

BOARD OF SELECTMEN

April 18, 2005

Selectmen present: Mark Johnson, Vahrij Manoukian, Ray Lindsay, Peter Band and Melinda Willis

Staff present: Cath Hallsworth, Administrative Assistant; Cathy Hoffman, Secretary

COMMUNITY ROOM (5:47 PM)

NON-PUBLIC SESSION

The Board entered non-public session with Police Chief Richard Darling.

MOVED by Peter Band, seconded by Raymond Lindsay, that the Board enter NON-public session in accordance with RSA 91-A:3-II-(a) and (c) for the consideration of personnel and union matters and matters that if discussed in public might adversely affect the reputation of a person. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

The Board entered non-public session at 5:47 PM.

CONCLUSION OF NON-PUBLIC SESSION

MOVED by Vahrij Manoukian, seconded by Peter Band, that the Board come out of non-public session. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

The Board came out of non-public session and entered public session at 6:20 PM

POLICE CHIEF RICHARD DARLING

Assistant Animal Control Officer: Chief Darling reminded Board members that in the fall of 2004, he discussed with the Selectmen the need for an Assistant Animal Control Officer to work during the days and on weekends. Deb St. Laurent, who he was planning on introducing to the Selectmen this evening, is experienced and well qualified for this part-time position. However, after reviewing the budget, he discovered that there is not enough money to cover this position. Animal Control Officer (ACO) Jayne Belanger already works between 15-20 hours per week, answering calls and completing paperwork. This leaves no hours to hire an assistant. Jayne is not available during the day and on the weekends when the department receives most of the calls. During the months of January and February there were a total of 56 animal control calls. Patrol officers do not like to take these calls because they are not experienced at handling animals. Additionally, there are vehicle issues. There is no vehicle designated for animal control. The ACO sometimes must use an available cruiser to pick up and transport the animals. On occasion, the cruisers are left in a somewhat undesirable condition. Chief Darling asked the Board to think about how they would like to deal with this situation. M. Johnson suggested that Chief Darling review the budget with Finance Officer Paul Calabria.

MORT GOULDER

ANGELO MARINO, ASSESSMENT ASSOCIATES

M. Johnson asked A. Marino, Assessment Associates, to explain to the Board his reasoning on why he believes Mort Goulder's request for a charitable exemption on property that he owns should be denied. A. Marino stated that based on the evidence presented, the land does not qualify for the exemption because it does not serve the purpose of a charitable organization. In order to qualify for this exemption, the land must be used as intended for the charitable organization. M. Goulder argued that his charitable organization has a much broader scope, which is to protect the environment.

Preserving this land serves that purpose. M. Johnson commented that the Board has reviewed A. Marino's response along with the related state statute and agrees that owning the land must contribute to the charitable organization achieving its purpose. M. Johnson questioned that if the charitable organization did not own this land, would the objectives of the organization be diminished? A. Marino stated that these lots do not contribute to the generation of income for the purpose of the organization, which is to protect land. M. Willis commented that if there were a building on this land and rent generated from the use of this building was used specifically for the charity, then that would constitute a contribution to the purpose and qualify as an exemption.

P. Band read section V. of RSA 72.23, **Real Estate and Personal Property Tax Exemption**. "The following real estate and personal property shall, unless otherwise provided by statute, be exempt from taxation: (V.) The buildings, lands and personal property of charitable organizations and societies organized, incorporated, or legally doing business in this state, **owned, used and occupied by them directly for the purposes for which they are established** (emphasis added), provided that none of the income or profits thereof is used for any other purpose than the purpose for which they are established." M. Johnson stated that there is no demonstrable link between ownership of the land and the purpose of the organization. M. Goulder reiterated that the purpose of the charity is preserving land.

V. Manoukian questioned if there was any other individual in Hollis, or in the region, that A. Marino knew of that was in this situation. A. Marino responded no. He commented that there is a church in the City of Nashua that rents space in its parking lot. However, all of the money generated goes to the church, therefore fulfilling the religious purpose. In M. Goulder's case, no money is generated from the land. P. Band asked how taxation would be handled on property owned by a church that was not used for religious purposes. A. Marino stated that in that case, the land would be subject to taxation.

Consensus of the Board was that this land does not qualify for the charitable organization exemption. A. Marino's memo, including his opinion on this matter, will be forwarded to M. Goulder.

Overlook Abatement: A. Marino informed the Board that the owners of the Overlook have filed an abatement for the golf course. He stated that he has talked to the owners and believes that Vision Appraisal over assessed the golf course when they performed the Town's revaluation. Vision's appraisal of the golf course was based on best quality. A. Marino's assessment of the property showed that this is not the case. Much of the land is low and wet. Also, the condo association owns a good portion of the land. He estimated that the abatement amount would be approximately \$1 Million Dollars. He stated that he would be working with the owners on the numbers, and that the owners have agreed not to file an abatement for last year.

Town Revaluation: A. Marino stated that Assessment Associates would be available to re-assess one-quarter of the Town per year over the next four years. He added that he has a bid document available if the Selectmen would like to go out for bids on the project. Consensus of the Board was to move forward with the bid process.

JOHN ERESIAN, MASTER BUILDOUT PLAN COMMITTEE

J. Eresian began by citing the Hollis Buildout Analysis prepared for the Town by the Nashua Regional Planning Commission (NRPC) in 2001. Referring to the buildout map included in the analysis, J. Eresian stated that the map shows that there is quite a bit of remaining undeveloped land in Hollis. The analysis projects that the number of housing units and the Town's population is expected to double by the time of buildout in (2031). This projection was based on land use and zoning ordinances and regulations in place in 2001. This analysis needs to be updated. He proposed that the Selectmen authorize, with the assistance of NRPC and their resources, the preparation of a Strategic Growth Management Plan for Hollis. The purpose of this plan would be to help the Town make informed, proactive decisions about preserving the Town's historic and natural character by focusing on ten strategic areas of concern. These areas include:

- Public Schools
- Aquifer
- Land Protection
- Roads and Transportation
- Recreational Facilities

- Historic Resources
- Affordable Housing
- Governance
- Long-range Capital Budget

Since the formation of this plan would be a long and complex process, he recommended that the Selectmen appoint a committee composed of qualified individuals, representing organizations, businesses, Town boards and committees and the schools to prepare this plan. The committee would be divided into a steering or management committee and a group of individuals who would act in an advisory capacity. A few of the questions and issues that this committee would deal with include:

- How much land can the Town protect and at what cost?
- What is the cost balance between housing, schools and land protection?
- What additional school facilities will be required at buildout?
- Will Hollis continue to be part of the cooperative school district?
- How can the Town insure an adequate clean water supply for its residents now and in the future?

J. Eresian anticipated that the timeframe for this committee to complete this project would be 1-2 years. He estimated that cost of the project would be \$10,000 to \$15,000. The first step in the process would be to compile a survey in order to collect informed feedback from residents. He added that the Selectmen must support this project or it would not be taken seriously.

R. Lindsay felt that the plan was a good idea. M. Willis stated that this is the time to initiate this plan. Residents are asking these questions now. P. Band commented that this plan has essential value in that it will allow the Town to make more informed decisions. He stated that it is cost effective and there is a capable volunteer base to make this happen.

J. Eresian stated that NRPC is currently working on a regional study, projecting population growth and how this growth will affect the water supply (aquifer). Maps displaying this information should be available by June 30th.

P. Band questioned if other towns in the region were preparing this type of growth management plan. J. Eresian responded no. Hollis would be the first town to undertake a project of this scope. V. Manoukian recommended that J. Eresian talk to Budget Committee Chairman Mike Harris regarding funding for this committee. J. Eresian stated that he felt it was necessary, as a first step, to present this proposal to the Selectmen. M. Johnson stated that he endorses this project. The Town needs to have a total picture and an ultimate long-range vision with regard to schools, land purchases and the other issues noted in the plan's focus.

J. Eresian commented that the next step would be the formation of the steering committee. He suggested that the Selectmen extend written invitations to the list of potential committee members that he has included with this proposal.

The Board thanked J. Eresian for presenting this proposal to the Board.

HOWARD BIGELOW, CHAIRMAN OF THE LIBRARY TRUSTEES

H. Bigelow announced to the Board and members of the public, by means of a power point presentation, an upcoming special event at the Hollis Social Library. The Library is hosting a preview and public viewing of the world's largest book. The book measures five by seven feet, is 114 pages and weighs 130 pounds. This book is a compilation of beautifully illustrated images of the kingdom of Bhutan. The viewing will take place at the Library on Saturday and Sunday, May 14th and 15th from 9AM-5PM.

Some of the challenges of presenting this book to the public are due to its size. It is too big to fit in the back of a mini-van. H. Bigelow asked for assistance from the Town in transporting the book to the Library. Also, because of the book's value, he requested that the Town provide security at the Library, and assistance from the Fire Department in attaching a banner, advertising the event, to the front of the Library.

H. Bigelow stated that the Hollis Social Library would be the first library in New Hampshire to show this unique book. Copies of the book may be purchased for \$15,000. \$9,000 of the cost is tax deductible. Smaller versions of the book are available at a lesser cost. Profits from the sale of the books will benefit the schools in Bhutan.

When asked what the motivation was for creating such a book, H. Bigelow responded that MIT and National Geographic devised the concept. The purpose was to explore the use of new technology. All of the locations in the book were GPS positioned.

DEPARTMENT OF PUBLIC WORKS DIRECTOR ARTHUR LEBLANC

Doug Benoit: A. LeBlanc introduced the Department of Public Works (DPW) new hire, Doug Benoit, to the Board. He stated that Doug worked part-time for the department during the winter as a snowplow operator. He has also worked at the transfer station. He will be working at the DPW garage, the transfer station, and at the Town Hall, as needed. Board members welcomed Doug Benoit to the DPW staff.

Transfer Station Changes: A. LeBlanc reported that the DPW is considering recycling electronics at the transfer station. Though fees will be assessed, in the beginning, electronics recycling might cost the Town money. A. LeBlanc anticipates that the state and federal government may mandate this type of recycling in the near future.

M. Willis asked if there are plans to add a third dumpster at the transfer station due to the excessive traffic on Saturdays. A. LeBlanc stated that one possible solution, used in Amherst, would be to switch trailers in mid-afternoon. He also would encourage people to try and use the transfer station during the week, on Tuesdays and Thursdays. He felt that the Saturday traffic might ease when residents complete spring clean up.

A. LeBlanc stated that, in the future, the transfer station would be adding a mixed paper compactor and an additional bin for separating out tin cans from the mixed recyclables. The aluminum containers will be compacted.

Farley Road: A. LeBlanc stated that Jaworski Engineering would be giving the DPW an estimate for inspection of the culverts on Farley Road. The purpose of the inspection is to determine the weight capacity of the culverts.

Richardson & Wright Roads: A. LeBlanc informed the Board that though the Planning Board has the authority to recommend improvements related to subdivision impacts, the ultimate authority regarding Town roads rests with the Selectmen. Concerns have been raised about drainage issues and damage to tree roots on Richardson Road from potential impact related to the Wright Heirs proposed subdivision. He stated that the Selectmen should make a decision about the affected section of Richardson Road from the right angle curve to the intersection with Depot Road. M. Johnson suggested that the Board conduct a site walk of this portion of Richardson Road with A. LeBlanc.

A. LeBlanc stated that the traffic study conducted by the applicant's traffic engineer projected a 182 car per day increase in traffic on Wright Road at buildout of the development. This is a 60% increase. The existing culvert has a 15-ton weight limit. The Selectmen have the right to have the applicant share up to 38% of the improvement costs to the culvert. This phase (15 houses off of Wright Road) of the project is not going to be developed for about four years. If the Selectmen would like to assess the applicant for these improvements, they must act now at the time of Planning Board review. He added that there are currently operational concerns with this culvert. If the bridge were constructed to a safe condition, it would relieve construction traffic, which now would have to be diverted to Broad Street. The question is whether to repair or not repair the culvert.

V. Manoukian felt that for safety reasons, the road should be improved and widened to accommodate two lanes of traffic. M. Willis disagreed, stating that for aesthetics and speed reduction, the bridge should remain narrow. M. Johnson agreed, commenting that wider is not necessarily safer. M. Willis stated that it is in the DPW capital improvements plan to rebuild this culvert in the next 3-5 years. A. LeBlanc responded that depending on funding, this would not occur until after the South Merrimack Road culvert was rebuilt. M. Willis thought that there should be some cost sharing with the applicant, but it should be less than 38%.

Elizabeth Woods, spokesperson for the Wright Heirs, informed the Board that the traffic report indicates that the bridge is currently unsafe for the additional weight of construction traffic. The report recommends the installation of signs and

guardrails. She stated that no one on Wright Road wants the bridge widened. The existing one-lane bridge acts like a speed bump and slows traffic. E. Woods recommended that the Board read the traffic study in the Planning Board file.

A. LeBlanc stated that the issues are signage, site distance, guardrails, regular inspections of the bridge, and re-evaluation to determine if a new bridge should be considered in the future. He stated that the bridge needs improvements with or without the new subdivision. P. Band added that this bridge has historic significance as being one of the oldest remaining stone culverts in Town.

E. Woods commented that the engineers couldn't determine the strength of the existing bridge because it is made of stone. She stated that the safety issue is the construction traffic.

A. LeBlanc stated that by law, the Town has the right to ask for participation of the applicant to repair the bridge. The Town would need an engineer's assessment and a cost estimate. M. Willis suggested expanding the extent of the assessment to include the cost of repairs to keep the current weight limit on the bridge and the cost to increase the weight limit to accommodate construction vehicles. It would be helpful to see the cost differential.

The Board scheduled an emergency meeting for 7AM Tuesday April 19th for the purpose of conducting a site walk and inspection of Richardson Road from Depot Road to the right-angle curve.

ANNOUNCEMENTS

M. Johnson reminded residents that the Hollis Social Library would be displaying the world's largest book at the library on May 14th and 15th from 9AM-5PM.

The Land Protection Study Committee has extended an invitation to the public to a meeting at 7PM on Wednesday, April 20, 2005 in the community room. Julie Ifflin from the Trust for Public Lands will be speaking on how this organization helps towns preserve land without using tax dollars.

M. Johnson announced the committee and board meetings for the week of April 18th through the 22nd.

M. Johnson announced that Catharine Hallsworth has been named Director of Administration. This promotion recognizes her contributions and management leadership skills. With this promotion C. Hallsworth assumes the additional responsibilities of overseeing the Town's stormwater program and the Town facilities improvement projects. The Board congratulated C. Hallsworth on her promotion.

P. Band read the warning to hold a Special Town Meeting at 7 PM on Monday, May 16th in the Town Hall community room for the purpose of accepting grant funding for the purchase of the Woodmont Orchard property. M. Johnson noted that grants would be awarded on May 6th. The Town could receive from \$0 to \$1.3 Million Dollars. If the Town receives no money, the Special Town Meeting would be cancelled.

CORRESPONDENCE AND OTHER BUSINESS

Selectmen's Representatives Appointments: The Board appointed P. Band as the Selectmen's Representative on the Property Tax Equity Committee, R. Lindsay as the Selectmen's Representative on the Land Stewardship Committee and M. Willis as the Selectman's Representative on the Master Buildout Study Committee.

Lease of Land for Farming Purposes: C. Hallsworth reported that this lease agreement is still in the development stages.

Land Stewardship Committee Mission Statement: C. Hallsworth recommended that the Board appoint a qualified person to chair this committee and define a mission statement. R. Lindsay felt that the Conservation Commission should have input.

Charitable Funds Thank You Letters: C. Hallsworth stated that each year the Town donates to several area charities.

Funding checks were issued to these charities last week and the Board has received thank you letters from the Keystone Hall, the Greater Nashua & Souhegan Valley Chapter of the American Red Cross and St. Joseph's Community Services.

Acceptance of Funds on Behalf of the Heritage Commission: Heritage Commission Finance Officer Bob Leadbetter has requested that the Selectmen accept donations on behalf of the Heritage Commission totaling \$1,200.

MOVED by Vahrij Manoukian, seconded by Peter Band, that the Selectmen accept donations totaling \$1,200 on behalf of the Heritage Commission. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

Board and Committee Appointments: The Selectmen appointed Mort Goulder, John Dunn, Lawrence Morrison and Joanne Hollis to the Property Tax Equity Committee.

MOVED by Vahrij Manoukian, seconded by Raymond Lindsay, that the Selectmen appoint Mort Goulder, John Dunn, Lawrence Morrison and Joanne Hollis as members of the Property Tax Equity Committee with terms to expire March 31st, 2006. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

The Selectmen appointed Richard Gustafson as an alternate member of the Zoning Board of Adjustment.

MOVED by Peter Band, seconded by Melinda Willis, that the Selectmen appoint Richard Gustafson as an alternate member of the Zoning Board of Adjustment with a term to expire on March 31st, 2007. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

SIGNATURES

The Selectmen signed the following:

- Timber Tax Levy-Map 59/Lot 40 (\$263.53) and Map 26/Lot 5 (\$3,830.61)

MOVED by Mark Johnson, seconded by Peter Band, that the Selectmen authorize the Tax Collector to collect \$263.53 in Timber Tax for property identified as Map59/Lot 40, and \$3,830.61 in Timber Tax for property identified as Map 26/Lot 5, as presented. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

- Intents to Cut: Map 20/Lot 32, Map 17/Lots 5,8 and 9, Map 29/Lots 3,5,7 and 37

MOVED by Mark Johnson, seconded by Raymond Lindsay, that the Selectmen sign the intents to cut for Map 20/Lot 32, Map 17/Lots 5,8 and 9 and Map 29/Lots 3,5,7 and 37, as presented. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

· The New Hampshire Department of Transportation Division of Emergency Services grant application submitted by Emergency Management Director Don McCoy.

· A letter to Hugh Mercer

- A contract with Granite State Land Surveyors to perform the necessary research and surveying of the 116-acre Gelazauskas Preserve. The total cost estimate is \$13,000. C. Hallsworth stated that \$25,000 was added to the bond for expenses associated with the land purchase.

MOVED by Vahrij Manoukian, seconded by Raymond Lindsay, that the Selectmen hire Granite State Surveyors to perform the research and survey of the Gelazauskas Preserve at a cost of \$13,000, as

presented. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

ABATEMENTS

· C. Hallsworth recommended that the Board deny the abatement for Map 1/Lot 35. The application was received after the filing deadline.

MOVED by Mark Johnson, seconded by Peter Band, that the Selectmen deny the abatement request for Map 1/Lot 35 because the application was received after the deadline. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

APPROVAL OF MINUTES

MOVED by Peter Band, seconded by Raymond Lindsay, that the Board approve the public minutes of Monday, April 11, 2005 (6:00 PM), as submitted. Voting in favor of the motion were Manoukian, Lindsay, Band and Willis. None were opposed. Johnson abstained. The motion PASSED 4-0-1.

NON-PUBLIC SESSION

MOVED by Vahrij Manoukian, seconded by Peter Band, that the Board enter NON-public session in accordance with RSA 91-A:3-II-(c) for the consideration of welfare matters and matters that if discussed in public might adversely affect the reputation of a person. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

The Board entered non-public session at 8:30 PM.

CONCLUSION OF NON-PUBLIC SESSION

MOVED by Vahrij Manoukian, seconded by Raymond Lindsay, that the Board come out of non-public session. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

The Board came out of non-public session at 9:22 PM.

ADJOURNMENT

MOVED by Vahrij Manoukian, seconded by Raymond Lindsay, that the Board adjourn. Voting in favor of the motion were Johnson, Manoukian, Lindsay, Band and Willis. None were opposed. The motion PASSED 5-0-0.

The Board adjourned at 9:22 PM.

Respectfully submitted,

Cathy Hoffman, Secretary