

1 BOARD OF SELECTMEN'S MEETING 5-9-11 (7:17 PM)

2 Selectmen present: David Petry, Mark Le Doux, Peter Band and Vahrij Manoukian

3 Absent: Frank Cadwell

4 Staff present: Troy Brown, Town Administrator; Cathy Hoffman, Assistant Town
5 Administrator

6
7 COMMUNITY ROOM

8 Chairman Petry called the May 9, 2011 Selectmen's meeting to order at 7:17 PM.
9

10 PLEDGE OF ALLEGIANCE/AGENDA REVIEW

11 Selectman Mark Le Doux led the Board and those present in the Pledge of Allegiance.
12

13 T. Brown reviewed the meeting agenda. He stated that Conservation Commission Chairman Tom
14 Dufresne has asked to have his scheduled meeting with the Board tabled. The non-public session at the
15 end of the meeting would be for the Board to discuss the potential hiring of an employee only.
16

17 MEETINGS

18 1. Jeff Babel, Public Works Director

19 a. **Library Roof Bid:** J. Babel reported that after advertising for RFPs (Requests for Proposals) in
20 two newspapers and three websites, he received only one bid for the replacement of the Hollis
21 Social Library's roof. The bid came in at \$12,000 more than the Town's budgeted amount of
22 \$40,000. J. Babel stated that the cost is driven by the price of copper, which has increased. M. Le
23 Doux suggested that J. Babel try to re-negotiate a price more in line with the budgeted amount. J.
24 Babel stated that it might also be possible to eliminate some items in the scope of work to reduce
25 costs. He added that there is a lot of labor and craftsmanship involved in replacing this type of
26 roof. The bidder is a Town resident and a craftsman. His work is high quality. He added that he
27 has been able to renegotiate the cost to \$48,000. M. Le Doux commented that since the market for
28 copper is decreasing, there may be some room for further negotiation. V. Manoukian commented
29 that the cost should not exceed \$40,000. The Board discussed where additional funding for the
30 project could be found. T. Brown stated that the money would have to come out of the building
31 maintenance expendable trust fund. M. Le Doux offered to contribute to the project and suggested
32 asking the Friends of the Library for assistance with either a contribution or private fundraising.
33 After further discussion, the Board asked T. Brown to contact the Friends of the Library
34 regarding the project. D. Petry also asked J. Babel to re-negotiate with the bidder. J. Babel stated
35 that his timeframe for completion of the project is September 1st. He added that there is some
36 flexibility with this schedule.

37 **2. Doug Smith, Interim Finance Officer:** D. Smith informed the Board that the Tax Anticipation Note
38 (TAN) in the amount of \$4 Million Dollars at a 1.6% interest rate has been secured with the Lake
39 Sunapee Bank. He stated that in addition to Town Treasurer Mark Kowalski, David Petry, Frank
40 Cadwell and Mark Le Doux have been designated as the authorized signatories for the agreement.
41

42 *MOVED by Mark Le Doux, seconded by Peter Band that the Selectmen execute the agreement, as*
43 *presented. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one*
44 *was opposed. Cadwell was absent. The motion PASSED 4-0-0.*
45

46 D. Smith stated that he was able to work with the school district on an alternate payment schedule. He
47 is confident that having the ability to delay payments to the schools would lessen the urgency for
48 execution of this agreement. M. Le Doux commented that the best time to make a deal with a bank is
49 before you need the money. Board members agreed. D. Smith informed the Board that right now the
50 Treasurer is the only one authorized to withdraw on the TAN. M. Kowalski did point out that if he is
51 not in Town, one or more of the Selectmen should be authorized to make a withdrawal. The bank did
52 inform D. Smith that the Board would need to vote on this authorization. The Board discussed

53 whether an actual signature would be needed or whether email authorization would be sufficient. D.
54 Smith stated that once the bank receives the minutes of the meeting that include the vote to authorize
55 an alternate, the withdrawal can be done via a phone request. V. Manoukian recommended requiring
56 two signatures for additional security.
57

58 *MOVED by Mark Le Doux, seconded by Vahrij Manoukian that the Selectmen authorize two*
59 *Selectmen to act as proxies, in addition to Town Treasurer Mark Kowalski, to authorize*
60 *issuances of advances under the Tax Anticipation Note. In the case of an issuance of \$500,000 or*
61 *more, both Selectmen shall act along with the Treasurer of the Town, in notifying the Bank*
62 *accordingly. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one*
63 *was opposed. Cadwell was absent. The motion PASSED 4-0-0.*
64

65 D. Smith asked the Board to specifically name the two Selectmen who would have this authorization.
66

67 *Moved by Vahrij Manoukian, seconded by Peter Band that the Selectmen authorize Selectman*
68 *Petry and Selectman Le Doux to act as proxies, in addition to Town Treasurer Mark Kowalski, to*
69 *authorize issuances of advances under the Tax Anticipation Note. Voting in favor of the motion*
70 *were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The*
71 *motion PASSED 4-0-0.*
72

73 The Board commended D. Smith on resolving this issue so expeditiously.

74 **3. Jeff Babel, Public Works Director (cont)**

75 **b. Dow Road:** J. Babel discussed the Dow Road rebuilding project with the Board. He stated that
76 there are a couple of choices. The first is to rebuild the road to 18'. Segments of the road that
77 exceed the 18' width would remain at the existing width. The road would not be straightened or
78 widened. The plan also proposes adding more curve in the proximity of #92 Dow Road. There
79 would be minor elevation changes at #134 Dow Road. In a few places gravel would be added.
80 There would be minor grading for drainage and two, possibly three, trees would have to be cut at
81 #92. A second option would be to shim and overlay the entire road and address minor drainage
82 issues. The third option would be to abandon the project all together. Citing the Selectmen's
83 minutes of May 3, 2010, during which the Board held a public informational meeting regarding
84 the reconstruction of Dow Road, J. Babel stated that his take away from that meeting was that the
85 majority of residents who spoke would like the road paved to an 18 foot width, but not widened.
86

87 The cost to shim and overlay the entire road including minor drainage work would be \$200,000.
88 The cost is dependent on the cost of asphalt. This money would come from the road rebuilding
89 budget. The treatment would last for approximately ten years, but there are no guarantees with a
90 shim and overlay. The total cost of the rebuilding the entire road, which would be done in phases,
91 would be \$700,000. If the option to abandon the project is chosen, then the funds would be
92 applied to other road projects. The Board discussed the option to shim and overlay versus
93 rebuilding Dow Road. M. Le Doux stated that he would be inclined to do the shim and overlay if
94 the safety issues could be addressed. J. Babel stated that one of the safety issues is the knoll,
95 which creates a site distance problem at #134. The solution to this issue would be to cut back the
96 knoll and fill the other side.
97

98 D. Petry questioned what other roads were scheduled for repairs. J. Babel responded that South
99 Merrimack Road is important to do. Other roads on the list for chip seal in 2011 include Hayden
100 Road, Shipley Drive, Mendelsshon Drive and Forest View Drive. Funding for these projects
101 would be from the Block Grant. If Dow Road is by-passed this year, J. Babel stated that the next
102 priority would be to re-build South Merrimack Road from Farley Road to Route 122.
103

104 P. Band questioned if Dow Road would deteriorate if no work was done for one to two years. J.
105 Babel responded no, adding that the costs would probably not change. But, it does depend upon
106 the price of product. He added that the biggest problem with Dow Road is in the area of #134. In
107 the winter, the road softens and the plows tend to peel up the surface. This requires a lot of
108 patching.

109
110 M. Le Doux stated that the concern voiced by a resident of Dow Road was that the Town did not
111 have the money for the project and that that the project, as proposed, was not discussed. D. Petry
112 stated that in the May, 2010 minutes the majority of the 15 residents that testified, stated that they
113 would like the road rebuilt, but not widened. Only one or two residents stated that they would
114 prefer the Town to do nothing. M. Le Doux reiterated his concern regarding the safety of the
115 road.

116
117 J. Babel stated that he could do drainage on either Dow Road or on South Merrimack Road this
118 year and do the paving in 2012. The Dow Road project was scheduled to start at the end of June.
119 J. Babel presented a large size topographic map of the two-mile road with handwritten notes. He
120 noted that there is no engineered plan for Dow Road. A fully engineered plan would add \$20,000
121 to the cost. D. Petry asked J. Babel if he could reduce the size of the map and create a digital file
122 for posting. His concern is that residents would not be aware of the plan. J. Babel stated that he
123 has discussed the plan with several abutting property owners.

124
125 M. Le Doux questioned the traffic counts. His concern was that if the road is improved too much,
126 the amount of traffic and speed would increase. J. Babel reviewed the traffic counts submitted by
127 the Highway Safety Committee and discussed at the May 3rd 2010 public informational meeting.
128 He stated that he does not expect the amount of traffic to increase. Speed is an enforcement issue.

129
130 D. Petry stated that F. Cadwell's opinion is to do nothing on Dow Road and to have J. Babel
131 move on to the next project. M. Le Doux, a resident of Dow Road, debated whether to recuse
132 himself from the vote. He was of the opinion that something should be done to improve the road.
133 P. Band was in favor of not doing anything this year. V. Manoukian agreed. D. Petry expressed
134 his frustration with the process. He commented that the majority of residents would like
135 something done to improve the road. The money is in the budget for this year. It is questionable if
136 there will be funding next year. It was made very clear at the beginning that there would not be
137 an engineered plan, but the plan was thoroughly covered in the minutes of the informational
138 meeting and by Jeff Babel. It was only when the road was being marked that the Board started to
139 receive comments. If this happens on every road, no roads in Town will ever be fixed.

140
141 D. Petry asked the Board to table an official vote until all Board members are present. He stated
142 that a decision on Dow Road would be made at the next meeting on May 23rd. He asked T. Brown
143 to notify residents of Dow Road by first class mail of this meeting. He added that the Board
144 would allow a ten minute public comment period. He instructed J. Babel to proceed with other
145 priorities.

146
147 **ADMINISTRATIVE BUSINESS**

148 **1. Approval of Minutes**

149 **a. Public Minutes of April 25, 2011**

150
151 *MOVED by Mark Le Doux, seconded by Peter Band that the Selectmen approve the public*
152 *minutes of Monday April 25, 2011, as submitted. Voting in favor of the motion were Petry, Le*
153 *Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The motion PASSED 4-*
154 *0-0.*

155

156 **b. Non-Public Minutes April 25, 2011 (6:31PM) and (8:40 PM)**

157

158 *MOVED by Mark Le Doux, seconded by Vahrij Manoukian that the Selectmen approve and keep*

159 *sealed the non-public minutes of Monday April 25, 2011 (6:31 PM and 8:40 PM), as submitted.*

160 *Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed.*

161 *Cadwell was absent. The motion PASSED 4-0-0.*

162

163 **2. Warrants:**

164 **a. Employee Reimbursements-4/28/11 (\$1,482.92)**

165 **b. Payroll-4/28/11 (\$146,022.49)**

166 **c. Accounts Payable -4/28/11 (\$1,641,521.30)**

167

168 *MOVED by Peter Band, seconded by Mark Le Doux that the Selectmen approve and sign the*

169 *warrants, as presented. Voting in favor of the motion were Petry, Le Doux, Manoukian and*

170 *Band. No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.*

171

172 **3. Weekly Meetings and Announcements:** D. Petry announced the Town board, committee and

173 commission meetings for the week of May 9th through the 13th.

174 **4. Assessing Business**

175 **a. Notice of Intents to Cut Wood or Timber-Operations #11-223-02 (Map/Lot 012-005-006,**

176 **007 and Map/Lot 017-028 , 029), #11-223-03 Map/Lot 043-009, 047-001, 047-007 and 047-**

177 **008),**

178 *MOVED by Mark Le Doux, seconded by Peter Band that the Selectmen approve and sign the*

179 *Notices of Intent to Cut Wood or Timber for Operation #11-223-02 and Operation #11-223-*

180 *03, as presented. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band.*

181 *No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.*

182

183 **Operation #11-223-04 (Map/Lot 028-009)**

184

185 *MOVED by Peter Band, seconded by Mark Le Doux that the Selectmen approve and sign the*

186 *Notice of Intent to Cut Wood or Timber for Operation #11-223-04 on the condition that the*

187 *abutters of this property are notified of the timber operation. Voting in favor of the motion*

188 *were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The*

189 *motion PASSED 4-0-0.*

190

191 **b. Reports of Timber or Wood Cut- Operations #10-223-06 (\$1066.76), #10-223-13 (\$1,905.64),**

192 **#10-223-14 (\$2,368.27), #10-223-17 (\$1,905.64), #10-223-18 (\$1,905.64) , #10-223-21 (\$0.00)**

193

194 *MOVED by Mark Le Doux, seconded by Peter Band that the Selectmen approve, sign and*

195 *authorize the Tax Collector to collect \$9,151.95 in timber tax, as presented. Voting in favor*

196 *of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell*

197 *was absent. The motion PASSED 4-0-0.*

198

199 **c. Property Abatements- Cases #2010-012 (\$481.00 plus interest), #2010-021 (\$432.00 plus**

200 **interest), #2010-026 (\$225.00 plus interest, #2010-031 (\$532.00 plus interest), #2010-033**

201 **(\$1,939.00 plus interest**

202

203 *MOVED by Mark Le Doux, seconded by Peter Band that the Selectmen approve and sign the*

204 *abatement applications, as recommended by Municipal Resources Inc. Voting in favor of the*

205 *motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was*

206 *absent. The motion PASSED 4-0-0.*

207

208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259

- d. Abatements-2010 Land Use Change Tax- Case #2010-001 LUCT:** Because this abatement application was filed four days after the deadline of March 25, 2011, MRI has recommended denial of the LUCT Abatement Application for untimely filing.

MOVED by Mark Le Doux, seconded by Peter Band that the Selectmen deny the LUCT Abatement Application for Case #2010-001 LUCT, as recommended by Municipal Resources Inc. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.

5. Town Administrator's Report

- a. Town Hall Clock Tower:** T. Brown reported that the construction company has begun the staging for the work on the Clock Tower. Depending on the weather, the roof replacement should be completed in four weeks or less.
- b. Ash Street Sidewalk Project Update:** T. Brown stated that the project is going well. There was an issue with some underground TDS Telecom lines, but the workers were able to maneuver around the problem. There will be no monetary impact. Some business signs and a mailbox in the right of way will have to be relocated.
- c. Transition to LGC-Health Insurance:** The transition to LGC for the Town's health insurance is complete. The Town is now monitoring the self-insured run-out costs.
- d. Federal Hill Road Dam:** Two options were presented at the last meeting regarding the Federal Hill Road Dam. The options were to either register or breach the dam. Representative Jim Belanger has presented a third option, which would be for the Board to vote to appeal to the State for a waiver of the fines and fees.

MOVED by Mark Le Doux, seconded by Peter Band that the Selectmen ask Town Administrator Troy Brown to write a letter to the New Hampshire Department of Environmental Services Dam Bureau, asking for the State to declassify the Federal Hill Road dam and to waive any fines and fees. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.

Board members felt that the State officials who inspected the rebuilt culvert/dam should have notified the Town of the dam issue at that time. M. Le Doux asked that Senator Luther be copied on the letter.

OLD BUSINESS

- 1. Memorial Day Speaker:** P. Band agreed to check his schedule and let T. Brown know if he is available to speak on behalf of the Town at the Memorial Day ceremony.
- 2. Action Item List:** D. Petry updated the Board's action item list. He asked Board members to review and prioritize the list. T. Brown stated that he would be working on a charge for the Farley Building Committee. M. Le Doux commented that he would like to be included on the Personnel Policy Committee. He asked for a report showing the non-union employee wage schedule and years of service. He also requested that the Town Administrator look into creating a blog on the Town website.

NEW BUSINESS

- 1. Petition and Pole License: Cameron Drive**

MOVED by Peter Band, seconded by Vahrij Manoukian that the Selectmen sign the Petition and Pole License, as presented. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.

260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309

2. Police Chief Appointment:

MOVED by Mark Le Doux seconded by Peter Band that the Selectmen appoint James Sartell to the position of Police Chief for the Town of Hollis, effective June 1, 2011. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.

3. Committee Reports: There were no committee reports. M. Le Doux reiterated his request for an opinion from Attorney Drescher regarding taxation of the cable company. T. Brown stated that he would be contacting the legal staff at the Local Government Center (LGC) regarding this question. The legal staff typically responds quickly to legal questions from municipalities.

4. Sidewalk Snow Removal and Maintenance: John Anderson asked what the Town's costs were to plow the sidewalks. He also wanted to know if the Town would be required to plow the Ash Street sidewalk.

NON-PUBLIC SESSION

MOVED by Mark Le Doux, seconded by Vahrij Manoukian that the Selectmen enter into a NON-public session in accordance with RSA 91-A:3-II (b) for the consideration of hiring a public employee. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.

The Board entered into a non-public session at 8:25 PM.

CONCLUSION OF NON-PUBLIC SESSION

MOVED by Vahrij Manoukian seconded by Peter Band that the Selectmen come out of NON-public session in accordance with RSA 91-A:3-III. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.

MOVED by Vahrij Manoukian, seconded by Peter Band that the Selectmen seal the minutes of the NON-public session in accordance with RSA 91-A: 3-III. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.

The Board came out of non-public session at 8:39 PM

ADJOURNMENT

MOVED by Peter Band, seconded by Vahrij Manoukian that the Selectmen adjourn. Voting in favor of the motion were Petry, Le Doux, Manoukian and Band. No one was opposed. Cadwell was absent. The motion PASSED 4-0-0.

The Board adjourned at 8:40 PM.

Respectfully submitted,
Cathy Hoffman
Assistant Town Administrator