

**TOWN COUNCIL MINUTES
SPECIAL MEETING
WEDNESDAY, APRIL 2, 2003**

PRESENT: P. Rueppel, P. Loiselle, M. Ruel, R. Dion, G. Longfellow, M. Farrell – Town Administrator.
EXCUSED: Chairman M. DiBitetto, D. Pichette-Volk, R. Holley, M. Jolin.

Acting Chairman R. Dion called the meeting to order at 7:00pm. Due to lack of quorum the Chairman declare the public hearing adjourned at 7:00pm. He then opened the meeting as a public information meeting. He stated that representatives from Manchester Water Works and State of NH Fish & Game are present and explained that the land would be used for a future water treatment plant on the Merrimack River. Minutes of this meeting will be taken as a matter of public record.

Acting Chairman R. Dion made introductions as follows:

GUESTS: Senator Ted Gatsas, Senator Lou D'Alessandro, Representative David Hess, Terry Pfaff - Chief of Staff - NH House of Representatives.

GUEST SPEAKERS: Tom Bowen and Bob Beurivage – Manchester Water Works and Eric Orff – Fish & Game.

B. Beurivage introduced Senator Lou D'Alessandro who was the sponsor of the bill.

Senator Lou D'Alessandro stated the land in question is under the Land Conservation Investment Program (LCIP) that was devised for the good of the public and every effort has been made to protect the land. There is a reverter clause that states in the deed of the seven acre parcel providing that the property revert back to the State of New Hampshire if the parcel is not used for public water supply purposes by the City of Manchester, Manchester Water Works. Tomorrow Senate Bill 35 will be addressed in the Senate therefore public input is very important. Current status of the bill is that it's out of the Committee and in the Senate and was tabled because the time constraint was so narrow for the Town to receive a full briefing from Manchester Water Works. Therefore this meeting was held is to give the Town the opportunity to hear further comments on the issue.

P. Loiselle stated that the residents on Goonan Road have not made a decision yet whether they favor or oppose the issue. Also homes on the north end of Goonan Road received a letter that their wells are to be terminated and there may also be an MBTE issue.

Beverly Parker, 8 Goonan Road, asked if the residents, 26 families, on Goonan Road would have an opportunity to vote on it.

P. Loiselle stated that those residents have to state to the Town Council whether they are in favor of it or not.

R. Dion stated this meeting of for the purpose of Goonan Road residents to voice their opinions.

Senator Lou D'Alessandro stated the issue was voted out of committee 3:2 and ought to pass, and is now on the table. They will be in session tomorrow and would like to vote on it.

P. Rueppel suggested that the Goonan Road residents meet and discuss then come to the Council with their results.

B. Parker stated there is some skepticism in the process of the sludge and felt that no one cared and that they were on their own so they wonder if they are being told everything. She asked for elaboration on the conservation easement.

Senator Lou D'Alessandro stated that only a small portion of the land would be used for the water treatment facility, only one quarter acre will be used for the building, the rest of the land would remain as it is and Fish & Game would have the same authority over it as it has now.

P. Loiselle asked how this would be in the best interest for Hooksett.

Senator Lou D'Alessandro stated it would allow for the extension of water lines line to service more people and would be an advantage from the fire protection side. One of the provisions of LCIP is to provide for the benefit of the public good and this would be doing just that.

T. Gatsas stated the crossover will be April 10th and it is currently on the table at the Senate. There are choices as to how to proceed such as referring to committee to come back in January 2004 or can hold it for further study.

Nancy Winneg, 42 Cross Rd., asked where the locations of the two parcels are.

T. Bowen pointed out on their map where the parcels are located and gave a brief history on how the project developed. For two decades they had plans to tap into the Merrimack River for a secondary source of water due to the Town development in 1964-1965. In the early 1970's Manchester Water Works purchased land by Peterbrook then sold it after approximately six years because the Town developed a waste water treatment plant that was not located far enough away. Then in the late 1970's early 1980's they purchased property from B&M Rail Road and there were a number of issues that forced them to reconsider emptying into Dube's Pond. In recent years they canvassed about a dozen sites along the Merrimack River. The areas they are now looking to serve would be the Exit 10 area, Mammoth Road to Autumn Run subdivision, Beacon Hill off of Morrill Road, Londonderry Turnpike to as far as Smyth Road subdivision, and a small portion of Hackett Hill. In 1991 there was an allocation agreement for Dube's Pond that included one facility built to supply three and one half million gallons per day that is seven times what currently being provided. The wholesale customers they serve are Pennichuck Water at Smith Woods a subdivision of 40 +/- homes and they are the sole supplier to Hooksett's Central Water Precinct they use 440,000 gallons per day and they are near the max on their water agreement.

M. Ruel asked are you prepared to have an updated agreement.

T. Bowen state there is no agreement with the Town specific to this site.

M. Ruel stated we would need a new allocation agreement relative to this land swap for the Town to have a comfort zone in this process.

T. Bowen stated Hooksett is the only Town we have an allocation agreement with and an agreement would be put in writing. Others towns are agreed upon via a letter of understanding.

M. Ruel stated a new agreement would need to be created with some of the same conditions that were mentioned with Dube's Pond and allocations specified, but more specific to the new situation.

R. Dion asked why are surrounding towns charged more.

T. Bowen stated that there is a 12% differential basis on a study of cost for Manchester Water Works to deliver water to Hooksett. In Manchester a family of four pays about \$165 per month, Hooksett pays about \$187 per month and the average around the state is about \$305 per month.

M. Ruel stated that in the reverts clause she doesn't see a time frame so how can Fish & Game move forward if at any time it could revert back to Manchester Water Works.

B. Beurivage stated that by 2010 water usage will be at its maximum. Manchester Water Works needs to be up to speed with a new plant by 2009-2010. Permitting takes a couple of years, buying the land, planning takes time and now is the time to act on this issue.

G. Longfellow asked if Manchester's Board of Alderman should be one of the signers.

T. Bowen stated that Hooksett should be signing with the Board of Water Commissioners of Manchester Water Works as they have the right to commit via Manchester Board of Alderman and the State legislature.

Steve Korzyniowski, 341 West River Road, stated his concern is conservation. The Town's Master Plan is looking towards river access and would collaborate with Manchester Water Works for access.

B. Beurivage stated the issue with the seven acres would be security with access to parcels on east side of the river.

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S. Korzyniowski stated that the railroad tracks and the steepness of the banks make it not a good situation for recreation.

D. Hess stated that the 1991 Dube's Pond agreement is for 20 years and that time is halfway gone and appraisals have not been done on any of the parcels. The value of the southern parcel is ten times greater than the northern parcel. He asked why it has been decided that the right-of-way is not in the plan.

B. Beurivage stated he has a good point; it is the intention that the right-of-way be included in the plan.

D. Hess asked what would the cost be and duration for access across the river.

B. Beurivage stated that has not been figured out yet.

D. Hess stated you looked at 12 sites one of those sites is one parcel north of the site you are looking at now, why not chose that site?

B. Beurivage stated that parcel is a zoning use three which is similar to a mini-mart the parcel they are looking at is similar to residential zoning. The difference would be around \$800,000 to \$1,000,000 for the land. This would be a considerable charge to the ratepayers.

D. Duford, 191 West River Road, stated the many steps that were taken to come to the final result of Hooksett having a boat ramp on the Merrimack River for public access. He said this meeting was an economic issue on the land swap for useless land, it's not a good idea and Town Council should go on record as opposing it.

T. Bowen stated that swapping the land would be a benefit to the Town and 140,000 people in the greater Manchester area.

N. Winneg stated that conservation easements are important in this state and need to be upheld and she is now concerned with other easements. To see this land that was purchases in good faith in perpetuity be used for other reasons is disappointing. She asked why is this site being considered with the Exit 10 build-up. There is a bald eagle nesting site along that stretch of land. She is appalled that the land would be considered for other than a conservation site.

D. Duford stated that if there were a problem with Goonan Road it would be paid by Peter King.

T. Bowen stated that the Goonan Road water situation has been addressed. Some have access to water paid by Peter King and some have not been hooked up yet due to winter weather.

Eric Orff, Fish & Game representative, stated they are in support of the project. They are aware that the site lends it self to winter roosting and eagle nesting.

D. Hess stated there's nothing in this for Hooksett. Hooksett has almost no property on the eight miles of the Merrimack River that runs through Hooksett. There is nothing on the River except for Lambert Park. Hooksett never gets anything free from Manchester. All items need to be complete before it goes to the legislature for a vote. Terms and conditions are old and halfway expired. The contract needs to be renegotiated as Hooksett is paying 12% more for water than Manchester residents and the Rail Road costs should be a factor. Manchester Water Works should give the parcel for the eagle's nest and for recreation. In the deal for the title swap, an agreement and an appraisal should to be obtained before hand not afterwards. It is important to remember that this will legally set a precedent and will be cited as such in future years. There is a site between I-93 and the strip mall that appears to be a good spot. It is stripped of gravel, no trees, and is on a Dead end road.

P. Loiselle asked if Manchester Water Works has ever considered buying a piece of land.

T. Bowen stated yes, they originally thought the land was owned by PSNH and in further studies realized that Fish & Game owned it.

T. Gatsas stated it is important that the concerns of Hooksett residents be heard. He would expect courtesy to extended the bill. It is important that the Council get back to him or Lou D'Alessandro on whether or not to move

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a forward with this legislation. He can refer the bill back to the committee and would report out in the first session in January 2004. Then the Town would have the opportunity to voice their opinion at the legislature. It is due to be heard on the floor April 10th.

Terry Pfaff, 329 Hackett Hill, stated he agrees with the residents on Goonan Road that they should be skeptical. He was involved with the boat ramp project and Goonan Road residents were very active in this initiative. He supported LCIP in continued funding and worked through the easement process to preserve as much property as possible and that was based in perpetuity. Perpetuity is a very big issue and this will set a precedent to the highest degree. He suggested to his Senator to leave this on the table or kill it because it doesn't belong going through this way because Hooksett and the LCIP should not be in the land disposal business. It will cost the Town some considerable dollars for insurance and establishing some sort of access. He will talk to Fish & Game on their stand because he feels they are ill advised and Fish & Game need some redirection. He advised Town Council he would testify and give observations to argue against it. The allocation is specific to Dube's Pond and is not useful for this situation. He suggested looking for innovative solutions not the easiest solutions.

D. Duford agreed with T. Pfaff and said to kill it in legislation.

Acting Chairman R. Dion adjourned the meeting at 8:55pm.

Respectfully submitted,

Tina M. Paquette
Administrative Assistant

Mary A. Ruel
Town Council Secretary