

FINAL

**2007 TOWN MEETING
TOWN OF HANOVER
Tuesday, May 8, 2007
Richmond Middle School Gymnasium**

The annual Town Meeting of the Town of Hanover, New Hampshire convened on May 8, 2007 at 7 a.m. by the Town Moderator, Marilyn “Willy” Black, at the Richmond Middle School Gymnasium. Moderator Black explained that the polls would be open from 7:00 a.m. until 7:00 p.m. for the purpose of voting for candidates for Town Offices and for all other articles requiring vote by official ballot as set forth in Articles One through Nine of the Town Meeting Warrant.

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

One Selectman, to serve for a term of three (3) years;

Athos Rassias	308 (Elected)
Write-in	Several 1 Vote Write-ins

One Town Clerk to serve for a term of three (3) years;

Charles Garipay	315 (Elected)
Write-in	1

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

Michael Ahern	316 (Elected)
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One Library Trustee to serve for a term of three (3) years;

Chris Bentivoglio	309 (Elected)
Write-in	1

One Trustee of Trust Funds to serve for a term of three (3) years;

Brian Doyle	311 (Elected)
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ARTICLE TWO (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 1:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 1 would allow one accessory dwelling unit to be provided in an already existing accessory building in the Rural Residence (RR) zoning district, subject to a set of specified conditions.

At a Public Hearing held March 20, 2007, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS: YES 291 NO 48 ARTICLE PASSED

ARTICLE THREE (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 2:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 2 would reduce the allowed number of driveways in a Planned Residential Development from one driveway per dwelling unit to not more than two driveways per multi-family building.

At a Public Hearing held March 20, 2007, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS: YES 309 NO 31 ARTICLE PASSED

ARTICLE FOUR (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 3:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 3 would eliminate a restriction on the allowable sizes of accessory buildings in the Rural Residence zoning district and would simplify the formula for calculating allowed accessory building sizes in other districts.

At a Public Hearing held March 20, 2007, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS: YES 284 NO 56 ARTICLE PASSED

ARTICLE FIVE (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 4:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 4 would replace the text of Section 1006 in order to accurately reflect the parameters set forth by the State Supreme Court in several recent cases and by legislative changes to State Law.

At a Public Hearing held March 20, 2007, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS: YES 312 NO 15 ARTICLE PASSED

ARTICLE SIX (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 5:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 5 would allow outdoor recreational structures in the Forestry (F) zoning district to be forty feet high, exceeding the current thirty-foot height limit.

At a Public Hearing held March 20, 2007, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS YES 254 NO 77 ARTICLE PASSED

ARTICLE SEVEN (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 6:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 6 as proposed by the Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 6 would remove from the Zoning Ordinance a now obsolete Building Code reference relative to a fire-resistant construction standard.

At a Public Hearing held March 20, 2007, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS YES 329 NO 4 ARTICLE PASSED

ARTICLE EIGHT (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 7:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 7 as proposed by the Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 7 would amend definitions and several sections of the Zoning Ordinance in order to bring Town zoning regulations up-to-date with respect to recent floodplain-related changes promulgated by the Federal Emergency Management Agency.

At a Public Hearing held March 20, 2007, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS: YES 319 NO 14 ARTICLE PASSED

ARTICLE NINE: (to vote by ballot): To see if the Town will vote to amend the existing Hanover Zoning Ordinance as proposed by the Hanover Planning Board in Amendment No. 8:

The following is on the official ballot:

“Are you in favor of the adoption of Amendment No. 8 as proposed by the Planning Board for the Hanover Zoning Ordinance as follows?”

Amendment No. 8 would clarify and simplify language pertaining to what is permitted in water bodies, wetlands, and their respective setbacks, and it would allow additional improvements in the twenty-five-foot setback from wetlands and water bodies.

At a Public Hearing held April 3, 2007, the Hanover Planning Board voted unanimously to recommend that Town Meeting adopt this zoning amendment.

RESULTS: YES 300 NO 31 ARTICLE PASSED

BUSINESS MEETING

Moderator Black started the meeting and introduced a recorder group from the Ray School who played *My Country Tis of Thee* and Third Graders from the Ray School who recited the Gettysburg Address.

Moderator Black introduced Chairman Walsh who introduced the members of the Board of Selectmen. Moderator Black introduced the Department Heads and Town Staff.

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

Vice Chairman Connolly MOVED to nominate the following persons for the following offices:

One member of the Advisory Board of Assessors for a term of three (3) years; Paul Young; Three Fence Viewers and one alternate, each for a term of one (1) year; Edward Lathem, William Garrity, Lucie Minsk, and Robert Morris (Alternate); Two Surveyors of Wood and Timber, each for a term of one (1) year; John Richardson and Ed Chamberlain and such other officers as the Town may judge necessary for managing its affairs. SECONDED by Selectman Baschnagel.

There was no discussion on Article 10. **The motion PASSED unanimously and the nominees were ELECTED.**

Sue Young, Former Chair of the Hanover Parks and Recreation Board presented the Hanover Parks and Recreation Volunteer of the Year Award to Aileen Chaltain. Prior to starting her presentation, Sue Young wanted to dispel a rumor that she started. In order for the presentation to be a surprise, she told Aileen that Hank Tenney was going to announce his retirement at Town Meeting. Ms. Young gave the following presentation:

“When asked to describe you, Aileen, your numerous friends use phrases such as “great sense of humor”, “calm in a crisis”, “dedicated”, “hard-working”, “loyal”, “organized” and “modest”. All of these wonderful attributes are absolutely true which is probably why you’ve been recruited over the years as a vital and important leader of so many different volunteer organizations in Hanover. The list is as long as it is varied; President of the Friends of Hanover High School Football, volunteer Hanover High Assistant Softball Coach, Board Member and Chair of the Hanover After School Program, St. Denis Catholic Church Lector, catechism teacher and youth choir wrangler.

While performing all these wonderful roles, you also served on the Hanover Parks & Recreation Board of Directors for six years, the last two as Chair. During your tenure on the Board, Aileen, you contributed countless hours to meetings and events. You were instrumental and tireless in coordinating the scores of volunteers required to run the annual youth basketball tournament which hosts over 160 teams during February vacation, a thankless task that you did very effectively, enthusiastically and graciously for five years. You and your family could always be counted on to help out at the recreation department events, in particular the Fourth of July Celebration and the Occom Pond Party. When it came time to focus on the world beyond the Hanover plain, you didn’t hesitate to assist in the creation and implementation of the town’s response to the Afghan Children’s Fund, the Tsunami tragedy, the devastation of Katrina and the destruction in our neighboring town, Alstead, NH. Your ability to stay focused and on task while being diplomatic and humorous, made the Board meetings run smoothly and quickly. You are also a great recruiter of volunteers which benefits all of the organizations with which you are associated. This skill also allows you personally to find time to move on to the next opportunity. As your friend and fellow Rec and HASP Board member, Janet, affectionately said “she suckers me onto every board then leaves!”

Hank Tenney was also disappointed that you decided to step off the Board in 2006 but appreciates everything that you have done. He wrote: “In my 32 years as Director of Parks and Recreation, no one has given so much to so many as Aileen has. She was a driving force behind the policies that the Department now runs by. She will be greatly missed on the Board, but I will always remember her willingness to be involved. She was an overwhelming choice of the selection committee for this honor. I am glad have known Aileen and the rest of the Chaltain family and to be able to call her my friend.”

When asked about the mission of the recreation department or a program at the high school, you are often heard to say “it’s all about the kids” and I know you mean all kids and not just your son and daughter, Grady and Tori. However, Grady and Tori are central to your existence and you are there for them and their friends 200% of the time whether it’s hosting the Hanover High girls basketball team for dinner before every home game or driving Grady and his teammates all over New England for some sort of tournament. It came as no surprise

to anyone who knows you, Aileen, that you were by your husband Vic's side, broom in hand, preparing the High School football field for Grady's game that fateful day last October. Where else would you have been but doing something with Vic for one of your kids?

Unbelievably, you manage to do all this while working full-time as the Hopkins Center Box Office Manager. Your daily calendar is a colorful display of meetings, sporting events and other various commitments that would make any one else tire from just looking at it. How you maintain your sanity and ever-present smile, is beyond me.

Aileen, this award is long over-due and I can hear Vic's booming voice now saying "It's about time!" On behalf of everyone in Hanover and the Upper Valley, Aileen, thank you for being who you are and sharing so much of it with us. It is with great pleasure that I present to you the Hanover Parks and Recreation Department's Volunteer of the Year Award!"

Aileen Chaltain spoke to the audience and stated that she lost her partner in crime last fall and as all good partners do, they worked very well together so she is sharing this award with Vic and he is smiling down on everyone. Chairman Walsh congratulated Aileen on her award.

Chairman Walsh announced that they received a resignation today that he wanted to recognize. He asked that Lee Udy, Supervisor of the Checklist step forward. Chairman Walsh gave the following presentation:

"Each year at Town meeting we hold an election for Town officers; it takes many folks to run an election and first and foremost are the Supervisors of the Checklist. They are absolutely essential figures in the election process. With the transient student population of Dartmouth and the swelling of the checklist with each National and Presidential Election, the Supervisors have a Herculean task to keep the voter registry up to date.

Before every election, the Supervisors must update the Checklist by careful and thoughtful advising and registering of new voters. Often hundreds of them in two or three very short weeks and after each primary they must re-check the party affiliation of all voters and change the undeclared voters to a specific party. Then the voter may ask to be undeclared again requiring another correction in the Checklist. Every four years, Dartmouth students graduate and move on requiring more updates and when local residents move in and out of Town they must be officially added or removed from the Checklist as well. No wonder you're resigning. All of this must be executed efficiently, all the while as the Supervisors stay abreast of the latest changes in State law relative to voter registration, a field of law that has seen a fair amount of amendment over the past two Presidential Election cycles.

It was on Tuesday, May 11, 1998 that one of our current Supervisors of the Checklist, Lee Udy, was elected to the position. She has served in this position for 9 years. She has watched the Checklist almost double in the number of registered voters and has seen voter interest in registration reach new heights. She has actively supervised the Checklist for three Presidential Elections, two Presidential first in the Nation primaries, four State and Congressional primaries, four State and Congressional elections, nine Town Meetings, multiple School District meetings, and several special Town Meetings and School District

Meetings. That's amazing. Record turnouts characterize many of these events fully taxing our Supervisors of the Checklist and putting them on the State maps in terms of the challenges they have juggled on Election Day.

One day I remember, it was a Presidential Election with same day registration by Dartmouth Students and we had Andrew Volinsky who is probably the strongest lawyer on the Left in the State and Chuck Douglas who is probably the strongest and most contentious lawyer on the Right in the State come up and overlook Lee's shoulder one on each shoulder to make sure that no voter snuck in who shouldn't be there and lo and behold, we didn't have one problem and they went home bored. It was wonderful. The Supervisor I am speaking of is none other than Lee Udy.

We shall miss her attention to detail, thorough knowledge of the election procedures, ability to incorporate recent State Law changes into the voter registration and Checklist maintenance process quickly and seamlessly and her gracious treatment of all voters through it all maintaining her cool calm exterior and even more important, her wonderful sense of humor. Please join me in thanking Lee Udy for her 9 years of dedicated service to the Town.”

Chairman Walsh also noted that there were a number of people recognized in the Selectmen's letter and he wanted to mention specifically the efforts of Tom Byrne, Nancy Collier and Bob Strauss who continue in their own ways to volunteer their time to the Town. For those that the Town lost this year, Katie Black, Wayne Broehl, Vic Chaltain and Bob Kirk. Chairman Walsh wanted to give a special thanks to Jim Rubens who led the effort to revitalize downtown taking it from no effort at all through convincing the business merchants and then the Select Board that a special levy on downtown properties was needed in order to strengthen the downtown. In Jim's own entrepreneurial way, starting all sorts of exciting things such as rekindling Streetfest and lighting up the web page and the Town owes a tremendous amount of thanks to Jim for the effort that he has put in. He has recently stepped down from that and it is being taken over by a group of people and it's going to be about 5 people to handle the things that Jim did. Chairman Walsh asked for a round of applause for Jim Rubens.

Moderator Black went over the ground rules for the meeting and announced the Consent Agenda, Articles Twelve through Eighteen.

ARTICLE TWELVE: To see if the Town will vote to raise and appropriate \$35,500 for deposit into the Land and Capital Improvements Fund, and to authorize funding of this amount by transfer from the Land Use Change Tax Reserve, with no funds being raised by taxation. The amount appropriated is the equivalent of 50% of the total collected in the Land Use Change Tax Reserve in the fiscal year 2005-2006. Funding deposited into the Land and Capital Improvements Fund derives from 50% of the land use change tax proceeds, paid by property owners when they take land out of current use.

There was no discussion on Article Twelve.

ARTICLE THIRTEEN: To see if the Town will vote to raise and appropriate \$35,500 for deposit into the Conservation Fund created as authorized by RSA 36-A:5.1, and to authorize funding of this amount by transfer from the Land Use Change Tax Reserve, with no funds

being raised by taxation. The amount appropriated is the equivalent of 50% of the total collected in the Land Use Change Tax Reserve in the fiscal year 2005-2006. Funding deposited into the Conservation Fund derives from 50% of the land use change tax proceeds, paid by property owners when they take land out of current use.

There was no discussion on Article Thirteen.

ARTICLE FOURTEEN: To see if the Town will vote to raise and appropriate \$34,220 for deposit into the Municipal Transportation Improvement Fund, and to authorize funding of this amount by transfer from the Transportation Improvement Fee Reserve, with no funds being raised by taxation. This amount is equivalent to the total Transportation Fee surcharge for each motor vehicle registered in the Town of Hanover (\$5.00 per vehicle) during fiscal year 2005-2006.

There was no discussion on Article Fourteen.

ARTICLE FIFTEEN: To see if the Town will vote to raise and appropriate \$587,160 and authorize payment into existing capital reserve funds in the following amounts for the purposes for which such funds were established:

Ambulance Equipment Capital Reserve Fund	\$30,500
Bridge Replacement and Renovation Capital Reserve Fund	\$30,000
Dispatch Equipment and Dispatch Center Enhancements and Capital Reserve Fund	\$5,000
Fire Department Vehicle and Equipment Capital Reserve Fund	\$71,000
Highway Construction and Maintenance Equipment Capital Reserve Fund	\$205,000
Parking Operations Vehicles and Parking Facility Improvements Capital Reserve Fund	\$35,660
Police Vehicles and Equipment Capital Reserve Fund	\$50,000
Sewer Equipment and Facilities Improvements Capital Reserve Fund	\$160,000

There was no discussion on Article Fifteen.

ARTICLE SIXTEEN: To see if the Town will vote to raise and appropriate \$1,381,919 for the purposes listed below, and to authorize funding these amounts by withdrawal from the listed capital reserve funds in the following amounts:

Ambulance Equipment Capital Reserve Fund <i>Defibrillator Replacement</i>	\$34,000
Fire Department Vehicle and Equipment Capital Reserve Fund <i>Firefighter Turn-out Gear</i>	\$10,056
Highway Construction and Maintenance Equipment Capital Reserve Fund <i>Excavator, Truck #18, F-2400 Kubota, Truck #26, Truck #01</i>	\$260,883
Road Construction and Improvements Capital Reserve Fund <i>Traffic Signal Upgrade at South Main and Lebanon Streets</i>	\$20,000
Sewer Equipment and Facilities Improvements Capital Reserve Fund <i>Plant Improvements (such as Third Clarifier); Truck #16222</i>	\$1,056,980

This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until these specified purchases are complete or June 30, 2013, whichever is sooner.

Kim Perez, Etna, asked what the \$1 million is for. Chairman Walsh explained that 25 – 30% is for maintenance and a major piece of it is a Third Secondary Clarifier for the Water Reclamation Facility. Ms. Griffin explained the issue surrounding the Third Secondary Clarifier and that the bulk of the money is for that equipment. Chairman Walsh noted that the Water Reclamation Fund is not supported by the taxpayers but by those who use the facility.

Ellis Rollett asked about the defibrillator and how this purchase is selected and purchased. Chief Bradley noted that the process this time is that they are looking at one particular manufacturer because the other competitor is in a situation with the FDA where they can not ship within the United States. Mr. Rollett felt that \$34,000 would be for equipment that is ‘top of the line’ and he has compared other cities and Orlando pays as much as \$25,000 for their equipment but they receive a rebate for trading in their old equipment and he is wondering if they are negotiating the best price. Chief Bradley clarified that the Fire Department is purchasing a total of three defibrillators for \$34,000.

ARTICLE SEVENTEEN: To see if the Town will vote to raise and appropriate \$70,000 for the traffic signal replacement at the intersection of South Main and Lebanon Streets, and to fund this appropriation by authorizing the withdrawal of this sum from the Municipal

Transportation Improvement Fund. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until these improvements are complete or June 30, 2013, whichever is sooner.

Ellis Rollett asked about \$70,000 and then the other \$20,000 in Article 16 which seem to be for the same item. Ms. Griffin noted that it's a \$90,000 project and they have some money available in the Reserve Fund and they had to supplement some of the money from another account.

Mr. Rollett noted that he was involved early on when the Municipal Transportation Fund was set up and the intent was to reduce the use of automobiles and encourage other forms of transportation. The traffic light part came in where there were possibilities of putting loop detectors into the traffic light systems so that bicycles would be able to trigger traffic lights but there wasn't really an intent to replace traffic lights for automobile traffic and the intent was more to support public transportation. He asked if the support for Advance Transit came from this fund.

Chairman Walsh agreed that there was a strong desire to encourage improvements with either bus shelters or bike paths but the Select Board has worked very hard to keep tax rate increases to small numbers. The \$70,000 or \$90,000 amounts to roughly 1.5% on the general fund tax increase and the Board didn't want to come to Town Meeting with a 7.5% tax rate increase. He agreed with Mr. Rollett on the intent was more to do things other than general maintenance. Ms. Griffin noted that on page 46 in the Town Report, the Town has budgeted for Advance Transit support in the General Fund but in trying to manage the tax rate the support was shifted to the Parking Fund and that is a combination of funding for the shuttle system in addition to the fixed route system. The Advance Transit fee went up about 12% in large part due to the Federal Government's requirement to provide accessible transportation services in addition to the fixed route system. Chairman Walsh noted that the revenue that support the Parking Fund are the quarters put into the parking meters or the fines for not putting the quarters into the parking meters.

Hilary Pridgeon, Etna, asked what the Municipal Transportation Improvement Fund monies actually do. Chairman Walsh noted that it supports bicycle lanes and the bicycle path up to the hospital. Ms. Griffin noted that some of the funds were used for the roundabout at Reservoir Road and Lyme Road and the bicycle path component. Each year this money will be used for some transportation related improvement. Almost every year this fund has helped fund one of the transportation projects. State law is very specific about what this money can be spent on.

Kari Asmus, Etna, noted that when this issue came to the Finance Committee, there were some discussions about increasing the pedestrian lights at the intersections. Ms. Griffin noted that the base of the poles at the intersection of Lebanon and Main Street are in terrible shape. The mastons are reinforced to keep them from falling but as part of the project the ped heads and the LED's will be replaced.

ARTICLE EIGHTEEN: To see if the Town will vote to raise and appropriate \$20,000 for contract labor and other necessary expenditures related to the Town-wide reassessment of

property values, and to fund this appropriation by authorizing the withdrawal of this sum from the Town Revaluation Capital Reserve Fund. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until completion of the Reassessment or June 30, 2009, whichever is sooner.

Chairman Walsh noted that the Town has to reassess every 5 years according to State Law and the Town puts the money into a fund to do that and this article would take \$20,000 out of that fund.

There were no discussions on Article Eighteen.

Chairman Walsh MOVED Articles Twelve through Eighteen as written in the Town Warrant. Vice Chairman Connolly SECONDED the motion. The motion PASSED unanimously and Articles Twelve through Eighteen were ADOPTED as written.

ARTICLE NINETEEN: To see if the Town will vote to raise and appropriate \$18,773,242 to pay the operating expenses of the Town for the 2007-2008 fiscal year, for the purposes set forth in the Town budget. This sum does not include the funds voted in any of the preceding or succeeding articles.

Selectman Christie MOVED to see if the Town will vote to raise and appropriate \$18,773,242 to pay the operating expenses of the Town for the 2007-2008 fiscal year, for the purposes set forth in the Town budget. This sum does not include the funds voted in any of the preceding or succeeding articles. Chairman Walsh SECONDED the motion.

Selectman Christie presented the rest of the budget to the Town with the following introduction:

“Before I get started, I would like to recommend the Town Report as a must read to everyone. The report is very comprehensive, informative, and provides pretty much any level of detail that you need to understand the drivers behind the proposed budget. Many thanks to all who work diligently to pull it together each year - it is a very valuable resource.

Since you all have read the Report or will undoubtedly will be reading it soon, I will not be going into the detail found in the Report, but rather will be hitting some of the high points and perhaps looking down the road a bit.

As is our custom, as we move into the budget season, the Select Board gives Julia and staff a tax rate target increase. The tax rate targets have, for many years now, been at or near the inflation rate, except for last year when we needed to make allowance for repairs of the June 2005 flood damage.

In preparation for setting this year’s targeted, the Select Board reviewed a top level five year forecast that Betsy prepared. The news was not good.

Just taking into account relatively predictable expense increases, the model forecasted tax rate increases well in excess of inflation.

The primary long term drivers were highlighted in the Select Board's letter in the town report – namely employee benefit costs, oil and electricity costs, and rapidly changing technology.

The Employee benefit cost which impacted us the most this year was the state mandated employer retirement system contributions. For those who frequent our Select Board meetings either in person or via TV, rarely will a meeting go by without some reference to a State or Federal unfunded mandate. While we tend to joke about it, it is only because one does have to decide whether to laugh or cry.

In this year's budget alone, the State Retirement Fund mandated increase added 2% to the tax rate. Let me say that again, in this year's budget alone, the State Retirement Fund **mandated** increase added 2% to the tax rate. That is one third of the 6% general fund increase in this budget. These mandated retirement fund increases tend to happen every other year.

Another employee benefit cost, namely health care, has historically increased more rapidly than general inflation. We did, however, just last week, learn that thanks to good experience by Town employees and expert negotiating by Myra Johnson, our HR Director, there will actually be a decrease in health insurance costs of \$30,000 as compared to the \$60,000 increase built into the proposed general fund budget.

The Select Board plans (been discussing) to use the resulting \$90,000 savings to additionally replenish the undesignated reserve fund which was depleted to pay for the 2005 storm damage, thus leaving a smaller amount to be funded in next years budget.

Oil and electricity price increases continue to mount at a rate higher than the CPI and are increasingly larger components of Town costs.

We look at large increases in the electric bill at the newly renovated Howe Library and ask how much higher can we set the thermostats in the summer to cut down on air conditioning cost?

We look at the cost of oil going up and ask how much lower can we set the thermostats in the winter at all Town facilities?

Asphalt for road paving projects, and electricity to run the Water Reclamation Treatment Plant, are two more examples of where these cost drivers weigh disproportionately on the Town budget.

Rapidly changing technology drives shorter life cycles of equipment and software leading to more frequent need to upgrade.

These macro pressures will make it very difficult to limit tax rate increases to the rate of inflation over the next five years without impacting services.

And again this year, and a bit more next year, these macro pressures are exacerbated by the need to complete the funding for the 2005 storm damage.

At each turn everyone does their best to balance expense against services, short term financial pressures against doing a project "right." We are often faced with a "pay me now or pay me later" decision as was the case in spreading the storm damage costs out over three years. The Reservoir Road decision is an example of spending more in the short run in order to benefit from paying less in total over many budget cycles.

Well, if I haven't discouraged you enough yet, let me turn my attention to another major need – the Water Reclamation Facility.

The Water Reclamation Facility is funded from connection fees and annual charges based on water consumption of each house or business connected to the line. Thus, while it is not funded by property taxes, those who are on the sewer will be significantly impacted by upgrades and required maintenance of the facility.

When you look at the Town's long term Capital Improvement Plan, you can not help but be struck by the magnitude of the wastewater treatment costs. Other major capital expenses bounce around but rarely exceed \$1-2 million. Then your eyes drop to the water reclamation timeline, and you see numbers like \$15 to \$20 million.

As you start to learn more about the plant, you are confronted by several realities:

1. Our plant had its last major upgrade 17 years ago and most of the equipment installed at that time had a 15 to 20 year life.
2. While historically the Federal and the State Governments paid for approximately 95% of the cost, that number today is only 20%.
3. While some would like to use the lack of waste water capacity to limit growth, legally the Town cannot withhold investment in the plant to stymie growth since Federal and State funds supported the construction of the plant and its upgrades in the 70's and 80's. And, given the unutilized hydraulic capacity of the plant, we must invest what is required to accommodate the solids-handling capacity to the extent that it ultimately matches available hydraulic capacity, and last but not least;
4. It makes economic and practical sense to jointly plan our collective capacity with Lebanon, with whom we share a large watershed that flows down hill to the Hanover plant

We invested approximately \$4.7 million in the Water Reclamation Facility in 2003 to replace the first round of aging equipment some of which dated back to the original construction in the 60's, to replace a dysfunctional ultraviolet disinfection system; and to upgrade the plant's solids handling capacity. In the next 5-7 years we are looking at the need to invest an additional \$10- \$12 million, of which \$2.2 million is proposed to be invested this coming year.

We are already in early stage discussions with Lebanon relative to finding an optimal solution for both towns. For the short and intermediate term, it is very advantageous to the Hanover

Sewer District, to accept flow from the hospital and Route 120 and Route 10 corridors. By doing so, we spread the fixed costs of the plant over a larger number of users which lowers the current rates. As the plant reaches capacity, however, it may make collective sense to redirect some or all of that flow to a Lebanon plant. A lot of study and discussion will be required to figure out the right solution, and we will proceed carefully, cooperatively, and with timely public input.

On the positive side, we should also not lose track that our sewer rates, even after the projected investments, will be around the average of rates experienced throughout New Hampshire.

Now that I've delivered more bad financial news than anyone would want to hear, let's step back and remember that all is not doom and gloom, but quite the opposite. We live in an exceptional town. We have had the courage and capacity to afford a wonderful Howe Library and Black Community Center. We benefit from a new Water Filtration Plant. We benefit from well staffed and equipped public works, police, fire, and ambulance services. We benefit from a clean Connecticut River. We will soon benefit from a more diverse community as Gile Tract is completed. We have a proud, professional and committed town staff and literally hundreds of volunteers who work on behalf of the town day in and day out. We benefit financially from the value of our homes going up significantly year after year.

My bet is that most in this room would not swap Hanover for anywhere else.

When I first started working on this presentation, it was in the middle of our second late season snow lashing of April. I took solace that the Red Sox were back in action, and those three infamous umpires were once again standing around home plate waiting on that first pitch. The rookie first base ump, being a bit nervous on his first major league outing, bragged that he would "call them as he saw them", the more experienced third base ump, not wanting to be one upped, exclaimed that he "called them as they were". At that point, the home plate umpire, with total disdain, explained that "they ain't nothing - till I call them."

So, while we move from year to year, trying to pay attention to today's details but also looking five, ten and even twenty years down the road, we (and I mean a very collective we - the Select Board, Town staff and the many town volunteers) we do our best:

- To call them as we see them,
- To see them as they are,
- And, hopefully, to impact how they will be.

Thank you and let's play ball !!!"

Moderator Black asked for discussion.

Athos Rassias, Carriage Lane, Chair of the Hanover Finance Committee, referred to page 53 in the Town Report and relayed the Hanover Finance Committee's opinion of the budget and explained that they are a committee of 5 residents and it is their job to evaluate the budget and report on it at Town Meeting. They voted unanimously to support this budget. He wanted to underline the impact of extraordinary factors and the upcoming challenges.

Kari Asmus, wanted to address what she felt was a gross omission in terms of the information that the legislative body was provided with regard to this Warrant Article and the tax rate impacts that this budget will have when combined with the changes to the Fire Districts. It's all well and fine to provide the information on the Fire Districts tonight but at the Select Board meeting of February 5th, our Town staff and elected officials represented that information would be going out to each property owner, prior to Town meeting on colored paper. Instead, there's one paragraph on page 14 and tax rates on page 18 that lump all the tax rates together, but we're not voting on the school budget or the county budget tonight, we are voting on the Town budget. She felt that if there had been a more straightforward depiction more people might have been interested in attending Town Meeting. There are owners of approximately 750 properties that will see a Town tax increase of 8.5% and owners of an additional 330 properties that will see an increase of 16.5% and that's on top of the 15% increase that we all saw last year. If these property owners were aware of these increases, they might have wondered if there was something that they could do to this budget and whether they need to spend the \$48,000 on 'practical and aesthetic improvements' on Allen and Main Street. They might ask if they need to spend the money on Hovey and Buell and discuss the decision to upgrade Reservoir Road and she felt it made sense to make the culverts bigger and discussions about Grasse Road. Her concern was the omission of that basic tax rate information and because the Town Charter states that 'changes to Fire District may be made by the Selectmen upon 30 days written notice, sent by first class mail to the last known address of the owners of each property affected'. Maybe the Town Attorney says it wasn't necessary and legally it might not be but maybe there's a deeper concept than what's legally required and she feels that asking people to vote on the budget and then explain it this summer when the tax bills go out, isn't the way to do it. She would like to ask the Select Board to reconsider the implementation date to allow for a more timely informed citizenry. She is considering voting no on this budget.

Selectman Baschnagel stated that they did go through a process to restructure the Fire Fund's allocation between the residents in the Town. It is a process that provides varying rates for people in town depending on how close they are to the hydrants in Town. If you are in the Hydrant District, you bear the cost of the hydrants. The proposal that has been put forth and adopted by the Select Board calls for basically 3 districts, 1) the Hydrant District 2) the Rural District comprised of the area to the west of Moose Mountain which will share the cost of running the fire department and 3) the Remote Rural District, a third district on the other side of the mountain where it was recommended that the rates be half that of the Rural District. What we're voting on tonight is the aggregate cost of the Fire Department. The tax rate has not been established and won't be established until this coming Fall. Between now and the Fall, the Select Board has discussed the process that they will go through which follows the Town Charter and will go on over the next several months. The examples given were all examples from the General Fund and the General Fund doesn't play into this issue. The Fire Fund is the total cost of running the Fire Department and how it gets split up will be translated by the tax rates established.

John Hochreiter, Etna, noted that he was part of the Fire Study Committee and he has been a call firefighter in Etna for about 25 years so he had some interest and experience as to the costs of the Fire Department. He noted that through the course of the process of the Fire

Study Committee, he came around to an entirely different point of view. When he entered the Fire Study Committee, he thought that those in Etna should pay a different fire tax than those who live in the downtown area. As they talked and negotiated, he came to mind that what they are paying for is the capacity of the Fire Department. He changed his mind through the course of that and voted for arranging the Fire Districts as Selectmen Baschnagel has outlined.

Selectman Baschnagel asked Ms. Griffin to give a summary of the events that have taken place up to this point with this topic.

Ms. Griffin noted that Town Staff brought this idea forward over two years ago because the current fire district tax delineation was not equitable. Notices were sent to all residents in mid October and there was some pretty good turnout at the public meetings during the course of the Fall. It's the Town Attorney's opinion that the October 19th mailing served as notice as required by the Town Charter.

As a result of the input that the Board received, the Charter doesn't require that the Board modify their recommendation unless somebody files an appeal. We didn't hold to the formality of that process, the Board decided that because they heard feedback from concerned residents, they decided to appoint the Fire District Task Force who met 5 times in December and January and that Task Force came up with recommendations that came before the Select Board at the end of January in a public meeting. The Board decided to go with the three district scenario. The staff then spent the rest of February and March taking a look at how they would map the three districts and they spent the last March meeting with the Board in a public meeting sharing the proposed delineation of the districts.

The decision at that point was to create a process under which notice will be sent to each resident mid-summer with their new district delineation and background information. There will be an appeal period if a resident feels that the basis for the decision is faulty when compared to the criteria that the Board's adopted in creating the districts. Once the Selectmen revise the map if they need to in response to appeals, the Town will produce a final map and the Department of Revenue Administration (DRA) sets the tax rate in late October.

So the Town Attorney's opinion, based on the Town Charter, is that the October 19th mailing served as the initial notice that they needed to implement as part of the Selectmen's ability to revise the districts and in fact, the additional notice was sent out this summer, was supplemental to what's required by the Charter. Ms. Griffin understands Ms. Asmus' frustration in not having more information included in the Town report this year and part of it was that it was a workload issue and she had suggested to the Board that they take additional time to work on the map and wait until sewer bills and June tax bills were sent out. There will be plenty of opportunity this summer and fall to come to Town staff with questions about the districts.

Moderator Black noted that when she was on the Select Board this issue came forward.

Robin Carpenter was one of the members of the study committee and he concurs with Ms. Asmus' position. He noted that he and Ms. Asmus were in the minority at the meetings held about the Fire Districts. He wanted to underscore that the Town Report really failed this

matter. He noted that there are very substantive changes to some of the residents' tax rates and the citizenry deserved a full explanation of what was going on in a mailing that was going to go out to everyone. He felt that the fact that his opinion in the Committee that recommended to the Select Board is in minority, does not relieve the Select Board from full literal compliance in the Town Charter and takes exception to the statement that Ms. Griffin made that they didn't hold to the formality of the process.

Ms. Griffin noted that when she said that the Select Board didn't hold its process to the formality of the Charter, she meant that they weren't limited. The Charter says that the Select Board only has to do two things. The Charter says the following: 'changes in area lines (meaning fire district lines in this case) shall be made by the Selectmen from time to time as a result of the change in nature of the property in the area or the services provided. Such changes may be made by the Selectmen upon 30 days written notice of the proposed change being sent first class mail to the last known address on the tax rolls of the owners of each of the properties affected. In this case we did a town-wide mailing to every property owner. 'Such changes shall be effective without hearing unless written objection thereto is filed with the Town Clerk or with one of the Selectmen within such 30 day period.' We didn't even have to hold a public hearing but the Select Board held several. 'If such an objection is filed, the Selectmen shall postpone the effective date of the change until at least ten days after the date of the hearing, however, if such postponement shall delay the effective date until after April 1st of any year, the area line that is revised shall be retroactive to March 31st of such year' So when I said we weren't held to the formality of the Charter, what I implied is that we went far above and beyond what the Charter required in providing notices to citizens and opportunities for providing input and feedback to the Board of Selectmen.

Robin Carpenter, noted that the mailing that went out in October, specified changes somewhat like the changes that the Select Board now embraces and now wishes to go forward with. His interpretation of the Charter provision is that when a decision has been made about changes, then a mailing should go out and that mailing should describe precisely what is going on so if at that time a citizen wishes to object in order to hold a special hearing, etc. then they have the information in which to proceed.

Selectman Baschnagel noted that the Select Board laid out the process that will take place over the next several months and they will again put out a mailing to the citizens and the Selectmen will follow exactly the process that Mr. Carpenter is describing.

Kim Perez, Etna, made a suggestion that the tax impact of proposed budget on the inside front cover of the Town Report or somewhere really obvious.

Kari Asmus, clarified that the letter that was sent out in October, it gave a projected increase but what they actually decided on was a greater shifting of the burden to the rural areas. She really felt that what was sent out in October does not reflect what's likely to happen in reality.

Moderator Black noted that the rates still aren't set in stone.

Hilary Pridgin, noted that page 18 of the Town Report was confusing and was under the impression that there will be a public hearing brought to people's attention and to explain how

the costs would be allocated. The information is not very clear and straightforward. It's a part of the total tax bill and the school is included as part of the denominator and it's not a clear presentation.

Selectmen Baschnagel clarified that there will be opportunity in the future.

Moderator Black noted that the amount of money is set but how it is allocated has not been cast in stone.

Jan Assmus questioned the social services policy and why these items go automatically on the budget after being placed on the budget for 3 years. She suggested that each year they could vote on who really needed it in that particular year rather than having the same ones included automatically.

Chairman Walsh (page 13) explained the practice of putting these articles on the warrant. The Select Board and Town staff go through an extensive review of these articles. The Agency brings to the Town a form which outlines how they serve the Town of Hanover and they are asked how else they raise money. In most cases we accept what the agencies have requested and in some cases we decrease the amount of money that they are given. This is 1% of the General Fund tax rate and the Selectmen struggle with portions of it.

Jan Assmus questions the principle of giving as part of the Town budget. Maybe there should be a set amount of money that we want to give to non-profits but we decide each year where the money goes.

Chairman Walsh recommends that people spend an hour with Betsy McClain to learn more about the process and to learn that the people of the Town are receiving direct benefit from these social services. It is the Town's responsibility to take care of these people and in each instance, the services are being provided directly by these agencies.

Stanley Udy, 80 Lyme Road, wondered if any more requests had been made and had been disapproved. Ms. Griffin noted that they didn't decline any funding requests this year. Sometimes they may not recommend the full amount requested by the agency. He asked if it has to be 3 consecutive years to be put automatically on the Warrant. Ms. Griffin stated that it did not. Ms. Griffin noted that the agencies are asking Towns for money because their funding is being cut at the State level.

Moderator Black noted that if the Town had to pick up the services provided by these agencies, it would cost so much more money than what they are asking for.

Robert Chambers, Etna, shared that the Select Board does have a very rigorous process in reviewing Social Service Agencies and they make sure that the Town doesn't pay a disproportionate share for the social services.

Robert Norman, the Federal Government has cut the allocation and is paying less and less and they hope that the social service agencies are able to help out. He also believes that it is possible to change the entire process of keeping a social service agency off the warrant.

Robin Carpenter, noted that the issue isn't the merits of the agency but it's the process that is in question and the role of the taxpayers.

Sandra Hoeh noted that it is really easy to pick at the small numbers because they are understandable. She does believe that if they didn't fund these organizations, they will not be serving the people who really need help and the Town will have to pay someone to provide these services at a greater cost. She attended the Select Board meeting where social services had to provide the Board with information. It's not a rubber stamp and she felt that there was some misunderstanding as to how this works.

Bob Morris, asked if the money that is given to the agencies is going to go to help the residents of Hanover. Moderator Black clarified that this was the case and referred to page 13 of the Town Report.

Kim Perez, Etna, agrees with the sentiments of the group but felt that the Moderator should not speak to these issues.

Anne Morris felt that the community would be a better community for doing this.

Lisa Kaylor, 58 Hanover Street in Hanover and UVHS Board of Directors, while there is a service agreement between the Hanover Police and the Humane Society for stray dogs; it's only a partial covering of the services. Over 100 citizens take part in their training classes which are not covered by this money but the more animals they can train, the better off the community will be. There is a help line and there is the shelter. There were over 50 Hanover animal residents that were reunited with their owners.

Rich Howarth, speaking about the Fire Districts, noted that there is a finance side about differential tax rates but there's also two fire houses and there's a decision that the Select Board make about how to allocate resources between the two fire houses. He noted that in the report to the Select Board dated February 2nd that the Fire District Task Force wrote the following; it said 'it was suggested that were the Town to move to a more even distribution of common costs, it would be beneficial if greater effort could be made to achieve a closer parody of service level for all elements of the community' so he asked if there was a commitment on the part of the Select Board to take the recommendation seriously and to look at improving the low response times in the Two-Mile Road corridor on the other side of the water district where they typically see 15 to 20 minute response times which is below the industry standard.

Selectman Baschnagel noted that the Board is committed to do what they can do but there are two factors. One, the Etna station is manned by volunteers and he encourages residents to become volunteers. When he was attending college, there were 40 volunteers. A normal fire, there were 10 or 15 people responding, there are now 12 call firefighters in total. Two, there has been a program started to provide increased water capacity in the rural areas, but there aren't any big heroic steps such as manning the Etna fire station full time.

Chief Roger Bradley noted that he takes exception to Mr. Howarth making a public statement that the response times are 15 to 20 minutes which can be disproven by his department's run records and welcomes Mr. Howarth or anyone else to take a look.

Moderator Black called for a vote. **The motion PASSED and Article 19 was adopted as written.**

ARTICLE TWENTY: To see if the Town will vote to raise and appropriate \$2,500 to support the services provided for the residents of Hanover by Bonnie CLAC. This is the third year this article has appeared on the warrant.

Vice Chairman Connolly MOVED that the Town vote to raise and appropriate \$2,500 to support the services provided for the residents of Hanover by Bonnie CLAC. This is the third year this article has appeared on the warrant. SECONDED from the floor.

Mr. Robert Chambers stated that the meeting was started with the Gettysburg Address stating that All Men Are Created Equal but not everyone starts with the same amount of resources. Bonnie Clac helps low income individuals around the State of New Hampshire, Vermont and other areas. Mr. Chambers summarized that Bonnie Clac guarantee car loans for people, they teach a financial fitness course and help people buy brand new cars. They've helped 900 individuals to buy cars and guaranteed \$13 million in loans. Their losses are lower than any other commercial or non-profit organization. They graduated more people from financial literacy courses than any other non-profit in the State of New Hampshire. They are doing their best for the environment by buying fuel efficient vehicles. They are adding a health component to the financial literacy courses. They helped 49 people at DHMC and 40 at Dartmouth College. He noted that he appreciates the Town's support. He mentioned that Enfield is now supporting them financially.

Kari Asmus, she noted that she has stated that she feels that this is not an appropriate use of Town money and she donated her Honda Civic to Bonnie Clac but she still feels that she made the contribution that way instead of having it affect the tax rate.

Moderator Black asked for a vote on Article Twenty. The motion PASSED and Article 20 was ADOPTED as written.

ARTICLE TWENTY-ONE: To see if the Town will vote to raise and appropriate \$2,500 to support the services provided for the residents of Hanover by the Upper Valley Humane Society. This is the second year this article has appeared on the warrant.

Selectman Baschnagel MOVED that the Town vote to raise and appropriate \$2,500 to support the services provided for the residents of Hanover by the Upper Valley Humane Society. This is the second year this article has appeared on the warrant. Vice Chairman Connolly SECONDED the motion.

Lisa Kaylor, UVHS, noted that their organization does receive funding from several other Towns but Hanover is the 2nd largest town that they serve. Lebanon contributed \$9,700 this year to the Humane Society. The Humane Society does add a lot to the Community and it enables families to take advantage of the services that they provide.

Moderator Black asked for discussion on Article Twenty-One. Hearing none, Moderator Black asked for a vote on Article Twenty-One. **The motion PASSED and Article Twenty-One was ADOPTED as written.**

ARTICLE TWENTY-TWO: To see if the Town will vote to raise and appropriate \$1,500 to support the services provided for the residents of Hanover by the New Hampshire Association for the Blind. This is the first year this article has appeared on the warrant.

Selectman Lubrano MOVED that the Town vote to raise and appropriate \$1,500 to support the services provided for the residents of Hanover by the New Hampshire Association for the Blind. This is the first year this article has appeared on the warrant. Selectman Baschnagel SECONDED the motion.

Moderator Black asked for discussion on Article Twenty-Two. Hearing none, Moderator Black asked for a vote.

The motion PASSED and Article Twenty-Two was ADOPTED as written.

ARTICLE TWENTY-THREE: To see if the Town will vote to raise and appropriate \$465 to support the services provided for the residents of Hanover by Tri-County Community Action Program (CAP). This is the first year this article has appeared on the warrant.

Selectman Lubrano MOVED that the Town vote to raise and appropriate \$465 to support the services provided for the residents of Hanover by Tri-County Community Action Program (CAP). This is the first year this article has appeared on the warrant. Selectman Lubrano noted that the organization is asking for \$15.00 for each person that it has served in Hanover. Chairman Walsh SECONDED.

Moderator Black asked for any discussion on Article Twenty-Three. Hearing none, Moderator Black asked for a vote. **The motion PASSED and Article Twenty-Three was ADOPTED as written.**

ARTICLE TWENTY-FOUR: (Article by Petition) To see if the Town will go on record in support of effective actions by the President and the Congress to address the issue of climate change which is increasingly harmful to the environment and economy of New Hampshire and to the future well being of the people of Hanover. These actions include: 1) establishment of a national program requiring reductions of U.S. greenhouse gas emissions while protecting the U.S. economy, and: 2) creation of a major national research initiative to foster rapid development of sustainable energy technologies thereby stimulating new jobs and investment. In addition, the Town of Hanover encourages New Hampshire citizens to work for emission reductions within their communities, and we ask our Selectmen to consider the appointment of a voluntary energy committee to recommend local steps to save energy and reduce emissions. The record of the vote on this article shall be transmitted to the New Hampshire Congressional Delegation, to the President of the United States and to declared candidates for those offices.

Selectman Lubrano **MOVED** to see if the Town will go on record in support of effective actions by the President and the Congress to address the issue of climate change which is increasingly harmful to the environment and economy of New Hampshire and to the future well being of the people of Hanover. These actions include: 1) establishment of a national program requiring reductions of U.S. greenhouse gas emissions while protecting the U.S. economy, and: 2) creation of a major national research initiative to foster rapid development of sustainable energy technologies thereby stimulating new jobs and investment. In addition, the Town of Hanover encourages New Hampshire citizens to work for emission reductions within their communities, and we ask our Selectmen to consider the appointment of a voluntary energy committee to recommend local steps to save energy and reduce emissions. The record of the vote on this article shall be transmitted to the New Hampshire Congressional Delegation, to the President of the United States and to declared candidates for those offices. **SECONDED** from the floor.

John Trummel, Etna, resident for 12 years. This article was on virtually every town ballot in New Hampshire this year and sponsored by the Carbon Coalition who feels that they need to take more concerted action on Global Climate Change and he is partially responsible for getting it on the Hanover ballot. He is co-chairman of the Climate Protection Campaign who are Upper Valley residents interested in working toward solutions of global climate change. We can all change to compact fluorescent bulbs and drive fuel efficient cars but we will not make a serious impact on carbon emissions or global warming unless the Government takes action to work toward a solution which is why local citizens have put this on the ballot.

Moderator Black asked for discussion on Article Twenty-Four. Hearing none, Moderator Black asked for a vote. **The motion was PASSED and Article Twenty-Four was ADOPTED as written.**

ARTICLE TWENTY-FIVE: (Article by Petition) To see if the Town will vote to instruct the Town Manager and the Chief of Police to adopt the following policy with regard to arresting and prosecuting adults for the medical use of marijuana:

- (1) Hanover law enforcement officers are urged not to arrest an adult for simple possession of marijuana if the adult is able to produce written certification from his or her physician stating that the adult's use of marijuana would likely provide therapeutic benefit for the adult's medical condition, and where the physician's written certification can be verified as legitimate.
- (2) This policy shall not apply to the following:
 - (a) Distribution, cultivation, or sale of marijuana; or
 - (b) Driving under the influence.
- (3) With regard to this policy, the following definitions shall apply:
 - (a) "Adult" means an individual who is 21 years of age or older;
 - (b) "Marijuana" has the same definition as contained in the New Hampshire Revised Statutes Annotated.

Stuart Cooper, who spoke to the Article, lives in Manchester, NH and is the Executive Director of Live Free, which is a non-profit dedicated exclusively for the reform of medical marijuana laws in the State. They recently had a Bill, HB774 supported by doctors and 70% of NH voters and they lost by 9 votes in the New Hampshire Legislature. The next step was to go to the NH voters so he collected signatures and he noted that they have the support of the medical community and they have residents who are suffering with diseases that would benefit by the medicinal use of marijuana.

Chairman Walsh noted that the Board of Selectmen are required to take an oath to uphold the laws in the State of New Hampshire and although the Selectmen are not named in this article, the Town Manager and the Police Chief are and they have also taken that same oath. So, they asked the Town Attorney what it might mean to the Town if it passed. Here is the letter:

Dear Julia:

I'm writing with respect to Article 25 as it appears on this year's annual Town Meeting Warrant. This is a petitioned article instructing the Town Manager and the Police Chief to adopt a policy to discourage officers from arresting and prosecuting individuals found in possession of marijuana which is held 'for medical use'. Basically this article seeks to instruct the Chief and the officers not to uphold the laws of the State of New Hampshire in this particular circumstance. This Article, even if supported by vote at the Town Meeting is not valid and legal. First, the Town Manager has no direct authority over how the employees of the police department conduct law enforcement duties. By statute, that authority lies with the Police Chief. Further, the Chief and officers are sworn by oath to uphold the laws of the State of New Hampshire. The Town Meeting doesn't have the authority to attempt to interfere with the carrying out of those duties. Marijuana and other cannabis type substances are controlled drugs under the state law and are prohibited absent a prescription from a doctor and only then if dispensed by a licensed pharmacy. The obvious goal of this Article is to undermine or to skirt those restrictions and in effect change State law. The Town Meeting doesn't have that authority which leads to the conclusion that this Article is not valid. Therefore, it is our recommendation that the Town Meeting vote to table this Article.

Chairman Walsh stated that clearly this is something that arguing this at the State level is the appropriate place for this.

Bernie Benn, State Representative, who had the chance to vote on the article in the State house opposes the Warrant Article. He did vote for the Bill in the State House but feels that it would be irresponsible for Town Meeting to ask the police officers to not uphold the law so he asks the audience to vote this down.

Robin Carpenter, MOVED to table Article Twenty-Five. SECONDED from the floor. Moderator Black asked for a vote which had to be counted. The motion to table was passed 75 to 33.

Chairman Walsh asked Allegra Lubrano to stand up. Chairman Walsh stated that Allegra has been a real pleasure to serve with and has done great service to the Town at a high price to her kids. The Town owes her a great thanks.

Allegra Lubrano stated that it has been a pleasure working with Town staff and she has an incredible appreciation for them.

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

Selectman Lubrano MOVED to transact any other business that may legally be brought before this Town Meeting. Selectman Baschnagel SECONDED.

Kari Asmus noted that they did not mean to offend the Hanover Fire Chief which wasn't the intent but when suggesting that you can't say what the response times are, the average response times are 19.1 minutes.

Selectman Baschnagel MOVED to adjourn Town Meeting. SECONDED from the floor. Town Meeting adjourned at 9:25 p.m.

Respectfully submitted,

Charles Garipay, Town Clerk

Minutes prepared by Elizabeth S. Rathburn.