

TOWN COUNCIL MINUTES
APRIL 30, 2003

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

Vice Chairman M. Jolin called the meeting to order at 6:32 pm.

R. Dion moved at 6:35pm to enter into nonpublic session under RSA 91-A:3, II, (e). Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

R. Dion moved at 7:22pm to exit nonpublic session. Motion seconded by G. Longfellow. **Motion carried unanimously.**

The Council made a statement that the nonpublic minutes would not be divulged at this time.

Vice Chairman Jolin requested that the Council hear Sandy McKenney, Board of Allenstown Selectmen, on All Terrain Vehicle/Trail Bike (ATV) usage, as she cannot stay beyond 7:30pm this evening.

Sandy McKenney stated their board is looking for ATV support for non-usage in Bear Brook Park from the point of how it will effect the Town as it is a multi-use park so there are safety issues and a possible financial burden for emergency rescues to which the Town would be responsible for.

D. Pichette-Volk asked what is the date of the next meeting with the State.

S. McKenney stated May 19, 2003 is the next meeting with the Department of Resource and Economic Development (DRED) and at that meeting they will review procedures to be brought to an analyst. At this point there are no marked trails. After their analysts have reviewed the information then a decision may be made as to where the trails will be. There would be 20 miles of new trails for ATV use only and at points at intersections the trails will cross each other.

M. Farrell stated that part of your concern is emergency services going into the park. He asked if there is any responsibility on the part of Fish & Game.

S. Kenney stated they were told that if there is a problem in a certain area of the park that Fish & Game could set up for a day, but they will not patrol the park on a regular basis.

P. Loiselle asked for examples of problems with ATV usage in the Park.

S. McKenney stated the ATV users are making their own trails on private property, and riding late in to the evening hours. The private landowners are encouraged to call the police but it's a difficult situation as the riders are gone in a matter a few seconds or a few minutes and there has been damage to the privately owned land. But they are encouraged to call so that there is a record of the ATV disturbance.

R. Dion stated that perhaps having trails marked specifically for ATV usage would give the riders an opportunity to use their own trails and therefore stay where they are required and less damage to other trails on private lands would occur.

M. Ruel moved to send a letter to DRED with a copy to Allenstown to not support the use of Bear Brook State Park for ATV usage and to not continue the effort of researching it. Seconded by P. Rueppel

D. Pichette-Volk stated in Epsom's letter it's not a conservation issue but they are concerned that it's an unfunded mandate and rescue services are of their concern. She asked M. Ruel why she is in support of non-usage.

M. Ruel stated it's a multi use park and that ATV usage will drastically change the way the park is right now, it's a conservation issue and a usage issue and it would increase the amount of ATV usage on current trails in the Town. All of the negative issues that have been stated, or written would affect us.

D. Pichette-Volk stated she has given this some serious thought and has been in every area of Bear Brook State Park. She recently was in Pittsburgh, NH and spoke to people there and they have said some of the things you have said but it goes to the to the right of people and she feels it's a legitimate recreational activity therefore she had difficulty with the way your motion is stated.

M. Ruel stated she agrees with the concept but feels Bear Brook State Park is not the best place for it.

Roll call vote:

M. Ruel	yes	P. Loiselle	yes
P. Rueppel	yes	G. Longfellow	no
R. Dion	no	D. Pichette-Volk	no
M. Jolin	no		

Motion failed.

R. Dion stated that a letter should be sent to Fish & Game indicating that the Council is in agreement with Allenstown as far as the cost of emergencies and miscellaneous costs the Towns may bear. We recommend, since it is a State park that financial as well as policing support be provided to Allenstown.

M. Farrell stated this is in violation of State Constitution of 28A. Creating a new use and a financial burden on the communities. He would draft a letter to Fish & Game and present it to the Council at the next meeting.

MINTUES:

P. Rueppel moved to table the minutes as the meeting is running very late. Seconded by R. Dion.

Roll call vote:

P. Rueppel	yes	G. Longfellow	yes
R. Dion	yes	D. Pichette-Volk	yes
M. Jolin	no	M. Ruel	yes
P. Loiselle	yes		

Motion carried.

PUBLIC INPUT:

ATV USAGE:

Harold Murray, 311 Hackett Hill, stated a brief history on ATV usage and that last year an ATV group clean up the trash that was in the area of the trails and he is sorry to say that trash is there again. He suggested not allowing trucks on the road to keep the trash down. There has been no record of injuries on the trails. The ATV users only want to make a trail to connect to other northern trails. He asked that Council think twice before sending a letter to N.H. Fish & Game.

James Oliver, 1465 Hooksett Rd., stated that Bear Brook State Park covers 52% of Allenstown's land. Allenstown cannot afford to police all of the State's properties. He agrees that this is an unfunded mandate it's a 28A issue.

Bryan Williams, 97 Corriveau Drive, stated there's a there's a lot that should be looked at before a decision is made.

LETTER TO COUNCIL:

Bryan Williams, Budget Committee Chairman, submitted a letter with attachments on his concerns about the conduct of the Town Administrator.

TAXICAB PERMIT:

Vincent Lembo, 56 Main Street, stated there seems to be a few issues with his obtaining a Hooksett taxicab permit. In some instances Hooksett's ordinance seems to be vague and he feels the Town Council should review and update it. He presented a meter-rate plan. He would like to know if everything else is in place, such as the required decal and I.D. card to be placed in the Taxicab.

M. Farrell stated that he would address the taxicab ordinance in his Town Administrator's report later in this meeting.

NOMINATIONS/APPOINTMENTS:

P. Rueppel stated in reference to the Heritage Commission she would like to have time to read the information that she received from administration and discuss at a future meeting.

OLD BUSINESS:

M. Farrell stated that there are no personal days in 7.1 of the employee personnel plan. Employees get 12 sick days per year and can accrue up to 30 days. He would like to see that two of these days be allowed to be used as personal days thus having 10 sick days and two personal days. The amount of days will still be twelve and if the two personal days are not used they will accrue as sick days. It came to their attention that some of the union personnel have this and thought it should be offered to non-union personnel.

D. Pichette-Volk moved to approve the proposed changes of the employee personnel plan of the sick leave policy in 7.1 through 7.1.5 as stated with appropriate renumbering. Seconded by R. Dion.

Roll call vote.

R. Dion	yes	G. Longfellow	yes	
M. Jolin	yes	D. Pichette-Volk	yes	
P. Loiselle	yes	M. Ruel	no	
G. Longfellow	yes	P. Rueppel	yes	<u>Motion carried.</u>

M. Ruel stated she is not in favor of this change; she feel's like it's giving two more vacation days. She's not in favor of the way it's written.

G. Longfellow stated that in all fairness we should treat the non-union same union personnel.

PERFORMANCE GOVERNMENT – DEFINITIONS:

M. Farrell asked for Council's opinion of the definitions that were passed out at the last meeting.

D. Pichette-Volk moved to accept the definitions as Hooksett's vision, values, mission, goal, activity and objective statements as submitted to Council April 9, 2003. Seconded by R. Dion. **Motion carried unanimously.**

NEW BUSINESS:

FARWOOD FOREST SUBDIVISION LETTER OF CREDIT RELEASE

M. Farrell stated this is a standard letter of release and D. Hemeon will speak to it.

D. Hemeon stated he is requesting that Council approve releasing the letter of credit and for the Town to accept a one-year Post Construction Performance Guarantee in the amount of \$58,076.23 and then have the Town accept Farrwood Drive.

R. Dion moved to release the letter of credit for the Farrwood Forest Subdivision in the amount of \$444,000, and for the Town to accept a one (1) year Post Construction Performance Guarantee in the amount of \$58,076.23 as determined by Dufresne & Henry and then to accept Farrwood Drive. Seconded by P. Loiselle. **Motion carried unanimously.**

SEWER COMMISSION CORRESPONDENCE OF 3/18/03.

P. Loiselle moved to table until next meeting. Seconded by R. Dion. **Motion carried unanimously.**

CB SULLIVAN CURRENT USE LIEN RELEASE.

M. Jolin moved to table until the next meeting. Seconded by R. Dion. **Motion carried unanimously.**

TOWN ADMINISTRATOR'S REPORT: M. Farrell reported that –

1. B.J.'s grand opening will be Saturday, May 3, at 8am, and RSVP to 1- 866-268-1998.
2. In the Smagula vs Town of Hooksett Protest Petition on MS&G Head's Pond development the Supreme Court has agreed to hear the case on two of the issues. One is counting Allentown lots and the other is the claimants charge that the information is not available to them to make a determination.
3. In starting up a taxicab service we have an ordinance in Town that hasn't been used since 1991. We are currently in the process of updating forms. Owner insurance cannot be obtained at one million dollars but can be at a half a million dollars. In checking with Manchester, Concord, Franklin, the

average insurance is from \$250,000 to \$500,000. A hearing should be held to update the taxicab ordinance at the next Council meeting on May 14 (220). Mr. Lembo needs to have Insurance in place and vehicles registered for the application to be complete.

M. Ruel requested that the ordinance be emailed to each Councilor.

4. He sent a letter to Senator Jeb Bradley stating the Town's strong support for Southern New Hampshire University's proposal to TEA-21 for a North River Road Enhancement Project to get Federal Grant money for multi use to help with improvements to North River Road on the Manchester side, bus transportation and to use some of the funds for feasibility study for the southern end or a parkway.
5. He received a letter of agreement from the Merton Group feasibility study on a broadband network and the only change is in section 1 bottom of 2nd page to have the study done in the long form as Council had suggested. They will be prepared to have a feasibility team meeting on May 19, 2003, the time to be announced, and Councilor's are invited.
6. He will be attending a follow up meeting for emergency management on small pox inoculation and other health issues.

Harold Murray, Emergency Management Deputy Director stated precautions were taken for a few university students who recently returned from a country that was known to have Severe Acute Respiratory Syndrome (SARS). They have passed the 10-day incubation period and have not show any signs of the syndrome.

7. At the next meeting he will present an in depth budget overview of the current fiscal year. There are currently four firefighters out on disability. A floater was hired and the second day on job he was hired permanently.

P. Loiselle asked what the status is on the revaluations.

M. Farrell stated the residential portion is complete and those who were not home when the representative came to do the revaluations will be receive a card in the mail for a final try to see the home on the inside. July & August commercial analysis will be done and the total revaluation completion date is Oct 19, 2003.

PUBLIC INPUT:

James Oliver, 1465 Hooksett Road, stated that he understands, from what he has read in the newspaper that the Council is opposed to the development of a pumping station on Goonan Road and as a state representative he will vote the wish of the Council. If there are any changes please let him know.

Vice Chairman Jolin stated the opposition is for the location not the plan.

Tina Paquette, Administrative Assistant, stated the Council Newsletter is due in from the printers this Friday and she would like some Council volunteers to help put on the 5,000 address labels and she will send an email when the Newsletters arrive.

M. Farrell, per the request at the last meeting, wrote a letter to Fish & Game Department for the Council Chairman to sign. The Council has taken the position to not support SB 35 and if the legislation is defeated the Town Council requests that the department transfer the control and stewardship of the LCIP property to the Hooksett Conservation Commission. Copies will be sent to the Town's state representatives.

D. Pichette-Volk asked to be excused 9:10 pm

Vice Chairman Jolin excused Councilor Pichette-Volk.

SUBCOMMITTEE REPORTS:

COMMERCE ALLIANCE: M. Jolin stated that the Council position is vacant.

BOARD OF ASSESSORS: M. Jolin reported that the next meeting would be Tuesday May 6, 2003.

HERITAGE COMMISSION: P. Rueppel reported that there are two members, both are new, and that meetings have not started yet. She has some material to read to understand what the Commission is about.

PERAMBULATION: R. Dion reported that for Manchester there have been no changes since the last meeting.

SEWER LIAISON: P. Rueppel reported that the compost building has been delayed because the seven bids that came in were over the dollar figure that sewer had planned on spending.

SOLID WASTE: G. Longfellow reported that in certain areas of Town items such as TV's and computers are being thrown out into the dumpsters. These items should be taken to the dump. Some of the dumpsters are in poor condition, need to be replaced by the owners, and kept locked. It was decided that a letter be sent to advise the residents of what items should not be put in the dumpsters. Burgess Park was and issue that came up again.

Council consensus was that formal recommendations from the Solid Waste or Highway Department should be made before the Council makes any recommendations. Also, in a previous meeting it was stated that private roads were no longer going to receive trash pick up and the residents were going to be notified with a letter.

SOUTHERN NH PLANNING: M. Jolin reported that he attended a meeting and he will forward the minutes.

ZONING BOARD OF ADJUSTMENT: R. Dion reported that the sign ordinance needs to be revised height and distance is an issue that has recently come up often.

SCHOOL ADMINISTRATIVE UNIT: M. Farrell reported that last meeting was cancelled.

Vice Chairman adjourned the meeting 9:25pm.

Respectfully submitted,

Tina M. Paquette
Administrative Assistant

Mary A. Ruel
Town Council Secretary