

BOARD OF SELECTMEN

July 11, 2005

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

Absent: Melinda Willis

Staff present: Cath Hallsworth, Director of Administration; Cathy Hoffman, Secretary

COMMUNITY ROOM (6:07 PM)

ANNOUNCEMENTS

State Inspection of Flints Brook II: Chairman Johnson announced that he and Conservation Commission Chairman Tom Dufresne accompanied the State Inspector from the Department of Resources and Economic Development (DRED), Division of Parks and Recreation, on an inspection of Flints Brook II, an area of conservation land acquired through a Land and Water Conservation Fund grant. In accordance with the terms of the grant, this land is subject to inspection every five years. The inspection revealed that there have been violations of the "No motorized wheeled vehicles on Town land" ordinance. There were areas of rutting where ATVs had crossed the property. The inspector discussed actions that could be taken to enforce the ordinance.

Woodmont West & Gelazauskas Preserve Closings: The closings on the West Woodmont Orchard and the Gelazauskas Preserve are scheduled for Friday July 15th. C. Hallsworth asked the Board to appoint an alternate Board member to sign the closing documents in the event the Chairman could not be present.

MOVED by Mark Johnson, seconded by Peter Band, that the Board appoint Vahrij Manoukian as the second authorized Selectman to sign documents regarding real estate matters. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

Road Improvements: Arthur LeBlanc announced that Brox will be shim coating Wheeler Road from #51-#58 to Farley Road and from Farley Road to Pine Hill Road to the Nashua line. This roadwork will take place on July 14th and 15th, weather permitting. One lane will be open during the operation. This work is being done in preparation for stone sealing, which will be done approximately thirty days after the shim coat is applied.

ARTHUR LEBLANC, DIRECTOR OF PUBLIC WORKS

Departmental Report

State Grant: A. LeBlanc reported that the DPW is working on a State grant to initiate a pilot program using Bio Fuel. Bio Fuel consists of 20% soy oil and 80% diesel fuel. This mix burns cleaner, resulting in fewer emissions.

Parkhurst Plan: The plan for the Parkhurst land purchase is almost complete. Austin Parkhurst is in agreement with the proposed easement for vehicle access to his property.

Wood Lane Improvements: The Wood Lane improvement plan is 50% completed. The wetlands must be marked and State permits obtained for culvert replacement. For the drainage improvements, trees will be removed in the right of way near the Rocky Pond Road end of Wood Lane. Since Wood Lane is a scenic road (secretary's note: Wood Lane is not a scenic road), the Planning Board must hold a public hearing for the tree removal. An outside contractor would be taking down the trees. M. Johnson asked if the road would be widened. A. LeBlanc responded no.

Wright Road Bridge: A. LeBlanc stated that he is working with Dennis LaBombard, LaBombard Engineering, on the Wright Road bridge improvement plan. The stones will remain in place and the bridge will not be widened. D.

LaBombard would be submitting a construction cost estimate for the bridge improvements.

Road Conditions: There were no serious washouts during the recent heavy rains. The gravel roads held up well. Catchment areas, which filled up with silt, are being cleaned. Some scouring did occur along the edges of the asphalt roads.

DPW Truck and Loader Purchase: The new Ford F-350 pick up truck is scheduled for delivery in one week. The DPW has completed a list of specifications for the new loader. The choices were narrowed down to four makes: John Deere, Caterpillar, Kamatsu and Volvo. Bids should be in this week.

Transfer Station: A. LeBlanc stated that he has been considering "bag and tag" trash disposal at the transfer station. This method of disposal is more equitable than the taxation method. Residents would be charged for the bags. The more bags used, the higher the fee. Residents would only be paying for their own trash disposal. The Town would save \$200,000 to \$225,000 in fees to the Souhegan Regional Landfill District. Consensus of the Board was that the Town would not support a "bag and tag" policy.

SB 138: M. Johnson thanked A. LeBlanc for speaking out on Senate Bill 138, which exempts municipal public works or highway department employees from the motor vehicle accidents and financial responsibility laws. The bill passed and will become effective on January 1, 2006. Previously, if DPW employees were involved in an accident while driving a municipal vehicle while on official duty, a surcharge was added to their personal insurance. Fire and police department employees have always been exempt.

Recreation Fields: Since the removal of the old recreation building, there has been no electricity to run the irrigation pump at the recreation fields on the east side of Depot Road. The Board discussed possible solutions to this problem with A. LeBlanc and Paul Armstrong of Dunwell Electric. Trenching would be necessary to run the line from the Lawrence Barn site or from the power source near the tennis courts. R. Lindsay asked A. LeBlanc to obtain estimates and a timeline for both temporary and permanent solutions to the problem. P. Armstrong suggested running the pump off of a generator in an emergency situation.

JOHN ANDRUSZKIEWICZ, CHAIRMAN OF THE ZONING BOARD OF ADJUSTMENT & KLEE DIENES

Zoning Board of Adjustment (ZBA) Alternate Position: Hollis resident Klee Dienes has submitted a volunteer interest application and his résumé to the Selectmen. K. Dienes introduced himself to Board members and Zoning Board of Adjustment Chairman John Andruszkiewicz, stating that he would like to be considered for the vacant alternate position on the ZBA. He stated that he has lived in Hollis for five years and would like to serve the Town. Though he has no particular experience serving on Town boards and committees, he has read the minutes from prior ZBA meetings and watched the meetings on the cable access channel. He feels that serving on the ZBA would be challenging and an important way to help preserve the rural character of the Town. He also enjoys the complexity of law and has taken courses dealing with obscure laws. M. Johnson commented that this interest would be an asset to the ZBA given how the zoning laws have changed in recent years. J. Andruszkiewicz agreed that K. Dienes would be a good candidate for membership on the ZBA.

K. Dienes stated that his main concern regarding serving on the ZBA is that because of his military training, his guard unit might be deployed. He questioned if this would be a problem. Board members and J. Andruszkiewicz stated that this would not be an issue. Board members thanked K. Dienes for volunteering to serve the Town.

MOVED by Mark Johnson, seconded by Peter Band, that the Board appoint Klee Dienes as an alternate member to the Zoning Board of Adjustment for a term to expire in 2008. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

M. Johnson questioned J. Andruszkiewicz regarding attendance concerns of a ZBA member. J. Andruszkiewicz requested that the Board table action for one month.

CORRESPONDENCE AND OTHER BUSINESS

Letter Regarding Veteran's Tax Credit: The Board received a letter from a resident in which this resident challenges the interpretation of the RSA regarding the veteran's tax credit eligibility. His interpretation of the RSA is that the applicant must have been in combat to receive the credit. C. Hallsworth stated that it is her understanding that a veteran is eligible if he/she was on active duty for ninety days during the qualifying wars or armed conflicts that are detailed in RSA 72.28 V. Consensus was to refer this letter to Angelo Marino, Assessing Associates, for his opinion. P. Band also suggested that the Board ask our local State representatives to check their resources for an interpretation of this RSA.

Town of Brookline Questionnaire: The Town of Brookline is considering going from a three to a five person Board of Selectmen. Hollis went from three to five selectmen in 1998. The Town of Brookline has asked the Hollis Selectmen to fill out a questionnaire/survey regarding the reasons the Town voted for the change. Board members agreed that diversity, the size and growth of the Town, better service to the public and the number of committees and boards that the Selectmen must serve on, were determining factors. M. Johnson stated that he would fill out the remainder of the questionnaire.

Proposed Procedure for the Discipline/Dismissal of Volunteers: R. Lindsay presented a draft of a management procedural that he would like the Board to implement. This policy outlines the steps that the Board should take for corrective action against any volunteer committee/board member. V. Manoukian objected to this policy stating that the Selectmen are elected officials of the Town and have the sole power to appoint and to remove appointed volunteer board and committee members. R. Lindsay countered that it is the Board's obligation to find out the facts and follow a procedure beforehand. M. Johnson stated that although he agrees with the objectives of this policy, he feels that the Selectmen would determine the facts regardless of whether there was a policy or not. He also believes that the policy, as presented, is too broad and that there could be situations where it might not be the right policy. R. Lindsay commented that the policy represents a standard process. He did not understand the other Selectmen's unwillingness to accept it. P. Band stated that he would be more comfortable if the policy were a guideline. He added that the procedures are valuable, but the wording should be revised to make it more streamlined. M. Johnson agreed that this should be a guideline, not a policy. R. Lindsay stated that something should be in place for the Board to follow. V. Manoukian commented that the Town does not need another policy. He would also like to discuss this issue when the full membership of the Board is present. M. Johnson stated that he does not recall a corrective policy ever being applied. RSA 673:13 outlines the procedure for removing an appointed member of a land use board from office.

The Board agreed to table discussion to the next meeting.

SIGNATURES

Appointments: Hugh Mercer has volunteered to fill the vacant position on the Souhegan Regional Landfill District.

MOVED by Mark Johnson, seconded by Peter Band, that the Board appoint Hugh Mercer as a regular member of the Souhegan Regional Landfill District for a three year term.

M. Johnson questioned wording in the appointment form, "...or until another person shall be appointed in your stead". He noted that appointments on land use boards are typically for three years. He questioned the legality of having this phrase in the appointment form. C. Hallsworth stated that this phrase was added to cover the lag time that frequently occurs between the appointment term expiration and the actual time the Board appoints or reappoints members. The Board agreed to ask Attorney Drescher's opinion regarding the language on the form.

Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

Julie Forgaard and Susan Durham have volunteered to serve on the Strategic Growth Management Committee.

MOVED by Mark Johnson, seconded by Raymond Lindsay, that the Board appoint Julie Forgaard and Susan Durham as members of the Strategic Growth Management Committee, with terms to expire on March 31st 2006. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

Warrant to Expend Funds: Finance Officer Paul Calabria has requested that the Board sign the warrant to expend funds for various expenditures in the amount of \$3,085.39.

MOVED by Mark Johnson, seconded by Raymond Lindsay, that the Board sign the warrant to expend funds, as presented. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

Hollis School District Warrant: Finance Officer Paul Calabria has requested that the Board sign the warrant to expend funds to the Hollis School District in the amount of \$155,000.

MOVED by Mark Johnson, seconded by Peter Band, that the Board sign the warrant to expend funds to the Hollis School District, as presented. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

Abatement of Timber Tax: After reviewing a timber tax abatement request, Assistant to the Assessor Connie Cain has recommended that the Board approve a reduced abatement of \$251.61 for property identified as Map 9/Lot 87. Tax is applied to the value of the pulpwood that was not accounted for in the original request.

MOVED by Mark Johnson, seconded by Raymond Lindsay, that the Board approve and sign the abatement of timber tax in the amount of \$251.61. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

Pole License Petition: The Board signed a pole license petition for the placement of a utility pole on Pine Hill Road.

MOVED by Mark Johnson, seconded by Vahrij Manoukian, that the Board sign the pole license petition, as presented. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

APPROVAL OF MINUTES

MOVED by Vahrij Manoukian, seconded by Peter Band, that the Board approve the public minutes of Tuesday July 5, 2005 (8 AM), as submitted. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

MOVED by Peter Band, seconded by Mark Johnson, that the Board approve and keep sealed the NON-public minutes of Tuesday July 5, 2005 (9 AM), as submitted. Voting in favor of the motion were Johnson, Lindsay and Band. None were opposed. Manoukian abstained. Willis was absent. The motion PASSED 4-0-0.

ANNOUNCEMENTS

Vice Chairman V. Manoukian presented a gift certificate to Paul Armstrong as a thank you for operating the audio-visual equipment during the Selectmen's meetings.

NON-PUBLIC SESSION

MOVED by Vahrij Manoukian, seconded by Mark Johnson, that the Board enter NON-public session in accordance with RSA 91-A:3-II-(a) and (c) for the consideration of personnel 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 and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

The Board entered non-public session at 7:35 PM.

CONCLUSION OF NON-PUBLIC SESSION

MOVED by Vahrij Manoukian, seconded by Mark Johnson, that the Board seal the minutes and come out of NON-public session. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

The Board came out of non-public session at 8:13 PM.

ADJOURNMENT

MOVED by Vahrij Manoukian, seconded by Mark Johnson, that the Board adjourn. Voting in favor of the motion were Johnson, Manoukian, Lindsay and Band. None were opposed. Willis was absent. The motion PASSED 4-0-0.

The Board adjourned at 8:13 PM.

Respectfully submitted,

Cathy Hoffman, Secretary