

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, June 11, 2008

CALL TO ORDER: Chairman P. Loiselle called the meeting to order at 6:30 pm.

PRESENT: David Dickson, William "Bill" Gahara, James Gorton, Jason Hyde, George Longfellow, David Ross, Patricia Rueppel, Stuart Werksman, Chairman Paul Loiselle, David Jodoin (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

May 28, 2008 – *G. Longfellow moved to approve the minutes of May 28, 2008 as amended. Motion seconded by D. Dickson. Motion carried.* J. Hyde and W. Gahara abstained, not present at the meeting.

D. Ross: This is something that should have been done at the last meeting. The Town Administrator deserves to be congratulated and a round of applause for a job well done with the new Town Hall.

The Council congratulated and thanked D. Jodoin.

NOMINATIONS/APPOINTMENTS

Nominations - Board Members for Fiscal Year 2008-2009

Conservation Commission, (2) Full Members, exp. 6/2011, (1) Alternate Member, exp. 6/2011 and (1) Fill-in Alternate Member, exp. 6/2009.

D. Ross nominated Steve Couture for full member, exp. 6/2011.

S. Werksman nominated James Walter for full member, exp. 6/2011.

J. Hyde nominated Phil Fitanides for alternate member, exp. 6/2011.

Heritage Commission, (1) Alternate Member, exp. 6/2011.

G. Longfellow nominated David Bernard.

Parks & Recreation Advisory Board, (2) Full Members, exp. 6/2011 and (1) Fill-in Alternate Member, exp. 6/2009

G. Longfellow nominated Mike Horne for full member, exp. 6/2011.

Planning Board, (2) Full Members, exp. 6/2011 and (1) Alternate Member, exp. 6/2011.

P. Rueppel nominated Joanne McHugh for full member, exp. 6/2011.

S. Werksman nominated Richard Marshall for full member, exp. 6/2011.

J. Gorton nominated Michael Sorel for full member, exp. 6/2011.

W. Gahara nominated Robert Sullivan for full member, exp. 6/2011.

P. Rueppel nominated Robert Ehlers for alternate member, exp. 6/2011.

Police Commission, (1) Full Member, exp. 6/2011.

S. Werksman nominated Henry Roy.

W. Gahara nominated Maura Ouellette

Recycling & Transfer Advisory Committee, (2) Full Members, exp. 6/2011.

J. Gorton nominated Roger Duhaime.

D. Ross nominated Martin Cannata.

Southern New Hampshire Planning Commission Representative, exp. 6/2012 (4-year term).
S. Werksman nominated Richard Marshall.

Zoning Board of Adjustment, (2) Full Members, exp. 6/2011 and (1) Alternate Member, exp. 6/2011.

J. Gorton nominated Chris Pearson for full member, exp. 6/2011.

J. Hyde nominated Gerald Hyde for full member, exp. 6/2011.

D. Ross nominated James Levesque for full member, exp. 6/2011.

D. Dickson nominated Tracy Murphy-Roche for full member, exp. 6/2011.

D. Ross nominated James Levesque for alternate member, exp. 6/2011.

Note: Alternate members who are nominated for a full membership position will be able to keep their alternate positions if not appointed as full members.

Michael Sorel, Planning Board nominee: I was advised that it'll be for the best interest of the community if I would serve in the Planning Board either as a full or an alternate member.

D. Ross nominated M. Sorel for Planning Board alternate member, exp. 6/2011.

Henry Roy, Police Commission nominee: I filled in for Richard Bairam who resigned from the board in December 2005. I was appointed in March 2006. I would like to complete another term. I think the board is currently running fairly adequately. I was a member of the Council for 6 year and the Budget Committee for 3 years. I've been the Treasurer for the School District for the last 23 years. I guess I've paid my dues.

David Gagnon, Police Commission Chair: Henry Roy is an asset to the community and the Police Commission. He really balances the board.

Chairman P. Loiselle: As the liaison to the Police Commission, I will say that the board has been extremely professional and does an excellent job.

M. Sorel: I was asked by several members of the community to serve in the Planning Board. I have difficulty saying no. I don't have a goal to be on the Planning Board. My goal is to spend more time with my family. I think I could be of service to the community. I hope I could contribute and I hope I can earn your trust if appointed to the Planning Board.

SCHEDULED APPOINTMENTS

No scheduled appointments.

OLD BUSINESS

Security Issues – 35 Main Street

D. Ross recused himself from the Council and spoke as a vendor.

Chairman Loiselle: There have been a lot of concerns with regards to security in the building and how to address security. Mr. Ross and the Administrator are addressing the issue.

D. Ross: I've addressed the issues at the Department Head meeting this morning. The next step in fine-tuning the system.

The Council discussed various options for maximum security.

Ethics Policy

The draft was forwarded to all department heads and employees for their review. The Chairman is still in the process of collecting comments.

YTD Expenses/Potential Carry-overs/Encumbrances

D. Jodoin: There are certain parameters everyone has to follow in order to carry-over and encumber money. It has to be a legitimate expense covered by contractual obligation. I presented a listing of potential items. The first item is the air-conditioning for the Town Hall. The NPDES Permit Phase II (storm water process) is required by the EPA (Environmental Protection Agency). There is a fine if this is not done. Other items such as Development Regs Planning, Traffic Impact Study and Housing/Conservation Grant. The Planning Department has agreements for those. Other items are the Economic Development Plan and some ergonomically designed desks for employees. The first 2 items would take priority. Other items will need to be encumbered provided, (1) there is contract and (2) there are sufficient funds at year-end. There are still payroll and utility bills for the month of June that need to be estimated.

Chairman Loiselle: It is relevant to get the default numbers for fuel. We need to know how much shortage we're looking at before we could even consider the a/c and all the other issues.

D. Jodoin: You can only encumber the funds if you have a contract. In order to have a contract, you have to pre-buy and lock in a price. We can't do it just because we're short. You can't do it for electric; you can't do it for heat without a contractual obligation. The auditors may come in and record it as a pre-paid expense. They will also review all encumbrances and may disallow the encumbrance, they are not the final word DRA is and if they disallow then the expense will be charged to next years budget 2008/2009 which will be problematic.

D. Gagnon: You have to make up your shortfall. Just because you were voted a default budget doesn't mean you're shut down

D. Ross: You have to take what you're given and work with it. You have to cut back. The concept of encumbrances is to complete projects you have contracts for, not to play shell games with the money.

J. Hyde: When dealt with higher expenses, one has to do what they need to do. Find ways to cut costs. Something else has got to give. There is no choice. You can't encumber because there is no contract. You can't pre-buy now and risk losing money, you don't know if the price will go down.

D. Jodoin: I would suggest for the Council to authorize the Town Administrator and the Chair to review and accept bids for the air conditioning.

W. Gahara moved to authorize the Town Administrator and the Council Chair to review and approve the air-conditioning bids. Motion seconded by J. Gorton. Roll call vote carried unanimously.

NEW BUSINESS

Proposed new job description for Assistant Parks/Recreation Foreman

D. Hemeon: We have a worker who is probably the best worker in Town. I'd like to reward him and create this position for him. This position will be on the same pay level as the Heavy Equipment Operator position.

S. Werksman moved to approve the new job description for Assistant Parks/Recreation Foreman. Motion seconded by W. Gahara. Motion carried unanimously.

Plow Truck Bids

D. Hemeon presented the following bids for approval.

	6-Wheel Truck Cab & Chassis		
	<u>Liberty International</u>	<u>Freightliner</u>	<u>Peterbilt</u>
Larger Motor	\$60,415	\$59,529	\$67,446
	\$60,765	\$60,547	\$68,825

Plows & Dump Bodies

<u>E.W. Sleeper</u>	<u>Donovan Equipment</u>	<u>Howard Fairfield</u>
\$64,642	\$62,744	\$68,141

He recommended accepting the bids from Liberty International for the 6-wheel truck cab & chassis in the amount of \$60,765 (larger motor) and Donovan Equipment for the plows & dump bodies in the amount of \$62,744 for a total amount of \$123,509.

D. Ross moved to accept the bids from Liberty International (\$60,765/larger motor) and Donovan Equipment (\$62,744) for a total of \$123,509. Motion seconded by P. Rueppel. Roll call vote carried unanimously.

Release of Landscaping Bonds

The following landscaping sites have been inspected by the Highway Manager, Dale Hemeon. He recommended releasing the bonds.

Dunkin Donuts

G. Longfellow moved to release the Dunkin Donuts landscaping bond in the amount of \$3,000. Motion seconded by S. Werksman. Motion carried unanimously.

Irving Oil

J. Gorton moved to release the Irving Oil landscaping bond in the amount of \$23,000. Motion seconded by W. Gahara. Motion carried unanimously.

Verizon Wireless

W. Gahara moved to release the Verizon Wireless landscaping bond in the amount of \$47,000. Motion seconded by G. Longfellow. Motion carried unanimously.

Historical Society

There was a discussion regarding the Historical Society as to whether they wish to take over the old Town Hall facility and whether the present members (David & Tina Paquette) wish to continue on the board. There were questions as to how the board was created and the members appointed. Council consensus was to contact David & Tina Paquette and ask their intentions with regards to the old Town Hall facility.

TOWN ADMINISTRATOR'S REPORT

D. Jodoin informed the Council of the following:

1. There will be a joint training session/workshop for the Planning and Zoning Board on Thursday, June 19th at 7 pm. There is also a meeting on Monday, June 23rd with the developers in Town to hear their side as to their dealings with the Town.
2. The Neighbor Works program is sponsoring a project in Hooksett on Friday, June 20th between 10 am and 2 pm. The Town Administrator and the Chair will be there.
3. The Town Administrator and the Council Chair received a letter from the SAU with regards to the newly established High School Study Committee. They would like to include a representative from the Town's Administration Department and the Council.

Council consensus was to assign the representative at the first Council meeting for the new fiscal year on July 9th.

4. He asked the Council to sign the MS-2 for tax rate purposes and the grant agreement for the website.

SUB-COMMITTEE REPORTS

Sewer Commission

The Sewer Commission met with the State Representatives regarding their request for a 20% sewer capacity increase. Because of changes with the State personnel, the request is likely to be granted.

Police Commission

Things are moving along smoothly.

Board of Assessor

The Board decided to review the elderly exemptions every 3 years.

Recycling & Transfer Advisory Board

The board had a discussion on trucking. Two loads from the packer will fill the hauler. With the 2 bigger packers, the Town will not need the hauler. This needs to be looked into to see if there's money to be saved by sending the packers and getting rid of the hauler.

Budget Committee

Committee Chair Sandy Oliver and Vincent Lembo resigned. D. Dickson recommended assigning 2 Council representatives, one for the School budget and another for the Town budget to break the workload.

Planning Board

P. Rueppel invited the Council to attend the meeting on June 23rd with the developers.

Conservation Commission

The board received 5 bids for the vernal pool inventory.

Blue Moon Environmental	\$9,750
Stantec	\$16,300
West Environmental	\$14,800
NH Audubon	\$19,659
New England Environmental	\$13,250

On June 10th the board voted to contract with Blue Moon Environmental for \$9,750.

D. Ross moved to accept the bid from Blue Moon Environmental Services for \$9,750 for vernal pool mapping. Motion seconded by P. Rueppel. Motion carried. J. Hyde opposed.

ZBA

J. Gorton informed the Council of the following:

1. They had a joint meeting with the Conservation Commission with regards to the proposed Austin Wood development. They have not scheduled the site walk because the developer has not submitted the requested necessary materials. The developer has been asked to bring in topographical maps and he has yet to do it.
2. He asked the Council if there should be a time frame for completion when a variance is granted for an addition or remodeling. Some projects are becoming eyesores. The ZBA is looking for some guidance on this issue.

Chairman P. Loiselle suggested consulting with the Town Counsel as to the proper timeframe for project completion.

3. The board is also looking for some guidance on setting up a procedure as to how the revised plans are marked to make it easier for ZBA members to distinguished the plans.

P. Rueppel suggested having the developers date the revised plans.

4. There was a re-hearing held on Springer Road Pennichuck Corp. requested by David Hess. Mr. Hess wanted the original decision by the ZBA overturned. After the re-hearing, the ZBA decided to uphold their original decision. Mr. Hess will not pursue the matter further. Pennichuck will be able to build a new water pumping station to replace the existing facility.
5. Mr. David Rose (156 Merrimack Street) bought a piece of property to build a house. He was able to tap into an artesian well that pumps up to 45,000 gallons a day. He offered the water district to tap into it but EPA determined it's not safe for public consumption because it does not meet the septic tank set back requirements. He also offered the Fire Department all the water they need free of charge. J. Gorton stated that maybe the Town's Water Precinct should look into buying the property.

Discussion on the matter ensued.

Street Sweeper

J. Gorton received several phone calls about the street sweeper at Memorial School. School employees were not allowed to park at the parking lot when they came in. The sweeper was still there at 1:15 pm. They would like to know why it takes that long to sweep the parking lot.

D. Hemeon: The school called me a while ago to sweep the parking lot. I went on their schedule. They asked to sweep Memorial School today, Underhill tomorrow and Cawley on Friday. Sweeping is a very slow job. The school has not been swept in probably 5 years. I suggested doing the sweeping during April vacation.

PUBLIC INPUT

Harold Murray: With regards to the well. There is a big difference between putting water into your own home and selling water.

J. Gorton: My understanding is that he would give the water to the Town not sell it.

D. Hemeon: I would like to encourage all of you to attend the meeting with the developers to hear their side. I would also encourage you to talk to the Planning Board and the ZBA before you have an opinion about what the developers would say. You will hear some complaints. Hooksett used to be an easy target. Now, we have rules and they don't like it.

P. Rueppel: They love to drag their feet when it comes to waivers and conditions. The only thing that bothers me is that in talking with the developers, there is an impression that Hooksett is impossible to do business with. There is a way to impose rules in a nice way. We really don't present them in a nice way.

Chairman P. Loiselle: As a courtesy, the Town does provide the TRC (technical review committee) to help the developers and assist them throughout the project. When they present their plan to the Planning Board, they have a formal plan. Apparently, according to the developers that's not true. The whole process needs to be looked at.

D. Hemeon: Hooksett did not used to have all these rules. Now there are rules and the developers don't like it.

M. Sorel: I'd hope that the Council would agree that first impressions are the strongest and longest lasting impression. I happen to be in the ZBA meeting when the residents across the Town Hall were asked when they'd be able to finish the project. I don't know what the circumstances are. I think it would be proper for the Town Council to make a cordial inquiry by mail of this homeowner.

Discussion on the matter ensued.

NON-PUBLIC SESSION

G. Longfellow moved at 8:40 pm to enter into a non-public session at 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 D. Ross. Roll call vote carried unanimously.

J. Hyde moved at 9:05 pm to exit the non-public session. Motion seconded by J. Hyde. Roll call vote carried unanimously.

ADJOURNMENT

W. Gahara moved to adjourn at 9:08 pm. Motion seconded by D. Ross. Motion carried unanimously.

Respectfully submitted by:

Evelyn F. Horn
Administrative Assistant

David F. Dickson
Town Council Secretary