

**HOLLIS SELECT BOARD**  
**June 1, 2020**  
**PUBLIC MINUTES 6:30 PM**  
**Approved 06/08/2020**

**SELECT BOARD MEETING**

Select Board present: Chairman Mark Le Doux, David Petry, Paul Armstrong and Susan Benz  
Select Board via zoom: Peter Band  
Staff present: Lori Radke, Town Administrator, Dawn Desaulniers, IT Director, Joan Cudworth, DPW Director

**COMMUNITY ROOM**

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

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited. The agenda was reviewed.

**ANNOUNCEMENTS**

Due to the Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Select Board is using the Zoom platform to conduct this meeting electronically. The public is encouraged to listen and/or participate via Zoom. The meeting will also be available for viewing via Town Hall Streams. Lastly, if none of the methods stated above are working for a resident, they can call 603-465-2209 ext. 150. In the event that the public is unable to access the meeting, the Board will reschedule to another date.

**PUBLIC COMMENT**

Joe Garruba (Winchester Dr.) commented that the EPA relaxed the MS4 permit requirements and that the town should look into this.

Kat McGhee (Hayden Rd.) asked for clarification on what was being discussed regarding the Rocky Pond boat launch, which is on the meeting agenda tonight.

M. Le Doux explained that the license for the boat launch was reviewed by the town's insurance carrier, Primex, as well as legal counsel. It was recently learned that the current insurance has adequate coverage, so the boat launch could open, if everyone was in agreement. This is why it is on the meeting agenda for tonight. The Select Board plans to finalize the license at the June 22, 2020 meeting.

Eve Aretakis (Hayden Road) representing the Home Owners Association supports opening the boat launch, but wanted to ensure there was sufficient insurance. Although the town is covered, she would like confirmation that the Home Owners Association is also covered, especially since the currently license has two deceased members listed on the document.

Attorney Bill Drescher (legal counsel for the Town of Hollis) stated that the document includes, and is binding on "successors and assigns", even though the names of the people on the document are deceased. He further shared that he spoke with Primex this afternoon and confirmed that the town has the same amount of insurance for the boat launch as with any other town owned property or building. It was also confirmed that the insurance also covers the Home Owners Association.

Atty. Drescher further explained that the issue was whether the town limits were consistent with the language in the license agreement, establishing the town's requirement to provide that insurance. The language in section 1.6 provides an elaborate provision about how much coverage there is going to be, which is consistent with what the town normally has with Primex. There is another section in the license that states that the amount would be upgraded every five years since 1991. To Atty. Drescher's knowledge, that has never been done. There is yet

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another section that states that the town will never be obliged to provide more coverage than what is normally available to the town. As far as the insurance, the town is in compliance now, however the proposed language by Primex is to make the requirements consistent with their policy. Both the Town of Hollis and the Home Owners Association are currently covered. It was further noted that the license is a condition of Planning Board approval of the subdivision.

Atty. Drescher stated that if the Select Board terminates the license, the Home Owners Association and subdivision would be at risk because they would have been in violation of a required condition of approval. Under those circumstances, there is a statute which allows the Planning Board to revoke that portion of the subdivision that still exists. The Planning Board has a mechanism to cause the Home Owners Association to come back to the table, should that happen. There is another section in the license stating that the town does not want any financial obligations unless voted on at Town Meeting. This section speaks to the proposed changes regarding maintenance or responsibility for monitoring and tending to the site.

Mike Goulder (Samuels Way) owns property on Rocky Pond, but is not part of the Home Owners Association. He felt the issue is that the town is not prepared to invest the resources to maintain sufficient onsite presence to have an impact to control and supervise the activities at the boat landing. As a result, property owners have assumed the role of “non-policemen, policemen”. Out of state license plates or stickers on vehicles make it obvious that non-residents are using it. The parking area is only sufficient for 4-5 cars. On a hot day there could be 5-6 trailers and another 10 cars trying to park in the area. They park on the side of the road and/or in the middle of Samuels Way, blocking access to his property. He would like a physical barrier on the ramp to prevent boat trailers from physically getting into the water.

Kat McGhee (Hayden Rd) felt the section regarding “assigns” would be the heirs of the parties on the document and not the members of the Home Owners Association. Since people in the Home Owner Association are not necessarily heirs, she asked if they would be covered.

Atty. Drescher answered that “successors and assigns” is typical language used to indicate however the interest got transferred whether by deed, will, or litigation. It is still binding in the same manner as the original parties on the document. He reiterated again that the Town of Hollis and the Home Owners Association are both protected up to the limits that the town currently carries for insurance.

M. Le Doux reiterated that the intent this evening was to embark in a preliminary discussion about opening the boat launch, with limited use. The discussion is intended to continue for the June 8<sup>th</sup> Select Board meeting.

Cameron Hardy (Samuels Way) asked about the plan or schedule for police presence and monitoring the boat launch, since it is part of license.

M. Le Doux will speak with the Police Chief about that.

Winston Rogers (Louise Dr) representing the Hollis Troop 12 Boys Scouts, stated that the Scouts have a plot of land, owned by the Congregational Church of Hollis that is bisected by Samuels Way. He is concerned with access to their lot, since parents often use the area to pick up the kids.

**NEW BUSINESS**

**Rocky Pond Boat Launch Discussion Continued**

D. Petry commented that the issue with the names on the document could have been addressed sooner based on deeds, covenants and other legal documents, at the time the lots were purchased. Although “regular” police

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supervision is included in the license, it was not defined or explained in any detail. He suggested installing a gate where Samuels Way and the church property split and have four (4) keys for access to the parking spots. The home owners would also have keys for access to their properties. He agreed that the town does not have the resources nor the funding to police the area on a regular basis or to staff the area on the weekends from June through September. He felt the cost to install the gate was minimal and once the license is finalized, it should be posted on the town website so people know that the town does not own the land. The town simply has a license to only use the boat launch. He does not support moving forward with opening the boat launch until the gate is installed and the license is finalized.

An option could be that when a person retrieves an access key for the gate, they would also receive a list of the rules and be required to sign a document stating that they would abide the rules.

P. Armstrong expressed his concern with people making replicas of the key or leaving the gate unlocked. If large boulders were placed in the area, it would eliminate the possibility of someone bringing a trailer to the launch. He also has concerns with closing the parking lot off as it also serves as a place to turn around.

J. Cudworth, DPW Director stated that there is a gate and poles currently at DPW that can be installed as early as next week, however the location of the gate would need to be determined. Additionally, DPW can clean up the parking area and bring in boulders to be placed by the boat launch, in order to restrict access, if need be. However, emergency vehicles and the fire boat would need access to the area and a place to turn around.

P. Band commented that since the insurance issue is resolved, the boat launch should be opened under the current agreement. He is not in favor of a gate, stating that he felt it was too restrictive to the town residents. He agrees with removing the use of trailers and trolling motors in order to manage milfoil. He felt it was most important to protect the ecology of the water. We can use signage for parking and post the rules on the town website.

S. Benz felt that since there are no issues with insurance, immediate access should be allowed. She felt that the gate addressed the concerns from the Boy Scouts and Home Owner Association. Additionally, she supported the gate since the town already has the materials and can install it, in house.

M. Le Doux will look into signage stating 'penalty of towing' and/or 'area under surveillance', stating that he is also not oppose to surveillance camera.

D. Petry stated that in section 1.7 of the license, written permission is needed from the Licensor to add or remove materials such as boulders/gravel or altering the terrain.

The two majority owners, Joe Rogers and Freddi Olson were in attendance and provided verbal approval of the installation of the gate.

Winston Rogers (Louise Dr.) restated his concerns for access to the Boy Scout lot since Samuels Way goes through the middle of the parcel.

After reviewing the map, it was confirmed that Samuels Way goes through the middle of lot 22.9, which is owned by the Congregational Church of Hollis. It was asked whether the Home Owners Association had an easement from the church to use that road to get to their parcels, since they need to have a legal easement in order to cross it.

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Members of the Home Owner Association were under the impression that it was part of a temporary right of way until the town relocated the access way. Relocating the access way was never done.

It was strongly suggested that the Home Owners Association obtain an easement from the Congregational Church of Hollis at the earliest possible convenience.

It was agreed that J. Cudworth will work with the appropriate parties to determine the best location for the gate.

*MOVED by Susan Benz seconded by Peter Band that the Select Board reopen the boat launch at Rocky Pond. Voting in favor of the motion were Le Doux, Band, Armstrong and Benz. Petry was opposed. The motion PASSED 4-1-0.*

*MOVED by Mark Le Doux seconded by Susan Benz that the Select Board organize the placement of an access gate to the boat launch, at a location determined between the Boy Scouts, Congregational Church of Hollis and Home Owners Association. Voting in favor of the motion were Le Doux, Petry, Armstrong and Benz. Band was opposed. The motion PASSED 4-1-0.*

Based on additional information arising from tonight's discussion, it was agreed that additional time is needed to work out the logistics of reopening the Rocky Pond boat launch. The Board agreed that the best approach would be to rescind the motion to reopen the launch and discuss it further at the June 8, 2020 meeting. The boat launch will remain closed until a resolution is reached.

*S. Benz withdrew the motion to reopen Rocky Pond boat launch until additional information is received by the Select Board.*

**OLD BUSINESS**

**Tax Collector's Warrant**

**2020 Property Tax-\$15,911,532.00 (Ratify Select Board approval via email)**

*MOVED by Mark Le Doux seconded by Paul Armstrong that the Select Board ratify the approval previously taken via email, of the Tax Collector's Warrant for 2020 Property Tax (\$15,911,532.00). Voting in favor of the motion were Le Doux, Petry, Band, Armstrong and Benz. No one was opposed. The motion PASSED 5-0-0.*

**ADMINISTRATIVE BUSINESS**

**Approval of Warrants**

*MOVED by Paul Armstrong seconded by Susan Benz that the Select Board approve the following warrants:*

• Wages	\$ 152,394.20	05/14/20
• Wages	\$ 169,935.26	05/28/20
• Accounts Payable	\$ 288,854.76	05/14/20
• Accounts Payable	\$ 130,586.67	05/28/20
• Benefit Strategies	\$ 5,591.84	05/14/20
• Benefit Strategies	\$ 6,591.84	05/28/20

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

**OTHER BUSINESS**

**Town Meeting**

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Chairman Le Doux spoke with Town Moderator, Jim Belanger about moving forward with Town Meeting on June 20, 2020. It is believed that Town Meeting could take place at the HBHS gymnasium with limited attendance of approximately 400 people with a six foot separation between people for social distancing and the implementation of masks and hand sanitizer. It was stated that Town Meeting could take place outside as an option. Another option is to utilize the 45 classrooms at the Hollis Brookline High School with approximately 10 people in each classroom. Each classroom would be equipped with zoom. The Board will continue to wait to hear guidance from the governor before making a decision.

**NON-PUBLIC SESSION**

**RSA 91-A:3-II (l) legal**

*MOVED by Susan Benz seconded by Paul Armstrong that the Select Board enter Non-Public Session in accordance with RSA 91-A:3-II (l) legal. Voting in favor of the motion were Le Doux, Petry, Band, Armstrong and Benz. No one was opposed. The motion PASSED 5-0-0.*

The Board entered non-public session at 8:15PM

**CONCLUSION OF NON PUBLIC SESSION**

*MOVED by David Petry seconded by Paul Armstrong that the Select Board come out of Non-public session and seal the minutes, in accordance with RSA 91-A:3-II (l) legal. Voting in favor of the motion were Le Doux, Petry, Band, Benz and Armstrong. No one was opposed. The motion PASSED 5-0-0.*

The Board came out of non-public session and entered public session at 8:30PM

**ADJOURNMENT**

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

The Board adjourned at 8:30PM.

Respectfully Submitted,  
Christine Herrera, Assistant Town Administrator