

**SELECT BOARD MEETING**

Select Board present: Chairman Mark Le Doux, David Petry, Peter Band, Frank Cadwell and Susan Benz (teleconference)  
Select Board absent: None  
Staff present: Lori Radke, Town Administrator; Todd Croteau, DPW Director; Rick Towne, Fire Chief; Paul Armstrong and Bill Moseley, Camera Operators

**COMMUNITY ROOM**

Hollis Town Hall Community Room, located at 7 Monument Square, Hollis, New Hampshire.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**PUBLIC COMMENT**

Erin Hubbard (Mooar Hill Rd) felt she was denied representation at the state, by not having a Special Election. She asked the Select Board for their responses to why they did not vote to hold a Special Election. E. Hubbard sent a letter to the Chairman and copies to each member of the Board. M. Le Doux confirmed that the letter was received and a response was mailed on Friday. Since E. Hubbard had not received the response yet, she asked what the letter stated. M. Le Doux responded that the letter cites the RSA stating that the Select Board holds the authority to make the decision whether to proceed or not with a Special Election. E. Hubbard requested the justification for making that decision. The vote by the Board was taken in public by a 3-2 vote which is the justification. The Board followed the RSA and felt it was inappropriate to do, at this time so that was why the decision was made. Upon asking for further clarification, M. Le Doux expanded his response to state that the Board felt it was appropriate not to expend the money for an individual to go to concord for a brief period of time. E. Hubbard said that it would have been a full session. Since there was 3 representatives, and now there is 2, the ratio is down and therefore down a vote. M. Le Doux stated that the Board made the decision and the decision stands.

Joe Garruba (Winchester Drive) stated that striping Farley Road would detract from the rural character of the town adding that although it was striped in the past, it does not justify striping it in the future. Some of the justification for striping the road is relative to 'dangerous curves'. Mr. Garruba stated that the 'dangerous curves' are marked with large, reflective signs and shouldn't be the reason to justify striping the road.

Doug Davidson (Rideout Road) encouraged the Board to resist any changes relating to activities on conservation land, whether it be hunting or target shooting. Land was either donated or purchased by the Town, with the understanding that the tax payers would have full use of the properties. Mr. Davidson lives on conservation land, which is used by hunters, hikers, etc. He is hoping the board will be deliberative about making any changes to the use of conservation land, since recreation is such a big part of the character of Hollis.

Kent Blumenshine (Rideout Road) spoke about the issue of restricting firearms. State law talks about how firearms are regulated and used in New Hampshire. It was interesting that the condition raised was the lawful use of a firearm. Conservation land was purchased with tax payer dollars and there were no prerequisites at the time that were put on the purchase or use of that land. Residents would be harmed if suddenly later there were constraints that were put into place on that land. He urged the Board to stay fully in the boundaries of the intended use of conservation land and taking up any issue that pertains to the future use of that land.

Herm Stickney (Broad Street) stated that people that prefer to keep hunting and shooting away from their property have a right to post their land and provide a safety zone. Public land means public land and should be used by everybody for many different things. Shooting and hunting are normally not a dangerous activity,

however improper shooting and hunting is and that is covered by our laws already and can be handled judicially. If we were to start limiting public property, the town has a view tax and water tax, which are things that enhanced people's property. If we started privatizing land close to other people's property, the town would be able to justify raising taxes because they would get privileged use of the property since they are adjacent to it. There is a good point to look at all sides.

Daryl Flynn (Rideout Road) stated that it is a slippery slope when you start restricting anything in public use. It is the 2<sup>nd</sup> amendment right to use firearms and hunt which should not be restricted at all, especially on public land. He shouldn't have to be forced to go somewhere else.

Tom Gehan (Broad Street) supports the comments made on the topic of firearm usage in town. He walked the area on Birch Hill where he believes the shooting was occurring. He found a two foot long log with bullet holes. He did not find discarded shell casings, permanent targets or trash in the area. Whomever is doing this, is using the land respectfully and within the expectations of publicly acquired land.

M. Le Doux explained that the concern that was raised was over safety and/or noise. The Select Board does not intend to regulate the use of public lands. The board is trying to achieve public safety, decorum and good neighborly practices.

#### APPOINTMENTS & RESIGNATIONS

##### 1. Resignations

###### a. Brooke Kennedy, Police Department and Judy Mahoney, Old Home Day Committee

The Select Board accepted the resignation of Brooke Kennedy, Hollis Police Department and Judy Mahoney, Old Home Day Committee.

#### NEW BUSINESS

##### 1. Hollis Recreation Commission – Donation of Playground Equipment

Brian Bumpus, Recreation Director stated that the Recreation Commission received a request from the Sanborn Family for the donation of playground equipment. The family would like to donate brand new playground equipment, in honor of their father and husband who recently passed. The overall footprint of the structure, including the safety zone, is approximately 26' x 18.5' and meets safety standards as set by the American Society for Testing and Materials (ASTM) and the Consumer Product Safety Commission (CPSC), which was verified by Fire Chief Towne. Three possible locations were presented to the Select Board, for consideration.

On behalf of the Select Board, M. Le Doux expressed his condolences for their loss and thanked them for the generous donation. The family preferred the location near the Cooperage Shop and Lawrence Barn, however it was agreed that the area near the swing sets beside Nichols Field, would be a better fit. The family would also like to put a bench near the play area, in his honor.

*MOVED by David Petry seconded by Frank Cadwell that the Select Board accept the donation of the playground equipment and to install it near the swing set, by the tennis courts. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

##### 2. Hollis Fire Department –Purchase of Ambulance and Pickup Truck

Chief Towne received three bids for the ambulance and recommended Bulldog Fire Apparatus as they met all specifications of the bid and the cost was appropriate. The expenditure would be expensed from the Ambulance Fund, in the budget.

MOVED by Peter Band seconded by Frank Cadwell that the Select Board approve the bid from Bulldog Fire Apparatus in the amount of \$234,865.00 for an ambulance, as recommended by Chief Towne. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.

Chief Towne stated that the department is in need of a pickup truck with a plow to assist the ambulance, when responding to calls. Several dealership were contacted, including Ford of Londonderry, who provided a quote for a Ford F350 with a plow for approximately \$32,314. This is the state bid price and is approximately \$17,000 under the list price. The expenditure would be expensed from the Ambulance Fund, in the budget.

MOVED by Frank Cadwell seconded by David Petry that the Select Board approve the purchase of a pickup truck with a plow for the Fire Department in the amount of \$32,314, as recommended by Chief Towne. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.

### 3. Event Specific Sign Permit

#### a. Hollis Congregational Church – Extension of 30 days (10/18/19-12/15/19)

Hollis Historic District is scheduled to do a site walk on October 15, 2019 followed by a meeting to vote on the patio project. Since the sign refers to the patio project, the motion was as follows:

MOVED by David Petry seconded by Mark Le Doux that the Select Board approve the Event Specific Sign Permit extension of 30 days (10/18/19-12/15/19), contingent upon approval from Hollis Historic District to move forward with the patio project. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.

#### b. Hollis Art Society (11/9/19-11/10/19)

MOVED by Mark Le Doux seconded by David Petry that the Select Board approve the Event Specific Sign Permit for the Hollis Art Society for November 9<sup>th</sup> and November 10<sup>th</sup>, as submitted. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.

### 4. Raffle Permit – Hollis Brookline High School Robotics Team (May 9, 2020)

MOVED by Mark Le Doux seconded by David Petry that the Select Board approve the Raffle Permit for the Hollis Brookline High School Robotics Team for May 9, 2020, as submitted. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.

### 5. Special Licenses

#### a. Hollis Elementary PTA, Halloween Fun Fair, October 19, 2019 (3PM-11PM)

MOVED by David Petry seconded by Susan Benz that the Select Board approve the Special License for the Hollis Elementary PTA Halloween Fun Fair on October 19, 2019 from 3PM-11PM, as submitted. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.

b. **David Jennings Bonfire/BBQ for Nicholas Jennings Memorial Fund, November 16, 2019 (5PM-11PM)**

*MOVED by Mark Le Doux seconded by David Petry that the Select Board approve the Special License for David Jennings Bonfire/BBQ for Nicholas Jennings Memorial Fund on November 16, 2019 from 5PM-11PM, as submitted. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

c. **Hollis Woman's Club Luminary Event, December 14, 2019 (1PM-7PM)**

*MOVED by David Petry seconded by Susan Benz that the Select Board approve the Special License for the Hollis Woman's Club Luminary Event on December 14, 2019 from 1PM-7PM, as submitted. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

6. **Line Item Transfer from Contingency Fund in the amount of \$20,000 for legal expenditures**

*MOVED by Mark Le Doux seconded by Frank Cadwell that the Select Board approve the line item transfer from Contingency Fund in the amount of \$20,000 for legal expenditures, as submitted. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

7. **Donation acceptance in the amount of \$1,011 for the Lawrence Barn Community Center in honor of Janet Lawrence**

The donations could be used toward the purchase of a bench in Ms. Lawrence's name. L. Radke stated that a granite bench would cost approximately \$2,000-\$2,500, depending on the size. The balance could be expended from the Building Trust Fund. The specific location of the bench will be determined at a later date.

*MOVED by Peter Band seconded by David Petry that the Select Board accept the donations in the amount of \$1,011 to be used towards the purchase of a bench for the Lawrence Barn Community Center in honor of Janet Lawrence. Additionally, the town will contribute the balance of funds, where the total amount would not exceed \$2,500. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

8. **Unanticipated Revenue and Use of Unassigned Fund Balance**

M. Le Doux referenced a letter from Senator Melanie Levesque regarding House Bill 3 and 4, which make up the state budget for FY 2020-21, which was passed by the New Hampshire Senate and signed into law. The letter will be posted on the town website. The budget delivers \$40 million in unrestricted municipal aide to towns across the state. In Hollis, the anticipated unrestricted revenue redistribution is \$90,635.

M. Le Doux proposed allocating \$500,000 from the Unassigned Fund Balance to offset the tax rate for 2020, in addition to half of the unrestricted revenue redistribution from the state, or roughly \$545,000.

*MOVED by Mark Le Doux seconded by Frank Cadwell that the Select Board approve allocating approximately \$545,000 (\$500,000 from the Unassigned Fund Balance and \$45,000 from the state) to offset the tax rate for 2020. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

9. **Pavement Marking - Farley Road, South Merrimack Road & Pine Hill Road**

Todd Croteau, DPW Director reported that the Highway Safety Committee met earlier today and fully endorsed striping on Farley Road. During the milling operation, it was discovered that there was once striping down the middle of the road. T. Croteau recommended that the double yellow lines be reapplied to increase safety. The section of Farley Road, located in Nashua is striped.

T. Croteau obtained a quote to stripe Farley Road, South Merrimack Road and Pine Hill Road in the amount of \$4,840. Discussion ensued regarding traffic calming measures and accident avoidance. It was determined that more information was needed before a decision is made.

## OLD BUSINESS

### 1. Rename "Filomenas Way" to "Dennis Way"

Becky Crowther has researched and provided recommendations for naming roads in Hollis for over thirty years, so D. Petry wanted to make clear that the Select Board does not intend to set precedence by approving this request, made by the family.

*MOVED by Mark Le Doux seconded by Susan Benz that the Select Board approve renaming "Filomenas Way" to "Dennis Way". Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

### 2. Approval to include Town Survey insert with the Tax Bill per RSA 76:11

L. Radke stated that residents can complete and submit the survey electronically, through the town website via Survey Monkey. Responses from the town survey will help measure the quality of services provided by town staff, across all town departments. Hard copies of the survey will be available at Town Hall or will be mailed upon request.

*MOVED by David Petry seconded by Susan Benz that the Select Board approve the inclusion of an insert about the Town Survey with the tax bill per RSA 76:11. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

## ADMINISTRATIVE BUSINESS

### 1. Assessing Work

#### 2018 BTLA Appeal by Property Owners & Settlement Agreement

*MOVED by David Petry seconded by Peter Band that the Select Board approve the 2018 BTLA Appeal by Property Owners & Settlement Agreement for MBLU 032-042 in the amount of \$360.00, plus interest for Case #2018-036. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

### 2. Approval of Warrants

*MOVED by Frank Cadwell seconded by Peter Band that the Select Board approve the following warrants:*

|                      |               |          |
|----------------------|---------------|----------|
| • Wages              | \$ 165,700.86 | 10/03/19 |
| • Accounts Payable   | \$ 338,403.17 | 10/03/19 |
| • Benefit Strategies | \$ 4,021.78   | 10/03/19 |

*Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

### 3. Approval of Select Board Minutes

**Public Minutes from 09/23/19**

*MOVED by David Petry seconded by Susan Benz that the Select Board approve the Public Minutes of Monday, September 23, 2019, as submitted. Voting in favor of the motion were Petry, Band, Cadwell and Benz. No one was opposed. Le Doux abstained. The motion PASSED 4-0-1.*

**Non Public Minutes 09/23/19**

*MOVED by David Petry seconded by Susan Benz that the Select Board approve the Non Public Minutes of Monday, September 23, 2019, and keep them sealed. Voting in favor of the motion were Petry, Band, Cadwell and Benz. No one was opposed. Le Doux abstained. The motion PASSED 4-0-1.*

**Non Public Minutes 10/07/19**

*MOVED by David Petry seconded by Susan Benz that the Select Board approve the Non Public Minutes of Monday, October 7, 2019, and keep them sealed. Voting in favor of the motion were Le Doux, Petry, Band, Cadwell and Benz. No one was opposed. The motion PASSED 5-0-0.*

**4. Meetings & Announcements**

The meetings were announced for October 14, 2019-October 28, 2019. The next Select Board meeting will be Monday, October 28, 2019. The Town Clerk's office will be closed for training on Wednesday, October 16, 2019. The Supervisors of the Checklist will be in session for the purpose of accepting new voter registration or correcting the voter checklist on Friday, October 25, 2019 from 7PM-7:30PM in the Community Room of Town Hall. This will be the last opportunity to check your voting status and/or change your party affiliation prior to the Presidential Primary. Volunteers are needed for Old Home Day Committee. Meetings are monthly from April through September, with one follow up meeting in October. Please contact Holly Babcock at [hdeurloo@aol.com](mailto:hdeurloo@aol.com) if you are interested. Volunteers are also needed on the Agricultural Commission. There is a preference for farmers to join the commission for the required amount of members.

**5. Other**

F. Cadwell commented that the purpose of Public Comment is to listen to an individual make statements, comments and/or presentations. It is not appropriate for the Select Board to engage in dialog, answer questions or debate with individuals. If the Board engaged, then it becomes an agenda item that wasn't properly posted. If an individual would like to discuss topics with the Select Board, the topic needs to be on the agenda so appropriate notice can be given to the public. Public Comment is not public discussion or a public hearing, unless it is posted as such.

S. Benz added that the Board needs to enforce the time limitation of two minutes for public comment. Additionally, respect and decorum is expected from individuals making public comments. M. Le Doux suggested adding language to the posted agenda about the purpose of Public Comment, including the time limitation and that there wouldn't be any comments or responses from the Board, since it wasn't an agenda item.

**NON PUBLIC SESSION****1. RSA 91-A:3-II (a) personnel and RSA 91-A:3-II (c) reputation**

*MOVED by David Petry seconded by Peter Band that the Select Board enter Non-Public Session in accordance with RSA 91-A:3-II (a) personnel and RSA 91-A:3-II (c) reputation. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

The Board entered non-public session at 8:11 PM.

**CONCLUSION OF NON-PUBLIC SESSION**

*MOVED by Frank Cadwell seconded by Susan Benz that the Select Board come out of NON-public session and seal the minutes, in accordance with RSA 91-A:3-II (a) personnel and RSA 91-A:3-II (c) reputation. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

The Board came out of non-public and entered public session at 9:45 PM.

**ADJOURNMENT**

*MOVED by Frank Cadwell seconded by Susan Benz that the Select Board adjourn the meeting. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Cadwell. No one was opposed. The motion PASSED 5-0-0.*

The Board adjourned at 9:45 PM.

Respectfully Submitted,  
Christine Herrera, Assistant Town Administrator