

1997 TOWN MEETING

**Tuesday, May 13, 1997
Hanover High School Gymnasium**

The annual Town Meeting of the Town of Hanover, New Hampshire was convened on May 13, 1997 at 7:00 a.m. by the Town Moderator, Harry Bird, at the Hanover High School gymnasium. Moderator Bird explained that the polls would be open from 7:00 a.m. until 7:00 p.m. for the purpose of voting for the candidates for Town Offices and for all other articles requiring vote by official ballot as set forth in Articles One through Nine of the Town Meeting Warrant.

Moderator Bird requested residents of Hanover to be seated in chairs on the main floor of the gymnasium or on the bleachers. The Moderator noted that there were hearing assistive devices for those with hearing impairments.

After the polls were closed at 7:00 p.m., the following nine articles which were voted on were tabulated.

ARTICLE ONE: To vote (by nonpartisan ballot) for the following Town Officers:

Two Selectmen, to serve for a term of three (3) years each:

Katherine S. Connolly 500 (elected)

John W. Manchester 578 (elected)

One Treasurer to serve for a term of one (1) year:

Michael J. Ahern 618 (elected)

One Library Trustee to serve for a term of three (3) years:

Rebecca B. Torrey 624 (elected)

One Trustee of Trust Funds for a term of three (3) years:

Mark B. Severs 595 (elected)

ARTICLE TWO: "Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Hanover Zoning Ordinance?" Amendment No. 1 would add definitions for child day care agencies which currently are not addressed in the ordinance. The definition

and use of kindergarten would be deleted as it would now be addressed under the definition of Group Child Day Care Agency. It would also include child day care agencies as uses allowed by special exception in all but the "NP" and "F" Zoning Districts. It is allowed as a permitted use in the "I" Zoning District.

RESULTS: YES 545 NO 78 ARTICLE PASSED

ARTICLE THREE: "Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Hanover Zoning Ordinance?" Amendment No. 2 would place restrictions on the use of fill allowed in the "RR" and "F" Zoning Districts. The second part of Amendment 2 clarifies that the Board of Adjustment is the Zoning Board of Adjustment.

RESULTS: YES 538 NO 83 ARTICLE PASSED

ARTICLE FOUR: "Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Hanover Zoning Ordinance?" Amendment No. 3 clarifies that the 50 feet minimum road frontage permitted in the cul-de-sacs may only be utilized when measuring on the straight portion of cul-de-sac streets.

RESULTS: YES 528 NO 93 ARTICLE PASSED

ARTICLE FIVE: "Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board for the Hanover Zoning Ordinance?" The effect of Amendment No. 4 is to place the burden of determining 100 year flood elevations on the applicant, instead of on the Zoning Administrator.

RESULTS: YES 454 NO 170 ARTICLE PASSED

ARTICLE SIX: "Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board for the Hanover Zoning Ordinance?" Amendment No. 5 would add a new section which further defines communications/telecommunication facilities and proposes regulations regarding installation of such facilities.

RESULTS: YES 584 NO 54 ARTICLE PASSED

ARTICLE SEVEN: "Are you in favor of the adoption of Amendment No. 6 as proposed by the Planning Board for the Hanover Zoning Ordinance?" Amendment No. 6 would add a new section to the ordinance which would address noise standards within the town.

RESULTS: YES 587 NO 63 ARTICLE PASSED

ARTICLE EIGHT: "Are you in favor of the adoption of Amendment No. 7 as proposed by the Planning Board for the Hanover Zoning Ordinance?" Amendment No. 7 would rezone all of the Forestry (F) District south of Lebanon Street and a portion of the Single Residence (SR-2) (Tax Map 19, Lot 32) west of Route 120, and east of Route 10 and incorporate the affected lands into the Rural Residence (RR) District. This amendment will improve the range of residential options for this property.

RESULTS: YES 415 NO 215 ARTICLE PASSED

ARTICLE NINE: "Shall we modify the elderly exemptions for property tax in the Town of Hanover based on assessed value, for qualified taxpayers to be as follows: for a person 65 years of age up to 75 years, \$40,000; for a person 75 years up to 80 years, \$60,000; for a person 80 years of age or older, \$80,000. To qualify, the person must have been a New Hampshire resident for at least five years; own the real estate individually or jointly; or, if the real estate is owned by such person's spouse, they must have been married for at least five years.

In addition, the taxpayer must have a net income of not more than \$23,956, or if married, a combined net income of not more than \$33,345; and own net assets not in excess of \$50,000 excluding the value of the person's residence."

RESULTS: YES 600 NO 53 ARTICLE PASSED

The Business Session of the 1997 Town Meeting of the Town of Hanover, New Hampshire was called to order by Moderator Harry Bird at 7:00 p.m. Selectmen present included: Marilyn W. Black, Chair; Jack H. Nelson, Vice Chair; Katherine S. Connolly; Dorothy King and Brian Walsh. Town Manager Julia Griffin was also in attendance. Community Access Television (Channel 6) televised the Town Meeting via a live remote feed.

ARTICLE TEN: To choose the following Town Officers to be elected by a majority vote:

One member of the Advisory Board of Assessors for a term of three (3) years;

Three Fence Viewers each for a term of one (1) year;

Two Surveyors of Wood and Timber each for a term of one (1) year;

One Park Commissioner for a term of three years; and

Such other Officers as the Town may judge necessary for managing its affairs.

Selectman King moved that the following persons be nominated for the following offices:

Member of the Advisory Board of Assessors for a term of three years - Richard Birnie.

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Fence viewers for a term of one year - Frederick E. Crory, Edward C. Lathem and Edward Lobacz.

Surveyors of Wood and Timber for a term of one year - Willem Lange and John Richardson.

Park Commissioner for a term of three years - Richard Nordgren.

Ms. Connolly seconded the motion.

Robert Morris nominated himself as Fence Viewer for a term of one year. Mr. Morris' nomination was seconded from the floor.

There was no further discussion or nominations from the floor regarding the nominations for Advisory Board of Assessors; Surveyors of Wood and Timber and Park Commissioner, as shown above. A voice vote was taken on these nominations and found to be in the affirmative.

Selectman Walsh asked if it were possible to add an additional Fence Viewer. Moderator Bird asked for a voice vote to approve the nominations for Fence Viewers as set forth above, and add Mr. Robert Morris as an adjunct member. A voice vote was taken and found to be in the affirmative. The motion was **PASSED** and Article Ten was **ADOPTED**.

Mr. Frederick Crory thanked the audience for voting him in again as a Fence Viewer. He asked that the Board reconsider the pay for fence viewers as the position only pays \$2 per day when the Fence Viewers are working.

ARTICLE ELEVEN: To receive reports from the Selectmen, Town Clerk, Treasurer, Collector of Taxes and other Town Officers and to vote on any motion relating to these reports and to receive any special resolutions that may be appropriate and to vote thereon.

Selectman Black moved that the reports of the Selectmen, Town Clerk, Treasurer, Collector of Taxes and other Town Officers as printed in the Town Report be accepted, as well as any Special Resolutions. The motion was seconded from the floor.

There was no further discussion. A voice vote was taken and found to be in the affirmative. The motion **PASSED** and Article Eleven was **ADOPTED**.

Moderator Bird introduced Suzanne Young, Vice Chair of the Hanover Parks and Recreation Committee, for the reading of the following Hanover Parks and Recreation Board Volunteer Service Award:

Resolution for Frank Musiek

"Hanover has many fine traditions, one of which is strong volunteerism. Hanover citizens generously give their time, energy and skill on a daily basis to our schools, our churches, the hospital and on our playing fields. It's a wonderful tradition and one that should be applauded, and I would like to say a public thank you to all of Hanover's volunteers for all the work you do for this community.

It is my great pleasure tonight to present the Hanover Parks and Recreation Board Volunteer Service Award to a gentlemen who personifies this wonderful tradition of volunteerism. That gentleman is Frank Musiek. Frank's role as a volunteer spans both his professional career and his personal life. As a neuro-audiologist at Dartmouth Hitchcock Medical Center, Frank is world renown for his research publications, books, and tests he has developed for hearing impairment, learning disabilities, and multiple sclerosis. Frank personally created the neonatal hearing screening clinic at Dartmouth Hitchcock Medical Center where he recruits volunteers to test the hearing of all babies born at the hospital free of charge. In addition, he is a very active member of the Hanover Lions Club and he is responsible for organizing the free health van at the Auto and Boat Show held at Leverone each year. Over the years Frank has been a very important part of the Hanover Recreation Department. His dedication and support of youth sports in Hanover has been insurmountable. He has devoted numerous hours to coaching recreational baseball, football and track in addition to creating wonderful programs such as the 7th and 8th grade football program, followed by the 5th and 6th grade football program for the Recreation Department. Most recently in 1995 he brought the National Hershey Youth Track Program to Hanover and now local children participate in both state and national track meets through this program. Frank's devotion to youth sports doesn't stop with the Recreation Program, however. He is an energetic football booster and fundraiser for the Hanover Marauders football team, he is a volunteer coach and mentor for the high school track team, and is a weight lifting and strength coach for numerous high school students. To say that Frank Musiek has had an impact on Hanover's youth would be an incredible understatement. On behalf of the Parks and Recreation Board, it is my honor to present this year's Hanover Recreation Volunteer Service Award to Frank Musiek."

The award was accepted by Mr. Musiek's son, Justin.

Resolution for Dagmar Clark

"In 1996 we lost a talented and generous person who did much to improve the quality of our lives in Hanover. Dagmar Clark volunteered countless hours to the community. As a master of many crafts, she shared her skills in pottery, knitting, quilting, embroidery and more with children and adults. She volunteered her time to the schools, the library, Handel Society, her church, and to the Town Recycling Committee.

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We on the Hanover Recycling Committee knew her best as a friend, a colleague, and chair of our committee for over six years. She contributed her vision, her artistic talent, and her stamina to this cause. Wearing an appropriate "recycling" sweatshirt she could be found cheerfully greeting residents at the glossy paper, cardboard, and metal collections on Saturday mornings regardless of the weather. We remember her good judgment, humor, and strong commitment to recycling.

Dagmar left us much too soon. By rights, there should have been many more years ahead of her. Yet her influence lives on. Her sketches adorn our recycling posters and notices; her fabrics and yarns will be worked into new creations by the quilting and knitting guilds; and many of her wonderful craft books will find a new home at Howe Library.

Thank you Dagmar for what you have done for all of us."

The Moderator introduced Selectman Walsh for the reading of the following resolution:

Resolution for Bernard Huckins

Bernard Huckins was hired as an equipment operator on September 4, 1962. Affectionately known as "Huckleberry", he was employed by the Town of Hanover Public Works Department for 34+ years. Huckleberry never missed a snow storm in over 30 years. His work was impeccable.

Huckleberry had been an equipment operator in the Public Works Department, a Working Foreman, and served as Acting Highway Superintendent when the need arose. He never refused to do any task or job regardless of what was asked of him. He had a great sense of humor, which served him well. He is well respected amongst his peers. He has been a cornerstone of the Public Works Department.

When the department bought new Fords, they were faster than the old Internationals. Huck painted a turtle on his International truck and made as many loads as the Fords in a day's time. He called it "steady pecking." Steady pecking became a term often used at the Public Works Department.

Huck was straight as an arrow, direct and to the point, honest as the day is long, and the type of person the world could use more of.

Thank you, Huckleberry!"

Moderator Bird introduced Selectman Connolly for the reading of the following resolution:

Resolution for Pat Hill

"Pat Hill was hired on October 12, 1986 and retired on December 31, 1996. Pat served as the Deputy Tax Collector since May, 1987. Not many people enjoy paying taxes, but Pat made paying taxes a pleasant experience with her ready smile, sometimes a joke, and always a "Thank you."

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Pat has that wonderful (and at times rare) ability to be pleasant, has a good sense of humor, and is friendly even on days when things were not going well for her personally. Pat is in all respects a "true friend" to many.

Fellow employees could always get a good laugh out of Pat - she brightened the entire Town Office with her laughter, jokes, and wonderful sense of humor. She had the ability to laugh at herself and everyone laughed with her.

Pat brightened our days with stories about bear hunting (she actually shot a bear), fishing, snowmobiling, and days and nights at their camp in the northern part of Vermont. Pat, we miss you and your laughter, but wish you a wonderful, exciting, and productive retirement.

Thank you Pat!"

Moderator Bird introduced Selectman King for the reading of the following resolution:

Resolution for Henry Leavitt

"Henry Leavitt started working for the Hanover Police Department on September 16, 1964 as a Police Officer. In July, 1985 he was appointed the Supervisor of the Parking Division. During Henry's 32+ years, he worked with several Chiefs' of Police and Town Managers, but his primary attributes have remained constant - his superior work ethics, friendliness, willingness to work with everyone, dedication, and his loyalty to the Town of Hanover.

Henry thoroughly enjoyed his job, which comes through in his concern and willingness to work with and for the citizens of Hanover. Henry did an excellent job in maintaining the parking meters, posts, overseeing the painting and striping of lines and parking lots, while at the same time, keeping the parking areas clean by picking up papers, cans and bottles all while performing his parking duties. While Henry enjoyed his work, he is also a dedicated family man - valuing his time away from work to enjoy his free time with this wife, family and grandchildren, and fishing, his true love, which is known townwide. Well Henry, now you can go and catch the "big one."

The Town of Hanover has been fortunate indeed to have Henry Leavitt serve as a public servant for 32+ years. The world would truly be a better place if we could clone Henry Leavitt.

Henry, thank you for your loyalty and dedication to the Town of Hanover."

Moderator Bird introduced Selectman Black for the reading of the following resolutions:

Resolution for Ken LeClair and Donald de J. Cutter

"For more than two hundred years, many dedicated men and women have held the position of Selectman for the Town of Hanover. This past winter marked the passing of two of these gentlemen, Ken LeClair and Donald de J. Cutter.

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Kenneth A. LeClair or Ken, as he was known to everyone, served on the Board from 1963 to 1966 during the years of the town and precinct merger, and the building of a sewage disposal plant, years that created the town that exists today. As a surveyor, Ken had an intimate knowledge of the land and was a walking encyclopedia of the town's boundaries and subdivisions. He served his town with devotion, with availability in emergency, and with integrity.

Donald de J. Cutter became active in town affairs while a student at Dartmouth, when he joined the fire department as a volunteer firefighter. His initial love of the plain caused him to settle permanently in town, and soon he was a fixture on Main Street as the owner of a sports emporium, Art Bennetts. Don was active in all phases of town life from the fire department to the planning board, to parking committees, to serving two terms on the Board of Selectmen from 1967 to 1973. Always being willing to pitch in and do his share. Don was an active contributor to the town.

The breed of Yankee spirit exemplified by these two men might serve as a model for those of us who follow. We shall miss their wisdom from experience, and their common sense know how. Hanover was well served by Ken LeClair and Don de J. Cutter."

Resolution for Nancy Giaccone

"Years ago, John Fitzgerald Kennedy wrote a book entitled "Profiles of Courage." No one exemplified a profile in courage more than Nancy Giaccone. Three years ago, when she heard the dread words from her doctor, "You have breast cancer!" Nancy flinched once, but set her jaw, gathered her courage, and began to fight with vigor and good humor. It was a fight for her life, and she fought it valiantly, with spirit and grace. Regardless of what protocol she was put on, in her mind, she knew she would lick the disease.

On the days when she felt well enough to work, Nancy worked as the criminal records secretary for the Police Department, a position she had held since October, 1983. The Officers of the department were Nan's boys and her family. When she faced the loss of her hair from chemotherapy, her "boys" appeared with shaved heads in her support, not once but twice.

Nan has left all of us a legacy for living. By her example of being upbeat, of never accepting failure, and of living each day to its fullest, Nancy Giaccone was indeed a Profile in Courage. We shall miss you Nan, and thank you for the grace you brought to us during your shortened life. Walk in Peace."

Resolution for Dorothy King

"Royalty, ambassador, delegate, board member, and friend, are all words that describe this selectman who is stepping down at the close of this meeting. Dorothy "Dot" King came forward three years ago, and jumped into the job with vigor and skill. As the Board's designee to the Parks and Recreation Board, the Hanover Chamber of Commerce, and the Upper Valley Lake Sunapee Regional Planning Commission, Dot has been kept very busy representing the Town.

On a trip to France, Dot was a charming Hanover Ambassador to Joigny, and carried Yankee greetings in style to the ceremonies held in our twin city. Her understanding of human nature has offered the Board needed insight on many occasions, and being a photographer of renown, her skills were well utilized by the staff for special events.

Dot, you have served us with a regal bearing, and we shall miss your good humor and dedication to the job. Thank you for your service, and please come back and continue to join us for those monthly brown bag lunches!"

ARTICLE TWELVE: To see what sum the Town will vote to raise and appropriate to pay for the expenses of the Town for the 1997-98 fiscal year, for the purposes set forth in the Town budget.

Selectman Black moved that the Town vote to appropriate the sum of Ten Million Three Hundred Fifty-Four Thousand Eight Hundred Seventy-Five (\$10,354,875) Dollars to pay the expenses of the Town during the 1997-98 fiscal year for the purposes set forth in the Town Budget. Selectman Connolly seconded the motion.

Selectman Walsh stated that the Selectmen set an objective in early fall to keep the highest tax rate increase in Hanover below the rate of inflation of 3%, with the general fund staying under a 2.6% tax increase. He explained the budgeting process, and noted that had there been no reductions, the budget would have resulted in a 6.5% increase in the tax rate from the general fund, with higher tax rate increases in various fire districts. Mr. Walsh stated that the Town Manager, department heads and department employees did a superb job of re-working the budget before it went to the Selectmen for approval, and presented the Board with a budget for a 2.6% tax increase, or a total increase in the general fund of approximately \$175,000 on \$6.6 million.

Ms. Nancy Bean, Chairman of the Hanover Finance Committee, stated that the Finance Committee voted unanimously to support the Town of Hanover budget for 1997-1998 as adopted by the Board of Selectmen.

Mr. Robert Chambers noted that the budget for Howe Library increased approximately 18.5%, and although he supported this increase, he would like to ask for an expansion of the evening hours of operation of the library.

There was no further discussion. A voice vote was taken and found to be in the affirmative. The motion **PASSED** and the Budget was **ADOPTED**.

ARTICLE THIRTEEN: To see if the Town will vote to raise and appropriate \$80,000 for construction of a pedestrian-bicycle path from the end of Brook Road to Medical Center Drive and to authorize funding by the withdrawal of this amount from the Capital Improvements Trust Fund.

Selectman Connolly moved that the Town vote to raise and appropriate \$80,000 for construction of a pedestrian-bicycle path from the end of Brook Road to Medical Center Drive and to authorize funding by the withdrawal of this amount from the Capital Improvements Trust Fund. The motion was seconded.

Selectman Connolly summarized the details of the history of the project as outlined in the position papers. She noted that the motion proposes that \$80,000 be removed from funds generated by the sale of Elm Street to provide 20% of the funding required to build a corridor for bicycles, pedestrians and other nonmotorized traffic between Brook Road and the Dartmouth Hitchcock Medical Center loop road. Ms. Connolly stated that the total funding required for this project is \$365,000, with 80% of the matching funds in the amount of \$292,000 made available by the federal government by ISTEA. She noted that the proposed path calls for a 10 foot wide asphalt based corridor with two 2 ft. gravel shoulders, to be contained within a 20 foot right of way. The path would traverse land owned by Barrett/Ransmeier, Dartmouth College and the Dartmouth Hitchcock Medical Center with appropriate easements provided by these landowners.

Roger French stated that pedestrian and bicycle safety should be of concern to everyone, and efforts should be continued to make Hanover more pedestrian and bicycle friendly. He expressed disappointment in the project as currently proposed.

Tom Oxman, a member of the Conservation Commission, indicated that the Conservation Commission had considered the pedestrian/bicycle path project and could not come to a consensus. He stated that the project is a unique and important opportunity to expand recreational opportunities in the Town of Hanover, and would be an incredible bargain when considering the recreational and exercise value of the project.

Ted Bush stated that ISTEA is actually reauthorization highway funding which occurs every 2 years. During reauthorization, each staff member receives thousands of requests for projects. Mr. Bush added that the fact that the plans for this project are different than those which were submitted and funded is critical, and shows that this plan was not well thought out and should be rescinded.

Ellis Rolett indicated that a group of citizens attended a number of meetings on this project and expressed concerns regarding safety issues, accessibility, environmental impact and cost.

Dr. Rolett made the motion that the Town raise and appropriate an amount not to exceed \$80,000 for construction of a pedestrian path from the end of Brook Road to Medical Center Drive, authorize funding by the withdrawal of this amount from the capital improvements trust fund, and direct the selectmen to appoint a committee to work with the Town Manager and New Hampshire Department of Transportation to develop an alternative design for a bicycle route between Hanover and the Medical Center.

The motion was seconded.

The Moderator accepted Dr. Rolett's motion as a substitute amendment which would allow discussion and debate on the motion, and indicated that the substitute motion would be disposed of first. If passed, business is finished on Article Thirteen; if not passed, Selectmen Connolly's motion would be reopened. The substitute motion was reread by the Moderator.

Dr. Rolett commended the selectmen, town manager and others who have worked on this proposal and securing funding. He added that the substitute motion focuses on creating a pedestrian path rather than a multi-use path. Dr. Rolett stated concerns with the proposed path including safety, accessibility, environmental impact and cost.

Julia Griffin, Town Manager, stated that during the construction phase of the path a 50 ft. wide construction easement would be required in order to fit the path around the natural topography of the area. She added that the path will only be 10 feet wide with two 2 ft. shoulders, and upon completion, the property owners will be asked for 20 ft. wide easements.

Elizabeth Crory asked if studies had been done to determine if \$80,000 is adequate for the path as proposed by the substitute amendment. Dr. Rolett answered that no study had been done, but that if the motion is passed, negotiations should occur between the Town and the New Hampshire Department of Transportation to keep ISTEA funding. If funding is not available, Dr. Rolett estimated that the pedestrian path could be completed for a lot less than \$80,000.

Ms. Crory also asked that if the motion is passed, how much is the Town obligating itself and how long the funds would be tied up until a pedestrian path is actually established. Ms. Griffin answered that the Department of Transportation had agreed to hold the funds for one more year, but it is not clear whether the Department will accept as a substitute the same location, but a pedestrian path only. She added that the Department of Transportation had indicated they would consider holding the funds and re-engineering the project if it did not entail a substantial change in location or scope. If agreement is reached, the funds could be expended next summer.

In that the substitute motion reads in two parts, Ms. Crory asked if the Town Manager had any problem with the divided question, and how much input the Town Manager and Board of Selectmen has had with the consideration of the \$80,000 pedestrian path.

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Ms. Griffin answered that she has represented the Town in working with the group regarding the pedestrian path, but has had no formal conversation with the Department of Transportation relative to downgrading the path to a pedestrian path only.

Ms. Crory stated that she feels allocating \$80,000 for a pedestrian path complicates finding an alternative bicycle route to the hospital, and further that the community has many areas to spend \$80,000 in a more productive manner.

Patricia Higgins stated that an estimate of \$5,000 to \$10,000 had been received from the Dartmouth Outing Club capital trails committee for a nonpaved footpath consisting of approximately 1 1/4 mile, perhaps with one bridge.

An audience member asked if an environmental impact statement is required to build a footpath. Ms. Griffin answered that it depends on the finding of the biologist associated with the Department of Transportation that does the initial assessment of the proposed bicycle path location. She added that the biologists assess the value of the wetlands and biological features, and make a determination whether or not an environmental impact statement is required. Ms. Griffin stated that an initial walkthrough had been completed; there is wetlands impact, but their determination based on the initial survey is that an environmental impact statement is not required. She noted, however, that if an environmental impact statement is required based on the footpath, and the statement indicates the trail cannot be built, the federal funding is lost.

Winifred Stearns asked if any liens are attached to the federal monies, what ancillary services might be required, and what role the state plays in this project in combination with the federal government.

Ms. Griffin answered that the federal government delegates overseeing of the project and allocation of funds to the state departments of transportation. She noted that the Town may need to consider creating a gravel parking lot off Brook Road.

Greg Simpson stated that the Americans With Disabilities Act includes several requirements for construction of any public facility, as well as requirements for maximum slope that is allowable. He added that the design can in no way be exclusionary to any citizen.

A member of the audience addressed the environmental impact of the proposed path, and read a letter submitted to Valley News by Alcott Smith, a local veterinarian, relating to the fragility of the rich ecological area surrounding the path.

A member of the audience asked if the funds could be diverted to widen Route 120 as an alternate bicycle route. Ms. Griffin answered that the Department of Transportation will allow the Town to redesign the bicycle path in its current proposed location by adjusting the scope moderately. However, if the Town wishes to use the funds to widen Route 120, it is necessary to resubmit an application for reconsideration for funding, with the earliest hope of receiving funding being the year 2003.

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Senator Jim Rubens called for a paper ballot on the substitute motion. The Moderator explained that any five voters present may indicate they wish to have this or any other vote taken by a written ballot.

Frederick Crory called for the question. A voice vote was taken and found to be in the affirmative, with the majority expressing their intent to proceed to vote on the substitute motion.

Regarding the request for a written ballot, the Moderator asked if there were four other people who wish to have a paper ballot. There was not a total of five people wishing a paper ballot.

A member of the audience asked if the motion could be divided into two parts. The Moderator stated that he preferred to keep it as one motion, and asked for a vote. A voice vote was taken, and found to be in the affirmative, keeping the motion as one motion.

There being no further discussion, a vote on the substitute motion was taken by a show of hands as follows: Yes 184 No 234. The substitute motion was **DEFEATED**.

The Moderator re-read the motion of Selectmen Connolly. A member of the audience called the question. By a show of hands, the audience was in favor of proceeding to vote on Selectmen Connolly's motion.

There being no further discussion, a voice vote was taken on Selectmen Connolly's motion. The motion **FAILED TO PASS** and Article 13 was **DEFEATED**.

ARTICLE FOURTEEN: To see if the Town will vote to raise and appropriate \$175,000 from the land acquisition trust fund for the purchase of property located Tax Map 2 Lot 46 King Road from James and Aubrey Paull for the purpose of conserving approximately 16 acres abutting King Road and preserving a scenic view corridor and further authorize the Board of Selectmen to take all action deemed to be in the best interest of the Town including signing all documents as may be necessary to carry out the purpose of this vote.

On behalf of the petitioners of Article Fourteen, Dr. John Sibley moved that the Town of Hanover purchase the field, approximately 15 acres in size, which is opposite the intersection of Hayes Hill Road and King Road in Etna (all of Lot #1 of the currently proposed subdivision of Map 2, Lot 46) for the purpose of preserving the spectacular view; that the Town negotiate its purchase with a combination of municipal funds and private donations; that the Town's share of the purchase price not exceed \$175,000; that the Town's share of the purchase price be raised and appropriated from the Town's existing Land Acquisition fund; and that the Town have future responsibility for management of the land. The motion was seconded.

Dr. Sibley clarified that the developer, Mr. Paull, had worked out a very gentle development with a great deal of open space, and that it is the planned site of only one house with which there is a quarrel as it would destroy the wonderful view forever. He stated that no one actively supporting the motion is an abutter of the property or has land overlooking the field in question.

Dr. Sibley noted that the 1986 master plan of Hanover listed several vistas that should be preserved by conservation easements, land acquisition or restricting hilltop development. He added that the means are available to acquire the land as a land acquisition fund was established in 1989 for the purpose of providing funding to acquire land for public purposes and to construct capital improvements in response to needs required by growth and development.

Dr. Sibley stated that he feels the Town should carry the major financial share of the purchase, and that any amendment which significantly reduces the Town's financial share serves as a gentle way of voting against the effort to preserve special hilltop vistas. He added that there is inadequate time remaining for a major pledge by private citizens to purchase the land.

Selectman Black stated that the Selectmen voted five against supporting this motion for the reason that although the master plan states that hillsides and views should be protected, the Town has not identified those hillsides and views. She urged the Planning Board and the Conservation Commission to work together to develop a plan of what land in Hanover should be preserved, and until that plan is in place, she believes this motion sets a terrible precedent.

Selectman Walsh indicated that the master plan speaks to preserving and creating a number of things in Town, and believes the issue is one of setting priorities. He noted that the fund was created by Town Meeting in 1989, and since then has grown to \$237,000. Mr. Walsh stated that the fund was created not just for land acquisition, but to do other capital improvements as well related to growth and development. He added that he believes it would be reasonable to take those funds which would accrue as the land came out of current use, approximately \$40,000, and use it to acquire what would be the Town's portion of the land.

Mrs. Nan King expressed her appreciation for the hard work of the Selectmen in attempting to keep taxes down. She stated that the window of opportunity in this case is very small. Mrs. King indicated that all of King Road is designated as a scenic road in the master plan.

Candy Lee expressed her concern about setting priorities for other needs in Town such as the Community Center, the Senior Center and expanding the library. She noted that she would like to see the money spent on something that more people in Town could enjoy.

Tom Oxman, Chairman of the Conservation Commission, stated that a committee has been formed to look at the issue of setting priorities in conjunction with the Planning Board. He added that the Conservation Commission was asked to consider this issue and unanimously voted that this is a view worth saving; the Conservation Commission recommends expending up to \$20,000 of Town funds for this purpose.

Bill Boyle asked if there are any encumbrances on the land should the Town vote to purchase it, and what the purpose of the public land would be.

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Ms. Griffin answered that if the Town owns the land, it is up to the Town to decide what it wishes to do with it. She added that the Town could consider passive recreation or low utilization recreation activities on the land.

Scott Drysdale asked if the Town were to purchase the land would it be possible to sell it at a later date. Ms. Griffin answered that the Town could sell the land at a future date. She added that the Board would like to consider offering challenge grant money and see if this small amount of seed money could yield, in a fairly short period of time, a substantial fundraising campaign.

A member of the audience asked if the Planning Board could direct the developer to place the house elsewhere on the land. Selectman Connolly answered that she has seen the proposal and feels that the developer is particularly sensitive to the siting of the house on the lot. She added that of the 15 acres under discussion, 10 acres have been preserved by the developer, with the rest of the view blocked by forest which will be preserved by the developer.

Helen LaCoss indicated that even if a house were built on the land, it would not entirely obstruct the view. She added that there are a number of scenic roads in Hanover, and many views other than this one that should be preserved.

A member of the audience asked how much will have to be spent by the Town to maintain the field. Selectman Walsh stated that the Board has not considered the costs of maintenance of the land. He added that if the motion passes, it is the will of the Town Meeting, and money will have to be added into the budget in the future for maintenance.

It was suggested by a member of the audience that the Town landbank the concept of purchasing the land, and suggested that if within three years the Town does not receive contributions to the extent of 60% of the purchase price, that the Town would sell the land.

The Moderator re-read the original motion made by John Schiffman. He stated that the proposal is to modify the motion by amending by addition the following language: "...and further, that the Town sell the land if at least \$120,000 in private donations is not raised within three years." The motion has been seconded to amend by addition.

Mr. Crory asked what would happen to the funds that were put in by private donations if the Town were to sell the land at a future date. Ms. Griffin answered that if the full \$120,000 in additional private donations was not raised and the property were sold, she assumes the Town would return the money to the private donors, unless the property was sold at a loss.

The Moderator summarized the amendment to the motion to say that after the \$24,000 of private funds already collected and the monies provided by the Town to purchase the land, in three years time the Town would have to document the receipt of an additional \$120,000 in private funding towards this or the land would be sold.

Sue Young asked who would be responsible for raising the \$120,000, and who would be responsible for the costs associated with raising the funds.

Elizabeth Crory stated she would rather see an amendment proposed that the Selectmen appoint a committee immediately to handle negotiations with the developer to see if he would consider holding the parcel for a period of months until a reasonable, rational and well thought-out plan could occur.

York Brown indicated that any resolution which directs the Town to sell an asset at a specified date in the future without regard to the market value of the asset or the Town's financial position at the time is very ill advised.

There was no further discussion on the amendment. By a voice vote, the amendment **FAILED TO PASS** and was **DEFEATED**.

The Moderator re-read the original motion. There being no further discussion on the original motion, a voice vote was taken. The motion **FAILED TO PASS** and Article 14 was **DEFEATED**.

ARTICLE FIFTEEN: To see if the Town will vote to raise and appropriate and authorize payment into the Capital Reserve Funds in the following amounts for the purpose for which such funds were established:

Public Works	\$135,000
Fire Fund	\$ 10,000
Sidewalk Fund	\$ 15,000
Ambulance Fund	\$ 20,000
Parking Fund	\$ 2,500

Selectman Nelson made the motion that the Town vote to raise, appropriate and authorize payment into the Capital Reserve Funds in the following amounts for the purpose for which such funds were established: Public works - \$135,000; Fire Fund - \$10,000; Sidewalk Fund - \$15,000; Ambulance Fund - \$20,000; Parking Fund - \$2,500.

Mr. Nelson stated that the Selectmen have unanimously voted to appropriate and authorize payment of this money to the capital reserve fund for these specific purposes.

There being no further discussion, a voice vote was taken and found to be in the affirmative. The motion **PASSED** and Article 15 was **ADOPTED**.

ARTICLE SIXTEEN: To see if the Town will vote to raise and appropriate \$360,400 for the purposes listed below, and to authorize funding of these items by withdrawal from the listed capital reserve funds and to designate the Board of Selectmen as agents of the Town to expend such funds for the purposes for which such funds were established, in the following amounts as set forth in the Town Report:

Public works	\$224,000
Wastewater Treatment Plant	\$123,900
Parking	\$ 12,500

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Selectman Nelson made the motion that the Town vote to raise and appropriate \$360,400 for the following purposes and to authorize withdrawal from such Capital Reserve Funds in the following amounts as set forth in the Town Report: Public Works - various equipment - \$224,000; Wastewater treatment plant - Various equipment replacement - \$123,900; Parking - Replacement of truck - \$12,500. The motion was seconded.

Mr. Nelson stated that under Public Works, monies will be used for one excavator at a cost of \$145,000, a mower for \$17,000, a spreader for \$9,000, and a truck for \$53,000. Regarding the Wastewater Treatment Plant, \$75,000 is for replacement of equipment if it fails and is unable to be repaired, as well as \$20,000 to replace a truck and \$28,900 to replace the flusher for line maintenance. Under the Parking Fund, \$12,500 is for the purchase of a truck.

Robert Chambers asked if it would be possible to rent an excavator, and wondered how often it is used. Richard Haugher responded that the excavator is the backbone of the highway department. Costs to rent an excavator are approximately \$75 per hour, and the Town's excavator is used approximately 1,000 hours per year. Mr. Haugher noted that the Town's current excavator is currently 11 years old with a trade-in value of \$30,000 to \$40,000.

There being no further discussion, a voice vote was taken and found to be in the affirmative. The motion **PASSED** and Article 16 was **ADOPTED**.

ARTICLE SEVENTEEN: To see if the Town will vote to authorize the Board of Selectmen to accept, on behalf of the Town, gifts, legacies, and devises made to the Town in trust for any public purpose, as permitted by RSA 31:19. This authority shall continue in effect until rescinded by a future town meeting vote.

Selectman Walsh made the motion that the Town vote to authorize the Board of Selectmen to accept, on behalf of the Town, gifts, legacies, and devises made to the Town in trust for any public purpose, as permitted by RSA 31:19. The motion was seconded.

There being no further discussion, a voice vote was taken and found to be in the affirmative. The motion **PASSED** and Article 17 was **ADOPTED**.

ARTICLE EIGHTEEN: To see if the Town will vote to adopt the provisions of RSA 202-A:4-d authorizing the library trustees to accept gifts of personal property, other than money, which may be offered to the library for any public purpose, provided, however, that no acceptance of personal property by the library trustees shall be deemed to bind the Town or the library trustees to raise, appropriate or expend any public funds for the operation, maintenance, repair or replacement of such personal property.

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And further, to require that prior to the acceptance of any such gift, valued at over \$5,000, the public library trustees shall hold a public hearing on the proposed acceptance.

Selectman Walsh made the motion that the Town vote to adopt the provisions of RSA 202-A:4-d which authorizes the library trustees to accept gifts of personal property, other than money, which may be offered to the library for any public purpose, provided that no acceptance of personal property by the library trustees shall be deemed to bind the Town or the library trustees to raise, appropriate or expend any public funds for the operation, maintenance, repair or replacement of such personal property; and further, to require that prior to the acceptance of any such gift, valued at over \$5,000, the public library trustees shall hold a public hearing on the proposed acceptance. The motion was seconded.

Bill Baschnagle noted that the Howe Library trustees are trustees of a private corporation, and asked if the Town could pass a resolution that influences or dictates what they can or cannot do with regards to gifts to the corporation. Ms. Griffin answered that she has asked the Town attorney for additional feedback on this issue.

There being no further discussion, a voice vote was taken and found to be in the affirmative. The motion **PASSED** and Article 18 was **ADOPTED**.

ARTICLE NINETEEN: To transact any other business that may legally be brought before this Town Meeting.

Hearing no other business, the Moderator stated he would entertain a motion to permanently dissolve this meeting. The motion was made and seconded. The motion carried and the meeting was dissolved at 10:18 p.m.

Respectfully submitted,



Dianne Quill, Town Clerk

Taken and Transcribed by:
Nancy A. Richards