

APPROVED

BOARD OF SELECTMEN'S MEETING

MAY 19, 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 Chairman, Marilyn W. Black. Present were: Marilyn W. Black, Chairman; Jack H. Nelson, Vice Chairman; Katherine S. Connolly; Brian Walsh; John Manchester; Julia Griffin, Town Manager; and members of the public.

Ms. Black 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

There was no public comment.

2. LEGISLATIVE UPDATE FROM SENATOR JIM RUBENS AND REPRESENTATIVE SHARON NORDGREN

Ms. Black welcomed Senator Rubens and Representatives Nordgren, Copenhaver and Guest.

Ms. Black expressed concern regarding Senate Bill 73, and asked for the Senate's position on this bill.

Senator Rubens explained that the original bill would extend the utility tax to cable television which would have resulted in a total revenue increase to towns of approximately \$11,000,000 statewide, but would also have resulted in rate increases to the average household with cable of \$20 to \$50 monthly. He added that the Senate passed a bill imposing such taxes on the phone and cable portion, but then to credit that tax against the telecommunications tax, thereby maintaining the status quo. Senator Rubens stated that this bill is on the table and they have asked for an advisory position from the state Supreme Court, with the hopes of having the advisory opinion back before the beginning of the next fiscal year.

Regarding home rule, Senator Rubens indicated that although the House voted for the bill by a good margin, the Senate felt there were issues of concern and much statutory construction which needed to be done.

Ms. Griffin discussed numerous ways in which home rule could assist cities and towns in revenue generating issues, and noted that these changes now require a change in state law which can take many years to accomplish.

Senator Rubens answered that if an issue affects only one city or town, the legislation can usually be passed within two or three months.

Ms. Griffin stated that currently the ability of individual communities to decide how and under what rules and regulations they wish to govern themselves is extremely limiting.

Ms. Black stated that she is in favor of communities setting their own tax rates, noting that if a professional audit is conducted each year, it results in a duplication of effort for the State to look at the figures and arrive at a tax rate for the community. Senator Rubens indicated that he would find out the reason for this.

Senator Rubens indicated that the advice he would give to the New Hampshire Municipal Association would be to do more education before the bill comes up again, indicate how it works in other states, and how specific questions would be answered.

Representative Nordgren spoke about significant issues facing the legislature. She indicated that the Senate would be voting on a 12 cent cigarette tax increase, the kindergarten issue would be up for a vote in the Senate, and the House would be voting on two gambling issues.

Representative Nordgren stated that an increase in the cigarette tax would have a significant impact on youth smoking. Senator Rubens argued that approximately 40% of tobacco sales in New Hampshire are from people coming across the border, rather than teenage smokers, and that the analysis done in the House and the Department of Revenue Administration are static revenue projections that do not take into account the effect on sales of other items. Senator Rubens noted that testimony refers to the fact that peer based teaching programs work dramatically against youth smoking, as well as enforcement. He noted that a 25 cent cigarette tax increase would bring New Hampshire equal to Vermont, and indicated that there would be an amendment which would push the tax back to 25 cents which might get enough votes to prevail on the full Senate floor. Senator Rubens stated that he had proposed a 16 cent increase last year, and would vote for an increase of something about 16 cents.

Dr. Ellis Rolett agreed that there has to be a community-wide program to decrease youth smoking, and that school based programs have a limited impact. He stated that there has to be an ongoing process, and that taxation is an important issue.

Representative Nordgren noted that all tobacco products will be taxed, which is not the case currently. Regarding the enforcement issue, she stated that previously the Department of Revenue Administration has been the enforcing authority for tobacco laws, and that House Bill 599 would provide for the liquor commission to handle enforcement. Representative Nordgren added that the legislation would prohibit smoking on all school property, and would necessitate a lock-out device on vending

machines which could be released only by the person selling the cigarettes. She stated that the legislation would put the liability more on the underage person trying to buy the tobacco product, rather than the seller who might receive a false I.D.

Senator Rubens indicated that New Hampshire's economy is doing quite well, being the strongest state in New England and among the strongest in the Northeast. He stated that there is transportation money available for bridge and road building, and discretionary funds available in each highway district for secondary state highway maintenance.

Ms. Black thanked the Representatives and Senator Rubens for attending the meeting.

3. ORGANIZATION OF THE BOARD

Ms. Black introduced John Manchester, the new Selectman.

Jack Nelson MADE THE MOTION to name Marilyn "Willy" Black as Chairman of the Board of Selectmen. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO NAME MARILYN "WILLY" BLACK AS CHAIRMAN OF THE BOARD OF SELECTMEN.

Ms. Connolly MADE THE MOTION to name Jack Nelson as Vice-Chairman of the Board of Selectmen. Mr. Manchester SECONDED THE MOTION.

Mr. Nelson indicated that due to a commitment to the Hanover Water Company, he would not serve as Vice-Chairman of the Board of Selectmen. Ms. Connolly withdrew her nomination.

Mr. Nelson MADE THE MOTION to name Brian Walsh as Vice-Chairman of the Board of Selectmen. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO NAME BRIAN WALSH AS VICE-CHAIRMAN OF THE BOARD OF SELECTMEN.

The following individuals were designated to serve on the following boards:

Howe Library Board of Trustees - John Manchester

Planning Board - Katherine Connolly and John Manchester, Alternate

Conservation Commission - Brian Walsh

Parking and Transportation Board - Jack Nelson

Finance Committee - Marilyn "Willy" Black

Parks and Recreation Board - John Manchester

Advisory Board of Assessors - Katherine Connolly and Jack Nelson, Alternate

Hanover Improvement Society - Marilyn "Willy" Black

Upper Valley Transportation Advisory Committee - Katherine Connolly

Upper Valley Lake Sunapee Council - Jack Nelson

Chamber of Commerce - Brian Walsh

Senior Citizen Steering Committee - Marilyn "Willy" Black

Recycling Committee - Marilyn "Willy" Black

Ms. Black stated that advertisements would be run for vacancies on boards and commissions which positions will be appointed at a later Selectmen's meeting.

4. DISCUSSION OF IMPLEMENTING HANOVER COMMUNITY FACILITIES NEEDS ASSESSMENT

Ms. Black recommended that a consultant be obtained to study the space needs of the administration and human services department to determine the future and present needs for these areas.

Ms. Connolly questioned the need for a consultant to be brought in. Mr. Walsh stated that he feels this effort calls for more than voluntary input, that it would require a staff effort or consultant to put together options.

Ms. Griffin stated that an objective outside person experienced in developing community facilities could put together an information gathering process ending up with a report to set forth what the community is saying that it needs, and including recommendations to go forward.

Ms. Connolly stated she is not saying that new facilities are not needed, but questioned the timing of bringing in an outside person whose is unfamiliar with the Town to examine needs and parameters for Hanover.

Mr. Nelson stated that Howe Library is way ahead of the rest of the projects as a result of a great amount of work and enthusiasm at the Library, and that the other needs of the community are not exactly known at this time.

Ms. Griffin stated that the cost of hiring an outside consultant is approximately \$15,000 to \$25,000, noting that they have the availability of using an architect and facilities planner and are able to complete the job more professionally and in a very focused fashion. She added that the consultant would put together a comprehensive survey, test the validity of the survey instrument, and administer the survey.

Mr. Nelson recommended asking the Town Manager to draft a request for a proposal and present it to the Board. Ms. Griffin stated she would draft a scope of work to be done for the Board's approval.

Mr. Walsh stated that the charter of the advisory committee working on the Community Center should possibly be expanded.

5. DISCUSSION REGARDING BICYCLE PATH PROPOSAL

Ms. Connolly stated that she would like to follow the directive of the amendment proposed at Town Meeting to see what can be done to salvage part or all of the state funds originally allocated for the bicycle path. She added that she would like to form a committee to work with the property owners and the Department of Transportation.

Mr. Walsh stated the amendment offered at Town Meeting which referred to a path which was not a bicycle path which would preserve a public access corridor made great sense, and also suggested looking at Route 120 to see what, if anything, could be done to improve it. Mr. Walsh added that he felt the amendment was the sense of the meeting, and he would like to see the process continue.

Mr. Manchester asked why the Board could not highly recommend that the North South Corporation place a path on their property that would be a conservation easement. Mr. Walsh noted that he is leery of tying the path directly to North South as that proposal may or may not go forward.

Dr. Ellis Rolett indicated his interpretation of the vote and discussion at Town Meeting was that the vote was against a bicycle path from Brook Road to the hospital because it was of a disruptive nature. He supported looking at the entire process again to see what the Town really wants, and then looking at funding issues.

Cam Rankin expressed concern that after four years of testimony ten to one against a paved bicycle path from Brook Road to the hospital, that the Selectmen are still discussing constructing the path. He added that there are some lovely trails already in existence in that area. Ms. Black answered that the Selectmen are discussing an easement, and would like to get a group together to discuss easements from Brook Road to the hospital, the form of which is undecided at this point.

Fred Crory stated that both categories of the amendment presented at Town Meeting, one to form a committee to look at alternatives, and one to make an unpaved path through the woods, were defeated. He added that he would not want the Selectmen to meet with landowners to come up with a right of way, as there are people in Town who do not wish to see a path or anything else between Brook Road and the hospital.

Mr. Drysdale noted that if there was a large group at Town Meeting who opposed any sort of path between Brook Road and the hospital, they did not speak. He added that to read voting down a substitute motion on the amendment as saying that the Town opposes any path being built goes in opposition to everything said during the debate.

Dr. Rolett noted that the group who put forward the substitute amendment had been working together for roughly five weeks, and that there was a matter of coming to a consensus on the committee. He stated that he felt the way the moderator structured the vote influenced it to a significant extent, adding that the amendment was voted down by 50 votes.

Mr. Nelson stated that he felt before the Selectmen accept a right of way for any purpose that it needs to be brought before a Town Meeting to determine what the voters want.

Ms. Black indicated that it is the policy of the Board when forming a committee to advertise for people to come forward and serve on that committee. She recommended setting up a committee to study the possibility of access from Brook Road to the hospital.

Mr. Nelson suggested dividing the two issues, and ask the Conservation Committee to look at appropriate paths to get from downtown to the Medical Center, and also appoint a committee to look at bicycle paths in Town.

Mr. Walsh stated that there is a huge amount of energy regarding this issue, and feels that the committees should leave room for some of the residents in Town to be involved. He stated he feels they are two very separate issues, and recommended forming a group to look at a pedestrian route from Brook Road to the hospital in roughly the same general location, and a separate group to look at opportunities for a bike path or a network of bike paths in Town.

Ms. Black stated the matter will be on the agenda for the June 16, 1997 meeting of the Board of Selectmen. Ms. Griffin noted that before June 16 she will have been to Concord to understand how the Town can hold onto the money until the next Town Meeting, and what requirements are necessary to keep the Department of Transportation involved.

6. RECOMMENDATION TO RENOVATE AND EXPEND PUBLIC BASKETBALL COURT AT RAY SCHOOL

Hank Tenney distributed a sketch of two new proposed basketball courts at the Ray School. They would each be minimum size high school sized courts. He plans to use baskets with break away rims to minimize vandalism and misuse of the rims.

Ms. Black asked if the existing blacktop will be taken out and gravel brought in to keep it level. Mr. Tenney answered that the blacktop will be taken out and sections filled in as needed; he anticipates very little maintenance of the courts.

Mr. Nelson asked when the public would have the use of the courts. Mr. Tenney answered that when school is in session, the courts are for the school's use with the public having access to them after school hours and on weekends. Mr. Tenney stated that approximately \$20,000 was appropriated into capital reserve for the development of basketball courts, and he believes that the cost of this project will be close to that amount based on estimates received from contractors.

Ms. Connolly MADE THE MOTION that the Board of Selectmen release \$20,000 for the construction of two basketball courts at the Ray School. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY to release \$20,000 for the construction of two basketball courts at the Ray School.

Mr. Fred Crory expressed concern that the gravel be extended beyond the area of the basketball court to minimize frost heaves, and also integrating some slope into the courts for water drainage.

Mr. Tenney indicated that the present court was resurfaced approximately 7 years ago, and there are very little frost heaves on the existing surface. He added that it is planned to extend the gravel beyond the courts.

7. TO CONSIDER AND TAKE ACTION ON RECOMMENDATIONS OF THE ADVISORY BOARD OF ASSESSORS

Ms. Connolly MADE THE MOTION that the Board of Selectmen approve the results of the May 7, 1997 hearing of the Advisory Board of Assessors. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE RESULTS OF THE MAY 7, 1997 HEARING OF THE ADVISORY BOARD OF ASSESSORS.

8. APPROVAL OF MINUTES - MAY 5, 1997

Ms. Black wished to postpone the approval of the May 5, 1997 minutes to the next Board of Selectmen's meeting.

9. ADMINISTRATIVE REPORTS

Ms. Griffin asked if the Board opposed her seeking reappointment to the property and liability trust board for another four year term. Ms. Connolly stated that the Board encouraged her involvement with the property and liability trust board.

Ms. Griffin announced that Youth-in-Action and Hanover High School received this year's youth community services award for the partnership that exists between these two entities for providing community outreach services to the Town of Hanover and the surrounding Upper Valley area.

Ms. Griffin noted that there had been a request from the Joigny committee to include recognition of the sister city on the welcome to Hanover signs. She suggested the possibility of adding a small hanging sign on the bottom of the proposed sign indicating Joigny as Hanover's sister city.

Ms. Connolly MADE THE MOTION to attach to the welcome to Hanover sign a recognition of the sister city of Joigny, France. Mr. Nelson SECONDED THE MOTION.

Mr. Walsh indicated he is not against the addition, but would like to see the final designs for approval.

10. SELECTMEN'S REPORTS

Mr. Manchester

Mr. Manchester reported he had attended the last planning board meeting.

Mr. Nelson

Mr. Nelson discussed the passage of the warrant item accepting gifts for the Town libraries, and asked if it was necessary to accept Howe Library Corporation gifts.

Ms. Griffin answered that she will be requesting a legal opinion on the applicability of that issue, and to see how the RSA might apply. She added that in her opinion the RSA is important to the extent that the Town funds an operating budget for the library, and an opportunity exists for someone to donate funds to the Town for the purposes of the public library; but whether or not it applies to bequests made to the Howe Corporation is a question which should be posed to legal counsel.

Ms. Connolly

Ms. Connolly reported that the Simpson Development has been approved, with a sidewalk from Park Street to the entrance of the subdivision. The developers will provide the materials for the sidewalk, and the Town will provide the labor to install the sidewalk. Ms. Connolly also reported that two small minor subdivisions were approved last week, and there are four cases upcoming at the next Board meeting.

Mr. Walsh

Mr. Walsh reported that there is an upcoming Howe Library trustees' meeting scheduled to present the long-range master plan.

Mr. Walsh also reported that the Conservation Commission will be meeting later in the week.

Regarding the Community Substance Abuse Advisory Committee, the results of its recent workshop have been summarized. Mr. Walsh indicated that there is a draft letter which they would like to send out to residents of Hanover and Norwich, as well as others, which summarizes the results of that evening. Ms. Griffin noted that the SAU would be picking up the cost of postage to the outlying communities. Mr. Walsh reported that the poll taken at that meeting resulted in the following priorities to help move away from substance abuse:

- 1) Create a place or places for teenagers - 72 votes
- 2) Improve communication between teens and adults - 60 votes
- 3) Re-examine the use of open campus at Hanover High School - 39 votes
- 4) Seek consensus on community standards on youth behavior and youth substance abuse - 35 votes
- 5) Encourage the community to be involved with kids and families - 31 votes
- 6) Institute activities and encourage positive relationships between adults and young people in the community - 29 votes.

Mr. Walsh also proposed that the Board create a parking facility task force. The charter for the task force would be to develop a proposal for creating a parking facility with a substantial net addition of new parking spaces on the old Water Company parcel on the northwest corner of E. South Street and Currier Place; examine the options of a facility which is integrated with Dartmouth with development by Dartmouth on the adjacent Fleet parcel; or a free-standing facility on the Water Company lot plus the required sliver of land from the Fleet parcel; also to assess the impacts of these options on parking and circulation in downtown in general; to make recommendations relative to changes in the directionality of streets as appears warranted to best join the proposed facility; to develop a financing plan which first focuses on a structure which will be self supporting from parking revenue, but which may require supported deficits especially in the early years and levies on the parking district; and to present a comprehensive proposal to selectmen, voters and the Town Meeting with the target date being presentation at Town Meeting next year in May, 1998. Mr. Walsh stated that the committee members are Jay Pierson, chairman; Roy Banwell; Bill Baschnagle; Bill Breed; Ann Bunnell; Jay Campion; Dave Cioffi; Bob Drape; and Brian Walsh, as the selectmen's representative. Invited guests will be Paul Olsen representing Dartmouth college; Clint Bean representing the Chamber of Commerce; Julia Griffin, Town Manager; and Michael Gilbar, Director of Finance.

Ms. Connolly suggested that one other member of the Planning Board should be included, and Mr. Walsh felt it would be very positive to suggest one or two other people from the Planning Board to serve as invited guests.

Ms. Black MADE THE MOTION to approve the Parking Facility Task Force of May 19, 1997. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE PARKING FACILITY TASK FORCE OF MAY 19, 1997.

11. OTHER BUSINESS

Mr. Fred Crory asked if an agenda item in the future might be the path from the Ray School into Town which was part of the Elm Street swap. He indicated that the number of bicyclers and pedestrians has increased, and he believes it to be in the best interest and health of people for that path to be upgraded. Ms. Griffin noted that she would add it to her list of future agenda items.

Mr. Walsh stated that he had received complaints after Town Meeting from people disappointed with the lack of information relative to zoning amendments, noting that the wording was less than fully explanatory.

Mr. Nelson indicated that he had received a suggestion that the mailing could be expanded to cover these areas more fully.

Ms. Griffin stated that the planning and zoning boards approve the final wording, but in the future she will look at it from a voter's perspective and write a more detailed note of explanation.

12. ADJOURNMENT

Mr. Walsh MADE THE MOTION to adjourn the Board of Selectmen's meeting. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE BOARD OF SELECTMEN'S MEETING.

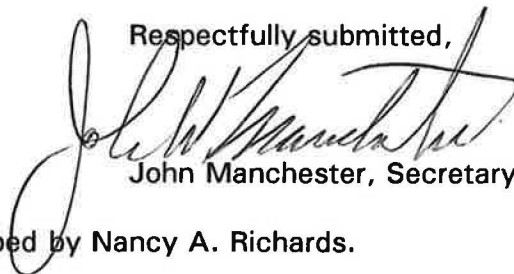
Mr. Walsh MADE THE MOTION to go to non-public session to discuss a matter which may affect the reputation of an individual. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO GO TO NON-PUBLIC SESSION TO DISCUSS A MATTER WHICH MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.

The meeting was adjourned at 9:50 p.m.

SUMMARY

1. **Jack Nelson MADE THE MOTION to name Marilyn "Willy" Black as Chairman of the Board of Selectmen. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO NAME MARILYN "WILLY" BLACK AS CHAIRMAN OF THE BOARD OF SELECTMEN.**
2. **Mr. Nelson MADE THE MOTION to name Brian Walsh as Vice-Chairman of the Board of Selectmen. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO NAME BRIAN WALSH AS VICE-CHAIRMAN OF THE BOARD OF SELECTMEN.**
3. **Ms. Connolly MADE THE MOTION that the Board of Selectmen release \$20,000 for the construction of two basketball courts at the Ray School. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY to release \$20,000 for the construction of two basketball courts at the Ray School.**
4. **Ms. Connolly MADE THE MOTION that the Board of Selectmen approve the results of the May 7, 1997 hearing of the Advisory Board of Assessors. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE RESULTS OF THE MAY 7, 1997 HEARING OF THE ADVISORY BOARD OF ASSESSORS.**
5. **Ms. Black MADE THE MOTION to approve the Parking Facility Task Force of May 19, 1997. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE PARKING FACILITY TASK FORCE OF MAY 19, 1997.**
6. **Mr. Walsh MADE THE MOTION to adjourn the Board of Selectmen's meeting. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE BOARD OF SELECTMEN'S MEETING.**
7. **Mr. Walsh MADE THE MOTION to go to non-public session to discuss a matter which may affect the reputation of an individual. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO GO TO NON-PUBLIC SESSION TO DISCUSS A MATTER WHICH MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.**

Respectfully submitted,



John Manchester, Secretary

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