

TOWN COUNCIL AGENDA
Regular Meeting
Wednesday, November 9, 2011

- I. **6:30 PM - CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF MINUTES**
October 26, 2011
October 26, 2011 Non-Public Minutes
- V. **AGENDA OVERVIEW**
- VI. **CONSENT AGENDA**
11-115 Bond Releases
 - a. McDonald's Surety Release
 - b. Mega X Surety (Partial) Release
- VII. **PUBLIC INPUT: 15 Minutes**
- VIII. **NOMINATIONS AND APPOINTMENTS**
- IX. **SCHEDULED APPOINTMENTS**
 - a. Kim Blichmann, Tax Collector re: Department Update
 - b. Diane Boyce, Recycling & Transfer Department Superintendent re: Freight Fees
 - c. Kathie Northrup, Heritage Commission Chair re: Veterans' Memorial
- X. **15 MINUTE BREAK**
- XI. **OLD BUSINESS**
11-111 Code Enforcement Officer/Building Inspector
11-112 Complaint Procedure
11-113 Self Evaluation Process
- XII. **NEW BUSINESS**
11-116 Acceptance of Councilor Nancy VanScoy's Resignation
11-117 Citizen Complaint
11-118 Snow Storm Emergency Update
- XIII. **TOWN ADMINISTRATOR'S REPORT**
- XIV. **SUB-COMMITTEE REPORTS**
- XV. **PUBLIC INPUT**
- XVI. **NON-PUBLIC SESSION**
RSA 91-A:3, II (c) *"Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant."*
- XVII. **ADJOURNMENT**

**Anyone requesting auxiliary aids or services is asked to contact
the Administration Department five business days prior to the meeting.**

AGENDA NO. 11.115(a)
DATE: 11.9.11

**Staff Report
McDonald's Project
SITE SURETY RELEASE
November 9, 2011**

Background

McDonald's
1254 Hooksett Rd., Map 30, Lot 26
Site Plan #10-16

Issue

Site plan improvements surety estimate (Stantec 4/12/11 letter) was collected as a Letter of Credit in the amount of \$166,476.24 (LOC 6/10/11). The site improvements were 100% completed on October 27, 2011 (Stantec 10/27/11 letter & Certificate of Occupancy 10/27/11). A separate 2 yr. landscape surety from plantings is in place at this time. The \$166,476.24 LOC should be released.

Fiscal Impact

None.

Recommendation

Recommend that the Town Council motion to release the McDonald's site plan improvements Letter of Credit in the amount of \$166,476.24.

Prepared by:

Donna Fitzpatrick, Planning Coordinator

Town Administrator Recommendation

Concur with recommendation.



Dr. Dean E. Shankle, Jr.
Town Administrator

AGENDA NO. 11.115(6)
DATE: 11.9.11

**Staff Report
Mega X Project
SITE SURETY PARTIAL RELEASE
November 9, 2011**

Background

Mega X
1560 Hooksett Rd., Map 13, Lot 46-1
Site Plan #10-03

Issue

Site plan improvements surety estimate (Stantec 9/15/10 letter) was collected as cash in the amount of \$68,331.24 (check #20220382-1 9/22/10). The site improvements were completed on October 25, 2011 (Stantec 10/25/11 letter & Certificate of Occupancy 10/28/11). At this time the following sureties are required: 1) a 2 yr. landscape surety from plantings in the amount of \$13,475.00, **AND** 2) a \$2,000.00 surety for the outstanding as-built plans. The \$68,331.24 cash surety should be partially released in the amount of \$52,856.25. The balance remaining will be \$15,475.00 per applicant 10/27/11 authorization letter (\$68,331.24 - \$13,475.00 landscape - \$2,000.00 as-built = \$52,856.24).

Fiscal Impact

None.

Recommendation


Recommend that the Town Council motion to partially release the Mega X site plan improvements cash surety in the amount of \$52,856.24 (\$68,331.24 - \$13,475.00 landscape - \$2,000.00 as-built = \$52,856.24).

Prepared by:

Donna Fitzpatrick, Planning Coordinator

Town Administrator Recommendation

Concur with recommendation.


Dr. Dean E. Shankle, Jr.
Town Administrator

STAFF REPORT

RECYCLING AND TRANSFER COLLECTION TRUCK PURCHASE

November 9, 2011

The Town Council recently voted to accept the bid from Hews Equipment for the purchase of (2) New Wave automated collection bodies, and (2) Peterbilt chassis.

The accepted price for the purchase of the New Wave automated collection bodies were \$103,370.00 each.

It has just come to everyone's attention that the delivery price was not included in the original bid. The delivery price, including fuel, is \$2,809.00 per vehicle.

This brings the new price of each collection body to \$106,179.00 for a total of \$212,358 for both.

This is still less than the closest competitor by a little over \$6,000 per unit.

Recommendation:

I recommend that the Council support the new purchase price of the New Wave Collection body at \$106,179.00 each for a total of \$212,358 for both.

Prepared by: Diane Boyce

AGENDA NO. 11-116 Agenda
DATE: 11-9-11

October 26, 2011

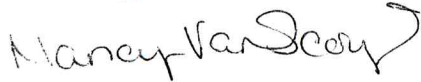
Town of Hooksett
35 Main Street
Hooksett, NH 03106
Dean E. Shankle, Jr., Ph.D., Town Administrator

Town of Hooksett
35 Main Street
Hooksett, NH 03106
Town Council

Dear Dr. Shankle and Members of the Council:

Due to change of residence, I am submitting my resignation which will be effective December 1, 2011.

Sincerely,



Nancy VanScoy
District 2 Town Councilor

Town Administrator Shankle,

10/27/11

Please consider this to be my formal complaint against Hooksett Town Council Chairman Bill Sirak. I feel that the Chairman acted inappropriately and contrary to Town Council Rules -at the October 12th 2011 Town Council meeting. The following is a list of those inappropriate actions, resulting in disrespectful behavior towards a citizen he is supposed to be representing.

1. Prior to my speaking at the meeting, the Chairman received a copy of "Town Council Rule G" from another councilor. Immediately upon seeing the document, the Chairman said "I understand this clearly, I am familiar with it." The Chair tried to use this rule to restrict my remarks to "issues of which the Council has governance over." It was later pointed out by the Vice-chairman, that this rule did not apply to the Public Input portion of the meeting – that it was, in fact, the wrong rule being cited and used against me.

2. When I attempted to point out that in my opinion, and supported by the information I had sent the Council prior to the meeting, that the Chairman had made a false statement, I was gaveled down and ruled out of order. Later, the Chairman explained "One of the reasons I gaveled you down the second time was you already started making demeaning remarks about me".

In respectful rebuttal to the Chair's position, my claim and complaint is that by saying he made a false statement, it was not a demeaning remark in itself towards his personality, in accordance with and adherence to Town Council Rules.

3. The Chair demanded I "Remove yourself from that seat" numerous times, rather than discussing the issue, or simply allowing me to continue to speak. In fact, the Chairman should not be engaging in any debate and responses with the public during the public input session, per Town Council Rules.

4. In explaining why he gaveled me down, the Chair said the following "I have received a number of complaints and concerns from Council members, concerned about disparaging remarks, personalities exchanged during public input -- to a point where I know in the past, people have resigned or not run for office, because of those kinds of hostilities that sometimes come from public input" I felt these remarks were directed at me personally, yet I have never made a disparaging remark during public input. Once again, I cite Town Council Rules, which prohibit rebuttal comments being made to the public during public input sessions, which are demeaning in its intent towards the public offering their opinions.

In closing, I feel that Chairman Sirak was overreaching his authority as Chair and attempted to stifle my public statement, with his inappropriately interruptions from his position of power.

All of these inappropriate actions taken by the Chairman, are inconsistent with the standards of currently adopted Council Rules.

Sincerely Submitted,

David Pearl 79 Main St. Hooksett, NH 03106