

FINAL

BOARD OF SELECTMEN'S MEETING

DECEMBER 7, 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.

Anne Morris described a recent Etna planning and zoning meeting which was attended by approximately 150 people. Those in attendance spoke of concerns and aspirations for rural Hanover, about the style and range of outlying development, traffic, noise, tax rates, dwindling recreational and wildlife opportunities, the way of life that seems to be changing, and offered positive ideas for ways in which that change might be implemented. She indicated that speakers were thoughtful, rational and worried. Ms. Morris pointed out that not one member of the Selectboard, Planning Board or Zoning Board was present, and only one member of the Conservation Commission was in attendance.

Ms. Morris spoke of her concerns with representation in Town government. She stated that she had called the Upper Valley Lake Sunapee Regional Planning Commission but they were unable to provide her with a population breakdown of the different zoning districts. She offered the following statistics for the number of representatives on Hanover boards living in rural parts of Town: Selectboard - five members, none from rural Hanover; Planning Board - 15 members, two from rural Hanover; Conservation Commission - 10 members, 3 from rural Hanover; Finance Committee - 7 members, one rural; and Community Facilities Task Force - 12 members, one from rural Hanover. She pointed out that the only Board with more than its share of rural members is the Zoning Board, which has six rural members. She feels it is time to change the proportions of representation on Hanover's boards and commissions. Ms. Morris acknowledged that the Selectmen make all of the appointments, so it is up to the public to find good candidates to fill the positions. When those candidates are found, she stated she was hopeful that the Selectmen would agree that it was incumbent upon them to appoint those members and to shift the representation into a more equitable proportion.

Ms. Black pointed out that the appointees are chosen from people who have expressed interest in serving, and added that it is difficult to get geographical distribution if people from the rural areas don't come forward to apply for positions that might be available.

Ms. Morris stated that she feels it is hard for those rural residents to find out the schedules of Town meetings, parking is difficult, and it is hard to get the information to constantly track what is going on in municipal government. She believes that this is part of the problem of participation. Another problem may be that the rate of new development has increased dramatically in the last few years, which tends to get the attention of the people who live where the development is taking place.

Ms. Black assured Ms. Morris that the Board will look at ways of getting more information into Etna.

Mr. Colligan read a statement of appreciation as a public citizen, as follows:

"For the record and speaking as a Hanover citizen, I would like to commend the public service of the Hanover Planning Board. The tremendous patience and efforts of this group of volunteers, produced a decision in the Chase Field case which successfully focused on our ordinance, the needs of Dartmouth and the rights of all Hanover property owners.

Charles Faulkner, Nancy Collier, Nancy Tierney, Chris Kennedy, Tom Hall, John Hughes, John Manchester and all the other members deserve our thanks. As our community continues to grow, we will occasionally face challenges that will test our ability to manage the delicate balance in our college town. The Planning Board has provided us with a standard based on a commitment to shared values and equitable goals. Thank you."

2. PUBLIC HEARING TO CONSIDER ADOPTING A NEW ORGANIZATIONAL FRAMEWORK FOR THE CODE OF ORDINANCES.

Ms. Griffin explained that before work begins to overhaul the Town ordinances, it is necessary to adopt the organizational framework for reference purposes. As outlined for the Board previously, she stated that for years the Town had an organizational framework that had the ordinances grouped by the type of enforcement action. This method was never particularly user friendly, and an attempt is being made to better organize the ordinances so that the public can use them with greater ease. She proposes to number the ordinances by date of adoption, and to organize the table of contents by topic.

Mr. Walsh MADE THE MOTION to adopt the new organizational framework for the Code of Ordinances as proposed. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADOPT THE NEW ORGANIZATIONAL FRAMEWORK FOR THE CODE OF ORDINANCES AS PROPOSED.

3. DISCUSSION WITH REPRESENTATIVES OF THE UPPER VALLEY LAND TRUST AND THE HANOVER CONSERVATION COUNCIL REGARDING PROPOSED FINANCIAL PARTICIPATION BY THE TOWN IN THE ACQUISITION OF THE BARRETT-RANSMEIER PARCEL.

Jeannie McIntyre from the Upper Valley Land Trust explained that the purpose of her appearing before the Board was for the Selectmen to ask questions of Upper Valley Land Trust and the Hanover Conservation Council regarding the current agreement for Upper Valley Land Trust to purchase the property owned by the Barrett-Ransmeier

families. She stated that a challenge grant had been received from an anonymous donor in the amount of \$850,000 towards the purchase of the property; since that time, the Land Trust has been working with the Hanover Conservation Council to raise the rest of the money that is needed for the land to be acquired and protected as a nature preserve.

Ms. McIntyre indicated that ultimately \$1.25 million dollars will be needed for the acquisition. There is an agreement with the landowners to pay them \$1.1 million dollars on February 15th; they will finance the rest of the purchase for an additional 18 months. It was felt that the total amount of money required could not be raised by February 15th, and the extra 18 months allows an opportunity to look for other funding sources besides private fundraising from inside Hanover. She noted that there had been discussions about having a Town appropriation in support of the last \$100,000, and also raised the possibility of foundation proposals or other outside sources of funding.

Ms. McIntyre explained that questions and concerns of the Board are invited with regard to what stewardship interests the Town might have in the property. She stated that the Upper Valley Land Trust and the Hanover Conservation Council will be spending the better part of January and February in discussions regarding the property and proposed uses for it which might fit with the character of the property.

Mr. Manchester asked if it is proposed that the Town would own the property, and wondered who would control it. Ms. McIntyre answered that at this point Upper Valley Land Trust has the purchase and sale agreement with the landowner. She feels as though the property might be appropriate for municipal ownership as there are other nearby pieces of property that are used for nature recreation by the Town. Although this is not the only alternative for long-term ownership, she feels that it may be appropriate for the Town's consideration.

Mr. Colligan acknowledged that the acquisition of this land is an extremely exciting development, and stated his appreciation of Ms. McIntyre's efforts and those of Bob Norman, Tom Elliott and all of the other individuals involved. He indicated that people have expressed three areas of concern to him regarding more information on the stewardship of the land, the parameters for use of the land, and an understanding of the market value of the transaction since the Town will be asked to participate in the funding. He stated that he is very excited and anxious as the Selectmen's representative to the Conservation Commission to help with the work needed to finish the transaction.

Ms. McIntyre pointed out that no matter how the property is eventually owned, it will be subject to conservation easement restrictions that will be stewarded by the Upper Valley Land Trust. It is difficult to describe exactly what the restrictions might contain because there is still much to learn about the property.

Mr. Walsh feels that there should be people from the Selectboard and various boards and commissions that are available to work with the Upper Valley Land Trust and the Conservation Council, or a working group to represent the Town's interest.

Although he is in favor of the plan, Mr. Manchester stated that he feels that taxpayers should be aware that in addition to the \$100,000 there will be a cost regarding how much revenue will be lost in taxes. Ms. Griffin explained that the assessor has estimated that almost \$200,000 in property taxes would be lost each year. She added that it is important to point out, however, there would also not be expenditures relating to schooling of children.

Ms. Connolly stated that at the moment the property is in current use, so the tax loss is negligible. She asked if there was a commitment that was being requested of the Selectboard. Ms. McIntyre answered that there are no specific requests for the Board to take any action, but she would hope the Board would begin thinking about who would be good representatives of Town interest in the process. In addition, she requested that any items of which the Board is aware regarding the use or stewardship of the land be brought to the attention of the Land Trust or the Conservation Council.

Ms. Black noted that negotiations with the Barrett-Ransmeier families for years has included discussion for a path from Brook Road to the hospital, and she hoped that this would still be in the plans. She added that a footbridge would need to be constructed to make this path possible.

Ms. McIntyre explained that more information would be needed regarding plant and animal communities on the property to determine where a trail could go which would not disrupt something that is very fragile. Regarding the footbridge, she stated that it would have to be light in terms of impact, but still withstand the kind of ice that the area gets. She noted that it will be necessary to get the expertise of creative engineers who are sensitive to fragile ecological areas.

Ms. Black stated that Hanover is missing a place where people can go to enjoy a park. This is a priority many people have spoken about over the years. She feels that if the property is going to be too restrictive and people can't enjoy it, then she is not really in favor of it.

Mrs. Solow hoped that the Selectmen would not limit the source of suggestions only to people who are currently serving on committees in Hanover, and perhaps look to the community for additional input. She feels it is necessary to broaden the discussion beyond those individuals already involved in it.

Ms. Black asked who bears the responsibility for working out the stewardship of the land, and asked for an explanation of the Selectmen's role. Ms. McIntyre answered that the Upper Valley Land Trust has a commitment to the landowner at the present time, with the Land Trust and the Conservation Council working together to raise money. Some people think that it is not inappropriate for the Town to consider owning this piece of property if after joint analysis it is determined that the appropriate restrictions for the property are something the Selectboard and the Town can live with. She estimates that in January the Conservation Council and the Land Trust would start working on the project, with the Selectboard inviting or appointing people to assist. She stated that Board members themselves would be welcomed as would people the Board has confidence in because of their skills or knowledge of the Town. She hopes that the process will allow everyone to work together to end up with a product that the Selectboard, the Planning Board and the Conservation Council feel is a good asset to the Town.

Mr. Walsh stated that he would like the Town to be much more intelligent about stewardship, drafting conservation easements and deeds, and the mechanisms for protection. He feels this will be an increasingly important set of tools for the Town over time, and represents a great opportunity.

Ms. Griffin pointed out that if the Town takes on the stewardship of the land, there is not staff available. Another issue is how to take on stewardship of the land appropriately, and a larger issue of how the property ties into other segments of the Mink Brook corridor. She added that there must be a clear vision for these issues and for use of the land if there is to be an appropriation at Town Meeting.

Mr. Walsh recommended that an advertisement be placed requesting help from individuals who feel they have something positive and useful to add to the planning process. He asked if Ms. McIntyre was requesting members of the Selectboard to assist officially. Ms. McIntyre answered that in terms of writing a plan, it is best to have a relatively small group of people in whom a larger group of people has great confidence. She added that she would be happy to hear comments from everyone who might respond to an advertisement, but doesn't necessarily want to have a series of meetings with a large group of people. She suggested that perhaps in early January there could be public discussions with an invitation to participate coming from the Selectboard, the Land Trust, the Conservation Council and every entity that has an interest in the project.

Mr. Walsh thanked the Upper Valley Land Trust, the Conservation Council, and the anonymous donor, as well as the Barrett-Ransmeier families for their willingness to go along with the project.

4. DISCUSSION OF UPCOMING 1999 LEGISLATIVE SESSION WITH HANOVER LEGISLATIVE DELEGATION.

Bob Guest informed the Board that the biggest item in the legislature right now affecting municipalities would be the Claremont school decision. He also mentioned legislation about statutes that would establish local property tax overlay independently. In addition, there is legislation proposed to make the land under dormitories and dining halls taxable if the total value of the dorms and dining halls for education use exceeds the statutory maximum. He also discussed an issue regarding mandatory arbitration for resolving disputes in municipalities.

Ms. Black noted that another issue of concern is the home rule issue; she hoped that the legislators would support the home rule vote.

Regarding the taxation of land under dorms and dining halls, Ms. Griffin stated that currently the buildings are taxable if they exceed \$150,000 in value, but the land underneath them is not.

Regarding the school funding issue, Mr. Manchester asked whether there would be a court mandate in April. Mr. Guest answered that the unfortunate thing would be if someone was appointed who would have the authority to take monies from other agencies of the state in order to fulfill the mandate sent down by the court on the

funding of schools. Mr. Manchester asked if that can be done without the governor and the legislature supporting it. Mr. Guest explained that the constitution is interpreted by the court, which has the necessary power.

Ms. Solow indicated that the duty of the legislature is to do its job so that the next step can be avoided, which is to go back to the courts. Leaders of the legislature have already set deadlines by which bills relating to the Claremont decision must be received and deadlines by which they must be out of the House and sent to the Senate.

Ms. Black pointed out that tobacco money has been mentioned as a possible solution to the school funding issue; she stated that she would hate to see that or gambling money used as the solution. She hoped that the representatives would come up with a more equitable way to finance education.

Sharon Nordgren indicated that there are weekly meetings with the Governor, the Attorney General's office, and the Treasurer's office to try to come up with answers to the short term issue to help with bonding.

Ms. Griffin indicated that she is encouraged by quotes from rating agencies on the New Hampshire state bond issue in terms of their recognition that the legislature had a deadline to adhere to in an attempt to resolve the problem; they had confidence that the problem would be addressed within that time frame. She hopes that they will hold municipalities to the same standard when the Town goes to the market in January.

Mr. Colligan discussed the school situation, and noted that the difficulty is that the schools have been feeling their programs and curriculum have been slowly compromised over time because they have been trying to address the facilities needs. He asked for the representatives' understanding of the status of the state building aid, and if they believe it is reasonable to have concerns as the Town goes forward between now and April. He asked if they think the odds of Hanover being able to receive any state building aid would change, and if so, what they are doing on that front as it is a very major issue for the Town.

Ms. Nordgren responded that all of those issues are in jeopardy as a package until there is a resolution to the long and short term issues. She stated that there is a meeting on December 16th to try to bring everyone up to speed on the issues and their ramifications.

Mr. Colligan indicated that if the representatives obtain information that leads them to conclude that state building aid would be unavailable, he would hope they would communicate that information back to the Selectmen, the public facilities group, or the school board so that these groups might go back to the drawing board to re-think what they want to bring to the community.

Ms. Black stated that her major concern is in defining adequate education and "dumbing down" education in New Hampshire to adequate. Ms. Nordgren noted that there is a committee meeting to establish what amount of money would be required to fund an adequate education. That committee has extended its tenure for a few more weeks to try to finish up so that if there is legislation, that information will be available.

Ms. Black asked if a broad based tax is determined to be the solution, and whether the legislature would have enough votes to override a Governor's veto. Ms. Solow answered that it would depend very much on how it is presented to the legislature.

Ms. Nordgren pointed out that a broad based tax may be the only option, and that is one of the reasons people need to be brought up to speed.

Ms. Black indicated that she also has great concerns about what the legislative system is doing to the university system in terms of state aid, and by threatening to cut back more if tuition is raised. She added that at this time the legislature is almost to the point of destroying the university system, and she feels it is critical to keep in mind that the state needs a good university system. Tuition needs to be controlled to a level which will allow students to attend.

Ms. Nordgren reminded the Board that opportunities exist to submit new legislation up until the 15th of December if they have issues they wish raised.

Ms. Griffin stated that it has been discovered that there is an unclear overlap between the State fire code and local building codes. She feels this is problematic in terms of enforcement and general jurisdiction and liability. Bernie Waugh will be working on drafting legislation in the hopes that someone will take it forward to begin dialogue. She also expressed the hope that the representatives could return to a Board meeting a couple of times during the legislative session to update the Board on what is happening.

Ms. Black pointed out that one issue which comes up annually is the sludge issue. Ms. Griffin indicated that Hanover is composting all of its sludge as of August; were the Town not composting it, it would be stockpiling the sludge for land application. She understands that a preliminary injunction hearing banning land application of sludge is scheduled in Merrimack Superior Court on December 14. If a temporary injunction is sustained, stockpiled sludge cannot be land applied.

Ms. Connolly pointed out another problem which is sludge that is being imported from other states. New Hampshire is the only state in the region that allows that to happen, and she wondered if perhaps the legislature could put an end to this practice.

Mr. Colligan stated that he understands state building aid for schools is fully funded in December for the next year; if that is the case, and if the representatives' feel that New Hampshire state building aid will go away to the extent that those working on the school building plan might be able to create a plan that would make it possible to obtain funding, that they inform the Board. This would allow the Town to go to the taxpayer at Town Meeting for a vote on a plan that would include New Hampshire state building aid. He feels that as time goes on the Town will lose the opportunity to get New Hampshire state building aid. Ms. Nordgren pointed out that she will be attending a meeting which will address that issue.

Bob Norman discussed the issues of sludge, home rule and pesticides. A number of towns have objected to the issue regarding pesticides, indicating they would like to

restrict pesticides more than the State regulations do. He stated that the Conservation Council feels that it would be better for Hanover to be allowed to make its own decisions with this issue to restrict the use of pesticides further than those of the state.

5. DISCUSSION REGARDING UPDATE OF "KNOW YOUR TOWN" WITH LEAGUE OF WOMEN VOTERS.

Ann Crow presented a brief overview of how the League of Women Voters is set up. She explained that the League of Women Voters is really an umbrella organization under which different towns are asked to form their own unit; this allows communities to share their ideas in a much more efficient and productive way.

Ms. Crow discussed the use of easels last year as a means of information, and she feels this is a good technique. Additionally, last year there was a round table, which is also planned for this year. Channel 6 will be utilized as an effective way to reach people, and this year the round tables are scheduled for February 4th and February 11th. Issues regarding schools will be discussed on February 4th, and issues regarding the Town will be discussed on February 11th.

Ms. Black pointed out that the problem with the date for discussion of Town issues is that the Board will not have begun the budget process by that time. Ms. Griffin explained that normally the Board deliberates the Town budget during February, but this year it has been postponed a month so that the Board will not even receive the budget until the last week in February. Ms. Crow indicated that if there are general issues they could be discussed at that time. Ms. Connolly pointed out that the Board will also not have a solid idea of the warrant at that time.

Ms. Crow continued to say that this year the town of Norwich has been invited to join the school round table discussions. She also noted that the League of Women Voters now has a Web site and distributed a copy of the Web page to the Selectmen. She feels this is a great opportunity for information which can go on the Web site and envisions many linkages for the Town and different committees.

Ms. Crow indicated that Mary Munter, who is a professor of communications at Tuck School, has been working on the Hanover "Know Your Town" book. Ms. Munter stated that it has been a pleasure working with Ms. Crow. She added that the revision of the handbook is an exciting project, and she is in the process of trying to translate it into something which will be called the "Hanover Handbook". The document is being organized into several chapters which include a multitude of information. Diagrams and graphics will be used to try to engage people and get them excited about getting involved, getting registered and voting. A March publication date is anticipated.

Ms. Griffin asked if the League was still hoping to insert the handbook in the Town Reports which will be sent out in April. Ms. Crow answered that it is hoped that the handbook can be inserted in the Annual Report, and that other copies will be available to institutions and realtors to distribute to people moving into Town. The Board was in favor of inserting the handbook into the Town Report.

Ms. Crow indicated that several years ago the Selectboard asked for a study of voter participation. If there is still an interest, she noted that this study could begin in the spring with the hopes of having something together by fall.

6. PRELIMINARY DISCUSSION OF DRAFT CONFLICT OF INTEREST POLICY.

Ms. Griffin referred to the draft Conflict of Interest Policy, and requested the Board's input on what may be lacking and issues that may not be addressed.

Mr. Walsh suggested that it might be best to start with several cases with specific answers, followed by a recitation of the law and what it takes to be a juror.

Mr. Colligan stated that he recognizes the Conflict of Interest Policy is based on the RSA, but feels that the mechanism must be stronger. He has heard time and time again in the community that people would welcome direction from the Selectboard with regard to conflict of interest. He suggested that hearings that are started by a statement that anyone in attendance at the meeting, whether abutters or the general public, state whether they have a problem with anyone on the Board working on a particular case, is not the proper mechanism for dealing with conflict of interest.

Ms. Solow indicated that in addition to suggesting or requiring that people recuse themselves from a decision or discussion if they feel there is a conflict of interest, she would hope there would be a provision for disclosure to the public so that a person could decide. She feels it should be a matter of public record.

Nina Lloyd suggested that the Office of State Planning may have some materials for beginning Planning Board members that might be useful. She feels Mr. Walsh's suggestion is a good one and would be an easy way to learn the rules, but she feels that any examples included in the document should be very clear cases. She suggested that the phrase in the document which reads "as long as that individual does not have direct involvement or interest in the proposal" be revised to read "as long as that individual does not have any personal involvement or interest in the proposal". Ms. Connolly agrees that the addition of the word "personal" is very helpful.

Ms. Black commented that she does not believe an individual should make that decision, but feels that the policy should be clear enough so that a person should not have to decide for themselves whether they should be recused. She feels the document should be more straightforward.

Ms. Griffin indicated that she has discussed this issue at length with Walter Mitchell. She pointed out that there are times when someone would be sitting as a Board member on a case, and if you use the juror standards they may not have a conflict of interest, but something may not feel right to that person for whatever reason. She stated that the draft was prepared based on Mr. Mitchell's original opinion which was distributed to the Planning Board six weeks ago.

Mr. Manchester asked if the Selectboard can dictate which cases Planning Board members can sit on. Ms. Griffin answered that she sees no reason why this would not

be possible; she feels that the other Board members would appreciate as clear cut a standard as possible. She agrees with Ms. Lloyd that there are very often grey areas that defy categorization.

Mr. Walsh stated that he believes several cases can be found which cover 75 percent of the issues, and upcoming issues should be able to be anticipated which would allow an opportunity to contact Mr. Mitchell for a determination.

Mr. Colligan feels that the Conflict of Interest Policy should apply to all Boards within the Town.

Mr. Crory feels that it would be helpful for a person to have guidelines as to whether or not to step down on a particular case. As far as the Selectboard is concerned, Mr. Crory wondered if when a Selectman has a project that they have been working on if they are allowed to vote on their own project. Ms. Black answered that they would be allowed to vote on their own project, provided there was no direct monetary personal interest.

Ms. Griffin stated that it is very common for city councils or boards of selectmen to divide up work and break into subcommittee or project committees, whether a capital project or planning an activity or a budget planning committee. She has never seen an attorney recommend that because a Board members has chaired or been a member of a working committee on an issue that they should recuse themselves from voting on that issue when it comes before the full board. The board member is really there to represent the project and help make progress on the project on behalf of their colleagues. Their job is to convince their colleagues that the project is worth their further support.

Ms. Black agreed with Mr. Colligan that the Conflict of Interest Policy should be for the use of all Board members, rather than being specific to the Planning Board and the Zoning Board.

7. DISCUSSION OF BIKEPATH COMMITTEE RECOMMENDATIONS REGARDING FUTURE ISTEА PROPOSALS.

Ms. Griffin submitted a memo last week indicating that the Bikepath Committee's first recommendation was to scale back the North Park Street/South Park Street bicycle path proposal for ISTEА funding to just the South Park Street component. This partly acknowledges that on the North Park Street segment there is a little more pavement room to work with in terms of creating a usable bicycle path. This would reduce the cost of the project by about 40 percent over the original proposal. If these costs were to come to pass, the Town would be looking at the need to appropriate 20 percent of \$45,000.

Ms. Griffin stated that the second issue which the Bikepath Committee has discussed but which the Board of Selectmen have not dealt with is the issue of upgrading traffic signals at key intersections. Nine key intersections have been identified to allow a bicyclist to trip the signal as well as a vehicle. The total cost for this project would be approximately \$40,000 and involves small detectors in the pavement at each key intersection.

Ms. Griffin also noted that the committee would like the state to consider improvements to Greensboro Road to allow a sufficient width for a bicycle path. The State has acknowledged that this project would not be inexpensive. There does exist the potential, however, to narrow down the travelled lanes a bit to eke out more space on the sides for bicycles, but this would require significant work and a right of way acquisition in order to do a full scale project. Ms. Connolly pointed out that the State is aware of the Park Street project as well as Greensboro Road from a prior committee meeting. She stated that she made it clear that Greensboro Road was very dangerous for pedestrians as well as bicyclists.

Mr. Walsh stated that there is substantial sentiment among Greensboro Road residents not to do this project, and much concern that any improvements will cause traffic to drive faster creating a more dangerous situation than already exists. He feels that there is a tremendous amount of public conversation and design that needs to occur to be sure this project is a positive one for the neighborhood as well as for the bicyclists. Regarding South Park Street, he would need to see a plan that would not kill the pine trees between Berry and Leverone Field House. He would love to see the South Park Street project go ahead, but is not ready to sacrifice the pine trees.

Ms. Black suggested if the esplanade was taken off and Wheelock Street was widened to the east, there could be a bike path without killing the pine trees. She noted that any encroachment of pavement on the west side of the street will kill the pine trees.

Mr. Norman suggested that one of the solutions to the problem would be to minimize any widening of the road, and to reduce the travelled lanes to a width of 10 to 11 feet. This would tend to slow people down, and he believes it is part of the answer on the Greensboro Road also.

Steve Croy asked if there was a criteria for width of the bicycle path required in order to obtain ISTEA money, or whether the shoulder of the west side of South Park Street could simply be improved without having to take out the pine trees. Ms. Connolly guessed that there would have to be some sort of ability to vary the width of the path, but she is not sure exactly what the criteria and variations are.

Mr. Norman believes that in order to have a bicycle lane identified as such the State requires a minimum of four feet. He does not think there is anything in the ISTEA rules that would preclude making the roads an adequate width to fit in a bike lane, but the bike lane could not be advertised as a bike path.

Mr. Croy wondered about the cost effectiveness of adding a button to the traffic signal poles to trigger left turn only for bicycles. He noted that this system is used in Europe for the elderly and blind, as well as for bicyclists. Ms. Griffin answered that she does not know the cost effectiveness of this, but that Charlie Sullivan has been looking into technology in this regard. She has no idea what options might be available, and feels there will be a lot more discussion needed before plans can move forward.

Ms. Crow asked what the next step would be if money is obtained for the projects. Ms. Black answered that the matter would go through public hearing and to Town Meeting for a vote.

Ms. Griffin stated that she would be surprised if the State decided to take on Greensboro Road for a bicycle path project, but feels it is worthwhile to keep putting pressure on the State. She noted that Alan Hanscomb is scheduled to come to a meeting in January to talk with the Board about repainting Greensboro Road to create narrower travel lanes and eke out a little more space on the sides of the road for a bicycle lane.

8. DISCUSSION OF LEAGUE OF WOMEN VOTERS FORUM SCHEDULED FOR FEBRUARY 11, 1999.

This item was discussed previously under Agenda Item 5.

9. REVIEW OF RECOMMENDATIONS FOR DISPOSAL OF ADDITIONAL TOWN RECORDS TO BE TRANSMITTED BY BAKER LIBRARY.

Ms. Black commented that Dan Daily has done a great job in listing the Town records and what he recommends for disposal.

Ms. Connolly stated that she has concerns with the 1905 precinct map which is in container 3, and wondered why the original is being disposed of. Ms. Griffin answered that there is one copy in the records, and the one slated for disposal is another copy. Mr. Daily has informed her that the copy in the archival records is in much better shape than the one recommended for disposal.

Mr. Colligan stated that he presumes the first objective would be to always save the original. Ms. Griffin answered that to the extent the original is in good shape, that is the objective.

Mr. Colligan asked if the public should be made aware of the plans for disposal in the event anyone wishes to have a copy of something that is planned to be discarded. Ms. Griffin answered that the list was given to the Historical Society and the Howe Library; it was debated whether or not the records should be opened up to the public, but the concern was that some items are private information.

Ms. Connolly had concerns about information in container 6, and wondered whether it should be retained. Ms. Connolly explained that container 6 is being gone through, but it would not appear that there is anything significant contained in it. However, she has asked Dan Daily and Sally Johnson to go through that container carefully.

10. REQUEST OF CONNECTICUT RIVER JOINT COMMISSION REGARDING NEED FOR APPOINTED REPRESENTATIVES FROM HANOVER.

Ms. Griffin suggested that this request be referred to the Conservation Commission to determine if there is someone on the Conservation Commission who would like to be involved with the Connecticut River Joint Commission. She also suggested that a private river land owner be considered, noting that part of the success of the Commission has been that they have had varied representation from all sorts of river interest groups. It is possible to send them more than one person, they are simply looking for active involvement. Ms. Griffin suggested that the Board consider advertising for these representatives, and feels that a connection with the Conservation Commission would be very helpful.

11. APPOINTMENTS - PLANNING BOARD; CONSERVATION COMMISSION

Ms. Griffin pointed out that Mark Severs, an alternate to the Planning Board who was formerly a full Board member, has stepped down from his alternate position. This results in one full seat vacancy on the Planning Board, as well as the newly arrived alternate's vacancy.

Mr. Walsh pointed out that the Town is fortunate to have more people volunteering for boards and commissions than are required. For the Planning Board position, there were 8 people who expressed an interest in what was then a single Planning Board seat. Seven of these individuals were interviewed. The Selectmen created a committee consisting of Kate Connolly, Charlie Faulkner, Nancy Collier and Mr. Walsh who interviewed candidates and made recommendations. All seven individuals were interviewed, with an eye toward adding a person who would result in the strongest Planning Board. Mr. Walsh stated that the Committee recommends unanimously that Jack Nelson be appointed to fill the vacant full seat position, and that Jim Hornig be appointed to fill Mark Severs position. He thanked all of the applicants who expressed interest.

Mr. Walsh MADE THE MOTION that the Board of Selectmen appoint Jack Nelson to fill the vacant full seat on the Planning Board. Ms. Connolly SECONDED THE MOTION.

Nina Lloyd stated that she feels that alternates should be considered to fill vacant positions. If the Selectmen are not satisfied with the alternates, then they should get rid of them. She believes this motion sends the wrong message by appointing someone not on the Board and making them a full member. She feels this sends the message that the Selectmen have a particular agenda in mind that they don't feel the current alternates can serve appropriately or adequately. She asked why the Board would choose someone from outside the Planning Board when there are alternates interested in greater responsibility.

Ms. Connolly indicated that Mr. Nelson has served either in a full seat representing the Board of Selectmen or as an alternate Selectman to the Planning Board since 1986. She stated that he probably has the longest alternate service of anyone. The other alternates, with the possible exception of one person who was a full Board member some years past and was recently restored to the Board as an alternate, have not been alternates for very long. She stated that an attempt is made to keep people as alternates for the longest amount of time to give them experience. She pointed out that Mr. Nelson is well versed in the procedures and ordinances, is no stranger to the Planning Board, and would be an excellent member.

Mr. Colligan thanked not only Jack Nelson, but also Jim Hornig, Nancy Prosser, Randy Testa, Vincent Malestrom, Shaun Donovan, Tom Hall and Nancy Tierney for their interest in the Planning Board. He also thanked the committee for conducting the interviews and advancing the nominations. He stated that he is not in favor of the motion. He would like to see more participation and broader representation on all of the Hanover boards, not just the Planning Board. He believes that the rural part of the Hanover community is under represented at least on the Selectboard and on the Planning Board. Mr. Colligan stated that he would like to give preference to existing alternate members when there are Board vacancies. He also values experience and is very appreciate and respectful of the long service of Jack Nelson, but he believes that

all of the candidates are to be commended for coming forward. He pointed out that as much as he values experience, he also believes and thinks he personally represents that sometimes new perspectives are a very important ingredient in how decisions are made in Hanover. In the absence of an election to boards and commissions, he stated that it seems to him it is incumbent upon the appointment process to try to achieve diversity in the board composition. He also suggested that Mr. Nelson would be one of the better people with the experience and stature to work on the Zoning and Planning Taskforce, which he feels is a very important challenge in front of the Town at this time. However, he does not feel that the individuals on that taskforce should be serving currently on Town boards.

Carl Peterson stated that he agrees with Mr. Colligan's views.

Ms. Black stated that her position is that a process was set up and carried through, which was that the interviewing committee would make the recommendations.

Judy Reed Davidson indicated that she understands Mr. Colligan's position, but feels there are times when people in the community step down from boards temporarily and then come back. She thinks there is value in looking at everyone equally, whether they are an alternate or someone applying for a board with a history in the Town. A person who has lived in Town ten or fifteen years would also be a valuable member on a Board. She feels there is an advantage in looking at the alternate members if there is an opening, as well as looking at new candidates equally and not necessarily automatically moving alternates to full seats if there is a vacancy.

Mr. Walsh stated that the Selectmen's responsibility is to make the best judgments it can which result in the strongest boards; boards which can make decisions which the Town will see as wise and good decisions, and decisions which will be defensible in court if they are challenged. He hopes that elections next May do not become a referendum on this issue. Mr. Walsh stated that he does not want his comments to be taken as judgment against any of the other applicants, adding that there were numbers of well qualified and fine people interested in the position.

Ms. Griffin pointed out that names of candidates who are interviewed but not selected for positions are placed in a file so that as the next vacancy occurs there is the opportunity to consider appointing some of these individuals who have expressed interest. She feels it is absolutely critical to continue to build up banks of people to have access to available expertise to fill out a Board when appointment opportunities arise. This leads to much more successful Board building in addition to a training program that is being developed for new Planning and Zoning members.

The Board of Selectmen voted four in favor, one (Mr. Colligan) opposed to appoint Jack Nelson to fill the vacant full seat on the Planning Board; the motion carried.

Mr. Walsh MADE THE MOTION to appoint Jim Hornig as an alternate to the Planning Board. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPOINT JIM HORNIG AS AN ALTERNATE TO THE PLANNING BOARD.

Ms. Griffin indicated that she had been unable to reach Marcia Procopia. Ms. Procopia was one of the individuals interviewed and not selected for the position the last time the Conservation Commission had a vacancy. If Ms. Procopia has decided she is not interested in the Conservation Commission appointment, it will be necessary to advertise.

Mr. Colligan noted that while doing interviews for the Conservation Commission there were some people that had shown interest in serving on other boards; he wondered if that were the case with the interviews for the Planning Board vacancy. Mr. Walsh answered that one of the people interviewed had declined to serve due to other commitments, two of the other individuals are already alternates, and the remaining two people are very active in Town with the Council, and he believes they can be expected to remain active. Ms. Griffin stated that a letter was received from an individual in Etna expressing interest, but it was received after the interviews were completed and the selection was made.

12. ADMINISTRATIVE REPORT.

Ms. Griffin informed the Board that her office has been very busy beginning to finalize and formulate the budget proposals. She is waiting to receive the preliminary recommendations from the Classification and Compensation study before departmental reviews of budgets begins. She reported that the health insurance rate for the coming fiscal year was received showing a 12.5% increase in the premium. A consultant will be working to see what else can be found in the marketplace. She stated that 2.5% of the 12.5% increase is due to the fact that JY coverage is still offered. Her office is now looking at strategies to recommend not to offer JY coverage after July 1, 1999. Negotiations will need to be had with regard to both the firefighters' contract and AFSCME. She noted that over time a larger number of employees have been weaned off JY coverage; she hopes that this can be accomplished through presentations of positive information. She will be meeting next week to discuss strategies to encourage people to migrate from JY coverage. She wished the Board to keep in mind that the Municipal Association is now sending preliminary premium notices in November, and a revised premium notice in the April/May time frame. She pointed out that the Town's premium was substantially lower with the revised notice than it had been the previous November due to going out into the market place. She feels that an annual tune up keeps the Town focused on the other options that might be available.

Ms. Black asked if negotiations had begun at this time. Ms. Griffin answered that they had not by mutual agreement, because she wished to wait until the Classification and Compensation Study data was received. She has informed both the bargaining units for the firefighters and AFSCME that negotiations will have to be tied up at the end of January in approximately 60 days as the matter has to go on the Warrant in May.

Regarding the Economic Development Corporation of the Upper Valley of which she is a board member, Ms. Griffin reported that there is a very substantive discussion involving a bi-county Economic Development Corporation to essentially attract more attention to the Connecticut River Valley. Discussions are also being held with Upper Grafton County Economic Development Corporation regarding a merger.

Ms. Griffin also reported that the three public works directors from Hartford, Lebanon and Hanover are now meeting regularly, and will be going out with a joint paving bid which will likely reduce unit prices considerably due to the size of the order. There are also discussions about creating rental arrangements whereby unusual pieces of equipment are shared between the three communities.

13. SELECTMEN'S REPORTS.

Mr. Walsh

Mr. Walsh reported that the Community Substance Abuse Advisory Committee is still hoping to hold a public forum in March. An item relating to the Selectmen has to do with possibilities for the police force to report information on juveniles picked up for alcohol or drugs to the schools. He anticipates that in January or February that matter will come to the Selectmen for discussion.

Ms. Connolly

Ms. Connolly reported on the Transportation Advisory Committee meeting, noting that the Committee will be meeting to finalize a group of projects.

Regarding the Planning Board, Ms. Connolly reported that it had completed a couple of cases for Hypertherm. When Hypertherm finished their building it had varied somewhat from their site plan. They are also already out of parking and need another parking lot. She also reported that the Chase Field matter has been completed. The upcoming Planning Board meeting will review the Chase Field decision in detail. She also noted that the Hood Museum is requesting to add an amendment to the Town's sign ordinance to accommodate the Museum. The upcoming meeting will also deal with sprawl and will look at the Master Plan schedule. The remainder of the Land Use chapter of the Master Plan will probably be worked on early in January.

Mr. Manchester

Mr. Manchester reported that he felt the Planning Board meeting regarding Chase Field went quite well. He commended Charles Faulker for doing a good job.

Mr. Manchester also reported that there will be no Howe Library meeting this month, with its next regularly scheduled meeting on January 7th. He also noted that the Hanover Rec Committee meeting had been canceled for December 16th, and has not yet been rescheduled.

Mr. Colligan

Mr. Colligan had nothing to report.

Ms. Black

Ms. Black stated that the Selectmen had voted earlier in the year that there would be no alcohol in any of the Town buildings. She reported that Howe Library is going to celebrate its 100th birthday next year, and wished to have a sit down dinner in the Library at which it wanted to serve wine.

Mr. Walsh MADE THE MOTION that the Howe Library be allowed to serve wine at its dinner in honor of the Library's 100th birthday. Ms. Connolly SECONDED THE MOTION.

Ms. Black noted that the seniors have always traditionally served wine with their Thanksgiving dinner, and did not do so this year. She feels that a policy was voted on, and her opinion is that exceptions should not be made to it.

Ms. Connolly stated that she feels each case can be looked at individually and ruled on accordingly. She feels that the motion is appropriate.

Mr. Colligan asked what the rationale was for creating the policy. Ms. Griffin answered that it was to set an example. CSAAC had taken a position which acknowledged that there are some events where respectful use of alcohol was to be expected, and others when respectful use of alcohol would not necessarily be expected. As it is very hard to know where to draw the line between acceptable and unacceptable, the easiest way was to say no altogether.

Mr. Colligan stated that if alcohol is really a priority for the dinner, then it could be held at a different site. Otherwise, he sees no reason to set policies if exceptions are going to be made.

Mr. Walsh withdrew his motion.

Ms. Black also reported on Adventures in Learning which is going on each week in January at the Senior Center. An upcoming session will teach sign language in conjunction with high school students. She added that the Senior Center had participated with Youth In Action on an auction and sale at which over \$5,000 was raised to send to the Honduras Relief Fund. This amount of money is enough to build five houses in Honduras. She wished to congratulate the two groups for their participation in this event.

14. APPROVAL OF MINUTES - OCTOBER 19, 1998; NOVEMBER 9, 1998 AND NOVEMBER 16, 1998.

Mr. Colligan MADE THE MOTION to approve the minutes of October 19, 1998, as amended. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF OCTOBER 19, 1998, AS AMENDED.

Ms. Connolly MADE THE MOTION to approve the minutes of November 9, 1998, as amended. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF NOVEMBER 9, AS AMENDED.

Mr. Walsh MADE THE MOTION to approve the minutes of November 16, 1998, as amended. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF NOVEMBER 16, AS AMENDED.

15. OTHER BUSINESS.

There was no other business.

16. ADJOURNMENT.

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

Ms. Connolly MADE THE MOTION to go to non-public session to discuss a matter which may affect the reputation of an individual. Mr. Colligan 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.

SUMMARY

- 1. Mr. Walsh MADE THE MOTION to adopt the new organizational framework for the Code of Ordinances as proposed. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADOPT THE NEW ORGANIZATIONAL FRAMEWORK FOR THE CODE OF ORDINANCES AS PROPOSED.**
- 2. Mr. Walsh MADE THE MOTION that the Board of Selectmen appoint Jack Nelson to fill the vacant full seat on the Planning Board. Ms. Connolly SECONDED THE MOTION. The Board of Selectmen voted four in favor, one (Mr. Colligan) opposed to appoint Jack Nelson to fill the vacant full seat on the Planning Board; the motion carried.**
- 3. Mr. Walsh MADE THE MOTION to appoint Jim Hornig as an alternate to the Planning Board. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPOINT JIM HORNIG AS AN ALTERNATE TO THE PLANNING BOARD.**
- 4. Mr. Walsh MADE THE MOTION that the Howe Library be allowed to serve wine at its dinner in honor of the Library's 100th birthday. Ms. Connolly SECONDED THE MOTION. Mr. Walsh withdrew his motion.**
- 5. Mr. Colligan MADE THE MOTION to approve the minutes of October 19, 1998, as amended. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF OCTOBER 19, 1998, AS AMENDED.**
- 6. Ms. Connolly MADE THE MOTION to approve the minutes of November 9, 1998, as amended. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF NOVEMBER 9, AS AMENDED.**
- 7. Mr. Walsh MADE THE MOTION to approve the minutes of November 16, 1998, as amended. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF NOVEMBER 16, AS AMENDED.**
- 8. Ms. Connolly MADE THE MOTION to adjourn the meeting of the Board of Selectmen. Mr. Manchester SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING.**

9. **Ms. Connolly MADE THE MOTION to go to non-public session to discuss a matter which may affect the reputation of an individual. Mr. Colligan 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 10:20 p.m.

Respectfully submitted,


John Colligan, Secretary

These minutes were taken and transcribed by Nancy Richards.