

BOARD OF SELECTMEN

September 18, 2006

Selectmen present: Peter Band, Melinda Willis, Vahrij Manoukian, Ray Lindsay and Don Ryder

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

COMMUNITY ROOM (6:03 PM)

CHET ROGERS, COORDINATOR FOR THE APPLEFEST HALF-MARATHON

RICK TOWNE, FIRE CHIEF

P. Band stated that there has been some discussion recently regarding emergency services for the upcoming Applefest Half-Marathon. He asked C. Rogers to give the Board some background regarding this matter. C. Rogers stated that for the past 10-12 years, Rockingham has provided emergency services for the race. Last year at the event there were some problems and Hollis emergency services had to be called in to assist. As a result of these problems, he and Chief Towne have discussed the possibility of the Town of Hollis providing the emergency services for the race.

C. Rogers stated that Rockingham currently charges \$600 to cover the race. This charge includes two emergency vehicles for three hours. Chief Towne's cost, which includes the cost to staff the fire station before and during the race to cover the Town's needs, would be closer to \$2,000. Because of timing (registration for the race is closed), coming up with extra money this year would be a problem. C. Rogers proposed that the cost for emergency services stay at \$600 this year. Next year, the race could be opened up to more registrants to cover the increase in costs. He noted that the race contributes a \$2,500 scholarship to local students through the "Dollars for Scholars" program. This scholarship program could be impacted this year if more must be spent on emergency services.

Chief Towne stated that over the years there have been problems, some very serious, with this race. There is no overall control and coordination of the emergency services for the race. When outside emergency service providers are not familiar with the Town it taxes local emergency services. If Hollis ambulances have to be called in, the Town is not covered. In addition, a crew of firefighters must be called in to the fire station prior to the race to cover the Town because the main access to the station is blocked during the race. For the past five years the Town has absorbed these additional costs. There is no money in the budget to continue covering the manpower costs. He stated that he and Sandy (Bohling) have gone over the numbers and tried to keep the costs down while still providing adequate coverage for the Town. The total estimate is \$1,732. This includes five personnel to staff the fire station for four hours (\$740), four emergency personnel (\$592) and two ambulances at \$50 per hour for 4 hours (\$400). The Rockingham service would be under the direction of the Town of Hollis.

Board members discussed several options and agreed that the Applefest organizers should pay \$1,000 of the cost for emergency services for this year's race. The Town would pay the remainder. M. Willis commented that the race is a great event for the Town, but it also represents, what has been, a hidden burden to the Town. She agreed that Chief Towne should have command and control of the emergency services. She also agreed with sharing the cost this year. She recommended that Chief Towne consider the need for a medical tent in the future, as discussed earlier. She asked C. Rogers to plan on doing what is necessary to cover the entire cost of emergency services for next year's race.

MOVED by Vahrij Manoukian, seconded by Raymond Lindsay that the Selectmen agree to charge the Gate City Striders, organizers of the Applefest Half-Marathon, \$1,000 for the Town of Hollis to provide emergency services for the 2006 race, as presented. The balance would be charged to a Town account. Voting in favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

RICHARD KALIN, BRUCE MCCLURE, JULIE COPSER, ALLISON ANNESER, PETER TRAVER-HOLLIS

COMMUNITY FARM (HCF)

TOM DUFRESNE, LYNNE SIMONFY, THOM DAVIES-HOLLIS CONSERVATION COMMISSION (HCC)

P. Band asked R. Kalin to update the Board on the progress of the Hollis Community Farm project for the Peacock Orchard.

R. Kalin stated that the HCF is working with a landscape architect on a conceptual plan for planting the property. Regarding the financial aspect, pledges from private donors must be converted into cash. The HCF is in the process of figuring out the legal aspects of this process. We are still waiting to review Attorney Drescher's draft of the conservation easement document. The easement must be completed prior to the public hearing on the expenditure of the HCC's \$160,000 funding of the project.

T. Dufresne commented that Peter Baker is the Town's liaison on this project. He has been working with Attorney Drescher on the easement document, but is out of Town for two weeks. T. Dufresne stated that he is not comfortable with the plan. Members of the HCC conducted a site walk of the property on Saturday September 9th. At the September 6th HCC meeting, the HCC voted to prohibit livestock and tilling of the soil in the buffer. At the site walk, the plan presented proposed plantings and livestock in the buffer.

R. Kalin presented a first draft of the latest conceptual plan of the entire property to the Board. He stated that fifteen of the twenty-one acres would be planted with perennials, a mixture of fruit and nut trees and berry bushes. Not allowing agriculture in the 100' buffer would take away approximately 2 acres from the farm operation. He noted that State's best management practices for agriculture only require a 10'-20' buffer from water. He stated that the HCF would be most likely be stricter and the first priority would be to keep any runoff from entering the water. He proposed only using the flat areas in the buffer for agriculture. Swales have been added to the plan to capture runoff. The current plan proposes Chestnut and persimmons trees and intensive plantings of perennial fruits, vegetables and herbs within the 100' buffer. T. Dufresne reiterated that the HCC did not want tilling of soil in the buffer. M. Willis asked if the strawberries could be moved to another location. R. Kalin stated that in order to preserve the viewscape and to keep the cross airflow it would not be feasible to move them. M. Willis asked if the farm would be organic. R. Kalin responded that it would be.

V. Manoukian commented that he was against spending taxpayer money on this project from the very beginning. He asked T. Dufresne if the HCC's expectations have been met regarding the benefit the Town would receive for this expenditure. T. Dufresne stated no, not really. He added that the HCC has committed a substantial amount of money. Without the buffer, the Town would only be getting a 10' trail. The major benefits will go to the few members of the HCF rather than the Town. V. Manoukian expressed his opposition to the plan. Taxpayer money is being used for personal benefit. He urged the Board to block the expenditure. Members of the HCF pointed out that there were benefits to the Town. B. McClure distributed a handout listing the ways Hollis benefits from the HCF project.

P. Band recommended that the Board address the specific issues. These issues include the buffer, concerns about livestock on the property, public access and the financial aspects of the project. R. Kalin responded that the buffer is still a working document until everyone can come to an agreement. The current plan for the property was received only a few days ago. There has not been time to review it with the HCC. He stated that this is a farming operation and in order to maintain soil fertility, the operation needs animals and compost. He stated that the operation would follow best management practices recommendations for density and the livestock would most likely be horses. Livestock would not be on the property year round. Regarding access, B. McClure stated that because the property would be actively farmed, access would be limited during the growing season. However, prior arrangements could be made with the HCF to schedule field trips, open houses and tours.

Regarding the financial aspects of the HCF, R. Kalin stated that memberships were \$10,000 per family. B. McClure itemized the accounting. The purchase price of the land is \$655,000. The development rights, which will be held by the Nichols-Smith Conservation Land Trust (N-SCLT) are valued at \$620,000. The project has received a maximum allowable USDA grant of \$350,000. The HCC would contribute \$160,000. The HCF must raise an additional \$175,000, which includes \$110,000 plus \$65,000 in associated costs (survey, appraisal, tax stamps, etc.), in order to purchase the land by the end of 2006. P. Band asked B. McClure to give the Board a breakdown of the \$175,000 costs.

B. McClure explained that of the \$175,000, \$110,000 plus most of the incidental costs, approximately \$130,000, would be considered tax deductible, meaning that the donor would receive no benefit from their donation. The objective of these donors is the preservation of the land. The balance, \$45,000 would be used for operating expenses. Donors would be classified as tax deductible contributors, cash contributing members of the farm or worker members who participate with a yearly cash contribution and a yearly work commitment.

Responding to a question from P. Band regarding how the HCF was doing with the contributions, P. Traver commented that the current role call exceeds the target numbers. P. Band asked if the HCF was on track with the capital needed to make the farming operation viable. P. Traver questioned if it would concern the Town if the development rights to the land were retired and the land was left natural. P. Band stated that the Board would like the farm to succeed, even though there is the intrinsic value of preserving open space. B. McClure estimated that an additional \$200,000 would be needed in the first couple of years to get the farm up and running. The HCF is expecting cost estimates from some of the contractors by the end of the week.

V. Manoukian questioned what would happen if the HCF did not receive the \$160,000 from the Town. B. McClure responded that it would put a "big bite" in the project. That money is needed to purchase the land. The purchase has to be completed this year. V. Manoukian asked T. Dufresne when the HCC would have an answer regarding the easement. T. Dufresne stated that the HCC is waiting for Drescher's review. From the beginning, the HCC has been in favor of the plan. The issue is getting the sense of value for the Town. Attitudes have changed in recent years and people want to see value for expenditures.

M. Willis expressed concern that it could be difficult financially for people to participate in the farm. She suggested having more tiers of membership. R. Kalin stated that the Wilton Community Farm bases their charges on the number of adults.

M. Willis commented that the concept was fabulous and that the HCF would be important for Hollis. Town residents have felt that the Town has bought a lot of land in the past that is not accessible. Residents must feel that the farm is accessible they must not get the impression that the Town is helping an elitist group of people participate in this enterprise. B. McClure responded that the HCF was trying not to be overly optimistic in the early years. As the farm becomes more productive, the prices will go down. R. Kalin stated that there are not a lot of farms like this in the world. He added that the HCF is non-profit and did not exist to make money. The HCF is being practical about covering their costs. B. McClure commented that this is a front-loaded investment. In twenty years the land will be highly productive. M. Willis asked for pathways within the property for public access in the winter.

P. Band noted four concerns. It is important for the public to have physical access as well as financial access to the property. A third issue is stewardship of the water. The fourth issue is the numbers that we have been discussing.

V. Manoukian asked what the acreage of this parcel was. R. Kalin stated the property is twenty-one acres. He added that with the existing frontage on Federal Hill Road, six houses could be built on the property without putting in a road. V. Manoukian expressed concern regarding the loss of tax revenue. T. Dufresne stated that the \$160,000 comes from the land use change tax, which is paid when a property is taken out of current use. 50% of this tax is earmarked for conservation purposes and the expenditure does not affect the tax rate. M. Willis added that new housing on this lot would most likely cost the Town more in services than the cost would be to preserve it as open space. V. Manoukian explained that his concern is that the elite would be benefiting from Town money. M. Willis commented that this use of the land brings more benefit to the Town than a parcel that is landlocked that people cannot even see.

B. McClure stated that the HCC's \$160,000 is 25% of the land purchase price. This averages to \$8,000 per acre. This is a low per acreage cost for a land purchase.

Thom Davies stated that it would be prudent for the Board to separate itself from the business portion of this project. The HCC has been supportive of this project from the beginning because it is a relatively inexpensive and unique way of acquiring land. It is unique in that another entity rather than just the taxpayers is footing some of the bill. The HCC believes that the intent of the project is satisfactory. The HCC does not really care if the farm project succeeds. The land is being taken out of development. He compared this project to the Henry Hildreth land purchase, where abutters to the

property raised money to assist with the purchase. Regarding the buffer, the HCC could not rationalize intruding into the buffer when homeowners are asked to keep out of the buffer on their own land. He stated that the HCC is justified in asking for the 100' buffer.

Lynne Simonfy stated that this parcel of land fulfills the goals of the HCC in that it preserves important farm soils and it provides a vital link in the trail system. She agreed with Thom Davies that it was important for the HCC to have the 100' buffer.

Mark Johnson commented that this transaction is about obtaining development rights. The question is: Are the development rights to this land worth \$160,000? He noted that there is a right to farm law in New Hampshire. He cited the Town's purchase of the Hall farm where the landowner retained the farming rights to the property. He commended the HCF on the detail of their plan and its sensitivity to the environment. However, he did not feel that this detail was relevant. The main issue is the value of the development rights, which in his opinion are worth multiples of \$160,000. He reiterated T. Dufresne's point that the expenditure of this money does not affect the tax rate. He felt that the HCC's issues could be resolved.

C. Hoffman asked for clarification. She stated that it was her understanding that the Town was purchasing a trail easement, not the development rights to the property as M. Johnson stated. R. Kalin explained that the N-SCLT was purchasing the development rights. The \$160,000 is going to N-SCLT to match other funds coming from the USDA and private sources. The Town will be the back-up (secondary) holder of the development rights. In addition, the Town will get the public trail, which comes with the easement. The development rights to the property were recently appraised at \$705,000. The USDA grant award was based on this appraisal not the purchase price. The end result is that the development rights are being taken off of this property.

D. Ryder asked what the purchase price was. R. Kalin stated that the purchase price was \$655,000. The development rights were \$620,000 of this total. D. Ryder commented that the cost is much more than \$8,000 per acre. He added that the Town would be getting a trail, but one already exists on the abutting Hildreth property. M. Willis and P. Band noted that the preservation of the land from development is the key point.

P. Band asked the HCF to coordinate with the HCC on the details of the plan. M. Willis asked the HCF to include wording in the legal document to allow public access to the interior trails. P. Band stated that HCF should continue working on the legal issues with Attorney Drescher.

Board members reviewed the bullet items in C. Hallsworth's memorandum that were not discussed. Regarding the survey, R. Kalin stated that the trail must be agreed upon first, but the survey was being scheduled. C. Hallsworth asked how many memberships have been sold. R. Kalin stated that the HCF has pledges totaling \$170,000. These pledges must be converted to checks. People want to know exactly what they are going to receive for their pledge. Interior parking has been delineated on the plan and is also proposed along Federal Hill Road. There is additional parking at the entrance to the Annabelle Johnson Preserve. For irrigation, the HCF will be creating a pond for irrigation. The plan also includes a proposed cistern in the basement of the agricultural building to hold water. The water source would be a shallow well. If the well does not produce water, the cistern would be moved closer to Horseshoe Pond to which the HCF has riparian rights.

P. Band stated the Board would reconvene with the HCF and the HCC in several weeks for an update on the progress of the project.

ED MAKEPEACE, CHAIRMAN OF THE HOLLIS PLANNING BOARD

VIRGINIA MILLS, ASSISTANT PLANNER

C. Hallsworth stated that she, M. Willis, Arthur LeBlanc and V. Mills met with Kerrie Diers of the Nashua Regional Planning Commission (NRPC) and Mark Fougere who will be replacing our former planner, Tali Kritzer, who has resigned. C. Hallsworth reviewed M. Fougere's background in planning, stating that he has extensive planning experience in all sizes of Towns. He is currently working as an independent planner.

V. Mills stated that she was thrilled with M. Fougere's capability and experience. Since Mark Archambault left NRPC, Hollis has not had an experienced planner. She is optimistic that M. Fougere would be good for the Town.

E. Makepeace stated that he has not met M. Fougere personally, however, everything that he has heard about him has been positive. He expressed concern regarding the temporary nature of this assignment and what would happen in the future.

V. Mills and E. Makepeace discussed with Board members the time requirements and costs that the Town would have to consider if the Town hired its own planner. The Town has a contract with NRPC that runs through the end of the year. When the contract expires, they will no longer provide circuit rider planning services to the Town. E. Makepeace stated, and V. Mills agreed, that the Town does not need a full-time planner. There is too much work for one person, but not enough for two full-time persons. Acting upon C. Hallsworth's suggestion, the Board agreed to have NRPC contract with M. Fougere for Hollis through September. Starting in October, the Town would take over the contractual agreement with M. Fougere through the end of the year. The position would be reassessed in three months.

MOVED by Vahrij Manoukian, seconded by Raymond Lindsay that the Selectmen accept Mark Fougere's contractual employment with the Town of Hollis at a rate of \$65 per hour, for 12-15 hours per week to begin on October 1, 2006 as presented. NRPC will provide planning services to the Town of Hollis through September 30, 2006. Voting in favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

M. Willis questioned E. Makepeace about appointing an individual to replace John Eresian as the Town's representative to the NRPC. E. Makepeace stated that since the Town would no longer be provided with a circuit rider planner, this appointment was not as important.

CORRESPONDENCE AND OTHER BUSINESS

Special License to Gather for the Applefest Half Marathon:

MOVED by Melinda Willis, seconded by Raymond Lindsay that the Selectmen authorize the Chairman to sign the special license for the Applefest Half Marathon scheduled for 10 AM on Saturday September 30th. Voting in favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

Crosswalks: The Board received a letter from a resident concerned about safety issues and the possible installation of crosswalks on Main Street and Monument Square. Because these are State roads the State must approve the plans. D. Ryder commented that crosswalks represent a hazard in certain areas because pedestrians expect to have the right of way. The former crosswalk plans for this area required the removal of much needed parking spaces. After further discussion, the Board agreed to review the former crosswalk plans for these areas, conduct a site walk and write to the State regarding the safety concerns. M. Johnson stated that there have been studies that support D. Ryder's position. The State's crosswalk rules are onerous. He expressed concern with the section of road near the Town Hall.

Hazard Mitigation Plan: A public hearing for the adoption of the Town's Hazard Mitigation Plan has been scheduled for October 2nd at 6 PM. Copies of the plan may be reviewed at, but not removed from, the Police Station, Library, Fire Department and the Selectmen's Office.

Farley Transfer Update: The Farley Building transfer to the Town is progressing. Since no money is involved, a purchase and sale agreement is not required. The law firm of Hubbard and Quinn is moving forward with the title search. Assistant Department of Public Works Director Jeff Babel has inspected the repairs to the Farley Building. There are a few minor repairs that need to be corrected.

Harvest Market Promotional Event: The Harvest Market is conducting a three day promotional event. They are having a truckload meat sale. They would like to place a semi-trailer with a banner on the side advertising this event. V. Manoukian expressed his support of the event stating that it would be good for businesses in Town. Other Board

members recommended that Harvest Market be asked to decrease the size of the truck and the banner, which would be more in keeping with the spirit of Town ordinances. C. Hallsworth stated that she would work with Harvest Market to scale down the display.

Library Trustee Resignation and New Appointment: Ann Shedd has submitted notice of her resignation as a Library Trustee. The Trustees have recommended that the Board appoint Lin Westberg to fill this position until the next election.

MOVED by Melinda Willis, seconded by Raymond Lindsay that the Selectmen appoint Lin Westberg as a Library Trustee with a term to expire at Town Meeting, 2007. Voting in favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

SIGNATURES

The Board signed the following:

A letter to Mike Limoges commending him on completing UNH's Road Scholars 1 course.

Appointment Form for Lin Westberg

Constitution Week Proclamation-M. Willis read the proclamation declaring September 17th through the 23rd as the 219th anniversary of the drafting of the Constitution.

Intent to Cut-Map 17/Lot 24- C. Hallsworth explained that this was a supplemental filing. Additional wood was cut on the lot.

MOVED by Melinda Willis, seconded by Raymond Lindsay that the Selectmen approve the supplemental intent to cut for Map 17/Lot 24, as presented. Voting in favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

The accounts payable warrant

ANNOUNCEMENTS

P. Band announced the board and committee meetings for the week of September 18th through the 22nd.

D. Ryder stated that he attended a meeting of the Hollis Heritage Commission. The Commission discussed the sign for the Lawrence Barn. The proposed sign read "Historic Lawrence Barn Community Center". The cost for this sign was \$3,800. At the meeting, D. Ryder suggested eliminating "Historic" and "Community Center". Everyone knows that the barn is historic and that it will be a community center. By eliminating this wording the cost of the sign would be reduced to \$1,400-\$1,600. The consensus of the Commission was to have the sign read "Lawrence Barn".

D. Ryder thanked the Old Home Day volunteers for their service. He stated that Old Home Day was a huge success.

APPROVAL OF MINUTES

MOVED by Melinda Willis, seconded by Raymond Lindsay that the Selectmen approve the public minutes of Monday September 11, 2006, as submitted. Voting in favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

MOVED by Melinda Willis, seconded by Raymond Lindsay that the Selectmen approve and keep sealed the non-public minutes of Monday September 11, 2006, as amended. Voting in

favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

NON-PUBLIC SESSION

MOVED by Donald Ryder, seconded by Melinda Willis that the Selectmen enter NON-public session in accordance with RSA 91-A: 3-II-(a) and(c) for the consideration of a personnel matter and consideration of matters which, if discussed in public, would likely affect adversely the reputation of a person. Voting in favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

The Board entered non-public session at 8:50 PM.

CONCLUSION OF NON-PUBLIC SESSION

MOVED by Raymond Lindsay, seconded by Melinda Willis that the Selectmen seal the minutes and come out of NON-public session. Voting in favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

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

ADJOURNMENT

MOVED by Vahrij Manoukian, seconded by Melinda Willis that the Selectmen adjourn. Voting in favor of the motion were Band, Willis, Manoukian, Lindsay and Ryder. No one was opposed. The motion PASSED 5-0-0.

The Board adjourned at 9:50 PM.

Respectfully submitted,

Cathy Hoffman, Secretary