

APPROVED

BOARD OF SELECTMEN'S MEETING

MARCH 18, 1996

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

The meeting of the Board of Selectmen was called to order at 7:30 p.m. by the Chairman, Marilyn W. Black. Present were: Marilyn W. Black, Chairman; Jack H. Nelson, Vice Chairman; Katherine S. Connolly; Dorothy Behlen Heinrichs; Dorothy King; Jean Ulman, Interim Town Manager; and members of the public.

Ms. Black announced that this meeting was being taped by CATV6 and that assistive listening devices were available for anyone who wished to use them.

1. TO CONSIDER AND TAKE ACTION ON CHANGING NAME OF SOUTH COLLEGE STREET (FROM LEBANON STREET TO EAST SOUTH STREET) TO CURRIER STREET

Ms. Black indicated that South College Street consists of only one block containing four properties, and commented she felt it would make sense to consider changing the name from South College Street to Currier Street.

Mr. Cary Clark, representing Dartmouth College, indicated the College had recently been involved in working with the enhanced 911 system. In this process, all streets had been examined, both public streets and those going through campus, for proper addresses. He also asked that the Board consider deleting the word "North" from the designation of North College Street if South College Street were to be renamed as Currier Street.

Ms. Connolly MADE THE MOTION to change the name of South College Street to Currier Street. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO CHANGE THE NAME OF SOUTH COLLEGE STREET TO CURRIER STREET.

It was decided to set the date of April 1, 1996 to have a public hearing on abolishing the word "North" in the designation for North College Street.

2. PUBLIC COMMENT

There was no public comment.

3. TOWN MANAGER UPDATE

Mr. Black reported on the progress of naming a new town manager. She indicated the Board had received 127 applications and was now in the process of interviewing candidates. Ms. Black stated that progress is being made, and the Board hopes to have a manager named in the near future. She further commented that the qualifications for the position required ten years of experience in government and a masters degree in public education, and that approximately 100 of the 127 applicants had the required qualifications.

4. DISCUSSION RE: 48 LEBANON STREET AND POSSIBLE PURCHASE

Ms. Black stated that the property at 48 Lebanon Street, which had formerly been used as a student rental property, is currently on the market for sale. The Board will be proposing at Town Meeting that the Town buy the Roberts property, which is directly behind this property on Park Street. The Roberts property abuts the Senior Housing complex and will be used as future expansion for a community senior center. She stated that the property at 48 Lebanon Street cannot be used for commercial development as determined by the zoning board. Ms. Black commented she felt the acquisition of the property would enhance the usefulness of the Roberts property, which is being proposed to be purchased at Town Meeting, and give the Board more flexibility in planning.

Ms. Black indicated the Board could make an offer on the 48 Lebanon Street property contingent on Town Meeting approval. She stated that the town assessor has indicated a value from \$104,000 to \$134,000.

Mr. Nelson stated that although the property is classified as a residential property, there are governmental uses allowed in that zone so that the property could be used as a community center or senior center.

Mr. Nelson MADE THE MOTION to offer the sum of \$120,000 for the purchase of the property located at 48 Lebanon Street, contingent upon Town Meeting approval. Ms. Heinrichs SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO OFFER THE SUM OF \$120,000 FOR THE PURCHASE OF THE PROPERTY LOCATED AT 48 LEBANON STREET, CONTINGENT UPON TOWN MEETING APPROVAL.

Ms. Black indicated that the money received from Dartmouth College for Elm Street will cover the price of both the Roberts property and the property located at 48 Lebanon Street, so that the purchases will not have an effect on the tax rate.

5. TO CONSIDER AND TAKE ACTION ON DOG ORDINANCE CHANGES

Ms. Ulman stated a communication had been received from Attorney Lawrence Gardner suggesting that the Town repeal the current dog ordinance and simply use the state law. State law would allow the Town to increase fines as well as enforcement of the state law which requires that all dogs are licensed and immunized against rabies.

Mr. Nelson asked if this is enabling legislation or does it simply mean the Town would repeal the current dog ordinance and the police would then enforce state law.

Chief Giaccone indicated that a majority of what the police department is doing regarding state law is abatements in court. He commented that some fraternity owned dogs have been ordered by the court to be placed for adoption in homes outside of the Town of Hanover.

TO CONSIDER AND TAKE ACTION ON DOG ORDINANCE CHANGES (Continued)

Ms. Ulman indicated that the Town can choose to increase the fines designated by the state law up to a maximum of \$1,000.

Mr. Nelson stated that the Town's existing ordinance needs only to be repealed, and the State law would then be relied upon.

Ms. Connolly noted that the State law allows for fines if a dog "digs, scratches, excretes or causes waste or garbage to be scattered on property other than its owners". She commented that she would like to see a provision enacted that directs the pet owners to pick up and dispose of properly any excrement from their pets.

Ms. Heinrichs asked if the Town is able to apprehend dogs that are loose on Dartmouth College property. Chief Giaccione indicated if a dog owned by a fraternity leaves the fraternity property, then that dog is considered "at large" and can be apprehended.

Ms. Black read the provisions of the State law concerning dogs as follows:

"(a) If a dog is "at large," which means it is off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner or custodian. (\$25/\$50)

(b) If it barks for sustained periods of more than 1/2 hour, or during the night hours so as to disturb the peace and quite of a neighborhood or area. (\$25/\$50)

(c) If it digs, scratches, or excretes, or causes waste or garbage to be scattered on property other than its owner's. (\$25/\$50)

(d) If any female dog in season (heat) is permitted to run at large or be off the premises of the owner or keeper during this period except when being exercised on a leash by a responsible adult. (\$25/\$50)

(e) If it growls, snaps at, runs after or chases any person or persons. (\$50/\$100)

(f) If it runs after, or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled or pushed on the streets, highways, or public ways. (\$50/\$100)

(g) If, whether alone or in a pack with other dogs, it bites, attacks, or preys on game animals, domestic animals, fowl or human beings. (\$100/\$200)

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TO CONSIDER AND TAKE ACTION ON DOG ORDINANCE CHANGES (Continued)

(h) If the skin of a person has been punctured by a dog and the incident was reported, including the identity of the dog and its owner, to the animal officer, if any, or to the town clerk, such officer or clerk shall, within 24 hours, notify the injured person, or, in the case of a minor, the minor's parent or guardian, whether, according to town records, the dog has been appropriately immunized against rabies.

Ms. Heinrichs asked if the fines levied were put into the Town's general fund, and Ms. Black indicated that they were put in the general fund.

Mr. Gene Thorburn, Animal Control Officer, indicated that the State statutes are a basis to go on, and that the Town may enact additional ordinances for certain situations if they wish.

Mr. Steve Buskey indicated he felt the Town should add an ordinance requiring owners to pick up their dog's waste, stating that it has become a great nuisance all over town, particularly at the playing fields.

Mr. Thorburn stated that after the second fine an abatement order is issued which requires the owner to appear in court. At an abatement hearing the judge determines whether the owner is allowed to keep the dog, or whether the dog is a menace to society and should be ordered out of town.

Christine Martin commented that in addition to enacting an ordinance or relying on state law, the public needs to be educated regarding responsibility as a pet owner.

Steve Buskey suggested that signs be put up at some of the playing fields advising residents as to the state law pertaining to dogs.

Ms. Heinrichs suggested that information be sent to residents when dog licenses are sent out on May 1st.

Ms. Connolly agreed that sending information out with the dog licenses is a step in making the laws clear regarding dog ownership and responsibility.

Ms. Ulman noted that information could also be sent out with the town report.

Mr. Nelson MADE THE MOTION that the existing dog ordinance be repealed. Ms. Heinrichs SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO REPEAL THE EXISTING DOG ORDINANCE.

6. PRESENTATION BY GENE THORBURN, ANIMAL CONTROL OFFICER RE: RABIES

Gene Thorburn, Animal Control Officer, addressed the Board regarding the rabies problem in the Town of Hanover. He indicated that since September there have been 42 sick animals in the Town of Hanover. This included four foxes with mange and distemper, with the rest showing positive signs of having rabies. Mr. Thorburn stated that most recently, two sick animals were found on Trescott Hill and two on Hemlock Road.

Mr. Thorburn indicated that he had been conducting classes at the Ray School to educate the children regarding rabies. He presented to the Board a handout which he used in these classes stating in part the importance of having animals immunized for rabies, not allowing pets to stray and risk contact with a sick wild animal, and not feeding pets outdoors. The handout also lists signs to look for in rabid animals.

Ms. Heinrichs asked if pet owners who leave their dogs outdoors unsupervised for the day should look their pet over upon their return home, and what should they look for. Mr. Thorburn noted that they should not handle their pet with bare hands, but should wear rubber gloves. Signs to look for include a wet, frothy area or an area where the dog seems to be limping or licking the area. Mr. Thorburn advised against leaving a pet unsupervised outdoors during the day.

Mr. Nelson asked what the Upper Valley can expect in terms of the cycle of rabies and the wildlife population. Mr. Thorburn advised that the State has predicted we will lose 80 to 90 percent of our wildlife population due to rabies, and that the disease will last for ten years, but that even after that period of time there will still be occurrences of rabies.

Mr. Clark asked if any rabid dogs have been diagnosed in the Town of Hanover. Mr. Thorburn stated that at the present time there have been no domestic animals in the Town of Hanover that have tested positive for rabies.

Ms. Black commended Mr. Thorburn for the excellent job he is doing as the animal control officer.

Chief Giaccone indicated that the Town is providing its employees with a series of rabies shots for those who want to be protected.

Ms. Heinrichs asked Mr. Clark if Dartmouth College students are allowed to have dogs. Mr. Clark answered that students in College residences are not allowed to have pets, but that does not apply to off-campus housing or fraternities that are not owned by the College. Mr. Clark stated that there will be a clear understanding regarding the Town's ability to see that strays are dealt with on College property.

7. PRESENTATION RE: PROPOSED PUBLIC WORKS FACILITY

In response to a request from the Board of Selectmen to attempt to cut the budget for the proposed public works facility by \$100,000, Mr. Richard Hauger, Director of Public Works, presented the following.

Mr. Hauger proposed the elimination of the spreader shed which was \$20,000 to \$25,000, as well as the elimination of an extension of the grounds department garage at Pine Knoll. The largest reduction came from a change in the type of siding of the storage building for heavy equipment, which reduced the cost of that building from \$425,000 to \$350,000. In summary, Mr. Hauger indicated that there is a cost of \$50,000 for the finishing of the renovations to the office and living quarters area; \$75,000 for completion of the tanks, which includes changing the two 10,000 gal. tanks for two new ones; a 1,000 gal. waste oil tank and a 1,500 gal. grease and oil separator; \$100,000 for new gas pumps, and \$100,000 for site work which includes culverts, catch basins, gravel, paving and landscaping. Town employees will be involved in the landscaping work by doing all of the excavation. There is a cost of \$25,000 for architectural engineering and fees, and a \$25,000 appropriation for contingency, for a total of \$625,125. Of this figure, \$125,000 will come out of the capital improvement fund and \$500,000 out of the bond.

Mr. Nelson explained that in the upcoming year no principal payment will be needed on the bond. The bond that is proposed is a \$500,000 five-year bond, with an interest payment of \$13,500. Mr. Hauger has indicated that some funds out of the \$625,000 will not be needed the first year, but can be passed over to the next year. Mr. Nelson proposed to take \$13,500 from the principal to pay off the interest payment the first year. He noted that if the Town was able to fund this at \$125,000 for this present year plus two more years, it would be overbudgeted by \$13,500 for the next two years in payback. He explained that within the bond itself is the ability to pay the first year's interest.

Ms. Connolly MADE THE MOTION that the Board of Selectmen include as an article on the warrant a \$500,000 bond for the public works facility. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO INCLUDE AS AN ARTICLE ON THE WARRANT A \$500,000 BOND FOR THE PUBLIC WORKS FACILITY.

8. PREPARATIONS CONCERNING TOWN MEETING

Because of the complexity of the issues facing voters at Town Meeting this year, including the purchase of one or more lots, a bond issue, and a senate bill, Ms. Black suggested that an explanatory newspaper type supplement be distributed to voters with the mailing of the town report, as well as having the supplement available prior to that mailing. The Board also supported the inclusion of rabies information in this supplement. Ms. Black stated that estimates are being requested as to the cost of the supplement.

9. ADMINISTRATIVE REPORTS

Ms. Ulman

Ms. Ulman stated she had received a request for a banner to be stretched across South Main St. to encourage the community and visitors to attend the Five Colleges Book Sale to be held April 27th and 28th at Hanover High School.

Ms. Black noted that banners have not been used for private sales in the past, they had only been allowed for town activities, and the Board did not support the use of a banner in this instance.

Ms. Ulman noted that Hanover had again received the Tree City USA award for the 17th year.

With regard to an earlier request from John Fredyma and Bob Bailey to consider a sewer easement for the Lillian Bailey property, Ms. Ulman indicated that the matter had been referred to Larry Gardner, the Town attorney. Mr. Gardner had responded with an agreement, indicating that an easement is not necessary in this instance as the property in question is not in the travelled way.

Mr. Bailey stated he has a problem with the clause in the agreement which states that if the Town should decide they need to move part of the leach field, which may or may not be in what could be the Town right of way, the Town would give the owner a year's notice and they would have to move the leach field. He commented that from a practical standpoint, because of the physical location of the leach field, he does not feel that situation would occur.

Ms. Black asked for a period of two weeks for the Board to look over the agreement which they had just received and had not had a chance to review.

10. SELECTMEN'S REPORTS

Ms. Heinrichs

Ms. Heinrichs stated that there is a Howe Library long-range planning review this week, and the Conservation Commission will be re-visiting Hypertherm.

Ms. Connolly

Ms. Connolly noted that next week she will be re-visiting CRREL which has been working for approximately a year gathering data and running two purification projects, as well as conducting other experiments to find additional methods of cleaning up spills. She also indicated that the Planning Board held a hearing on a zoning amendment and was considering two subdivisions, one formally and one informally.

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SELECTMEN'S REPORTS (Continued)

Mr. Nelson

Mr. Nelson had nothing to report.

Ms. King

Ms. King had nothing to report.

Ms. Black

Ms. Black had nothing to report.

11. APPROVAL OF MINUTES

Ms. Heinrichs MADE THE MOTION to approve the minutes of the meeting of the Board of Selectmen of February 26, 1996. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN OF FEBRUARY 26, 1996.

Ms. Heinrichs MADE THE MOTION to approve the minutes of the meeting of the Board of Selectmen of February 28, 1996. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN OF FEBRUARY 28, 1996.

Ms. Heinrichs MADE THE MOTION to approve the minutes of non-public sessions of the Board of Selectmen of February 28, 1996, February 29, 1996, March 1, 1996, March 6, 1996, March 7, 1996 and March 8, 1996. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF NON-PUBLIC SESSIONS OF THE BOARD OF SELECTMEN OF FEBRUARY 28, 1996, FEBRUARY 29, 1996, MARCH 1, 1996, MARCH 6, 1996, MARCH 7, 1996 AND MARCH 8, 1996.

Ms. Connolly MADE THE MOTION to approve the minutes of the public meetings of the Board of Selectmen of February 26, 1996, February 28, 1996, March 1, 1996, March 6, 1996, March 7, 1996 and March 8, 1996. Ms. Heinrichs SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE PUBLIC MEETINGS OF THE BOARD OF SELECTMEN OF FEBRUARY 26, 1996, FEBRUARY 28, 1996, MARCH 1, 1996, MARCH 6, 1996, MARCH 7, 1996 AND MARCH 8, 1996.

APPROVAL OF MINUTES (Continued)

After a brief discussion, Ms. Heinrichs MADE THE MOTION to approve the minutes of the meeting of the Board of Selectmen of March 4, 1996, as amended. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN OF MARCH 4, 1996, AS AMENDED.

12. ADJOURNMENT

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

Ms. Black MADE THE MOTION to go to nonpublic session to discuss matters that may affect the reputation of an individual. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO GO TO NONPUBLIC SESSION TO DISCUSS MATTERS THAT MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.

The meeting was adjourned at 9:25 p.m.

SUMMARY

1. **Ms. Connolly MADE THE MOTION to change the name of South College Street to Currier Street. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO CHANGE THE NAME OF SOUTH COLLEGE STREET TO CURRIER STREET.**
2. **Mr. Nelson MADE THE MOTION to offer the sum of \$120,000 for the purchase of the property located at 48 Lebanon Street, contingent upon Town Meeting approval. Ms. Heinrichs SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO OFFER THE SUM OF \$120,000 FOR THE PURCHASE OF THE PROPERTY LOCATED AT 48 LEBANON STREET, CONTINGENT UPON TOWN MEETING APPROVAL.**
3. **Mr. Nelson MADE THE MOTION that the existing dog ordinance be repealed. Ms. Heinrichs SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO REPEAL THE EXISTING DOG ORDINANCE.**
4. **Ms. Connolly MADE THE MOTION that the Board of Selectmen include as an article on the warrant a \$500,000 bond for the public works facility. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO INCLUDE AS AN ARTICLE ON THE WARRANT A \$500,000 BOND FOR THE PUBLIC WORKS FACILITY.**
5. **Ms. Heinrichs MADE THE MOTION to approve the minutes of the meeting of the Board of Selectmen of February 26, 1996. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN OF FEBRUARY 26, 1996.**

SUMMARY (Continued)

6. Ms. Heinrichs MADE THE MOTION to approve the minutes of the meeting of the Board of Selectmen of February 28, 1996. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN OF FEBRUARY 28, 1996.
7. Ms. Heinrichs MADE THE MOTION to approve the minutes of non-public sessions of the Board of Selectmen of February 28, 1996, February 29, 1996, March 1, 1996, March 6, 1996, March 7, 1996 and March 8, 1996. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF NON-PUBLIC SESSIONS OF THE BOARD OF SELECTMEN OF FEBRUARY 28, 1996, FEBRUARY 29, 1996, MARCH 1, 1996, MARCH 6, 1996, MARCH 7, 1996 AND MARCH 8, 1996.
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9. After a brief discussion, Ms. Heinrichs MADE THE MOTION to approve the minutes of the meeting of the Board of Selectmen of March 4, 1996, as amended. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN OF MARCH 4, 1996, AS AMENDED.
10. Ms. Connolly MADE THE MOTION to adjourn. Ms. Heinrichs SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN.
11. Ms. Black MADE THE MOTION to go to nonpublic session to discuss matters that may affect the reputation of an individual. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO GO TO NONPUBLIC SESSION TO DISCUSS MATTERS THAT MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.

Respectfully submitted,

Dorothy C. King
Dorothy C. King, Secretary

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