

BOARD OF SELECTMEN

June 18, 2007

Selectmen present: Melinda Willis, Mark Johnson, Vahrij Manoukian and David Petry

Absent: Mark LeDoux

Staff present: Cath Hallsworth, Director of Administration; Cathy Hoffman, Secretary; Volunteer Camera Operator, Paul Armstrong

COMMUNITY ROOM (6:30 PM)

AGENDA REVIEW:

M. Willis explained that the Selectmen, in an effort to inform the public what topics the Selectmen would be discussing at the meeting, would be initiating a new procedure for agenda review. She outlined the procedure, stating that C. Hallsworth would go over the current agenda items at the beginning of each meeting. At the end of this review, Board members would be asked if they had any additions or changes. At the Chairman's discretion, new business items would be added and the agenda set.

In accordance with this procedure, the following items were added to the agenda:

Former Commissioner of the New Hampshire Department of Resources and Economic Development (DRED) Sean O'Kane was included as a participant in the discussion regarding Silver Lake State Park.

New Business-Establishment of a petty cash fund for the Department of Public Works (DPW)

New Business-Recognition of V. Manoukian, PhD.

PETER BAKER, LAND STEWARDSHIP COMMITTEE

P. Baker thanked the DPW for their assistance in helping members of the Land Stewardship Committee (LSC) and volunteers clean up the Dunklee area.

M. Willis informed P. Baker that the Selectmen were in agreement that the red garage on the Woodmont Orchard property should be taken down. P. Baker stated that he would like to use this building as an example to set procedures for potentially taking down other buildings on the property. He requested that the Board appropriate \$500 to the LSC. He explained that costs are unknown, but could include disposal of trash and hazardous waste.

Board members discussed the take down of the building. M. Willis questioned if P. Baker would be asking for volunteers to dismantle the building. M. Johnson stated that he was opposed to using volunteers because of liability concerns. He would prefer that the DPW demolish the building. Another option would be to ask Chief Towne if the building could be burned for fire department training. M. Willis asked P. Baker to return next week with a procedural plan and a decision on the removal of the building. She also requested that he:

- Check with Chief Towne regarding using the building for training.
- Salvage the materials mentioned in the minutes of the site walk.
- Contact Honi Glover about other potentially salvageable material.
- Contact the Nichols-Smith Conservation Land Trust and the Federal Farm and Ranch Land Protection Program regarding any grant or deed restrictions for the use of buildings on this property.

P. Baker recommended that if the DPW keep an accounting of their time if they were to take down this building.

P. Baker requested an appropriation of \$200 to install a gate at Dunklee to keep vehicles off of the property. M. Willis suggested that P. Baker return with a quote and a drawing showing the location of the gate. She recommended placing the gate in a location that would allow for parking.

CORRESPONDENCE AND OTHER BUSINESS

Primex Contract: M. LeDoux has spoken to the contact person at Primex regarding their multi-year contract offer to the Town, which includes a 5% rate discount. He recommends that the Town accept this contract.

MOVED by Mark Johnson, seconded by David Petry that the Selectmen authorize the Chairman to sign the multi-year contract with Primex, as submitted. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

Lawrence Barn Fee Waiver Request: This request of the fee waiver is for six dates in February and March. All dates are on either a Saturday or a Sunday. The events would potentially include all day art expos, lectures and evening concerts. Coffee and dessert would be provided. The group requesting the waiver is a non-profit organization. Kim Dogherty has recommended that the Board approve this waiver request because it meets the guidelines of the Lawrence Barn handbook.

Board members had reservations regarding granting fee waivers. M. Johnson stated that if user fees are not assessed the expenses fall on the taxpayers. There is no equivalent to the Lawrence Barn that can be rented for the price that the town charges. He was against granting any waivers. D. Petry concurred, commenting that granting fee waivers sets a precedent. The Board agreed to discuss the fee waiver request and review the Lawrence Barn handbook at the July 2nd meeting with members of the Lawrence Barn handbook committee and Kim Dogherty.

ALLISON MCLEAN, DIVISION DIRECTOR, NH STATE PARKS AND RECREATION

MIKE HOUSMAN, PARKS SUPERVISOR

POLICE CHIEF RUSSELL UX

FIRE CHIEF RICK TOWNE

Silver Lake State Park: Chief Ux introduced A. McLean and M. Housman to Board members. He commented that A. McLean has been very cooperative and diligent in listening to the concerns that the Town of Hollis has regarding the state's decision to delay the opening of and to not provide lifeguard supervision at Silver Lake State Park.

A. McLean stated that she hopes that the Board and her department can work collaboratively to address the town's concerns. She explained that there are seventy-three state parks in the New Hampshire park system. Only one-third of the parks turn a profit. The smaller parks barely break even. RSA 216 mandates that the state parks be self-funding. That means that the parks system does not receive funding from the state. Bad weather for the past two seasons has impacted attendance at the parks. Income is down 22%, which equates to \$1.5 Million Dollars. In an effort to reduce costs, the department made the decision to delay openings at many of the smaller parks. Silver Lake is scheduled to open full-time next weekend (June 23rd). There will be supervision at the park but no lifeguards. The park will be posted accordingly with bilingual signage. The staff at Silver Lake will work with the Hollis Fire and Police departments regarding any safety issues. A. McLean noted the reasons that lifeguard supervision would not be provided.

The Parks Department cannot afford the additional \$20,000 cost.

Recruitment of experienced lifeguards is hard at this time-The state's pay scale is not competitive. It is \$4.50 per hour less that of private recreational facilities.

M. Willis requested that in the future the N. H. Parks Department notify the town of changes to the operating procedures. A. McLean apologized, explaining that the department waited until the last minute on the delayed opening decisions in hopes that they would be able to open all parks on time.

Chief Ux commented that because of the delayed opening, the lines of communication have been opened between the town and the state. We now know that forest rangers will be available to assist the town on the 4th of July weekend.

A. McLean presented options on how towns like Hollis that have small state parks within their boundaries can help. Some municipalities have partnered with the state to provide spring clean up of the parks and to recruit volunteers. Other communities have entered into legal agreements or memorandums of understanding with the state and contributed annual funding to the parks in their towns. In return, town residents have free use of the park.

A. McLean stated that the department is planning on making significant income producing improvements to many of the parks including Silver Lake. These include maintenance improvements and erecting picnic pavilions and new play facilities.

D. Petry questioned the fees charged at Silver Lake. A. McLean responded that the entrance charge is \$3 for adults and \$1 for children over six. The department is considering a new fee structure. She noted however, that New Hampshire currently has the highest charges in the country. In other states the state parks are either free or have a minimal entrance charge. Other states typically provide funding to their park systems.

D. Petry asked if the state would consider the option of selling the park back to the town. A. McLean explained that in 1947, when the state purchased the park, federal money was used. Because of this there are several requirements on the use of the land. The land must remain a public recreational space. There can be no discrimination based on residency regarding access. D. Petry questioned who was responsible for the spillway. He stated that it has been vandalized. A. McLean responded that the spillway is DRED (Department of Resources and Economic Development) owned and the department staff must maintain it in accordance with the New Hampshire Department of Environmental Services (NHDES) regulations. She offered to provide the Board with a copy of the NHDES's dam operation manual.

V. Manoukian questioned how Silver Lake State Park could not make money. A. McLean stated that even with 27,000 seasonal visitors, the park is operating at a loss. Operating costs, such as staff vehicles and workers' comp, are always increasing. This is the reason the department is considering revenue generating enhancement projects. The department is also looking at expense control. She explained that when one park makes a profit, those profits do not support just that park. The profits go to support other parks in the system.

V. Manoukian questioned who is liable if no lifeguard supervision is provided. A. McLean stated that the department is taking a reasonable approach. The park will be unguarded but supervised. She added that the department is talking with the Attorney General's office regarding limited liability. She explained that there are many hours when most beaches are left unguarded. V. Manoukian stated that he felt the park should be shut down. A. McLean stated that that closing a state park would be a legislative decision.

M. Johnson thanked A. McLean for her cooperation. Regarding the lack of lifeguard supervision, he stated that people make a conscious choice to either assume the risk of swimming in an unguarded area or not to assume that risk. He noted that there are other swimming areas in the state that have much more risk associated with them.

M. Johnson's understanding is that in accordance with RSA 216, the state does not provide funding from the general fund to the parks system. A. McLean confirmed that statement, adding that the department is looking for new funding sources. She reiterated that most other states' parks are free but they do receive funding through their states' general funds.

Former Commissioner of DRED Sean O'Kane stated that A. McLean has made an outstanding effort to find ways to be creative and make the parks system work through friends groups and partnerships. However, costs continue to rise. It is an inequitable system and the department needs the town's help to find a new funding mechanism for capital improvements and operations. There is a fundamental funding problem. Maintenance has been deferred for years and the costs to rehabilitate the infrastructure have risen to 83 Million Dollars. This year funding was reduced by committee from \$20 Million to \$6 Million. The department needs help and a long-term solution. A funding alternative must be found or the parks will close.

Chief Towne stated that there is an immediate need at Silver Lake. People use the park even when it is not open. There have been complaints regarding trash and the lack of bathroom facilities. He suggested placing trash barrels and porta-potties at the park as a simple solution to avoid complaints. He also suggested extending the chain link fence to prevent access. Chief Ux noted the pros and cons of closing the parking lot. Many people use the parking lot to access Town trails. A. McLean explained that the department does not close the parks, just the facilities. Chief Ux asked about parking charges. A. McLean responded that the ocean beaches charge by the carload.

M. Willis stated that the placement of trash barrels and porta-potties at Silver Lake is a good idea. She questioned how erecting a picnic pavilion would generate extra revenue. A. McLean responded that the department would charge \$500 per reservation for use of the pavilion. A pavilion would provide a public service and generate income. There is also the possibility of providing camping cabins and play facilities. When asked if there was a limit to the number of guests at the park, A. McLean stated that the number of guests is based on the size of the parking lot.

M. Willis questioned the water quality in the lake, noting that some residents won't use the lake because of overuse. A. McLean responded that Silver Lake has only been posted once in the last four years. This posting was not for the presence of E. Coli. She added that the park participates in the beach-monitoring program and the water is tested regularly on Saturdays. M. Willis suggested that testing the water Sundays might give a truer indication of quality. A. McLean explained that state protocols must be followed.

M. Willis thanked A. McLean for coming to the meeting to address the Town's concerns. A. McLean stated that Chief Ux has her contact information if the Board has other questions.

CORRESPONDENCE AND OTHER BUSINESS (cont.)

Town Administrator Job Description: M. Willis reported that she, M. LeDoux, V. Manoukian, C. Hallsworth and C. Hoffman held a working meeting to discuss the job description for the position that C. Hallsworth would be leaving at the end of August. At this meeting the job title was changed from Director of Administration to Town Administrator. The job descriptions of these two titles are essentially the same. Town Administrator is a more familiar title. C. Hallsworth is the only Director of Administration in the State. M. Willis clarified that Town Administrator does not have the same job description as a Town Manager. A Town Manager position must also be approved at Town Meeting. One of the requirements of the Town Manager position is that this person would oversee all department heads. M. Johnson commented that the limitations of the job description must be clearly stated.

M. Willis and M. Johnson questioned the use of the term "liaison" in reference to working with the department heads. Preferred language was "communicates and coordinates activities between the Board of Selectmen and the department heads". V. Manoukian commented that except for the change in job title, the description should stay as it is. D. Petry expressed his concern that this position would turn into a Town Manager position.

Prior to C. Hallsworth accepting the position of Administrative Assistant (AA), all Town Hall employees were under the supervision of the AA. For various reasons this arrangement was changed when C. Hallsworth took over the position. Currently, the Finance Officer supervises the tax and assessing offices. Board members discussed potential changes to the supervisory structure.

Other changes discussed included increasing the number of years of administrative experience from three to five and adding a section specifying the physical requirements of the job entitled "physical exertion and environmental conditions".

Farley Building Update: C. Hallsworth stated that the Board conducted two site walks at the Farley Building. These site walks took place on Tuesday June 12th and on Saturday June 16th. There was a high turnout at the Saturday site walk. Two attendees have volunteered to serve on the Farley Building subcommittee. C. Hallsworth added that she has spoken with Attorney Quinn. The building transfer paperwork should be ready next week.

Planning Consultant Contract: Mark Fougere, Hollis' Planning Consultant, has submitted a one-year contract agreement for the Board to review. The contract runs from July 1, 2007 to June 30, 2008. His asking salary is \$75 per hour, which is an increase of \$10 per hour from the previous contract. D. Petry commented that M. Fougere's service to

the planning board has been professional and thorough. The Board agreed to discuss the details of the contract in a non-public session.

NEW BUSINESS

Petty Cash for DPW: Consensus of the Board was to approve the establishment of a petty cash fund in the amount of \$200 for the DPW. Becky Crowther would administer this fund under the supervision of Finance Officer Paul Calabria.

MOVED by Mark Johnson, seconded by Vahrij Manoukian that the Selectmen approve the establishment of a petty cash fund in the amount of \$200 for the DPW, as presented. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

Selectman Recognition: Board members congratulated Vahrij Manoukian who received an honorary doctorate degree from his alma mater the Massachusetts College of Pharmacy. V. Manoukian stated that he was honored to receive this recognition. In his commencement address V. Manoukian emphasized the importance of getting involved and giving back to the community.

M. Johnson expressed his appreciation to V. Manoukian for the many hours he has dedicated to public service.

SIGNATURES

The Board signed the following:

Dog Warrant- M. Johnson emphasized the importance of dog owners properly licensing their pets and obtaining the proper rabies certificates. Without this certificate, family members could be exposed to substantial risk. The penalty is \$25 in addition to the licensing fee.

MOVED by Mark Johnson, seconded by Melinda Willis that the Selectmen in accordance with RSA 466:14, sign the dog warrant and authorize the collection of fees, in accordance with RSA 466:31. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

Pole License-The Board signed a pole license to place a utility pole for a new residence on Rideout Road.

MOVED by Vahrij Manoukian, seconded by David Petry that the Selectmen sign the pole license #21-946, as submitted. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

Letters of Recognition to volunteer camera operators Paul Armstrong and Ellen Walker in acknowledgement of the position and in appreciation of their commitment. Ellen Walker has recently volunteered to operate the cameras for the 3rd Tuesday planning board meetings.

Letter to Auditors

MOVED by Mark Johnson, seconded by David Petry that the Selectmen authorize the Chairman to sign the letter to the Town auditors, Melanson and Heath & Company, PC, regarding the Town's financial statement for the year ending December 31st, 2006. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

Letter to a resident regarding a request for a fee waiver for the use of the Lawrence Barn

ANNOUNCEMENTS

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

APPROVAL OF MINUTES

MOVED by Vahrij Manoukian, seconded by David Petry that the Selectmen approve the public minutes of Monday June 11, 2007, as amended. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

MOVED by Vahrij Manoukian, seconded by Mark Johnson that the Selectmen approve and keep sealed the NON-public minutes of Monday June 11, 2007 (6:17 PM), as amended. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

MOVED by Vahrij Manoukian, seconded by David Petry that the Selectmen approve and keep sealed the NON-public minutes of Monday June 11, 2007 (9:05 PM), as submitted. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

MOVED by David Petry, seconded by Melinda Willis that the Selectmen approve the public minutes of Tuesday June 12, 2007, as submitted. Voting in favor of the motion were Willis and Petry. No one was opposed. Johnson and Manoukian abstained. LeDoux was absent. The motion PASSED 2-0-2.

MOVED by Vahrij Manoukian, seconded by Melinda Willis that the Selectmen approve the public minutes of Wednesday June 13, 2007, as submitted. Voting in favor of the motion were Willis and Manoukian. No one was opposed. Johnson and Petry abstained. LeDoux was absent. The motion PASSED 2-0-2.

M. Johnson noted that the Selectmen posted a meeting for Saturday June 16th at the Farley Building. There was no quorum and no business was conducted at that meeting.

NON-PUBLIC SESSION

MOVED by Vahrij Manoukian, seconded by David Petry that the Selectmen enter NON-public session in accordance with RSA 91-A: 3-II- (a) and (e) for the consideration of a personnel issue, a legal issue and a negotiation. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

The Board entered non-public session at 9:00 PM.

CONCLUSION OF NON-PUBLIC SESSION

MOVED by Vahrij Manoukian, seconded by David Petry that the Selectmen seal the minutes and come out of NON-public session in accordance with RSA 91-A: 3-II- (a) and (e). Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

The Board came out of non-public session and entered public session at 9:50 PM.

CONTRACT APPROVAL

MOVED by Melinda Willis, seconded by Vahrij Manoukian that the Selectmen accept the contract with Mark Fougere for planning services as amended to include a thirty-day notice of termination. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

ADJOURNMENT

MOVED by Vahrij Manoukian, seconded by David Petry that the Selectmen adjourn. Voting in favor of the motion were Willis, Johnson, Manoukian and Petry. No one was opposed. LeDoux was absent. The motion PASSED 4-0-0.

The Board adjourned at 9:50PM.

Respectfully submitted,

Cathy Hoffman, Secretary