

BOARD OF SELECTMEN'S MEETING

Selectmen present: Acting Chairman Vahrij Manoukian, Frank Cadwell and Peter Band; via telephone: Mark Le Doux and David Petry.
Selectmen absent: None
Staff present: Kimberly Galipeau, Interim Town Administrator; and Paul Armstrong, Camera Operator

COMMUNITY ROOM

Chairman Manoukian convened the October 26, 2015, Selectmen's meeting at 7:05 PM in the Town Hall Community Room.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by Lieutenant Rich Mello of the Hollis Police Department. At the end of the Pledge of Allegiance, Chairman Manoukian asked those present to remain standing, as he requested a moment of silence to remember Town Resident and VFW Member Gerald Walsh, who passed away on Sunday, October 25th.

AGENDA REVIEW

Interim Town Administrator Kimberly Galipeau reviewed the Selectmen's agenda.

AGRICULTURAL COMMISSION – WOODMONT LEASE

Dan Harmon of the Agricultural Commission appeared before the Board to present the Woodmont West agricultural lease and to request approval of a contract between the Agricultural Commission and Craig Birch to conduct a timber harvest on the forested portions of the property.

D. Harmon stated that 2015 is the 10th year of Town ownership, and the 5th year of the agricultural lease to Adrien Lavoie; a map was presented showing the changes made to the property over the past 10 years.

D. Harmon explained that when property management was turned over to the Agricultural Commission, the UNH Coop Extension had performed an inspection of the property and recommended best uses. During this inspection, it was found that the previous owner had not properly maintained the land and orchard for some time before the sale to the Town. D. Harmon detailed some of the issues found, and based on this discovery, recommended that the Selectmen have a similar inspection done on any future agricultural purchases prior to purchase.

Prior to the lease to Mr. Lavoie, the Agricultural Commission had created and implemented a checklist for the leaseholder and the Commission to review annually. The checklist includes the following:

- 1.) The Conservation Easement Plan is annually updated;
- 2.) Nichols-Smith Land Trust, as the Conservation Easement owner, completes an annual stewardship review;
- 3.) Public Access areas are annually marked by the leaseholder;
- 4.) The Leaseholder has paid the rent on the property. D. Harmon explained that the rent is equal to the property tax amount the Town would have received if the property was still privately owned;
- 5.) An annual accounting of the improvements is made. According to the lease document, which is valid for 25 years, in the first 15 years, the leaseholder must make annual improvements totaling a minimum of \$10,000; in the last 10 years of the lease, the minimum amount is \$15,000 annually. D. Harmon noted that over the last 5 years, Mr. Lavoie has made approximately \$250,000 of improvements to the properties, and is planning more;
- 6.) The leaseholder must carry Liability Insurance, with the Town being listed as the secondary holder;
- 7.) If any sublease agreement is entered into, this must be approved by the Town prior to implementation. D. Harmon explained that this had been an issue over the past year, as a portion of

the orchard had been subleased to Lanni Orchards of Lunenburg, MA, and permission would have been requested of the Board, but Mr. Lavoie had decided against subleasing at this time.

With the exception of the sublease issue above, the checklist requirements have been met every year that the lease has been in place. F. Cadwell felt that Mr. Lavoie should be commended for expending such significant time and funds towards the improvement to the property.

At this time, the Agricultural Commission would like to enter into a contract with Craig Birch to conduct a selective cut of the forested areas of the property. M. Le Doux noted that the Management Plan created for the property supports selective cutting to maintain the health of the forested areas. C. Birch noted that the Forestry Plan recommends a timber cut in the area, but this particular area should not need another cut for approximately 15-20 years. Other areas may need timber harvests more frequently.

MOVED by Mark Le Doux seconded by David Petry that the Selectmen approve the contract for the timber harvest on Woodmont West as stated; to waive any Timber Tax that might be due; and to authorize Dan Harmon of the Agricultural Commission to sign the said contract on behalf of the Board of Selectmen. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

D. Harmon stated that under the Conservation Easement language, the property is to be maintained as agricultural land in perpetuity. He wished to make the Selectmen aware that Federal Food Safety Rules have been revised, and may impact public access to the portions of the property during sensitive times. Several local farms have had to restrict public access during the growing and harvesting seasons, due to household animal waste, e.g. horses and dogs, being left in those areas. This may be necessary at Woodmont for the same reason; the Selectmen took this information under advisement and thanked both D. Harmon and C. Birch for their time.

DAWN DESAULNIERS, IT DIRECTOR-BUILDING PERMIT SOFTWARE PURCHASE

D. Desaulniers has been researching purchasing software for the Building, Zoning and Planning Departments in order to replace several redundant databases which are currently being utilized. She has investigated several software packages for required features. Based on her findings, she is recommending the purchase of "GovQA" software for a variety of reasons, including accessibility, ease of using, document sharing within Town departments, electronically storing related documents, and online capabilities. The annual software maintenance costs are \$4200, with other vendors coming in at \$4500 and \$7200. D. Desaulniers noted that the Town of Concord NH has recently purchased the software, and recently several Hollis staff members and she had visited the Town of Amherst for a presentation on the software. The Town of Amherst is currently using the software, and as of today, have not experienced any major issues. M. Le Doux stated that he had tasked D. Desaulniers to research and review available packages for this use.

D. Petry had several concerns about the GovQA use agreement, which he will follow up with D. Desaulniers, including local data storage among others. D. Desaulniers noted that due to RSA requirements, a hard copy of documents must be kept by the Town as permanent records, so these will be available if necessary.

P. Band and F. Cadwell agreed that GovQA, or a similar, program will assist with department inefficiency's due to outdated software, but that software should be kept locally. The Selectmen will take the request to purchase software under advisement and D. Desaulniers will update Selectmen with any follow-up after her conversation with D. Petry.

SCOTT MARSH, CNHA, MUNICIPAL RESOURCES INC. (MRI) CONTRACT

S. Marsh was in attendance at the request of the Selectmen to discuss the contract proposals presented to the Selectmen. Two proposals have been submitted, one for the renewal of the existing one-year contract for Assessing Services; the other is a multi-year contract, which includes the 2018 Assessing Update as mandated by the NH Dept. of Revenue Administration (DRA). S. Marsh explained that recent staffing changes have made it possible for MRI to now have dedicated revaluation/update staff.

F. Cadwell asked if the assessing update costs were spread out over the contract; S. Marsh stated yes. M. Le Doux explained that he had requested a multi-year contract from MRI to include those costs instead of having to annually request an appropriation of \$14,000 towards the Assessing Update costs. S. Marsh stated that the cost of the 2013 Assessing Update was approximately \$55,000 in addition to other costs for supervising the update and regular annual inspections. M. Le Doux stated that based on the figures given in the contract, it would be a savings to the Town of approximately \$8000 for the same period.

D. Petry asked if there was a provision included in the multi-year contract in regards to the Town Budget not passing in any given year of the contract; K. Galipeau stated yes, and while it is not on the version previously sent to the Selectmen, the contract was revised to include that language; P. Band also noted that there is a 30-day opt out provision for either party.

MOVED by Mark Le Doux seconded by Peter Band that the Selectmen approve the multi-year contract proposed by Municipal Resources Inc. to provide Assessing services as stated. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

NEW/OLD BUSINESS**1.) Town Clerk – Office Lease Proposal**

A 5-year lease for the Town Clerk's office has been submitted to the Selectmen's office for approval and signature. Chairman Manoukian noted that under the Early Termination section, should notice be given to vacate the premises, there is a 120-day notice of intent to vacate. M. Le Doux felt that was reasonable based on the lease length.

MOVED by Peter Band seconded by Frank Cadwell that the Selectmen approve and sign the multi-year lease for the Town Clerk's office at 3G Market Place. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

2.) Medical Marijuana Facilities Zoning Ordinance Amendment

Chairman Manoukian noted that this was the last item on the Planning Board's October 22, 2015 meeting, and stated that previous actions taken by the Selectmen included the restriction on sales of "Spice" within the Town boundaries.

After the Planning Board decision at the October 22, 2015 meeting, Town Council was consulted, and stated that his legal opinion is that the Town may not prohibit the opening of a medical marijuana dispensary if it has been approved by the State and meets State requirements. Chairman Manoukian expressed his surprise and disappointment with the opinion. He wished to bring the matter forward to the Selectmen as a concerned citizen. With the significant increase in drug use and overdoses recently, he would like to see restrictions in place towards building of a medical marijuana dispensary before any construction takes place.

M. Le Doux stated that this is outside of the Selectmen's capability to govern; the Selectmen must respect the law. He would be in favor of the Selectmen sending a document to the Planning Board outlining the Selectmen's concerns if an application were to be submitted. F. Cadwell asked if this was a matter for Town Meeting; M. Le Doux stated that he was not aware that it was.

Chairman Manoukian noted, based on current proposals, that the marijuana to be sold will be grown in Peterborough, and plans for the dispensary call for the construction to take place in Merrimack, with the possibility of Hollis being an alternative site, along Route 111. Since the State of Colorado passed their marijuana law, making the purchase of marijuana legal, approximately \$50,000,000 has been received by the State in tax revenue. Other states have been investigating the possibility of making marijuana legal due to profitability shown in Colorado. Possession/distribution of marijuana is still considered illegal under Federal Law, and any tax revenues received from these sales cannot be deposited into FDIC insured banks. Chairman Manoukian is concerned that the large revenues will lead to additional construction and availability.

D. Petry noted that it is the time of year that the Planning Board reviews potential changes to the Zoning Ordinances. The location and other controls can be established for minimal impact to the Town if a dispensary were to be constructed in the Town. P. Band also recommends that the Planning Board work in conjunction with the Police Dept. so that other aspects, such as security, would be addressed in the event that an application is received. The Police Dept. can provide the proper personnel capable of providing such advice.

Chairman Manoukian noted that any such construction would impact other Town department's budgets, as more Police personnel would be needed to for traffic detail, surrounding states would need to police the borders for people bringing contraband into those states given as two examples. Additionally, marijuana production and distribution is not regulated by the NH Board of Pharmacy, and any possible dispensary employees would not be trained by the Board. At this time, Chairman Manoukian invited Lieut. Rich Mello of the Hollis Police Dept. to speak with the Board on this matter.

Lt. Mello stated that if any company would apply for the construction of a dispensary in Hollis, the Police Dept. would want to be involved at the start of the planning process. As Hollis is a border Town, one of the main concerns of the Police Dept. would be that no out of State residents could come in to fill potentially illegal prescriptions. Since the Commonwealth of Massachusetts decriminalized marijuana use, there has been a significant increase in the drug coming over the State border. He does not think that Hollis would be the proper place to put a dispensary, and the Police Dept. would want to weigh in on any potential impacts to the Town.

M. Le Doux felt that Town representatives should approach State Legislators to inform them of Hollis' concerns in regards to the sale of marijuana in the State. P. Band asked for information on how record keeping is regulated and dispensary records kept, can these be publicly viewed? Lt. Mello stated that these items will probably be regulated at the State level via rules/regulations that the State Legislature would have to put into place if marijuana use is approved. He noted that legalized marijuana use does draw in a criminal element to Towns where dispensaries are located, and the Police Dept. continues to arrest people illegally transporting marijuana into the state; in some cases, the amount has been significant. Some of these people have attempted to use their medical marijuana cards, but this use does not presently apply in New Hampshire.

3.) Hollis Police Dept. Prescription Drop-Box Update

Lt. Mello reported that the installation of the prescription drop-box has been an overwhelming success. On "Prescription Drop Off Day," the Police Dept. normally takes in about 80 pounds of unused

prescription medications; an additional 50 pounds has been taken in by the drop-box alone since the installation in mid-September.

The Selectmen commended Lt. Mello for his suggestion to install the box and the implementation. Lt. Mello explained the process of removing, cataloguing, and disposing of medications taken in via the program, with the end result being that the unused medications are incinerated and kept out of the local landfills and environment.

4.) Special License – Nicholas Jennings Memorial Bonfire/BBQ

MOVED by Frank Cadwell seconded by David Petry that the Selectmen approve the Special License for the Nicholas Jennings Memorial Bonfire/BBQ. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

5.) Appointments

Venu Rao, Nashua Regional Planning Commission Representative, term to expire April 30, 2019.

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen appoint Venu Rao as the Hollis Representative to the Nashua Regional Planning Commission, with a term to expire April 30, 2015. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

6.) Resignation

The Board has received a resignation from Bill Beauregard from the Planning Board. D. Petry noted that Mr. Beauregard has served the Planning Board for 13 years. Most residents do not realize the time and effort put in by members, and his presence will be missed on the Board. F. Cadwell stated that Mr. Beauregard had also been a long-time member of the School Board, and his insight has been missed on that Board as well. The Selectmen thanked Mr. Beauregard for his years of volunteerism and commitment to the community.

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen accept the resignation of Bill Beauregard from the Hollis Planning Board. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

ADMINISTRATIVE BUSINESS

1. Weekly Meetings & Announcements

P. Band announced the board and committee meetings for the week of October 26, 2015 – November 1, 2015.

2. Warrants

a. Wages 10-22-15 (\$144,755.98)

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen approve the wages as submitted. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

b. Wages 10-24-15 (\$4,583.39)

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen approve the wages as submitted. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

c. **Wages 10-26-15 (\$322.32)**

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen approve the wages as submitted. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

d. **Accounts Payable 10-12-15 (\$1,713,136.21)**

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen approve the wages as submitted. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

e. **Benefit Strategies 10-22-15 (\$3,377.37)**

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen approve the wages as submitted. Voting in favor of the motion were Le Doux, Petry, Manoukian, Cadwell and Band. No one was opposed. The motion PASSED 5-0-0.

3.) **Approval of Public Minutes of October 12, 2015**

MOVED by Peter Band seconded by Frank Cadwell that the Selectmen approve the public minutes of Monday, October 12, 2015, as submitted. Voting in favor of the motion were Le Doux, Petry, Manoukian, Band and Cadwell. No one was opposed. The motion PASSED 5-0-0.

4.) **Approval of Non-Public Minutes of October 12, 2015**

MOVED by Peter Band seconded by Frank Cadwell that the Selectmen approve the public minutes of Monday, October 12, 2015, as submitted, and keep them sealed. Voting in favor of the motion were Le Doux, Petry, Manoukian, Band and Cadwell. No one was opposed. The motion PASSED 5-0-0.

NON-PUBLIC SESSION

MOVED by Peter Band seconded by Frank Cadwell that the Selectmen enter NON-public session in accordance with RSA 91-A:3-II (a) personnel and (d) land acquisition. Voting in favor of the motion were Le Doux, Petry, Cadwell, Manoukian and Band. No one was opposed. The motion PASSED 5-0-0.

The Board entered into non-public session at 8:08 pm.

CONCLUSION OF NON-PUBLIC SESSION

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen come out of NON-public session in accordance with RSA 91-A:3-II (a) personnel and (d) land acquisition. Voting in favor of the motion were Le Doux, Petry, Cadwell, Band and Manoukian. No one was opposed. The motion PASSED 5-0-0.

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen seal the minutes of the NON-public session in accordance with RSA 91-A:3-II (a) personnel and (d) land acquisition. Voting in favor of the motion were Le Doux, Petry, Cadwell, Band and Manoukian. No one was opposed. The motion PASSED 5-0-0.

The Board came out of non-public session and entered into public session at 8:46 pm.

MOVED by Peter Band seconded by Frank Cadwell that the Selectmen deny Case #2015-6 for welfare assistance, as presented. Voting in favor of the motion were Le Doux, Petry, Cadwell, Band and Manoukian. No one was opposed. The motion PASSED 5-0-0.

MOVED by Frank Cadwell seconded by Peter Band that the Selectmen authorize the Interim Town Administrator to sign the Tennessee Gas Pipeline, Northeast Expansion Project Survey Permission Form, as presented. Voting in favor of the motion were Le Doux, Petry, Cadwell, Band and Manoukian. No one was opposed. The motion PASSED 5-0-0.

MOVED by Frank Cadwell seconded by Vahrij Manoukian that the Selectmen approve the Human Resources Coordinator / Administrative Assistant job description, as presented. Voting in favor of the motion were Le Doux, Petry, Cadwell, Band and Manoukian. No one was opposed. The motion PASSED 5-0-0.

ADJOURNMENT

MOVED by Vahrij Manoukian seconded by Frank Cadwell that the Selectmen adjourn. Voting in favor of the motion were Le Doux, Petry, Manoukian, Band and Cadwell. No one was opposed. The motion passed 5-0-0.

The Board adjourned at 8:50 pm.

Respectfully submitted,
Connie Cain
Staff