

**TOWN COUNCIL MINUTES  
SPECIAL MEETING  
WEDNESDAY, MAY 1, 2002**

**PRESENT:** Chairman T. Young, D. Pichette-Volk, P. Rueppel (Arrived at 7:55pm), M. DiBitetto, R. Dion, R. Holley, P. Ganley, M. Farrell - Town Administrator. Absent: D. Duford, M. Jolin.

**MINUTES:**

April 10, 2002: P. Ganley moved to approve the minutes. Motion seconded by R. Dion.

**Motion carried unanimously.**

April 17, 2002. P. Ganley moved to approve the minutes. Motion seconded by R. Holley.

**Motion carried unanimously.**

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

1. In regard to background checks for Police Commission nominees, there is a policy that came from the Town Council meeting of July 8, 1998. The policy requires that a criminal background check be done for any Police Commission nominee.

E. Dinwoodie, Assistant Town Administrator, stated that was a procedure of the Police Department to conduct a criminal background check.

T. Young, D. Pichette-Volk and M. DiBitetto have volunteered to meet with Administration and come back to Council with a recommended policy.

M. DiBitetto will consult with the Police Commission as they recently brought up the issue.

2. With regards to the request that Council meet with Planning Board and Budget Committee to discuss the CIP, this was brought up at the Planning Board meeting and it was thought to be a good idea.

Consensus of the Council was that a meeting should take place in September 2002, so that everyone is at the same general understanding.

3. After the Public Hearing on Rosedale Street there was a meeting with Police, Fire, Highway and Administration. There was a site visit of both intersections and discussed options. It was decided to ask the Highway Manager to do a traffic count. The count was done on Monday, Wednesday and Friday from 7am-9am and 3:30pm -5:30pm. Report to follow at our next meeting.
4. In a letter to Representative David Hess from the D.O.T., Commissioner Carol Murray explained the status and schedule for the reconstruction of intersection Route 3 and Alice Ave. and the reason for the delay.
5. Following up on the Lambert Park boat ramp, in checking with Fish & Game Department a design was approved in permitting a boat ramp but did not go through the engineering phase thus a floating dock was not installed.

M. DiBitetto moved to issue a letter to engineering as soon as possible. Seconded by D. Pichette-Volk. **Motion carried.**

6. Primex is holding their Selectman's Institute again. It is a training session with a focus on how to engage the public on identifying and solving community needs. The topics will involve working effectively with constituents and community organizations, budgeting strategies, planning, zoning, financial management. The Selectmen collaborate with their counterparts from area towns to identify solutions to similar problems. A form has been provided should you wish to register.
7. M. Farrell sent a Guest Editorial to the Hooksett Banner on the Pay As You Throw (PAYT) indicating that there is no relation to the PAYT and the default budget.



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P. Ganley	no	R. Holley	no
M. DiBitetto	yes	T. Young	no
P. Rueppel	no	<b><u>Motion failed.</u></b>	

M. DiBitetto moved that prior to PAYT's implementation, we have an informational meeting this summer with Solid Waste Advisory Committee to take suggestions as well as present the program. Seconded by D. Pichette-Volk.

P. Ganley moved to amend, subject to passage of Warrant Article #40. Seconded by D. Pichette Volk.

**Roll call vote.**

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

**Roll call vote on original vote as amended failed unanimously.**

**SCHEDULED APPOINTMENTS:**

**PUBLIC HEARING: DONATION OF EQUIPEMNT FROM H & D TRUCK SERVICE, INC.**

Chairman Young declared the hearing postponed until a later date.

**PUBLIC HEARING: MANCHESTER WATER WORKS – EXTENSION OF FRANCHISE.**

Chairman Young opened the hearing at 7:48pm.

M. Farrell stated that the letter from Manchester Water Works outlines the area in need of the extension. There is a Children's Day Care Center on that parcel that has run out of water and they are paying to have this line extended to their business. When they ran out of water they contacted Manchester Water Works to get a franchise extension. They are 750 feet away from the water.

M. Farrell stated he met with the business owner a few weeks ago and this request would have come before the council sooner but there wasn't enough time to post and submit to the press. This hearing was posted for last week but the Council did not meet. They are in need of water through no fault of their own and if we wait another week it will delay them even more.

M. DiBitetto asked if there is any issue relating to highway permits and bonds.

M. Farrell stated that he spoke with D. Hemeon, Highway Manager, and he doesn't see any reason for concern because it's a State road and the State will have to deal with that issue.

Chairman Young closed the Public Hearing at 7:52.

P. Ganley moved to suspend the rules for the 7-day waiting period for Council to vote on a decision. Seconded by R. Holley.

**Roll call vote.**

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

P. Ganley moved to approve the extension of the Manchester Water Works Franchise on Londonderry Turnpike as proposed by Manchester Water Works in a letter dated April 4, 2002. Seconded by R. Holley. **Motion carried unanimously.**

**OLD BUSINESS:**

**PROBLEMATIC STREET NAMES.**

Chairman Young stated that this has been postponed until a later date.

**NHMA LEGISLATIVE PROCESS:**

M. DiBitetto stated that he is a committee member on the General Government, Revenue & Intergovernmental Relations Committee. There are many issues and would like to know what issues the Council would or would not support. **(Attachment #1)**

Item #5. Tax Exempt Properties and Tax Shifting. Council consensus by voice vote was to support the issue.

Item #8. Just Compensation for Rights-of-Way. Council consensus by voice vote was to support the issue.

Item #9. Minimum Vote Required for Bond issues. Council consensus by voice vote was to support the issue.

Chairman Young asked if only towns that are SB2 are voting on this issue. If no, his concern is that Non-SB2 towns are in the majority.

M. DiBitetto stated that everyone would be voting.

Item #10. Statewide Technology Coordination. Council consensus by voice vote was to support the issue.

M. Farrell stated that he is a committee member on the Municipal Administration and Finance Management Legislative Policy Committee and he is looking for Council consensus on the issues. **(Attachment #2)**

Item #3. To set the minimum number of write-in votes for election and to clarify the process when the candidate receiving the most votes declines the office.

D. Pichette-Volk moved to oppose any minimum number of votes for a write-in candidate. Seconded by P. Ganley. **Motion carried unanimously.**

Item #4. To allow for electronic signatures submitted by LoGIN.

M. DiBitetto moved to support electronic signatures submitted by LoGIN. Seconded by R. Holley. **Motion carried.**

Item #7. Requiring all tax abatement appeals to go to the BTLA rather than through the court system.

M. Farrell stated that the current rule is that an appeal can go to the BTLA or Superior Court; if the decision is not in the favor of the appeal then they can go to the Supreme Court.

P. Rueppel moved to support all tax abatement appeals to go to the BTLA rather than through the Court system. Seconded by R. Holley. **Motion carried.**

M. DiBitetto stated that he has a possible issue for proposed legislation that came about in a court case that went all the way to superior court the issue was how many signatures are enough signatures for a protest petition. The problem in some cases, the way the law is currently structured, one signature may meet the standard, whereas other cases it may not be that easy to

determine what the minimum number of signatures is. He would like to have a determined number of signatures so that one may have something definite to work with.

M. DiBietto and M. Farrell have volunteered to draft a concept for the number of signatures need for a protest petition, for May 8<sup>th</sup> Council meeting, to possibly be brought up to the NHMA for their legislative process.

**INDEMNIFICATION: RSA 31:105.**

M. DiBietto moved to take Indemnification, RSA 31:105 off the table. Seconded by P. Ganley.

**Motion carried unanimously.**

P. Rueppel moved to adopt RSA 31:105. Seconded by R. Holley

**Roll call vote.**

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

M. Farrell stated he would consult legal counsel for specific language on the part of the Attorney fee responsibility for RSA 31:105.

**SO. NH PLANNING – ROUTE 3 & ALICE AVE. PROJECT.**

Chairman Young stated that at the next meeting he would like M. Jolin to give a report on the vote that took place with the Southern N.H. Planning commission on the Route 3 and Alice Ave. project.

**EMERGENCY MANAGEMENT:**

P. Rueppel wanted to know what was said in a recent previous meeting between T. Young and Chief Agrafiotis went into another room for a discussion.

Chairman Young stated that when he came out of the meeting he highlighted what the conversation was about. Chairman Young told Chief Agrafiotis that the Council would be addressing the emergency response program.

Chairman Young stated that last week a Hazard Mitigation Group was formed with Charles Watson, Town Planner, Fire Chief Howard, Police Chief Agrafiotis, and John Elsdon of So. NH Planning Commission. We are in the process of reviewing the Emergency Management because hazards that we might face need to be identified in preparation for any grants or funds that we may be able to get out of FEMA. A Plan must be in place if we want to be reimbursed.

**NEW BUSINESS:**

**TOWN COUNCIL MEETINGS:**

M. DiBietto would like to review the procedure on attendance at Town Council meetings. He noticed lately that there has been a telephone poll on attendance at meetings and he feels the Council's written guidelines should be followed. Councilors should show up for the meeting and if there is no quorum then adjourn the meeting at that time.

**HOOKSETT TOWN DIRECTORY.**

T. Paquette stated that the Directory Committee, which evolved from the Community Profile back in November 2001, has created a Town Directory of Community Organizations. The purpose is to make it easier for all citizens to locate Police, Fire, Political and Town Representatives, Churches, Civic leaders for those who wish to volunteer or join organizations. It has been distributed in the offices at the Municipal Building and the Town Library for about a week and has met with rave reviews from the new and elderly citizens.

**PUBLIC INPUT:**

Nancy Winneg, 42 Cross Road, spoke of the items posted on the Bulletin Board and wanted to know if the Town permits campaign literature to be posted in Town Hall.

M. DiBietto stated this is a valid issue, and that campaign literature should not be posted on an official bulletin board, if the matter is free speech then a board could be set up exclusively for all other issues.

E. Dinwoodie, Assistant Town Administrator, stated that there is a community bulletin board for non-government items that is reviewed periodically.

**SUBCOMMITTEE REPORTS.**

**ADMINISTRATIVE CODE:** P. Ganley reported that there would be one more meeting on May 7<sup>th</sup> to finalize any changes.

**CONSERVATION COMMISSION LIAISON:** P. Rueppel reported that the Committee met today with Manchester Sand & Gravel (MS&G). MS&G gave an informational meeting. There were problems with wetlands at Granite Hills with beaver dams and it will be taken care of at the State level.

**COUNCIL NEWSLETTER:** Chairman Young reported that it has been sent out and there has been some positive feed back and it was nicely put together.

**EMERGENCY MEDICAL SERVICES ADVISORY COMMITTEE:** M. DiBietto reported that the Committee will be attending our next Council meeting on May 8, 2002.

**PERAMBULATION:** Denise Pichette-Volk reported that Allenstown and Candia have been completed. Goffstown will be walked on May 9, 2002 at 8am. Manchester is complete and there are discussions in progress. Auburn is in progress. We are waiting for a response from Bow and Dunbarton.

**POLICE COMMISSION LIAISON.** Chairman Young reported that the Commission wanted the Town to pick up a \$3,300 bill for the HVAC balance. It is not built into their facility plan. It will be looked into before the end of the fiscal year.

M. DiBietto stated that the Commission is going to pay for it out of their budget with the promise that the Council would look at the budget fiscal year end and if at all possible reimburse them.

M. Farrell stated in his conversation with Chief Agrafiotis, the commission is not planning on turning any money back. As it stands now, they have a balance that they plan to spend on items that have been put off in the past.

M. DiBietto stated that it is typical policy that they wait until fiscal year end; they want to make sure that there is no emergency issues that have come up that would require them to use those budgets; it is the Chief's policy to defer acquisitions until the end of the fiscal year.

M. DiBietto stated the first bid for the police security cameras did not include the multi-plexer and that the bid went back out.

M. Farrell stated that he sent a letter to the original low bidder and he doesn't want to re-bid and the others that received the first bid do not have a multi-plexer. The re-bid to include the multi-plexer has not gone out yet. The job should be done before the end of the fiscal year.

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ZONING BOARD OF ADJUSTMENT REP: R. Dion reported that he has been impressed with the way the Zoning Board and the Conservation Commission have been working together this year. Conservation Commission is communicating more with the Zoning Board before Zoning deals with an issue and the seriousness of the topics is being acknowledged by both boards.

TRI TOWN AMBULANCE COMMITTEE: D. Pichette-Volk reported that the next meeting is Sunday, May 5, 2002.

Chairman Young adjourned the meeting at 9:30pm.

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Tina M. Paquette  
Administrative Assistant

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Ronald Dion  
Town Council Secretary Pro-Tem