

**BOARD OF SELECTMEN'S MEETING**

**MARCH 17, 1997**

**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 Vice-Chairman, Jack H. Nelson. Present were: Jack H. Nelson, Vice Chairman; Katherine S. Connolly; Dorothy King; Brian Walsh; Julia Griffin, Town Manager; and members of the public.

Mr. Nelson announced that this meeting was being taped by CATV 6 and that assistive listening devices were available for anyone who wished to use them.

**1. PUBLIC COMMENT**

Anne Morris, a resident of King Road, stated that many residents are concerned about the overall safety and conservation issues on King Road, with particular attention being drawn to the 82 acre piece of land which has been before the zoning board, and is currently before the planning board, for development. She stated that five lots are proposed on this parcel of land, with one abutting King Road which is planned to have one house located very close to the road, thereby detrimentally impacting the scenic aspect. Ms. Morris stated that King Road has been designated as a scenic road on the master plan, and she wondered if the selectmen would consider budgeting money in the 1997/1998 budget to purchase this piece of land for public use, and to place an easement on the property to keep it open and specify its future uses. She noted that the purchase price for the lot, which contains approximately 17 acres, is \$199,000.

John Sibley stated that he understands a land acquisition fund exists, and as the parcel is one of the most scenic areas it would seem appropriate to use the funds for the purchase of the property.

Mr. Nelson noted that the land acquisition fund was created by town meeting to receive monies from the land use change tax. Ms. Griffin stated that the fund has a balance of approximately \$250,000.

Mr. Sibley indicated that the developer for the entire parcel has made a very good plan for the land with the exception of this one piece.

Nan King noted that there is a section in the master plan that suggests scenic views as well as natural resources should be taken into consideration. She added that this parcel of land is a natural resource and asset to the area, and the residents would like direction from the Board as to how to proceed.

Mr. Nelson stated that the amount of money requested is too large to be put into the budget, but is a matter that the voters should vote on as a warrant item.

**PUBLIC COMMENT (Continued)**

Mr. Walsh noted that a purchase costing approximately \$200,000 would result in a 5% increase in the tax rate. He added that he would not be opposed to a petition being placed on the warrant for the voters to consider, but noted that the funds, although they are already in the land acquisition fund, could also be used for many of the Town's other requirements, such as playing fields, the recreation center, and the library.

Ms. Griffin stated she would research the original trust document regarding the fund to see what constraints might exist on the disbursement of the funds. Mr. Nelson noted that he was sure this use would be applicable, but noted that when the matter was originally passed at town meeting, the scope of the fund was broader to include enhancements to the community whether it be vistas, open space, or community and recreation centers. Mr. Nelson added that the Town Meeting is the only body that can vote to withdraw from the fund.

Mr. Walsh stated that he would be very pleased for the Town to have a master plan which would identify the key parcels in Town which define the character of the Town, and to set priorities on those parcels as to what is most important for their use. He added that he has a negative reaction to funding an article in the Town warrant against a matter which is currently in front of the planning board.

Mr. Walsh asked if the residents have met with the developer and others offering land for sale on King Road to discuss the interest of the parties. Mr. Sibley indicated that discussions were in process, but would take time.

Mrs. Morris noted that weeks before any applications were submitted by the developer, there was a friendly letter sent to him asking him to meet with the residents to discuss the matter. She stated that they received a response from his real estate agent who firmly turned down the request for a meeting. Mrs. Morris added that the developer has indicated that he intends to develop two or three of the five lots himself, and to sell the other two lots to raise funds, so that presumably he would be interested in an immediate purchase of one of the lots.

Mr. Sibley stated that the Town should also have an interest in what the Town looks like in 20 or 30 years, and should be taking a leadership role to state the direction in which the Town should go.

Ms. Connolly indicted that she believes the residents should petition the Town to place a warrant article before the Town Meeting.

**PUBLIC COMMENT (Continued)**

Ms. Griffin stated that the last day to petition the Selectmen for inclusion of a question on the Town warrant is April 8. State statute requires 25 or more voters, or 2% of the total registered voters, whichever is less, but not less than 10, to petition the Selectboard to include a warrant article. She added that each page of the petition must include the statement at the top of the page, that those signing have to be registered voters of the Town of Hanover, and their addresses must be included on the petition.

Ms. Griffin stated that she will draft wording for the warrant article which will be approved by the Town attorney as appropriate language for the Town warrant.

Mr. Nelson indicated that at Town Meeting there will be an open discussion on the matter. Funds raised from interested parties for the purpose of acquiring the land would lower the dollar amount necessary to purchase the land, as well as show community support for the matter. Mr. Nelson added that the motion may be amended at the Town Meeting to lower the funds requested, if necessary.

**2. DISCUSSION OF PROPOSED MATCHING FUNDING FOR CONSTRUCTION OF BICYCLE PATH FROM HOSPITAL DRIVE TO BROOK ROAD**

Ms. Connolly explained that the bicycle path project began in 1991 as an idea to place a non-motorized means of access between Main Street and the hospital. With the assistance of the executive councilor and the Department of Transportation, the Town was granted \$210,000 to construct a bicycle path. She noted that an engineered plan has been developed, and the Town needs to acquire 20% of the funds. Ms. Connolly added that the path is not exactly as originally planned because of terrain constraints, but she feels it will be a nice facility. She noted that the path is proposed as a 10 foot asphalt path with two foot gravel shoulders on both sides. Ms. Connolly added that the property owners are fully in favor of the project, and have endorsed it with their easements. Funds for the Town's share of the project will come from funds realized from the sale of Elm Street which are in a trust.

Allen King distributed a copy of a letter he had addressed to the Board of Selectmen (see attached).

Rink Johnson spoke in favor of the bicycle path, and stated that he feels it would be a important addition to the Town.

Ms. Griffin suggested that the Board of Selectmen set the matter for a public hearing before Town Meeting as the issue represents a significant investment and is of great interest to the community.

**DISCUSSION OF PROPOSED MATCHING FUNDING FOR CONSTRUCTION OF BICYCLE PATH FROM HOSPITAL DRIVE TO BROOK ROAD (Continued)**

Fred Crory indicated that he was unable to see a copy of the proposed plans for the bicycle path, and expressed concern that Ms. Connolly might wish to withdraw from any further voting on the matter because of a conflict of interest. He indicated that he felt because Ms. Connolly initiated and applied for the project, that she has a vested interest in having it go forward.

Mr. Walsh inquired of Mr. Crory if the conflict of interest he felt existed was that Ms. Connolly would have a monetary conflict in this regard, as that is the typical conflict of interest. Mr. Crory replied no. Ms. Connolly stated that she has no conflict of interest in the matter. She noted that she is fully in favor of the project.

Mr. Nelson requested Ms. Griffin to contact the State to receive copies of the plans of the project which they had agreed to furnish, but which have not yet been received by the Town.

Ms. Connolly stated that the path is similar to a path in Franconia Notch, noting that almost no maintenance on the path will be necessary.

Mary-Anne Rankin stated that she would like to see the plans because of environmental concerns which were addressed at a meeting three years ago. She indicated that she feels it is too soon to vote on the matter at this year's Town Meeting.

Ms. Connolly indicated that the State's original proposal was for \$260,000, but the budget had been adjusted to \$365,000 with the Town's share being 20%, or \$72,000. Ms. Griffin recommended increasing the Town's share to \$80,000 to allow for a reasonable contingency.

Bill Baschnagle stated he believes that the Town needs to address the questions of whether it wants a bike path; if so, where should it be located; and whether it wishes to put the requested amount of money into the project. He suggested having a public hearing to address those questions before Town Meeting, allowing adequate time to look at the plans and revisit the whole issue.

Ms. Connolly noted that the State has approved the proposal for this specific site, and that the proposal was made because the landowners in question wished to have it located there.

Bill Baschnagle suggested considering the Route 120 corridor as a location which could be maintained all year long, and encouraged examining alternatives.

**DISCUSSION OF PROPOSED MATCHING FUNDING FOR CONSTRUCTION OF BICYCLE PATH FROM HOSPITAL DRIVE TO BROOK ROAD (Continued)**

A member of the public asked if the Sachem Village area had been considered as a location for the path. Ms. Connolly answered that Dartmouth College had been approached as to their interest in the Sachem Village area as the location for the bike path, and they were not interested.

Mr. Nelson requested Ms. Griffin to find out if the path could be moved to Route 120 or to some other location without losing the funds.

Mr. Walsh suggested that the matter not be postponed to next year, that a public hearing should be held specifically on this issue, not as a part of pre-Town Meeting, and that the matter be placed on the warrant.

Bob Guest, of 8 Barrett Road, stated that he believes the proposed path would be an enhancement to the Town.

Fred Crory stated that the article regarding the proposed path should be more explanatory, to include an explanation that the \$80,000 represents only the Town's share of the funds. He indicated that a public hearing should be held, and that easements be available in writing from the landowners.

Mr. Nelson stated he understands that the funds are for this specific project, and if the location were to be moved, the money would probably be lost and the Town would have to reapply.

Ms. Griffin suggested setting the matter for public hearing on either April 7th or April 21st, and stated she would try to have Don Lyford and the project engineer at the meeting if possible.

**Mr. Walsh MADE THE MOTION that the proposed bicycle path be placed on a warrant for Town Meeting, and that a public hearing be held on the matter. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY THAT THE PROPOSED BICYCLE PATH BE PLACED ON A WARRANT FOR TOWN MEETING, AND THAT A PUBLIC HEARING BE HELD ON THE MATTER.**

**3. DISCUSSION OF PROPOSED ADJUSTMENT OF ELDERLY EXEMPTION QUALIFYING INCOME LEVELS AND SETTING OF PUBLIC HEARING ON APRIL 2, 1997.**

Ms. Griffin noted that Article 9 of the revised Draft Warrant for the annual Town Meeting reflects the recommended wording for the elderly exemption. She stated that the current income levels are \$16,000 single, and \$20,000 married, with a maximum net asset value of \$50,000 exclusive of real estate which may consist of a home and up to two acres of property. Ms. Griffin indicated that the levels were last adjusted at the 1994 Town Meeting. She stated that inflationary impact since 1994 was added,

**DISCUSSION OF PROPOSED ADJUSTMENT OF ELDERLY EXEMPTION QUALIFYING INCOME LEVELS AND SETTING OF PUBLIC HEARING ON APRIL 2, 1997 (Continued)**

which is a total of approximately 10% cumulative over that period of time. Also, there was a change in the State statute regarding the ability to exempt social security income. She stated that social security income cannot be exempted, which added \$6,400 in social security income if single, and \$11,400 in social security income if married.

Mr. Walsh explained that adjustments have been made for inflation and the change in State regulations, and that voters will be asked to vote by ballot as to whether they approve this matter.

Ms. Griffin stated that if the voters vote not to approve the levels, she assumes the State levels would hold. She added that State law was changed last year so that if a town fails to adopt its own exemption levels by January 1, 1998, the town loses its ability to set those levels and State levels are set. She will obtain clarification from the Town's attorney as to what will prevail if the Town Meeting action is a no vote. Ms. Griffin noted that a public hearing needs to occur in a 15 to 30 day time frame before Town Meeting. She explained that the goal is that everyone who is currently exempt continue to be exempt under the new levels.

**Mr. Nelson MADE THE MOTION to hold a public hearing on elderly exemption qualifying income levels for April 14, 1997. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO HOLD A PUBLIC HEARING ON ELDERLY EXEMPTION QUALIFYING INCOME LEVELS FOR APRIL 14, 1997.**

**4. REVIEW OF DRAFT WARRANT ARTICLES FOR 1997 TOWN MEETING**

Mr. Nelson discussed the articles on the draft warrant for the 1997 Town Meeting.

**5. REPORT OF HANOVER FINANCE COMMITTEE REGARDING 1997/1998 BUDGET.**

Ms. Griffin stated that the Finance Committee indicated that they met and approved the Town budget as proposed and adopted by the Board of Selectmen.

**6. REVIEW OF MUNICIPAL HEALTH TRUST RATES FOR 1997/1998.**

Ms. Griffin discussed the rate increase procedure with the Board regarding the Municipal Health Trust rates for 1997/1998. She stated that in setting rates, the Health Trust looks at the Town's claims experience for a period from the 12 previous months. They make assumptions about the rate of medical inflation, and multiply out 28 months that rate of inflation to arrive at a future rate.

**REVIEW OF MUNICIPAL HEALTH TRUST RATES FOR 1997/1998 (Continued)**

Ms. Griffin stated that she will be investigating alternatives the Town may have within the Municipal Health Trust membership to try to lower the rate of increase. She noted that although there is a limit to the control the Town has over the rate of medical inflation, there is no limit in terms of the Town's ability to impact utilization, which is reflected by actual claims numbers. Ms. Griffin indicated that she has asked the Trust to do a utilization review of the Town's employees to look at utilization patterns among employees, which may be able to be impacted either through employee education or by offering incentives to employees to opt down for a lower cost plan. She noted that the bulk of the Town's employees are in the JY program, with a smaller number in the Comp 100 managed care plan, and three in the Comp 300 plan. Ms. Griffin stated that the employees contribute on a sliding scale, depending upon their salary. She added that this year because of the increase in premium costs, some employees in certain income brackets who received a 3% cost of living increase will see a net adjustment in their paycheck because the additional premium cost will exceed the 3% increase.

Ms. Griffin stated that she is working on setting up discussions with the school district to see if opportunities exist to pursue alternatives together.

Mr. Walsh noted that the rate of increase in the health insurance premiums reflects increases that have doubled over the last six years, which is not acceptable.

**7. ADMINISTRATIVE REPORT.**

Ms. Griffin had nothing to report.

**8. SELECTMEN'S REPORTS**

**Ms. King**

Ms. King had nothing to report.

**Mr. Walsh**

Mr. Walsh reported that there is a Conservation Commission meeting scheduled for Wednesday, March 19.

**Ms. Connolly**

Ms. Connolly reported that the Planning Board finished zoning amendments, and is working on a proposal for a seven lot subdivision on Lyme Road.



**8. SELECTMEN'S REPORTS (Continued)**

**Mr. Nelson**

Mr. Nelson reported that the Planning Board conditionally approved Webster Hall renovations.

He also reported that he and Ms. Griffin volunteered to be on a panel at Dartmouth College to examine the relationship between the Town and the College. It was determined that the constructive relationship which exists was due to continuing communication and trust between the two organizations.

**9. OTHER BUSINESS**

There was no other business to come before the meeting.

**10. ADJOURNMENT**

**Ms. Connolly MADE THE MOTION to adjourn the meeting of the Board of Selectmen. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN.**

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

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

**SUMMARY**

- 1. Mr. Walsh MADE THE MOTION that the proposed bicycle path be placed on a warrant for Town Meeting, and that a public hearing be held on the matter. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY THAT THE PROPOSED BICYCLE PATH BE PLACED ON A WARRANT FOR TOWN MEETING, AND THAT A PUBLIC HEARING BE HELD ON THE MATTER.**
- 2. Mr. Nelson MADE THE MOTION to hold a public hearing on elderly exemption qualifying income levels for April 14, 1997. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO HOLD A PUBLIC HEARING ON ELDERLY EXEMPTION QUALIFYING INCOME LEVELS FOR APRIL 14, 1997.**
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**SUMMARY (Continued)**

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Respectfully submitted,

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

Brian Walsh, Secretary

These minutes were taken and transcribed by Nancy Richards.