

**FINAL**

**BOARD OF SELECTMEN'S MEETING**

**SEPTEMBER 28, 1998**

**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; Katherine S. Connolly; John Manchester; John Colligan; Julia Griffin, Town Manager; and members of the public.

Ms. Black announced that this meeting was being taped by CATV 6 and that hearing enhancement equipment was available for anyone who wishes to use it.

**1. PUBLIC COMMENT**

Shawn Donovan requested the support of the Board of Selectmen for a grant application to the Sylvia Conte Wildlife Refuge. He explained that Hanover, together with all towns in the watershed, is a member town in the Refuge. Mr. Donovan added that for the past four years the Conte Refuge has been funding grant applications to towns, nonprofits and private landowners to do a variety of work that furthers their aims in environmental management in the watershed.

Mr. Donovan stated that the focus of the grant application would be on identifying inventory of wildlife habitat to tie into the Master Plan and to help identify which lands are important and which the Town might wish to approach for acquisition or conservation easements. The Fish and Wildlife Service has suggested that the focus of the grant application be broadened from its initial focus on large mammals to concentrate more on migratory species such as song birds, hawks and American eagles, as well as threatened and endangered species. Mr. Donovan indicated that he has spoken with the Hanover Conservation Council; the Council is supportive and has suggested that they may be able to contribute financially. He added that the range of funding available from the Fish and Wildlife Service varies from \$500 to \$10,000, with matching required for every dollar of federal support, consisting either of in-kind services or cash contributions.

Mr. Donovan stated that he would like to determine if there is interest in Town for funding the project, and wished to propose funding over a two-year period at a level of \$5,000. He explained that the grant is a reimbursement grant, so that reimbursement occurs as various tasks in the work scope are completed. It appears that the funds expended by the Town for residents to participate in the Keeping Track Program will be considered as matching funds. Mr. Donovan noted that if he receives an expression of support from the Selectmen, he would then approach the Conservation Council, the Upper Valley Land Trust and the Montshire Museum to arrive at a scope of work, with specific tasks and a budget associated with it.

Mr. Donovan indicated that he does not see the Town Planning staff working on this project; he envisions the Planning Board being the umbrella organization, but the actual contractual agency would have to be the Town. He does not anticipate the need to hire an individual to do the work. Mr. Donovan said that a member of the

Conservation Commission had expressed enthusiasm about the project. He also feels that there will be a great deal of volunteer effort involved, as well as a need for some experts. The Fish and Wildlife Department suggested that the Botany department at Dartmouth College be approached in this regard.

Mr. Walsh indicated that he was in favor of the project, but would like to see contributions by other entities as well as the Town.

Ms. Connolly noted that she had suggested the Selectmen be provided with an overview of the project and be ultimately responsible for it. She added that she would also recommend the project from a Planning Board point of view as they encounter endless references to wildlife corridors and habitats without any facts.

Edward Chamberlain, a member of the Conservation Commission, suggested that Mr. Donovan make a presentation before the Commission, and added that he feels the Commission would consider supporting the project.

The Board of Selectmen indicated their support of the project, and Ms. Griffin will prepare a letter to that effect.

## **2. PUBLIC HEARING TO AMEND THE RATES AND FEE SCHEDULE FOR FY 1998-99.**

Ms. Griffin discussed the Rate and Fee Schedule for 1998-99, and noted that it did not include a significant number of changes. She added that there is a fairly significant potential to increase rates and fees in the Planning and Zoning area, but she prefers to wait until after the first of the year when the budget and a comprehensive survey of other communities are completed to recommend any fee increases. Ms. Griffin stated it is likely that she will come back to the Board in conjunction with the budget in February and suggest that the Board consider raising those rates and fees to become effective shortly thereafter, rather than waiting until the next fiscal year.

Mr. Walsh stated that he would like to see some thought go into a fine schedule for either violations of approved plans or violations of regulations. He hopes to have a set of economic disincentives high enough to deter people from these violations, which would be able to repair the problem and also make money for the Town.

Ms. Griffin indicated that she is exploring the idea of making more effective use of the District Court to invoke a fine. She has discussed with Chief Giaccone the role a prosecutor could play for the Town, not just dealing with police prosecutions but also with violations of municipal ordinances. She would also consider coming forward with an amendment to the Town's Zoning Ordinance specifically addressing fines, as well as a separate ordinance which would address violations of site plan and subdivision regulations.

Ms. Connolly stated that she understood the fines were controlled by the legislature. Ms. Griffin answered that some fines are, but some are not. The statutes are very specific about certain fine categories, but in terms of some of the Zoning Ordinance violations, the fine can be as high as \$250. The fine is at the administrative discretion of a Town.

Mr. Manchester suggested that the planning fees may be too low for some commercial projects. Ms. Griffin agreed that the fees are still a bargain in the Upper Valley. She indicated, however, that in order to appropriately assess a fee, an average cost per site plan review has to be determined to arrive at a fee that is legally allowable.

Mr. Walsh asked if litigation costs and legal fees could be amortized, and whether volunteer hours with regard to the Planning Board and the ZBA could be taken into account. Ms. Griffin answered that the only item that can be tied to a user fee is the actual cost incurred by the municipality in providing the service. She felt that amortizing legal fees might be a possibility, but is not sure it would be upheld by the courts if the fee were ever challenged. She added that it is difficult to clearly track legal fees associated with a specific case over the lifetime of that case in a very accurate manner. Ms. Griffin noted that she is certain that a fee associated with volunteer time could not be allocated as the volunteers are not paid. Mr. Walsh asked Ms. Griffin to look into the amortization of legal fees.

Ms. Griffin reviewed the Rate and Fee Schedule with the Board, noting areas in which there were changes.

Regarding the re-scheduling of fire alarm or sprinkler inspections, Ms. Griffin indicated that Captain Frankenfield had asked to have the new fee as a result of ongoing problems with being called to check a site and finding the contractor not ready for that inspection. She feels that the \$75 fee is a reasonable estimate of the impact on staff for a re-inspection.

Ms. Black asked why the fee was being decreased for a copy of an appraisal card. Ms. Griffin answered that the Assessor felt the fee was too high, and suggested it be changed to be in line with the prevailing fees in the state.

Regarding police reports, Ms. Griffin noted that Chief Giaccone is recommending the fee be increased from \$5 to \$10. Chief Giaccone explained that a survey of other departments indicated Hanover's fee to be the lowest on the scale. He added that a defendant representing themselves would not be charged for a copy of their police report.

Ms. Griffin stated that in the past there was no clear basis for how the Town charged for temporary parking permits. The Town has been charging \$7.50 a day to encumber a parking space. She noted that for long-term parking space encumbrances due to construction on a building, for example, \$7.50 rapidly gets very expensive. Patrick O'Neill has suggested that \$3.75 a day be charged for a long-term parking space encumbrance. Ms. Griffin indicated that she will be back in February with a fairly significant set of recommendations regarding this issue as well as meter rates. Mr. Walsh noted that last year the fine for the handicapped space was increased to \$75, and asked whether this appears to be serving as a deterrent. Ms. Griffin answered that Sgt. O'Neill feels that it is having an impact. Mr. Walsh would like information as to whether there are multiple violations of use of the handicapped space by the same individual, and would like to see the fine at a level where it is clearly a deterrent. Chief Giaccone stated that the uniform fine schedule for New Hampshire traffic tickets places the handicap fine well over \$200. He noted that in instances of violations of handicapped space use a Town parking ticket is used rather than a ticket

written out on a state form in order to collect the revenue for the Town. Ms. Griffin indicated that she wished to discuss the whole process with the PTB first, and then come back to the Board in conjunction with the budget.

Regarding the Recreation Program budget, Ms. Griffin indicated that the only fee increase proposed is the athletic field rental. She noted that the fee charged is at the discretion of the Rec Department, and is based on the amount of usage incurred during an event. Also under nonathletic programs, an increase is proposed in the amount of revenue an instructor can make after expenses, out of gratitude to the instructors who do not make a great deal of money teaching the courses through the Rec program.

Ms. Black opened the meeting for public comment. Hearing none, she asked for a motion.

**Mr. Manchester MADE THE MOTION that the Board of Selectmen approve the Rate & Fee Schedule for Fiscal Year 1998-99. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE RATE & FEE SCHEDULE FOR FISCAL YEAR 1998-99.**

**3. DISCUSSION OF PROPOSED ADOPTION OF SENIOR PLANNER JOB CLASSIFICATION.**

Ms. Griffin indicated that the Senior Planner Job Classification, which is still in draft form, converts a position which is now the Code Enforcement Administrator position, to a Senior Planner Position, and includes a job description which is for a much more technically trained planner. The salary would be the same as the current position, so there is no additional expense incurred by the Town. She noted that the Board's role is to approve the job titles with the classification levels that are being recommended.

Ms. Black expressed concern that one individual could accomplish all the tasks outlined in the job description. Ms. Griffin agreed that one area where it may be difficult to find a qualified person is in the wetlands delineation area. She indicated that it would be very helpful to have someone on staff able to review a site for wetlands impact, who would also be trained as a planner. She stated that she and Jonathan Edwards feel that someone could be trained in that area, rather than hired with the skill.

Mr. Walsh noted that there are good wetlands delineators in the area, and wondered if they might be used on an hourly basis.

Ms. Griffin noted that her plan is to come back to the Board in February with recommendations on the Zoning Administrator's position, which would probably involve an upgrade of the Planning and Zoning Coordinator position. She and Mr. Edwards both feel that the Senior Planner's skills are critical to the department, and they may then move into taking a look at the overall fiscal impact of recommending to the Board that the position of Zoning Administrator be upgraded.

Mr. Walsh indicated that between hiring Mr. Edwards and the person who might meet the set of skills outlined in the Senior Planner job classification, he feels the Town has taken long strides in terms of the quality of service it can provide, and to be sure things move more effectively.

**Mr. Colligan MADE THE MOTION that the Board of Selectmen approve the Senior Planner Job Classification. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE SENIOR PLANNER JOB CLASSIFICATION.**

**4. ADMINISTRATIVE REPORTS.**

Ms. Griffin indicated that there will be no quorum for the scheduled meeting on October 5th, therefore, the Selectmen's next meeting will be October 19, 1998.

Ms. Griffin stated that she has been spending a great deal of time working on the parking fund, developing a series of proposals for the Board's consideration in conjunction with the budget in February, in terms of ways to boost revenues through various fees and fines. She added that she is also now in the beginning phases of preparing the proposed budget.

Mr. Walsh stated that the Board has wished to keep the tax rate at the rate of inflation, which is now very low, and which he feels is the right thing for this year. Taking into consideration the conversation about the School District and the school's needs, as well as other issues that will hit taxpayers in the future, he feels that it may be necessary to consider looking at a minus percentage in the future. He does not suggest that anything be changed this year in this regard, but as the budget is considered for this coming fiscal year he feels the Town should be conscious that it may need to find places to save money for the general fund with a tax rate decrease in a year or two.

Ms. Griffin stated that she is initiating a classification and compensation study, with a firm from Georgia hired which was very highly recommended. Employees are being asked to complete a very comprehensive job survey which will serve as a basis for overhauling all job descriptions. These job descriptions have not been overhauled system-wide for several years. Face-to-face interviews will then be conducted by the consulting team later in October, with a set of recommendations being presented in December regarding a classification plan and compensation study.

**5. SELECTMEN'S REPORTS.**

**Mr. Walsh**

Mr. Walsh reported on a recent meeting of a subcommittee of the Community Substance Abuse Advisory Committee which was studying putting together a workshop, possibly in the spring, regarding moving against substance abuse.

Mr. Walsh wished to recognize that the convocation and inauguration held at Dartmouth College was a magnificent celebration.

Mr. Walsh noted that at a School Board meeting recently the Dresden Building Committee reported on its options. There was also a review of where the Joint Facilities Committee was relative to non in-town locations, and conversation about where the Community Facilities study committee is.

Ms. Griffin reminded the public of two very important dates. She stated that on Wednesday, October 7 at 7:00 p.m. at the Marion Cross School in Norwich there will be the first presentation by the consultants for the Joint Facilities Planning Committee of options in terms of physical locations and potential co-locations of school and community facilities. A second session will be held on Thursday, November 12 at 7:00 p.m. at Hanover High School to receive a more in-depth community reaction. The committee is looking for as much public input as possible.

**Ms. Connolly**

Ms. Connolly reported that the last Planning Board meeting had enjoyed a huge audience as a result of a combination of the Scenic Locales Committee and the beginning of the Land Use Chapter of the Master Plan. She noted that there were no controversial cases scheduled on the agenda for the Planning Board meeting of September 29th.

**Mr. Colligan**

Mr. Colligan reported on a recent School Board meeting at which there was a discussion of Dresden School Board goals. A list of the goals can be obtained from the SAU office for anyone who may have missed the meeting. He indicated that the School Board was soliciting suggestions from the public to add to their list of Board goals.

**Mr. Manchester**

Mr. Manchester reported on a Rec Department meeting on September 16 which welcomed Larry Pilchman and Mona Chaffee. He added that work is underway for registration to be held at the Rec Center and opening registrations up for Saturdays. There will be a Haunted House on October 30 at 6:00 p.m., and a dance scheduled for October 23rd, for which volunteers are needed. In addition, Mr. Manchester noted that there is still a need for soccer coaches and referees.

Mr. Manchester indicated that the Howe Library Trustees met on September 10th, and a corporate meeting was held on September 24th. He recognized Matt Marshall and Steve Marion for their effort, which has resulted in a better understanding between the two boards.

Mr. Manchester also reported that he had attended the Economic Development Corporation of the Upper Valley meeting on September 22 with Ms. Griffin.

Ms. Griffin informed the Board that 13 more parking spaces were realized in the Marshall Lot as a result of re-lining and measuring. She will be recommending to the Board at its October meeting that those spaces be converted to long-term spaces. Ms. Connolly asked if the Marshall Lot will be cleaned up, noting that the paving is at best uneven. Ms. Griffin answered that there will be some patching done this fall, but that full paving will have to wait until next summer.

Mr. Walsh stated that he had received a number of negative comments regarding the 8 ft. parking spaces. If there is a practical way to do it, he would suggest that some 9 ft. spaces for larger vehicles be available, which would cost more than the 8 ft. spaces. Ms. Griffin indicated that 8 ft. spaces are the private industry standard, and



that parking consultants have indicated that 8 ft. is adequate as long as everyone adheres to their space and does not overlap. She stated that she has received a couple of complaints regarding the municipal lot, but fewer than she had anticipated.

**Ms. Black**

Ms. Black reported that she attended a meeting this spring regarding tourism in New Hampshire. She noted that she was on a committee that was asked to define the essence of New Hampshire, and asked for the Selectmen's help in this regard.

Ms. Black noted that the Friday mailing contained information regarding the possibility of a covered bridge for Schoolhouse Lane in Etna, and she feels that would be a great idea. Ms. Griffin indicated that a bridge engineer who specializes in covered bridges conducted a site visit, and will be providing cost estimates. The state would fund 80 percent, and appears to be intrigued with the idea of funding a covered bridge. She stated that there will be two options for Etna residents to consider, and she will be asking for their input after preliminary design and cost estimates are received.

Ms. Black suggested that a Tip of the Hat be sent to Bernie Hazlett and Allen Fullington, the winners of the plow rally held recently. She also noted that Mike Evans and John Kapusta had been good sports in participating in the event. Ms. Griffin indicated that the rallies are now being wrapped into a much more comprehensive and educational day for the vehicle operators.

**6. APPROVAL OF MINUTES - SEPTEMBER 14TH, 1998.**

**Ms. Connolly MADE THE MOTION to approve the minutes of September 14, 1998, as amended. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF SEPTEMBER 14, 1998, AS AMENDED.**

**7. OTHER BUSINESS.**

Mr. Colligan noted that at the September 14 meeting of the Board of Selectmen there was discussion concerning the issue of financing for the upcoming Town parking garage. He stated that he continues to have increasing concerns about the uncertainty and associated risks as the education funding issue is not resolved. This is an external issue that potentially could disrupt what the Town is trying to accomplish. He indicated that he would welcome the opportunity to hear about discussions between Ms. Griffin, Mr. Gilbar and Dartmouth College, and would suggest a Board discussion about looking for contingency plans. Mr. Gilbar explained that his information from the Bond Bank is that it appears there will be no upgrades, but that there would not be a downgrade with the upcoming sale.

Mr. Colligan stated that he has heard they are contemplating, at a minimum, a watchlist for a downgrade. Ms. Griffin has left a message for Mr. Johnson indicating to him that the Town wishes to have a discussion with the College in terms of the College's bond rating. She suggested that construction of the garage might be delayed pending resolution of the school funding issue, but that there is more information to be obtained. The original word from Dartmouth was that they were not interested in having the community piggyback on its AAA bond rating. Mr. Colligan stated that the

rates are now very favorable, and suggested that something should be arranged on an interim basis to avoid taking unnecessary financial risks. Ms. Griffin feels the College would now be receptive to talking with the Town, and her goal is to be able to come to the Board with an update at the October meeting.

Mr. Colligan noted that rating agencies typically wait as long as possible to give a rating, until right on top of the date of issue. He would like to see the Town make every possible attempt to arrange some type of interim financing if this becomes a risk.

Ms. Black indicated that there was a vote in the House sponsored by Representative Below for a broad based tax; the vote was 154 to 154. This represents the first time the legislature has come anywhere near approving a broad based tax. Ms. Griffin suggested that it may be worth looking into what impact a broad based tax would have to Hanover taxpayers.

#### **8. ADJOURNMENT.**

**Ms. Connolly MADE THE MOTION 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 to go to nonpublic 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 NONPUBLIC SESSION TO DISCUSS A MATTER WHICH MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.**

#### **SUMMARY**

- 1. Mr. Manchester MADE THE MOTION that the Board of Selectmen approve the Rate & Fee Schedule for Fiscal Year 1998-99. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE RATE & FEE SCHEDULE FOR FISCAL YEAR 1998-99.**
- 2. Mr. Colligan MADE THE MOTION that the Board of Selectmen approve the Senior Planner Job Classification. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE SENIOR PLANNER JOB CLASSIFICATION.**
- 3. Ms. Connolly MADE THE MOTION to approve the minutes of September 14, 1998, as amended. Ms. Black SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF SEPTEMBER 14, 1998, AS AMENDED.**
- 4. Ms. Connolly MADE THE MOTION to adjourn the meeting. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING.**



5. **Ms. Black MADE THE MOTION to go to nonpublic 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 NONPUBLIC SESSION TO DISCUSS A MATTER WHICH MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.**

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,



John Colligan, Secretary

These minutes were taken and transcribed by Nancy Richards.