

HOLLIS SELECT BOARD
June 21, 2021
PUBLIC MINUTES 6:00 PM
Approved 07/12/2021

SELECT BOARD MEETING

Select Board present: David Petry, Mark Le Doux, Susan Benz, Paul Armstrong and Peter Band
Select Board absent: None
Staff present: Lori Radke, Town Administrator

COMMUNITY ROOM

This meeting was conducted in the Hollis Town Hall Community Meeting Room, located at 7 Monument Square, Hollis, New Hampshire.

AGENDA REVIEW

The meeting agenda was reviewed.

PUBLIC COMMENT

Peter Baker (Buttonwood Dr) is concerned about PFAS contaminants in wells and ground water in northern Hollis. He requested that the Select Board contact NHDES to provide a specific webinar program for Hollis. NHDES has done this for other towns, as well. He also requested the Select Board hold a public information meeting to hear concerns from local residents.

Chairman Petry will take the requests under advisement and encouraged residents to call NHDES to have their wells tested, if they are concerned with contaminants. Data is required prior to holding a public hearing. It was suggested that Mr. Baker contact Lori Radke, Town Administrator, to look into the topic more.

Joe Garubba (Winchester Dr) referenced the discussion of reducing the amount of Land Use Change Tax (LUCT), previously discussed at the Budget Committee meeting and Conservation Commission meeting. He stated that many residents spoke strongly in favor of continuing with 100% allocation of the LUCT to the Conservation Commission. He asked the Board to provide reassurance of their support for conservation in the town and reassurance that they do not support reducing the amount of LUCT going to the Conservation Commission, especially during the current building boom.

Bernadette McQuilken (Rocky Pond Rd) felt that the best way to maintain the rural character of the town is to keep the allocation at 100%, adding that she would love to see the Select Board support the Conservation Commission and any other group that is working to conserve Hollis. She would like to see the Conservation Commission have funding readily available for any potential offers.

Thom Davies (Forest View Dr) felt the Conservation Commission has been the eyes and ears of the public, for the protection of ground and surface water, viewscapes, open space, agricultural land, etc. He commented that if the town does not keep up the development that is going on, we stand to fall victim to the ill effects that other towns have experienced. There is approximately 1.5 million in the fund, which has come from developers and not tax payers, and approximately 4.5 million in the unexpended fund balance, which should be taken into consideration if looking for tax relief.

Sherry Wyskiel (Wheeler Rd) questioned why the topic is being discussed since the residents voted to allocate 100% of the LUCT to Conservation Commission. In her opinion, the development going on in town will really affect taxes in the next few years. She respects what the voters did and does not want to reduce any funding for Conservation Commission.

D. Petry reiterated that the Conservation Commission used to receive 50% of the LUCT. It was proposed at a previous Town Meeting to increase the allocation to 75%, which was then amended on the floor, to increase to

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100%. Conservation Commission does not have enough funding alone, for large land purchases. He would like to see the data consisting of a list of purchases by the Conservation Commission and Land Protection Study Committee for the previous 10 years. He felt that if the residents want to make an impact regarding the development in town, the purchase of additional land is necessary and would need to go through the appropriate channels such as a warrant article at Town Meeting.

P. Band added that negotiations for large land purchases can be very time consuming, so all funding options should be taken into consideration, including LUCT and bonding.

PUBLIC HEARING

1. Amending the Selectmen's Ordinance for the Use of Town Lands

The following statement was read into the record, "The Select Board has the authority to enact ordinances for usage of town lands under RSA 31:39. Further, the Board has the ability to amend the language with the proposed language. There are court cases that state the Board's authority and can cite those cases, if need be. Court further has held that towns are empowered under the authority granted by the State of New Hampshire, RSA 31:39 to make bylaws for a variety of purposes which generally fall under the category of health, welfare and public safety. Specifically, NH RSA 31:39 I (a) empowers the town to make bylaws for the care, protection, preservation and use of public cemeteries, parks, commons, libraries and other public institutions."

2021 Town Meeting Article 16 is as follows;

"To see if the Town, in accordance with NH RSA 31:39, will adopt the following bylaw: "The discharge of any firearm on Town-owned land other than during the course of lawful hunting shall be prohibited. This prohibition includes (but is not limited to) target shooting, gun siting, recreational shooting, or shooting competitions".

The Select Board is proposing the following language be included in the Selectmen's Ordinance;

"The discharge of any firearm, including but not limited to, target shooting, gun sighting, recreational shooting, or shooting competitions. This prohibition does not apply to the discharge of firearms relative to lawful hunting, justifiable self-defense, and shall not otherwise impact a citizen's right to lawfully possess any such firearm."

Town counsel commented that what the Select Board is proposing "does not, in any way, detract from the subject matter, intent, or the spirit of the language that was contained in Article 16. Furthermore, the Select Board by virtue of acclamation police powers possess are articulated by the supreme court of New Hampshire, could adopt this bylaw with or without the approval of voters because as powers are already vested to the Select Board pursuant to NH RSA 31:39, so as such any argument altering the language of Article 16 as written somehow rescinds the bylaw is both meritless as well as rendered moot for above stated reasons."

Sherry Wyskiel (Wheeler Rd) requested updated trail signs so people know what activities are prohibited, including camp fires, shooting, littering, etc. She is also concerned with the amount of road trails being built by people who are not seeking any approval.

D. Petry reiterated that the Selectmen's Ordinance is posted on the town website, so if people are violating the ordinance, the police department should be notified. It was suggested that S. Wyskiel work with Lori Radke, Town Administrator, to look into the cost for new trail signs.

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Peter Baker (Buttonwood Dr) felt that although the petition article was progress, there shouldn't be any shooting of any weapon on town property or into town property, with the exception of legal hunting, as defined and regulated by the State of New Hampshire.

Joe Garubba (Winchester Dr) felt that a town meeting vote to enact a bylaw, would supersede the Selectmen's authority to change the bylaw, under RSA 31:39. The Board has authority to regulate the affairs of the town under that RSA, but they don't have authority to act, when town meeting took a specific action. The voters specifically debated the language in article 16 and should the Select Board move the bylaw to a different ordinance, it would give it a different context, which is not within the scope of authority of the Select Board.

Chairman Petry corrected the statement above and clarified that there would not be two different documents, but one Selectmen's Ordinance that incorporates the bylaw (article 16) that was voted on at town meeting. The court case reference earlier in the meeting was provided to Mr. Garubba.

Russ Kellner (Hayden Rd) thanked the Board, stating that this was something that had been in the works for two years.

With no further comments the public hearing was closed at 6:23PM.

MOVED by Mark Le Doux seconded by Paul Armstrong that the Select Board adopt the language as part of the Selectmen's Ordinance governing the discharge of firearms on town land as amended by Town Counsel, consistent with the wishes of the voters at Town Meeting. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

APPOINTMENT/RECOGNITION

1. Agricultural Commission

a. Cheryl Quaine, Regular Member (term exp. 04/30/2024)

MOVED by Mark Le Doux seconded by Paul Armstrong that the Select Board appoint Cheryl Quaine as a Regular member of the Agricultural Commission with a term expiration date of 04/30/2024, as recommended by the Agricultural Commission Chair. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

2. Chrissy Herrera, Assistant Town Administrator/HR Coordinator

a. SHRM Certification Designation

Lori Radke, Town Administrator recognized Chrissy Herrera for receiving the Society for Human Resources Management-Certified Professional (SHRM-CP) designation. It is the largest professional society dedicated to serving human resource professionals at all levels and functions. Chrissy took several classes and passed an exam consisting of knowledge based and situational judgement questions. Her extensive HR knowledge will be extremely valuable for the Town of Hollis. The Board congratulated her on the accomplishment. Chrissy thanked the Board and Lori for their support throughout this process.

NEW BUSINESS

1. AFSCME 3657 and 1801 PTO Buy-Back

MOVED by Mark Le Doux seconded by Paul Armstrong that the Select Board approve the PTO Buy-Back for AFSCME 3657 and AFSCME 1801 employees, totaling \$17,950.70. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

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The Board reiterated the importance of using PTO time for overall wellness.

2. MS-232 (Appropriations) and MS-535 (Financial Report of the Budget)

MOVED by Susan Benz seconded by Paul Armstrong that the Select Board approve the MS-232 and MS-535 Reports, as submitted. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

3. Junkyard License Renewal

The license location is inspected annually by the Building Department and town inspector, Reggie Ouelette. A few recommendations were noted in the inspection report. It was recommended that he continue to manage water runoff efficiently utilizing Best Management Practices, keep salvage equipment and vehicles out of the buffer area, and continue to maintain open space fields and barriers.

MOVED by Peter Band seconded by Paul Armstrong that the Select Board approve the Application for Renewal of a Junkyard License for James Bristol (80 Witches Spring Rd). Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

4. Open Space and Conservation Easement (Ducal Subdivision, Howe Lane)

The Hollis Planning Board is requesting that the Hollis Select Board make a determination that conveying rights of use and access through a Conservation Easement on the subject parcel is both desirable and beneficial to the residents of Hollis. The Hollis Select Board will make the final decision whether to accept the Conservation Easement or not. A draft easement document has been submitted along with comments from Town Counsel for the Select Board's review.

P. Band added that the public is allowed access to the open space. The parcel is 55 acres total with roughly 25 of those acres as open space.

MOVED by Paul Armstrong seconded by Peter Band that the Select Board approve the Open Space and Conservation Easement for the Ducal Subdivision. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

5. Roger's Property-Disbursement of Conservation Commission Funds (\$150K)

Tom Dufresne, Conservation Commission Chair stated the Conservation Commission held a public hearing, as required and confirmed that there are no modifications to the original discussion on the topic.

MOVED by Mark Le Doux seconded by Paul Armstrong that the Select Board accept the recommendation from Conservation Commission and authorize them to proceed with the Open Space and Conservation Easement for the Ducal Subdivision. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

OLD BUSINESS/COMMITTEE UPDATES

On behalf of the Select Board, M. Le Doux presented three recipients with Eagle Scout awards at a ceremony that took place at Beaver Brook, this past Saturday.

The Select Board received a letter from Mr. and Mrs. Ryder, stating their appreciation to Rick Todd, Communications Manager, who made a presentation about E-911, to the Hollis Seniors. If available, the slide show presentation will be posted on the town website.

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S. Benz stated that the Hollis Congregational Church has experienced some issues on the property including people leaving trash, misbehaving and removing caution tape. There are security cameras in the area and the police have been called to respond.

ADMINISTRATIVE BUSINESS

1. Assessing

a. 2020 Abatements

Case #	MBLU	Owner	Location	Amount to be Abated
2020-008	010-025-B	Fairpoint Communications Db a Northern New England Telephone Or Consolidated Communications	Various	\$0.00
2020-013	056-027 & 056-027-A	PSNH dba Eversource Energy	Silver Lake Rd	\$0.00

*MOVED by Mark Le Doux seconded by Susan Benz that the Select Board **deny** the 2020 Abatement for Case #2020-008 and 2020-013, as submitted. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.*

b. Report of Wood or Timber Cut

Operation #	MBLU	Owner	Timber Tax Levy
20-223-08	035-070	Michael & Alice Lewis	\$284.97
20-223-09	007-045-001	Ahram & Stephanie Dunsmoor	\$539.03
TOTAL:			\$824.00

MOVED by Mark Le Doux seconded by Paul Armstrong that the Select Board approve the Report of Wood or Timber Cut for Operation #20-223-08 and 20-223-09, as submitted. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

c. Notice of Intent to Cut Wood or Timber

Operation #	MBLU	Owner	Location
21-223-06	020-022-003	Stephen & Shannon Vadney	6 Nartoff Road

MOVED by Mark Le Doux seconded by Paul Armstrong that the Select Board accept the Notice of Intent to Cut Wood or Timber for Operation #21-223-06, as submitted. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

d. Current Use Release & Land Use Change Tax (LUCT)

MBLU	Owner	Location	Acres Removed	LUCT
020-022	Sadettin & Sengul Yildirim	Broad St	2.55	\$19,400

MOVED by Mark Le Doux seconded by Paul Armstrong that the Select Board approve the Current Use Release & Land Use Change Tax (LUCT) for MBLU 020-022, as submitted. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

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2. Approval of Warrants

a. Wages	\$195,629.15	06/10/2021
b. Accounts Payable	\$147,588.56	06/10/2021
c. Benefit Strategies	\$ 2,945.42	06/10/2021

MOVED by Paul Armstrong seconded by Susan Benz that the Select Board approve the warrants, as submitted. Voting in favor of the motion were Petry, Le Doux, Benz, Band and Armstrong. No one was opposed. The motion PASSED 5-0-0.

3. Approval of Minutes

a. Public Minutes from 06/07/2021

MOVED by Susan Benz seconded by Peter Band that the Select Board approve the public meeting minutes from June 7, 2021. Voting in favor of the motion were Petry, Benz, Band, Le Doux and Armstrong. No one was opposed. The motion PASSED 5-0-0.

b. Non-Public Minutes from 06/07/2021

MOVED by Susan Benz seconded by Peter Band that the Select Board approve the non-public meeting minutes from June 7, 2021 and keep them sealed. Voting in favor of the motion were Petry, Benz, Band, Le Doux and Armstrong. No one was opposed. The motion PASSED 5-0-0.

TOWN ADMINISTRATOR'S REPORT

The meeting schedule was announced for June 21, 2021 through July 12, 2021. The next Select Board meeting is scheduled for July 12, 2021 at 6:30PM in the Community Meeting Room. The Hollis Police Department will be hosting a Coffee and Cone with a Cop event on June 23rd from 10AM-1PM at Brookdale Fruit Farm. American Red Cross will be hosting a blood drive on June 25th from 10AM-6PM at the Lawrence Barn Community Center. The Hollis Social Library will be hosting the Summer Reading Program Kick Off event on June 28th from 2PM-4:40PM at the Lawrence Barn Community Center. There will be an open house to celebrate Assistant Chief of EMS, Sandy Bohling's retirement, which will be held on Monday, July 12th from 2-4PM at the Lawrence Barn Community Center.

Other announcements include:

- Rock Crushing at Stump Dump-**POSTPONED** to late July. Please contact DPW (465-2246) with questions.
- **SAVE THE DATE:** On September 18, the Mill Yard Bank will be hosting a shred day for Hollis residents at the Transfer Station. The time is to be determined.
- Property Tax bills are due on July 1st. Payments can be made online (under tax collector on town website)
- Hollis Heritage Commission-Accepting 2022 calendar scenic photos. Submissions due July 1st (see town website for additional information).
- Town Offices and Town Clerk will be closed on Monday, July 5th for Independence Day

NON PUBLIC SESSION

RSA 91-A:3 II (a) personnel and RSA 91-A:3 (d) land acquisition

MOVED by Mark Le Doux seconded by Paul Armstrong that the Select Board 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 Petry, Le Doux, Band, Armstrong and Benz. No one was opposed. The motion PASSED 5-0-0.

The Board entered nonpublic session at 6:49PM

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CONCLUSION OF NON PUBLIC SESSION

MOVED by Susan Benz 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 (a) personnel and (d) land acquisition. Voting in favor of the motion were Petry, Le Doux, Band, Armstrong and Benz. No one was opposed. The motion PASSED 5-0-0.

The Board came out of nonpublic session at 7:30PM.

ADJOURNMENT

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

The Board adjourned at 7:30PM.

Respectfully Submitted,

Christine Herrera, Assistant Town Administrator/Human Resource Coordinator