sludge to ROT or to land apply it at a lesser cost if ROT is not available. This would still allow a backstop for disposal at a defined price creating a balance that New England Organics is covered and Hanover is covered if, for whatever reason, the facility is deemed to be infeasible.

Ms. Griffin explained that she has struggled with wanting to keep a foot in each door because White Mt. Resources has been very good to the Town of Hanover, particularly in the last couple of years when there were problems with the percent solids of the Town's sludge and ROT was unable to take it. For her the issue has always been the Town's commitment to the ROT facility, and the biggest concern is what happens if, for whatever reason, composting at ROT proves to be cost infeasible.

Mr. Musselman suggested that if the Town is going to continue with ROT, a commitment on the part of Casella Waste Management be requested to insure that they will continue operating ROT for some period of time. He noted that there had been good cooperation from all parties involved in the project, and to the extent that the Town intends to go forward, there still will need to be a good bit of give and take on all sides.

John Dumas, Assistant Superintendent for the water and wastewater systems in Hanover, stated that he has been in this business for about 24 years. He added that he has worked for several engineering firms and has worked on a regional composting facility for the State of Vermont. Mr. Dumas stated that he is not an opponent of composting; as an employee of Hanover he looks at the situation the Town is involved in and stressed that land application is a wonderful situation for the Town of Hanover. The prices are good, their equipment is clean and up-to-date and the drivers are very good.

Mr. Dumas continued to say that when he came to Hanover he could not believe the condition of the sludge bay floor at the facility; a proposal has been made to put down steel plates on that floor at a major cost. This proposal would cause the loss of storage room. Mr. Dumas emphasized that the discussion should involve a lot more than just economics. He pointed out that as an operator at the wastewater facility he has to look at the fact that there needs to be annual maintenance done. On a five year basis the digesters are supposed to be completely emptied and removed of sludge, inspected, cleaned and repaired. This process has not been done since the facility was upgraded, and there is currently somewhere in the vicinity of 230,000 to 300,000 gallons of material to be moved. He does not believe that ROT is prepared to take that kind of volume of material in a period of a week.

Regarding composting, Mr. Dumas explained that when RMI land applies sludge they are under federal regulations on how to land apply the sludge; it is done at a certain rate for crop uptake and based on a maximum amount applied to any part of the land; it cannot be applied on certain slopes or too close to water. When dealing with compost which is Class A sludge, there is no regulation; a trailer load of Class A compost can be picked up and dumped right next to a well.

On a personal note, Mr. Dumas noted that Northeast Waste comes in with dirty, rusted trucks, they back in and hook onto a box and pull the box uncovered out the door, where it proceeds through Town. When RMI comes and picks up a box, Mr. Dumas stated that their trucks are clean, polished, and they pull the box out and roll a cover over the top of it before travelling through Town. He feels that it is very important to think about how to represent Hanover. He added that he feels it is easier to deal with RMI than it is to deal with Casella. Mr. Dumas pointed out that the Town has to do something with its biosolids, and he feels the best thing is to re-use them.

Ms. Griffin noted that it sounds at the very least as if Mr. Dumas is saying that if the Town is to continue to be involved with composting, it needs to be sure that the contract addresses some of the operational issues raised in terms of ease of contact, use of covers, pick-up procedures, etc.

Mr. Dumas responded that he is asking the Town to not consider just the dollar figure, but to look at all of the issues. He invited members of the Board to look at the facility and have discussions about pick-up procedures and what has happened to the solids bay floor in a matter of three or four years. Mr. Dumas noted that regarding percent solids, when it gets cold the percent solids drop to 12 or 13 percent. On a sliding scale this might cause a big jump in dollars. Because RMI is land applying sludge, they are not too concerned about percent solids and do not put the Town on a sliding scale. They put the Town on a sliding scale as to how much sludge can be produced.

Ms. Connolly noted that the issue was brought up at the last discussion that Hanover's biosolids are very desirable for land application because they are anaerobically digested; Lebanon's biosolids are not, and apparently they have an odor. She would not want the Town to get into a situation where Hanover's biosolids go off elsewhere and Lebanon's biosolids are taken in to treat because she does not feel the Town should be in the business of treating other biosolids in this facility. She asked if there was a mechanism in the proforma from New England Organics to assure the Town that it would no longer have to deal with biosolids from elsewhere.

Ms. Griffin answered that looking at the proforma, it could still be assumed that there would be some biosolids treated from Lebanon. The memorandum of understanding itself when it was first negotiated three and a half years ago has a limit in terms of total percent of sludge in the facility that can come from outside of Hanover.

Ms. Connolly asked if Hanover produced enough biosolids according to the new proforma. Jamie Ecker of New England Organics answered that his company is in a difficult position because they took this the company over in June. He stated that he cannot make excuses for some of the problems that went on at ROT as well as pickups at the Hanover wastewater treatment plant. Many of them were unacceptable, and he has talked with Bill Desch, Ms. Griffin and others about how to improve service at the plant. Mr. Ecker indicated that his company was acquired by Casella back in March of this year, and their focus is just on serving the wastewater treatment plant industry. They have over 50 large municipal and industrial customers. He feels that the problems brought up by Mr. Dumas are not unusual when there are non-sludge handling companies handling these kinds of operations. Some of the problems at ROT were because some people running it did not have the experience running a composting facility. He invited members of the Board to look at his company's marketing plan and added that they have moved over 1,000 yards of back inventory at the facility and have done numerous improvements, with more improvements planned over time.

Regarding technical issues, Mr. Ecker stated that it is totally false that there are no regulations on Class A compost. There are numerous Federal and State regulations, but he noted that it is less restrictive than Class B sludge. He stated that because there are less regulations for Class A sludge and because of the fact that its value is demonstrated, many municipalities tend to lean toward composting. Mr. Ecker stated that he does not feel composting is the only solution, but that it is one of the solutions.

Regarding the issue of dilution of metals, Mr. Ecker indicated that it is true that metal is not going to go away. Composting adds other things to it, such as sawdust and other amendments, to dilute the sludge. If sludge is land applied on farmland, there is a requirement to track metals in the soils. Compost coming out of the ROT facility thus far with Hanover's sludge has come back consistently well below the State regulations to qualify as low metal sludge, primarily because of the dilution factor.

Mr. Ecker stated that his company would be open to how they might negotiate an amendment to the contract. It is technically a ten year contract; they stand firm that they will hold their price, except for extraordinary events, and are committed that if they decide to shut the facility down at their option they are willing to maintain the same price and take the sludge elsewhere. However, Mr. Ecker does not feel that they will shut the facility down. Dartmouth College wants to see the facility continue, and they need a certain volume of material to try to make it stay economical. Their goal is to get the facility to break even and he feels that this can happen over time, but they need Hanover's volume to accomplish that. Mr. Ecker stated that he would not be interested in

splitting Hanover's volume between different vendors as that would invite service problems at the treatment plant and at the ROT facility. He feels that it is in the Town's best interest to have one vendor guarantee to take the sludge at a fixed price for that length of time.

Mr. Ecker stated that technically he and New England Organics have nothing against direct land application; they land apply more Class B sludge than anyone in New England. However, they made a decision not to apply Class B sludge in New Hampshire for the reason that it is too politically volatile.

Ms. Connolly asked if it would be economically feasible to operate the facility without other Town's sludge. Mr. Ecker answered that he does not think it would be economically feasible. There is a chance that it could be done without other Town's sludge, but with food waste to make up the difference. He added that according to the numbers Hanover could not provide sufficient sludge by itself.

Ms. Connolly commented that she is very concerned about the odor generated by the facility, irrespective of the Lebanon sludge, and pointed out that there is a clause in the memorandum of understanding that allows the Town to address the issue of odor. Mr. Ecker answered that they will work with the Town on this issue; he does not see bringing in sludge from all over the State. They would have to first go to Hanover for their sludge, and then get the Town's approval to bring in sludge from elsewhere.

Ms. Griffin asked the Board to authorize staff to negotiate a revised memorandum of understanding with New England Organics to bring back to the Board as quickly as possible.

Ms. Black noted that the original agreement between Dartmouth, Hanover and ROT called for an advisory operations committee which was supposed to meet quarterly; this has not happened, but the agreement says that the committee will review any proposed changes in the facility, including plans to accept other organic waste. She thinks that this is important to have in the agreement; she would hate to see control of this go to Casella or New England Organics and out of the hands of the people who started the project.

Mr. Ecker replied that since the first proposal they have earmarked a date of November 1st by which they would like to get all of the issues cleaned up and start taking 100% of Hanover's sludge. They did not want to start taking Hanover's sludge until they could handle 100% of it. They would prefer to get this issue resolved as soon as possible.

Mr. Baschnagel noted that a lot of significant issues have been raised, and if the Board is going to make a decision to accept or not accept something, he feels that there needs to be a strong recommendation on the part of Town staff in the context of the current operation and assessment to make sure that the Town is comfortable with the agreement and that the agreement runs parallel with what the Town has had in the past.

Mr. Walsh stated that he feels there are several principles that need to be agreed upon between the Town and New England Organics. He stated that the operating issues raised between the Town employees and the history of ROT make him very uncomfortable, and he would like to know that there are actions to address those problems. He noted that if the Town is to continue with ROT, he would like to know that operationally it will be clean, effective and non-destructive.

Mr. Ecker noted that he was asked at the last Board meeting to provide a sketch of the amount of area needed for expansion, and he provided this sketch to Board members. He stated that he had met on site with Peter Kulbacki recently and agreed on an area off the north end of the composting facility. This area would require taking down some trees, some fill, and would likely require a further permit from DES for a facility operating license. The area amounts to approximately 12,000 sq.ft. They would like to add another 5,000 to 8,000 sq.ft. expanding the facility a little along the north/south access, rather than on the other side of the road. He added that they need to make some site improvements at the area this fall if they continue running the facility.

Speaking for himself personally rather than the Board, Mr. Walsh stated that he had been leaning toward supporting the proposed contract until he heard about the operational problems there are with ROT at the wastewater treatment plant. He noted that he could understand Mr. Ecker's desire which is a legitimate business desire to move relatively quickly, but that a lot of his caution has to do with real operational concerns and about whether these concerns can be met.

Mr. Ecker stated that he had understood the problems mentioned had been addressed. He had the trucking manager come in two months ago and the proposal was revised based upon the concerns raised after he met with Bill Desch at the treatment plant. They have included in their proposal several guarantees and expenditures; one was the steel floor and one was guaranteed service within 24 hours. An additional issue was the purchase of brand new sludge containers. These are all included in the revised proposal. Mr. Ecker stated that this was the first he had heard of the concerns raised by Mr. Dumas at this meeting and totally understands his concerns about those problems. He will communicate with the Town regarding what can be done to alleviate those concerns.

Ms. Griffin stated that as she had mentioned, it needs to be very clear and in writing what the Town's expectations are in terms of the logistics of operation, and if it does not meet the Town's expectations, then there is a viable alternative with RMI.

Mr. Baschnagel stated that philosophically he thinks that composting is an appropriate thing to do, but he is not going to commit the Town to do it if it is just going to open up a bag of worms. Ms. Black indicated that if the Town does pull out, she wants to make sure that the Town continues to be an active player no matter what decision is reached.

Mr. Pierson stated that he was expecting something more specific from Mr. Musselman in terms of pros and cons. Ms. Griffin explained that Mr. Musselman had simply been asked to take a look at the proposal and to give the Town the benefit of his knowledge and review from an objective viewpoint. He was not given a specific series of end products. Mr. Musselman added that he also did not know where any of the Board members were coming from and did not know the history of the project. Ms. Griffin commented that what had been desired was simply a very removed, quick review of the proposal.

Mr. Musselman stated that he would be glad to help the Town in ongoing discussions if they feel the need for that. His conclusion was that the Town could go either route; it could go with land application because that is what has been done for 12 years. It has an established track record and is cheaper. However, there are some risks involved, and his recommendation would be if the Town chooses to continue supporting ROT in some fashion that there be ongoing contract negotiations. He feels that discussions can and should continue as this might be to the Town's benefit.

Mr. Walsh thanked Mr. Musselman for his help in reviewing the proposed contract.

Ms. Griffin stated that she would propose to come back to the Board with a renegotiated memorandum of understanding which represents staff's recommendations on this issue and also reflects a lot of the issues that have now been raised.

5. DELIBERATION REGARDING NHMA LEGISLATIVE POLICY PROPOSALS

Ms. Connolly MADE THE MOTION that the Board of Selectmen recommend to the Town's representatives that they vote for passage of all of the 2000/2001 NHMA legislative policy proposals. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO RECOMMEND TO THE TOWN'S REPRESENTATIVES THAT THEY VOTE FOR PASSAGE OF ALL OF THE 2000/2001 NHMA LEGISLATIVE POLICY PROPOSALS.

6. UPDATE ON COALITION COMMUNITIES EFFORTS.

Ms. Griffin reported that there is not much more she can add to the correspondence which has already been distributed to the Board which was received from the coalition communities on August 19th. They are basically still looking for financial contributions. She added that a motion has been filed with the court for a quick decision based on the merits of the case rather than oral arguments and a trial, but as far as she knows the judge has not ruled on that motion. She assumes that he will rule against it and that there will be a trial in October which she will plan to attend.

Mr. Walsh stated that he would like to table discussion of this issue until after the November elections, and Ms. Black agreed.

Ms. Connolly asked if this delay would inconvenience the legal team in any way. Ms. Griffin answered that she does not believe it would, but it would mean that Portsmouth will probably have to come up with more of their own money for this effort.

Mr. Walsh stated that he believes that fundamentally the correct solution is a legislative solution not a solution by the courts, and he would like to let the electoral process play out.

Mr. Baschnagel noted that the major portion of the solicitation of funds is for publicity rather than for legal fees, and he also likes the idea of postponing discussion until after the November elections.

7. RECOMMENDATION TO SET A PUBLIC HEARING AT 7:30 P.M. ON SEPTEMBER 25 TO CONSIDER AMENDING ORDINANCE #2, HIGHWAYS AND SIDEWALKS, RELATED TO USE OF SKATEBOARDS (AND IN-LINE SKATES) IN PARKING LOTS AND STRUCTURES.

Ms. Griffin noted that she had distributed to Board members copies of the proposed Ordinance with changes in the language highlighted. In anticipation of the parking structure opening and becoming a skateboard heaven with its ramps, etc., there has been language related to the use of skateboards in parking lots and structures. The Police Chief has also indicated that there have been an increasing number of complaints regarding in-line skaters on sidewalks, and that it has become a problem of sufficient concern that they are recommending the Board consider barring in-line skating from sidewalks as well in the parking garage. It would still be allowed in parking lots and on the street, but not allowed on the sidewalks or the parking facility.

Ms. Black suggested that the Board consider reviewing usage of the new scooters which have become so popular. Mr. Walsh asked that the hearing be noticed broadly enough to cover conversation regarding in-line skates and scooters as well as skateboards.

Ms. Connolly MADE THE MOTION to set a public hearing at 7:30 p.m. on September 25, 2000 to consider amending Ordinance #2, Highways and Sidewalks, related to use of skateboards (and in-line skates) in parking lots and structures. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO SET A PUBLIC HEARING AT 7:30 P.M. ON SEPTEMBER 25, 2000 TO CONSIDER AMENDING ORDINANCE #2, HIGHWAYS AND SIDEWALKS, RELATED TO USE OF SKATEBOARDS (AND IN-LINE SKATES) IN PARKING LOTS AND STRUCTURES.

8. REQUEST OF THE HANOVER AREA CHAMBER OF COMMERCE TO INSTALL A BANNER FROM SEPTEMBER 13 - 30TH, 2000 WELCOMING DARTMOUTH STUDENTS

Ms. Black MADE THE MOTION to allow the Hanover Area Chamber of Commerce to install a banner from September 13 - 30th, 2000, welcoming Dartmouth Students. Mr. Baschnagel SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ALLOW THE HANOVER AREA CHAMBER OF COMMERCE TO INSTALL A BANNER FROM SEPTEMBER 13 - 30TH, 2000, WELCOMING DARTMOUTH STUDENTS.

9. DISCUSSION OF BANNER POLICY.

Mr. Walsh stated that he would like to move the Board's discussion of the Town's banner policy to a future agenda.

10. DISCUSSION OF FEDERAL TAKINGS LEGISLATION.

Mr. Walsh also suggested moving discussion of this agenda item to a future meeting.

Ms. Black suggested that Ms. Griffin draft a letter for Mr. Walsh's signature indicating that the Board is opposed to the Federal takings legislation and include compelling reasons for their opposition. Ms. Connolly suggested that the letter be sent not only to the two senators but also to the Town's congressional representative.

Mr. Walsh suggested that the letter ask the legislators if they plan to vote for the legislation to please communicate to the Town directly in writing why they think the legislation merits their support.

11. APPOINTMENTS: CONSERVATION COMMISSION

Mr. Baschnagel MADE THE MOTION to appoint Robin Carpenter to the Conservation Commission. Mr. Walsh SECONDED THE APPOINTMENT and the Board of Selectmen VOTED UNANIMOUSLY TO APPOINT ROBIN CARPENTER TO THE CONSERVATION COMMISSION.

12. ADMINISTRATIVE REPORTS.

Ms. Griffin reported that she had sent out to Board members a draft of goals and objectives; this will be put on the next agenda for the Board's final approval.

Regarding unlicensed dogs, Ms. Griffin noted that there are 70 unlicensed dogs in the Town of Hanover. Their owners have been notified twice in accordance with the RSA's and still have not responded. She needs administratively to take this to the next step, which is based on RSA 466:13 which requires that the Board of Selectmen issue a dog warrant to one or more police officers directing them to either collect the fees due and pay them to the Town Clerk, or to seize any unlicensed dog.

Ms. Griffin noted that it may be the case that a significant number of the 70 unlicensed dogs belong to owners who no longer live in the area.

Ms. Connolly MADE THE MOTION that the Board of Selectmen authorize the Town to issue a dog warrant to one or more police officers directing them to either collect the fees due for unlicensed dogs or to seize any unlicensed dog, in accordance with RSA 466:13. Mr. Pierson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN TO ISSUE A DOG WARRANT TO ONE OR MORE POLICE OFFICERS DIRECTING THEM TO EITHER COLLECT THE FEES DUE FOR UNLICENSED DOGS OR TO SEIZE ANY UNLICENSED DOG, IN ACCORDANCE WITH RSA 466:13.

13. SELECTMEN'S REPORTS.

Ms. Black

Ms. Black reported on the opening of Dagmar's Place, and also spoke about the opening reception for the turf field, noting that it was a nice opportunity for Town staff and neighbors to see it.

Ms. Black referred to the chiropractic proclamation for Kids' Day. Ms. Griffin noted that in the past communities in New Hampshire have supported this proclamation as Kids' Day. Ms. Griffin will draft a revised proclamation for the Board's review.

Ms. Black indicated that metal recycling is scheduled for September 23rd at the Town Garage. This year they are also asking for old cell phones which will be rebuilt and given to battered women. There is also a great need for bicycles again this year.

Ms. Connolly

Ms. Connolly reported that communication has been received from Nihonmatsu, and another visitation is being planned for 20 people from October 23rd through the 26th.

Ms. Connolly also reported that the Planning Board had met and had another information discussion with the school regarding their plans. In addition, the Upper Valley Land Trust and the new elderly facility project both require some fine tuning to their site plans. In another Planning Board matter, Verizon has added some facilities to their building on School Street.

Ms. Connolly reminded the Board that there will be a full day on Saturday regarding the Downtown Visioning agenda; this meeting is open to the public and will come to the Planning Board in relation to their Master Plan work. There will also be discussion on the subject of affordable housing on the night of September 27th.

Ms. Connolly wished to thank the Hanover Improvement Society for their donation of \$10,000 to finalize the monetary component for the consultant for the Downtown Visioning project. Ms. Black also wished to thank them for their \$3,000 contribution to Dagmar's Place.

Mr. Pierson

Mr. Pierson stated that the Rec Board will meet on Thursday, September 14th to go over their goals and objectives. He also noted that the Chamber of Commerce will have a meeting on Tuesday, September 12th.

Mr. Baschnagel

Mr. Baschnagel reported that the Planning Board is reviewing an application for the College to re-do a ramp in Steel Hall to allow larger trucks to more easily use it. He noted that the Conservation Commission has spent a lot of time over the last month working with Jim Paul and the landowners on King Road to put into place or to get moving again a remediation plan for conservation lands that were cut. Mr. Paul will come back with a plan as to intentions of meeting those guidelines and remediation plan.

Mr. Baschnagel added that the open space plan is ready to be released. The Conservation Commission reviewed it last week, and in the meantime there were discussions of extended downtown open space needs.

The following assignments were made to cover the upcoming polling hours:

Mr. Walsh - 7:00 a.m. to 10:00 a.m.
Mr. Pierson: 10:00 a.m. to 1:00 p.m.
Ms. Black: 1:00 p.m. to 4:00 p.m.
Ms. Connolly: 4:00 p.m. to 7:00 p.m.

Mr. Walsh

Mr. Walsh stated that he was unable to make the recent CSAC meeting. Ms. Griffin noted that the meeting had discussed receiving updates on hiring new students to plan this year's set of alcohol and drug-free programs and there was also a report on a couple of conferences attended by staff over the summer. She noted that there were more applicants for the jobs than jobs available.

Mr. Walsh reported that there have been a number of Finance Committee meetings, some of which he has been able to attend. His understanding is that the Hanover Finance Committee

was going to take the position at the upcoming deliberation recommending that funding be based on numbers of students as opposed to a mixed formula between property values and numbers of students.

Mr. Walsh also reported that he had received a call from Judy Reeve Davidson asking how the Board wanted to handle the open space report which is to be presented October 4th, and a week later there will be a presentation in the developed area of Town and one in Etna to solicit public comment. He noted that he would be comfortable having the Conservation Commission solicit public input and then meet with the Planning Board and the Selectboard.

Mr. Walsh noted that the memorandum of understanding executed between the Town and Conservation Commission relative to the use of the funds needs to be re-executed. Given that there have been no controversies over the past year and no suggestions that he is aware of to modify the memorandum of understanding in any way, shape or form, he feels that the Board should re-execute the agreement assuming it is acceptable to the Conservation Commission.

14. OTHER BUSINESS:

There was no other business to come before the Board.

15. ADJOURNMENT:

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

Ms. Connolly MADE THE MOTION to go to nonpublic session to discuss a matter which may affect the reputation of an individual. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO GO TO NONPUBLIC SESSION TO DISCUSS A MATTER WHICH MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.

SUMMARY

- 1. Ms. Black MADE THE MOTION that a free one week period of parking in the parking facility if everything is in place and the facility can open on October 9th. Mr. Baschnagel SECONDED THE MOTION.**
- 2. Ms. Black AMENDED HER PREVIOUS MOTION to state that there will be no fees for short-term parkers during the first week of operation of the parking facility, during which time staff and parkers will be trained, regardless of when the parking facility opens. Mr. Baschnagel SECONDED THE AMENDED MOTION and the Board of Selectmen VOTED UNANIMOUSLY THAT THERE WILL BE NO FEES FOR SHORT-TERM PARKERS DURING THE FIRST WEEK OF OPERATION OF THE PARKING FACILITY, DURING WHICH TIME STAFF AND PARKERS WILL BE TRAINED, REGARDLESS OF WHEN THE PARKING FACILITY OPENS.**
- 3. Ms. Black MADE A MOTION that the Town of Hanover sell 50 parking permits to the Dresden School District for parking at Thompson Arena for \$5,000. Mr. Pierson SECONDED THE MOTION. The Board of Selectmen voted four in favor, one (Ms. Connolly) opposed. The motion carried.**
- 4. Ms. Connolly MADE THE MOTION that the Board of Selectmen recommend to the Town's representatives that they vote for passage of all of the 2000/2001 NHMA legislative policy proposals. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO RECOMMEND TO THE TOWN'S REPRESENTATIVES THAT THEY VOTE FOR PASSAGE OF ALL OF THE 2000/2001 NHMA LEGISLATIVE POLICY PROPOSALS.**
- 5. Ms. Connolly MADE THE MOTION to set a public hearing at 7:30 p.m. on September 25, 2000 to consider amending Ordinance #2, Highways and Sidewalks, related to use of skateboards (and in-line skates) in parking lots and structures. Ms. Black SECONDED**

THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO SET A PUBLIC HEARING AT 7:30 P.M. ON SEPTEMBER 25, 2000 TO CONSIDER AMENDING ORDINANCE #2, HIGHWAYS AND SIDEWALKS, RELATED TO USE OF SKATEBOARDS (AND IN-LINE SKATES) IN PARKING LOTS AND STRUCTURES.

6. **Ms. Black MADE THE MOTION to allow the Hanover Area Chamber of Commerce to install a banner from September 13 - 30th, 2000, welcoming Dartmouth Students. Mr. Baschnagel SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ALLOW THE HANOVER AREA CHAMBER OF COMMERCE TO INSTALL A BANNER FROM SEPTEMBER 13 - 30TH, 2000, WELCOMING DARTMOUTH STUDENTS.**
7. **Mr. Baschnagel MADE THE MOTION to appoint Robin Carpenter to the Conservation Commission. Mr. Walsh SECONDED THE APPOINTMENT and the Board of Selectmen VOTED UNANIMOUSLY TO APPOINT ROBIN CARPENTER TO THE CONSERVATION COMMISSION.**
8. **Ms. Connolly MADE THE MOTION that the Board of Selectmen authorize the Town to issue a dog warrant to one or more police officers directing them to either collect the fees due for unlicensed dogs or to seize any unlicensed dog, in accordance with RSA 466:13. Mr. Pierson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO AUTHORIZE THE TOWN TO ISSUE A DOG WARRANT TO ONE OR MORE POLICE OFFICERS DIRECTING THEM TO EITHER COLLECT THE FEES DUE FOR UNLICENSED DOGS OR TO SEIZE ANY UNLICENSED DOG, IN ACCORDANCE WITH RSA 466:13.**
9. **Ms. Black MADE THE MOTION to adjourn the meeting. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING.**
10. **Ms. Connolly MADE THE MOTION to go to nonpublic session to discuss a matter which may affect the reputation of an individual. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO GO TO NONPUBLIC SESSION TO DISCUSS A MATTER WHICH MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.**

The meeting was adjourned at 6:26 p.m.

Respectfully submitted,

Jay Pierson, Secretary

These minutes were taken and transcribed by Nancy Richards.