

**TOWN COUNCIL MINUTES**  
**SPECIAL MEETING**  
**WEDNESDAY, APRIL 17, 2002**

The meeting was called to order at 6:30pm.

**PRESENT:** Chairman T. Young, Denise Pichette-Volk, P. Rueppel, M. DiBitetto, R. Dion, R. Holley, M. Jolin, P. Ganley, D. Duford, M. Farrell-Town Administrator

**TOWN ADMINISTRATOR'S REPORT:** M. Farrell reported on the following:

1. At the last meeting, the Fire Department's budget was discussed and changes have been implemented and favorable results are already noticeable.
2. There was a major fire at Pike Industries today. The plant was saved but the tar mix that caused the fire could not be saved and fortunately there were no casualties.
3. An agreement for outside employment of Firefighters has been worked out with the Local Union, the Fire Department and Administration. Chief Howard and Sean O'Brien, the Local President, signed a new policy agreement that within limits, allows for firefighters to work part time in other firefighting agencies, however, there are strict guidelines to be followed.

Chairman Young asked if this is part of contractual agreement, the one that's going to the voters.

M. Farrell stated no it's not.

Chairman Young stated isn't this part of our negotiations.

M. Farrell stated that the policy is in the personnel plan policy; it's not in the contract. It is a standard operating guideline for the Fire Department.

4. At the last meeting, John Gryval had questions on reimbursement, on funds donated to Community Profile meeting held last fall. It was consensus of the Council that Administration and Finance would see that the funds are dispersed properly. The funds came in for last year's appropriations and were set up a year prior to the meeting in November 2001. Any reimbursements for last year are not reimbursable as the 2001 books are closed. The six committees that were created out of the meetings can share the balance in the amount of \$233 for each committee.
5. The TIF Developers have hit a snag that will affect their closing that is scheduled for tomorrow. This week the Planning Board had to deal with extinguishing an easement and agreeing to a revised easement. Only council can give up easements and we are now looking for a motion to approve the easement extinguishment. The Planning Board feels comfortable with the revised easement.

Gordon Leedy of VHB outlined the detailed map on the easement.

R. Dion moved to suspend the five-day waiting period for Council's decision. Seconded by D. Pichette-Volk.

**Roll call vote.**

D. Pichette-Volk	yes	M. Jolin	no
P. Rueppel	no	P. Ganley	yes
M. DiBitetto	yes	D. Duford	no
R. Dion	yes	T. Young	yes
R. Holley	yes		

**Motion carried.**

R. Dion moved to approve the release of that portion of the Easement across Map 29, Lot 64-5 and Map 29, Lot 64-64B (now 6B and 6C), designated "Existing Drainage Easement to be Discontinued" on the April, 2002 VHB plan provided that replacement easements are granted to the Town across Map 29, Log 64-5 and Map 29, Lot 64-6B, designated "New Drainage

Easement" on the April, 2002 VHB plan and the remaining drainage and detention easements on the Hockey 2002 property, Map 29, Lot 64-5 and as further stated per the April 17, 2002 notification in paragraph 2 subject to the approval of Hooksett's legal counsel. Seconded by D. Pichette-Volk. **(Attachment #1).**

**Roll call vote.**

P. Rueppel	no	P. Ganley	yes
M. DiBitetto	yes	D. Duford	no
R. Dion	yes	D. Pichette-Volk	yes
R. Holley	yes	T. Young	yes
M. Jolin	yes		

**Motion carried.**

6. M. Farrell and M. DiBitetto are participants in the NHMA's Legislative Policy Process, which is a biennial event. The object of this event is to see what municipal policies the towns in New Hampshire would like to see happen. Each committee consists of 25 members of different municipal positions from all over the state. M. DiBitetto is on the General Government, Revenue & Inter-governmental Relations Committee and M. Farrell is on the Municipal Administration and Finance Management Committee. There are discussions, debates and votes taken on what are the most important issues. The final results are brought to the NHMA Committee for further action. The NHMA will then use the information to try set policy, support or oppose certain legislation at the State level. What issues would the Council like to see put into legislation.

M. DiBitetto stated that one of his Committee's issues was item #5 Tax Exempt Properties and Tax Shifting. This issue covers tax exempting airports and then receiving State reimbursement; this item was tabled. What we are looking for are recommendations from Council on issues of interest.

M. Farrell stated that committee's need to report by June 30, 2002 therefore any issues you may have would need to reach us by May 30, 2002.

Council Consensus was for M. DiBitetto to open discussion at the next meeting on April 24 and M. Farrell to open discussion on May 8, 2002 for their committee topics.

**OLD BUSINESS:**

**MANCHESTER WATER WORKS –EXTENSION OF FRANCHISE.**

P. Ganley moved to grant an extension of franchise of Manchester Water Works on Smyth Road and Golden Gate Drive as described on Hooksett Tax Map 47, Lots # 21-23 and Lots # 32-36 and Tax Map 48: Lots # 48-70, Lot #73, 74 and # 75-13. Seconded by R. Dion. **Roll call vote carried unanimously.**

**CENTRAL HOOKSETT WATER PRECINCT:**

M. DiBitetto moved to grant an extension of franchise of Central Hooksett Water Precinct on Whitehall and Farmer Roads. Seconded by R. Holley. **Roll call vote carried unanimously.**

**HOOKSETT TRANSFER STATION:**

D. Duford stated that the Hooksett Transfer Station and Recycling Center has been honored by the Department of Environmental Services (DES) for a Tour in July and a workshop on electronics. The Station has also been chosen, by the Governor's Recycling Committee for a recycling tour this month in honor of Earth Day. Diane Boyce has been chosen by the DES to sit on the American Recycling Day Committee. The school's cartridge recycling program generated funds for the school to purchase a recycling bin.

**LAMBERT PARK:**

D. Duford stated that there are still dead shrubs at Lambert Park that should be removed; barriers should be put by the grass area; and larger parking signs should be installed. The seasonal dock should be put in and taken out in the fall.

Chairman Young stated what D. Duford is pointing out is an old plan from November 27, 1998 that shows the drive-up and dock area to be removed seasonally.

M. Farrell to research with the State as to why the landing has not been completed to the specifications on the 1998 blue print.

P. Ganley cautioned to find out what was conceptual versus what was approved.

D. Duford said that the Kiosk at the Park is missing a necessary sign and it should be updated, and that the new parking signs at the Municipal Building look really great.

**HYDRO DAM.**

Chairman Young stated that in 1999 the Town chose not to bid on the Hydro Dam. The concern is, if another town purchases the dam, would Hooksett be able to generate taxes from this facility or will it now become exempt.

M. Farrell stated that it would become tax exempt thus losing income. In 1996 the court determined that we could not change the value until the Town has an overall reevaluation.

Council consensus is to discuss this in more depth at a later date.

**PUBLIC INPUT:**

**WATER FRANCHISE EXTENSION:**

Mary Ruel, 3 Alderwood Court, kindly suggested that in the future when there are plans for a water franchise extension that the Planning Board be notified.

**BOSTON MARATHON RUNNERS FROM HOOKSETT:**

David Paquette, 154 Merrimack St., stated that there were two Town citizens that ran in the Boston Marathon this past week. He was proud to see two citizens from our Town run in this race; as there is no other race like it. He would like to see Town Council send a letter acknowledging their efforts.

Council consensus was to acknowledge the Hooksett citizens that ran in the Boston Marathon.

**NEW BUSINESS:**

**INDEMNIFICATION INSURANCE RSA 31:105**

M. Farrell stated that indemnification of elected officials, employees or volunteers is not automatically provided by municipalities unless the governing board adopts the provisions of RSA 31:105. A review of the Council's minutes cannot document this has been done. M. Farrell recommends, to be on the safe side, that the Council take that action. The other related action would be to decide whether the Town would provide legal representation when coverage isn't paid for by liability insurance.

Chairman Young stated that the insurance company would only represent the Town and indemnify us as well for this. We as a community can provide legal council to represent us as individuals and all of our sub-committees or we can say no, you take it on yourself. The Council in the past has said we are not going to let our volunteers be sued personally for actions of their board or another board without providing them with legal representation. So the Town had agreed to pay for the legal costs.

M. Dibitto moved to table and review at the next meeting. Seconded by D. Duford.

**Roll call vote.**

R. Holley	no	P. Rueppel	yes
M. Jolin	no	M. DiBitetto	yes
P. Ganley	no	R. Dion	yes
D. Duford	yes	T. Young	no

D. Pichette-Volk            yes                    **Motion carried.**

**CITIZEN OF THE YEAR:**

Chairman Young stated Fred Bishop has been appointed, by the Lion's Club, as Hooksett's Citizen of the year. The Council will be honoring Fred Bishop with a proclamation. He asked if this is Hooksett's Citizen of the Year or is this Hooksett's Lion's Club Citizen of the Year. The reason he asked is that, if in the future other clubs come up with a Citizen of the Year how should it be titled. In the past it was the Men's Club that bestowed the honor, it was based off a motion with a vote of 6 to 2 and six of the Councilors were on the men's club with no recusals. I'm bringing it to your attention because I think there's a conflict of interest.

R. Dion moved to recognize Fred Bishop as Hooksett's Citizen of the year. Seconded by M. DiBitetto. **Motion carried unanimously.**

Chairman Young stated that the Hooksett's Citizen of the Year will be held on Saturday, April 27, 2002, at the Puritan Backroom and tickets are \$15.00 per person and can be obtained from Jim Robinson at 626-6225 or Frank Gray.

D. Pichette-Volk stated that Hooksett's Over 80's Club has set the date for their Annual Golden Age Dinner. They are really proud to have their Council members attend the dinner. Please try to be there on Friday, May 3, 2002.

**DONATION FROM H & D TRUCKING SERVICE:**

M. Farrell stated that the donation from H. & D. Trucking Service, Inc. of a Geotop G24B automatic level equipment has particular wording that is will be used solely by the Hooksett Police Department. The donation has been scheduled for a public hearing for April 24, 2002.

D. Duford stated that there were many people that worked on getting the new Forestry Truck ready for use and it would be nice see that they receive some recognition for the efforts.

Consensus of the Council was for M. Farrell so send a letter of appreciation to those who worked on the Forestry Truck.

**OLD BUSINESS:**

**COUNCIL NEWSLETTER:**

Chairman Young stated that the Newsletter is at the printers and will be looking for volunteers to help get the mailing out as soon as possible. It is expected to arrive at the Municipal Building by next Thursday, April 25. So you may expect an email from T. Paquette by the end of next week.

**MANCHESTER SAND & GRAVEL PROPOSED DEVELOPMENT:**

Chairman Young opened the discussion for Manchester Sand & Gravel's proposed master development of the northern 1460 acres of its property in Hooksett as presented at our last meeting.

R. Dion moved that the Council support the proposal of Manchester Sand & Gravel's master development of the Northern 1460 acres of its property in Hooksett with a limit of 650 housing units and a championship 18-hole golf course as further defined on the letter dated April 10, 2002. Seconded by M. Jolin.

M. DiBitetto stated that they have not received a presentation from the Planning Board. He's not comfortable with the proposal because he doesn't know much about the details. It's an approval of a master plan it's not a definitive approval and he doesn't feel it's his position to make a vote.

M. DiBitetto moved to table any vote on the support of the Manchester Sand & Gravel's proposal for the development of the 1460 acres. Seconded by D. Duford.

**Roll call vote.**

M. Jolin	no	M. DiBitetto	yes
P. Ganley	no	R. Dion	no
D. Duford	yes	R. Holley	no
D. Pichette-Volk	no	T. Young	no
P. Rueppel	no		

**Motion failed.**

Chairman Young stated the reason he supports the proposal is because the project fits nicely into the Master Plan with the major transportation issues. In the future, the State may work on Route 3 and we must start planning to get people around our community. I think the road that they are talking about will help Granite Hills and the proposed North Campus project. Open space is one of the concepts that they are looking at, which is part of a well-planned community.

**Roll call vote on original motion carried unanimously.**

**FIRST SESSION TOWN MEETING:**

M. DiBitetto stated that one of the visitors, at our 1<sup>st</sup> Session Town Meeting, from Azerbaijan gave him a token of appreciation, a key ring with a design of their country's flag on it, and he presented it to Administration.

**FISCAL YEAR BUDGET MEETINGS:**

M. DiBitetto stated as a Budget Committee member and Council member he noticed that more coordination between the Budget Committee, CIP Committee, Town Council and Administration with the Fire Department Equipment Plan would be helpful. He would like to have a scheduled joint meeting with those groups to provide more continuity and keep us all going in the same direction. He offered this as a suggestion because he feels it would help facilitate some of the budget discussions in the upcoming year.

Chairman Young suggested obtaining, from the Fire Department, a copy of the Fire Department's equipment replacement plan and a rationale for the decisions in the plan.

R. Dion would like to have leasing vs. buying made clearer.

D. Duford stated that the Town Charter 5.7D states that the Town Council and Town Planning Board shall meet annually in preparation for and review of the Capital Improvement Plan in a manner determined by Town Council.

Consensus of the Council was to have Council, Planning Board and CIP meet September 18, 2002.

**NOMINATIONS/APPOINTMENTS:**

Chairman Young stated that Ron Lucci was nominated as a previous meeting and Chris Lally sent a letter of interest and may be nominated at this meeting.

D. Pichette-Volk moved to suspend the waiting period to be able to nominate and vote in the same meeting for Chris Lally. Seconded by P. Ganley.

**Roll call vote.**

D. Duford	no	R. Holley	yes
D. Pichette-Volk	yes	M. Jolin	no
P. Rueppel	yes	P. Ganley	yes
M. DiBitetto	no	T. Young	yes
R. Dion	yes		

**Motion carried.**

D. Pichette-Volk moved to appoint Ron Lucci to the vacant position of the Conservation Commission as an Alternate member, term exp. 6/2003. Seconded by R. Dion.

T. Young moved to appoint Christopher Lally to the vacant position of the Conservation Commission as an Alternate member, term exp. 6/2003. Seconded by P. Ganley.

D. Pichette-Volk	Lucci	M. Jolin	Lally
P. Rueppel	Lally	P. Ganley	Lucci
M. DiBitetto	Lucci	D. Duford	Lally
R. Dion	Lucci	T. Young	Lally
R. Holley	Lucci	<b><u>Motion carried in favor of R. Lucci.</u></b>	

M. DiBitetto moved to reconsider the last vote. Seconded by D. Duford.

**Roll call vote.**

P. Rueppel	yes	P. Ganley	no
M. DiBitetto	yes	D. Duford	yes
R. Dion	no	D. Pichette-Volk	no
R. Holley	no	T. Young	yes
M. Jolin	yes	<b><u>Motion carried.</u></b>	

D. Duford stated that the motion to reconsider doesn't require a 2/3 vote can be decided by a majority vote.

**Roll call vote on the motions to appoint R. Lucci or C. Lally.**

M. DiBitetto	Lally	D. Duford	Lally
R. Dion	Lucci	D. Pichette-Volk	Lucci
R. Holley	Lucci	P. Rueppel	Lally
M. Jolin	Lally	T. Young	Lally
P. Ganley	Lucci	<b><u>Motion carried in favor of C. Lally.</u></b>	

Chairman Young requested that a letter be sent to R. Lucci indicating the other positions that are available and that there may be another Conservation Commission position available in July.

**SUBCOMMITTEE REPORTS:**

**ADMINISTRATIVE CODE:** P. Ganley reported that the next step is to meet and finalize the edits to be ready for a Public Hearing.

**BOARD OF ASSESSORS:** M. Jolin reported that the last meeting was an emergency meeting to reassess the taxes for the Elks Club that were abated due to a letter from the DRA. Hooksett Home Care's abatement request was denied, they will ask for reconsideration. The DRA felt that the description of charitable organizations did not qualify Home Care to fit under their exemptions. The assessors will be sending out letters to the elderly, involved in this abatement, asking for justification or government forms to be provided so that they can be on file to verify their exemption status for elderly.

**CONSERVATION COMMISSION:** P. Rueppel reported that Home Engineering requested a letter be written to the ZBA. Land has been purchased, next to the Three Amigos, and the new owners plan to improve that property. Windsor Terrace, which is being built by Stabile, will enact more wetlands and want a revision and the Conservation Commission has no problem with it. Bypass 28 Northpoint will be building two new warehouses there. The plans and the wetlands will be reviewed.

**EMERGENCY MEDICAL ADVISORY COMMITTEE:** M. DiBitetto reported the next meeting is scheduled for May 8.

PARKS & RECREATION: M. Jolin reported that they met last night and the Kiwanis Club, General Electric Corp., the Hooksett Garden Club, will be refurbishing Fraser Park on May 11, at 8 a.m. The Kiwanis has donated \$5000 to put a small playground in the park.

Chairman Young asked if anyone has seen the plans or any blueprints. Since there is a donation involved there should be a hearing to accept the funds.

Kiwanis Club donated \$5,000 to HYAA for Skateboard Park and the HYAA is also receiving other funds for the Skateboard Park. HYAA does not have liability coverage on this Town property. The Skateboard Park will be completed in late May. The HYAA has been constantly receiving money for the fields.

M. Farrell stated that he would meet with D. Hemeon to discuss HYAA's receipt of donations, they should be accepted by the town.

M. Jolin stated that once the new middle school is completed, Parks and Recreation would have an excessive amount of work in maintaining the fields. This would require additional personnel and the thought is why doesn't the school maintain their own fields.

Chairman Young asked the status of Peter's Brook fields; will they be playable for this fall and what is that the status of the fields on Route 3A the one's coordinated by HYAA. He asked if the Town is going to be involved in the maintenance of the fields.

M. Jolin stated that this was not discussed in the last meeting therefore he's not sure of the status.

Chairman Young asked M. Farrell if he knows who will be maintaining the fields on Route 3A.

M. Farrell stated that Parks & Recreation would be maintaining the fields.

M. Farrell to discuss with D. Hemeon what the agreements are with Route 3A soccer fields.

PERAMBULATIONS: D. Pichette-Volk walked the town borders and was successful with the exception of finding four markers on the Auburn line. The paperwork has been done for Candia and Allenstown. She is now at the point of getting the other town representatives to walk the lines with Hooksett. Our part of identifications is almost complete.

PLANNING BOARD: P. Ganley stated there were five special exceptions brought before the Planning Board. These are all zoning board items. Near the Village School area there is a four acres site, for a 55 and older project consisting of 20 elderly housing units. This was found to be complete and a public hearing is scheduled for May 6, 2002. Outdoor World would like to develop a landscaping site and has been approved and is required to obtain the required wetland permits. Stabile for Windsor Terrace consisting of 134 town house units on Route 3A was approved. Danais Realty Group has plans to build two large warehouses. It was determined incomplete and they will be coming back on May 20, 2002 so their hearing has been continued. Koffler GID, the TIF district developer, came before the board to subdivide a two-acre parcel for the purpose of motor fuel dispensing station. It was found complete and was approved. The costs for the Architects and Engineering (A&E) of the fire station were tied into that subdivision. Kohl's submitted an amended site plan to move the building back about 20 feet, there are some parking changes and the A & E costs were also tied to this project. Both projects were contingent upon A&E costs of up to \$15,000 for the new fire station.

M. Farrell spoke with Koffler the day after the Planning Board meeting and they gave verbal authorization to hire a soil scientist and to proceed further with the plans.

POLICE COMMISSION: M. DiBitetto reported that they met last night and they requested that he come back to council with the method used for appointments. They feel there should be a procedure in place for a police check on a prospective commission candidate.

P. Rueppel said that in a conversation with J. Oliver that he said individuals could pay for their own criminal background check for about \$25.00.

M. Farrell stated that there is a procedure in place, established by the Council, for Background Checks. He will check previous minutes for the passage of Background Checks and advise the Council.

SEWER LIAISON: P. Rueppel reported that Elmer Ave. and Francis Ave. project is moving forward and bids have been taken on it. Town Council will make the final decision in awarding the project. They need three easements down there and they are talking to residents. One resident, Mr. Quirk, is concerned about it and is going to sign off. If the Sewer Commission cannot resolve it, it will have to come before the Council. Superintendent Kudric met with engineers representing the Town of Bow to discuss plant expansion in Merrimack Pump station. Bruce also met with the State and there may be grant money available for composting.

M. Farrell stated that four of the bids were open, today, for that project. They are being reviewed for completeness before the bid is tentatively awarded. The recommendation will come from the Sewer Commission to the Council. The Council is the grantee for the money and the Council will award the contract.

SOUTHERN N.H. PLANNING: M. Jolin reported that voting will take place this month and he would like direction from the Council on Route 3. The vote will be to amend the TIF plan, which would put the completion of the Route 3 into next year instead of this year. Please note that this project is not going to occur until next year no matter how you vote.

D. Duford moved, at 9:37pm to extend the meeting. Seconded by P. Rueppel.

**Voice vote was close, therefore, a hand vote was taken and the motion failed.**

Councilor T. Young adjourned the meeting at 9:38 PM

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Tina M. Paquette  
Administrative Assistant

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Michel Jolin  
Town Council Secretary