

APPROVED

BOARD OF SELECTMEN'S MEETING

DECEMBER 1, 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; Brian Walsh, Vice Chairman; Jack Nelson; 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. DISCUSSION OF RECOMMENDED BICYCLE/RECREATIONAL PATH ALTERNATIVES FOR REFERRAL TO NHDOT.

Ms. Griffin stated that the Bicycle/Recreational Path committee had developed two options to be recommended to DOT, who will in turn make a recommendation to Rist Frost, the consulting engineers for the project. Rist Frost will design the paths and arrive at cost estimates for the voters to consider at Town Meeting. Ms. Griffin noted that the two alternatives outlined on drawings displayed are a Route 120 on-road alternative and an off-road alternative through a portion of the property that was originally intended as a bicycle path.

Mary Anne Rankin, Chairman of the committee, presented a summary of the two alternatives. She stated that the City of Lebanon has put funds into their plan for an underground tunnel, and suggested the possibility of the Town of Hanover constructing an underground tunnel to allow easier crossing of Route 120 into Centerra and the Hanover Co-op.

Ms. Rankin noted that some widening at the Greensboro intersection may be required. Mr. Walsh recommended moving the intersection 10 ft. to the east, which is basically flat, and which would require minimal fill.

Ms. Rankin suggested that another option might be to put the bicycle route mainly on the surface roads that already exist, and retain the sewer easement as a pedestrian walkway.

Mr. Walsh noted that it is possible for the bikeway to go from the old Hanover Co-op, recognizing that people will find whatever routes they wish through town. Mr. Nelson agreed that DOT would like to see a bicycle/pedestrian path from downtown to the Hospital, but they have not specifically identified downtown, so that the path could start from the old Hanover Co-op.

Ms. Rankin stated that the committee's objective is to hook up with the Lebanon bicycle path, which will end at Mt. Support Road.

Ms. Griffin stated that the ISTEA funds have to be under contract by October 1, 1998.

Ms. Griffin commended the committee, stating that they have met on a weekly basis since the beginning of September. She noted that the committee is one of the most active and conscientious committees in Town.

Mr. Nelson agreed that the committee has done a wonderful job, and he feels the voters will be very receptive to any of these alternatives, with the possible exception of the South Park Street portion.

Mr. Walsh MADE THE MOTION that the Board of Selectmen vote to have the Bicycle/Recreational Path Committee's alternatives presented to the State DOT, and that DOT develop details and cost estimates and work with the committee and Town Manager regarding questions and priorities; and further, that the Bicycle/Recreational Path Committee be commended for excellent work. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO HAVE THE BICYCLE/RECREATIONAL PATH COMMITTEE'S ALTERNATIVES PRESENTED TO THE STATE DOT, AND THAT DOT DEVELOP DETAILS AND COST ESTIMATES AND WORK WITH THE COMMITTEE AND TOWN MANAGER REGARDING QUESTIONS AND PRIORITIES; AND FURTHER, THAT THE BICYCLE/RECREATIONAL PATH COMMITTEE BE COMMENDED FOR EXCELLENT WORK.

3. RECOGNITION OF SGT. FRANK MORAN

Ms. Griffin noted that Sgt. Frank Moran of the Hanover Police Department was very instrumental in solving the Hunter burglary case and getting the stolen belongings back to those Hanover residents who were burglarized. Letters received from residents commending Sgt. Moran's hard work were read by the Selectmen, and are attached as a part of these minutes.

Ms. Griffin and Chief Giaccone feel that Sgt. Moran deserves special recognition for the hundreds of hours he spent on this case.

Mr. Walsh suggested using the letters received and making a book or a plaque and citation as a thank-you from the citizens of Hanover, and conducting a special ceremony which could be broadcast on CATV.

4. APPOINTMENTS: SCENIC LOCALES; SELECTMEN'S REPRESENTATIVE TO DRESDEN SCHOOL BOARD FACILITIES PLANNING COMMITTEE.

Ms. Black MADE THE MOTION that the Board of Selectmen appoint Charlotte Faulkner to the Scenic Locales Committee. Mr. Walsh SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPOINT CHARLOTTE FAULKNER TO THE SCENIC LOCALES COMMITTEE.

Ms. Griffin noted that a request has been received from the Dresden School Board for Selectmen's representatives to their Facilities Planning Committee. This request is in response to a letter the Town of Hanover sent suggesting that the two Boards meet to talk about joint facilities planning.

Ms. Black stated that Ms. Connolly would like to serve on this committee, and Mr. Walsh suggested that Ms. Black also serve on the committee.

5. ADMINISTRATIVE REPORTS

Ms. Griffin introduced Barry Cox, the new Assistant to the Town Manager/Human Resources Director. Mr. Cox noted that as each day goes on and he meets Hanover Town employees, he feels very fortunate and privileged to be working for the Town of Hanover.

Ms. Griffin stated that her highest priority is to have a first rate human resources operation. She added that she and Mr. Cox will be working with Michael Gilbar for the next six weeks, focusing on the budget.

Ms. Griffin announced that Peter Kulbacki has been selected as the new Public Works Director for the Town of Hanover; he will start work on December 22, 1997. She noted that Mr. Kulbacki was formerly the Public Works Director for Lancaster, New Hampshire, and brings practical experience in working on municipal projects both as the Public Works Director and Assistant Town Manager in Lancaster, as well as experience as a consulting engineer.

Ms. Griffin added that Mr. Kulbacki designed Lancaster's new water treatment facility, and was responsible for the upgrading of two of the waste water treatment operations in Lancaster.

Ms. Griffin stated that she is working on internal budget reviews, trying to process proposed budgets in time to have a final draft to the Board by the middle of January.

Mr. Walsh requested that the Town Manager bring to the Board a budget that is under inflation again this year.

Ms. Griffin stated that she tracks the CPI on a monthly basis, and it is tracking fairly consistently at approximately 3.1%. She emphasized that it is her intention to bring in a budget that is under 3%, and hopefully to generate enough surplus to bring in a tax rate that does not require an increase. Ms. Griffin added that the departments have been advised of this goal. She stated that, as has been done in the past, she will develop a wish list to bring to the Board indicating items that cannot be managed because of budget constraints.

Ms. Griffin indicated that she met with the staff regarding final proposed increases in dispatch fees for the 15 entities that Hanover provides dispatch services for. She noted that letters have been sent notifying them to expect an increase, and that recommended increases for the communities served will be provided to the Board at the next Selectmen's meeting. Ms. Griffin stated that if the Board approves these increases, a meeting will be scheduled with the communities served. She added that dispatch fees had been modestly increased two years ago, but are still significantly lower than the dispatch charges for Hartford and Lebanon. Ms. Griffin noted that she is working on a new approach for charging fees based on the actual number of calls generated by a community, and arriving at a realistic increase. She stated that Hanover generates 72% of the police, fire and ambulance calls, and the remaining 28% are generated by the other entities served by Hanover.

6. SELECTMEN'S REPORTS

Mr. Walsh

Mr. Walsh reported that the Parking Facilities Task Force continues to work on the parking facility; it is expected that a more definite plan will be completed and available for discussion after Christmas.

Mr. Manchester

Mr. Manchester reported that a decision was made at the November meeting of the Hanover Rec. Committee to allow a child that does not attend school in Hanover to participate in the rec. program.

Mr. Manchester further reported that the Howe Library will not be having a meeting this month.

Mr. Nelson

Mr. Nelson reported that Dufresne Henry will be delivering a report to the Water Company on the distribution system, including a proposed capital budget for the system. He will provide the Town Manager with a copy of that report for review.

Mr. Nelson reported that he sat on the Planning Board, and heard an issue involving the Paull subdivision on King Hill Road. He stated that as far as cutting is concerned, the subdivision does not look like the approved plan; buffer areas and conservation easements have been cut that should not have been to comply with the subdivision approval. Mr. Nelson stated that the meeting ended with the Planning Board passing a motion requiring the developers, Mr. and Mrs. Paull, to return to the Planning Board on December 16, 1997 with a revegetation plan and wildlife habitat replacement plan, and that the Planning Board hire a consultant, which is to be paid for by the developer, to review the plan and monitor the implementation of an approved plan. Mr. Nelson stated that the time schedule is such that the developer intends to have their submission completed by December 11th so that it can be thoroughly discussed at the meeting of December 16th.

Mr. Nelson noted that the developer is being very cooperative and nonconfrontational; they acknowledge that mistakes have been made and wish to put the matter behind them.

Mr. Walsh stated that there are two concerns of the conservation commission regarding this matter. One concern is that a very good plan for rehabilitation and restoration is needed, and there is a sentiment that penalties should be involved. He noted that a message needs to be sent to developers that agreements made with the Town are important agreements that need to be looked at carefully.

Mr. Nelson stated that the neighbors and the Planning Board agree with that sentiment, but that there are no provisions within the subdivision regulations or conservation easement to impose penalties on a direct basis. He added that on an indirect basis, the developer has to make the restoration and rehabilitation good enough so that it is better than what was planned originally. Mr. Nelson stated he will pass the feelings of the Conservation Commission on to the Planning Board at the meeting of December 16th.

Mr. Nelson indicated that a letter had been received from an abutter, Janet Miller, noting that there are two overlapping issues. One issue is that because of the cutting, the development does not comply with the approved subdivision. The overlapping issue is that the approved subdivision includes a transfer to the Town of Hanover of a conservation easement with restrictions as to what can be done on the land, one restriction being that it cannot be cut. He noted that the conservation easement is enforced by the Selectmen. Mr. Nelson indicated that the Planning Board is currently taking the lead, but that the Selectmen will have to take a position on whatever is approved by the Planning Board as the Town has the responsibility to enforce the conservation easements. He suggested that the Selectmen wait for the Planning Board's decision and then take the matter up for consideration in context of the conservation easement.

Mr. Walsh indicated that this may help separate the issues, with the Planning Board focusing on the question of rehabilitation or restoration as close as possible to the original plan. He suggested that the Planning Board might possibly make a recommendation to the Selectmen regarding the imposition of penalties, but that it is the Selectmen's job to consider the matter of penalties.

Ms. Griffin suggested building into future conservation easements a penalty provision clause. She noted that this easement was reviewed by the Conservation Commission, the Upper Valley Land Trust, Town staff, and Walter Mitchell, the Town attorney on this issue. Ms. Griffin stated that the language addresses a breach of easement which requires that a developer fix, in a way that is acceptable to the Town, any violation of the conservation easement; and that if the developer does not, the Town will do the required work and bill the developer. She noted that because Mr. Paull received a special exception, the zoning ordinance requires automatically that an individual obtain all State and Federal permits before work begins, in this case a wetlands permit. As that had not been obtained, the Town has the ability to fine under the zoning ordinance.

Mr. Nelson stated that the Planning Board accepted his recommendation that the developer develop a plan that would get approved on December 16th. Fines are \$100 per day through the end of this year, and \$275 per day as of January 1st due to a change of fee structure as of that date. Mr. Nelson stated that the developer is on notice that he should expect those fines to be imposed starting December 16th if significant progress has not been made by that time.

Ms. Black stated that if the developer is paying penalties, he will not be able to put those funds into reforestation and rehabilitation, which she feels would be a better use for the money.

Ms. Griffin stated that subdivision approval has not been revoked. Mr. Nelson noted that the Planning Board does have the ability to revoke the subdivision, but that revocation would be the least constructive way to resolve the matter.

Ms. Black

Ms. Black reported that three of the focus groups for the survey regarding the Community Facilities committee have been held with very good success. She added that the first draft of the survey will be available for the Rec. Board's meeting on December 17th, and should be ready for distribution during January.

Ms. Black announced that Friday, December 5th is an open house for Richard Hauger's retirement. The hours are 11:00 a.m. to 3:00 p.m., lunch will be served, and it is open to the public.

Mr. Walsh MADE THE MOTION that a public hearing regarding scenic by-ways be set for the Selectmen's meeting of December 15, 1997. Mr. Nelson SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO SET A PUBLIC HEARING FOR SCENIC BY-WAYS FOR THE SELECTMEN'S MEETING OF DECEMBER 15, 1997.

Ms. Black wished Mr. Nelson a belated Happy Birthday, and presented him with a book of memorabilia compiled in honor of his birthday.

7. APPROVAL OF MINUTES: NOVEMBER 3, 1997

Mr. Walsh MADE THE MOTION that the Board of Selectmen approve the minutes of November 3, 1997. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF NOVEMBER 3, 1997.

8. OTHER BUSINESS

There was no other business to come before the Selectmen's meeting.

9. ADJOURNMENT

Mr. Walsh MADE THE MOTION that the Board of Selectmen vote to adjourn the meeting. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING.

Ms. Black MADE THE MOTION that the Board of Selectmen go to a non-public session to discuss a matter which may affect the reputation of an individual. Mr. Manchester 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 8:40 p.m.

SUMMARY

1. **Mr. Walsh MADE THE MOTION** that the Board of Selectmen vote to have the Bicycle/Recreational Path Committee's alternatives presented to the State DOT, and that DOT develop details and cost estimates and work with the committee and Town Manager regarding questions and priorities; and further, that the Bicycle/Recreational Path Committee be commended for excellent work. **Mr. Nelson SECONDED THE MOTION** and the Board of Selectmen **VOTED UNANIMOUSLY TO HAVE THE BICYCLE/RECREATIONAL PATH COMMITTEE'S ALTERNATIVES PRESENTED TO THE STATE DOT, AND THAT DOT DEVELOP DETAILS AND COST ESTIMATES AND WORK WITH THE COMMITTEE AND TOWN MANAGER REGARDING QUESTIONS AND PRIORITIES; AND FURTHER, THAT THE BICYCLE/RECREATIONAL PATH COMMITTEE BE COMMENDED FOR EXCELLENT WORK.**
2. **Ms. Black MADE THE MOTION** that the Board of Selectmen appoint Charlotte Faulkner to the Scenic Locales Committee. **Mr. Walsh SECONDED THE MOTION** and the Board of Selectmen **VOTED UNANIMOUSLY TO APPOINT CHARLOTTE FAULKNER TO THE SCENIC LOCALES COMMITTEE.**
3. **Mr. Walsh MADE THE MOTION** that a public hearing regarding scenic by-ways be set for the Selectmen's meeting of December 15, 1997. **Mr. Nelson SECONDED THE MOTION** and the Board of Selectmen **VOTED UNANIMOUSLY TO SET A PUBLIC HEARING FOR SCENIC BY-WAYS FOR THE SELECTMEN'S MEETING OF DECEMBER 15, 1997.**
4. **Mr. Walsh MADE THE MOTION** that the Board of Selectmen approve the minutes of November 3, 1997. **Mr. Manchester SECONDED THE MOTION** and the Board of Selectmen **VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF NOVEMBER 3, 1997.**
5. **Mr. Walsh MADE THE MOTION** that the Board of Selectmen vote to adjourn the meeting. **Mr. Manchester SECONDED THE MOTION** and the Board of Selectmen **VOTED UNANIMOUSLY TO ADJOURN THE MEETING.**
6. **Ms. Black MADE THE MOTION** that the Board of Selectmen go to a non-public session to discuss a matter which may affect the reputation of an individual. **Mr. Manchester 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.**

Respectfully submitted,


John Manchester, Secretary

These minutes were taken and transcribed by Nancy A. Richards