

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, August 27, 2008**

**CALL TO ORDER:** Chairman D. Dickson called the meeting to order at 6:30 pm.

**PRESENT:** William "Bill" Gahara, James Gorton, Paul Loiselle, George Longfellow, Michael Pischetola, David Ross, Patricia Rueppel, Nancy VanScoy, Chairman David Dickson, David Jodoin (Town Administrator)

#### **PLEDGE OF ALLEGIANCE**

#### **APPROVAL OF MINUTES:**

August 13, 2008 – ***G. Longfellow moved to approve the August 13, 2008 minutes as amended. Motion seconded by J. Gorton. Motion carried unanimously.***

#### **NOMINATIONS/APPOINTMENTS:**

D. Jodoin asked the Council to appoint a representative to SNHPC/NHDOT CTAP (Community Technical Assistance) Program. This involves Conservation Easement Study and the Village Performance Overlay Zone.

D. Ross nominated P. Rueppel.

P. Rueppel suggested nominating D. Ross since it involved conservation.

D. Ross rescinded his nomination.

***J. Gorton moved to appoint D. Ross. Motion seconded by W. Gahara. Motion carried.***

#### **SCHEDULED APPOINTMENTS:**

##### US Route 3/NH Route 28 Road Improvement Plan

Donald A. Lyford and Michael Dugas of NHDOT presented the road improvement plans for Route 3/28. This is a continuation of Route 28-By Pass project that would extend roads by adding lanes from Whitehall Road/Martin's Ferry Road to Benton Road/Clough Avenue and improve drainage conditions. Federal earmark funds for \$4 million is available for the project. If not used, funds will be returned to the federal government. The cost of the project exceeds the federal funds available. M. Dugas discussed other options being considered. One option is to shorten the project starting from Benton Road and ending at K-Mart. A second option is to add a second lane on the northbound lane only. Another option is to improve the driveways and drainage and not add lanes.

Chairman D. Dickson asked if this would help solve the Merchants Motors and K-Mart flooding problems.

M. Dugas explained that this project addresses the problems beneath the State highways only. Plans are being developed but there are issues with funding.

Dale Hemeon, Highway Manager: The Town is doing the Benton Road project through a FEMA grant.

William Sirak, Economic Development Committee Chair: We won't be able to solve the drainage problem soon, unfortunately. It is a very difficult problem and very costly. The Economic Development Committee

is reaching out to local businesses to let them know the Town will take the collective approach in order to solve the problem. Whatever project goes forward will address the issue.

D. Ross: The drainage issues have to be resolved first before anything else could be considered.

Discussion on the matter ensued.

Jo Ann Duffy, Town Planner: If you wait longer, the chances of getting the funds for this project is very slim. It almost makes sense to do at least the three lanes the whole way for now.

Senator Theodore Gatsas: The Benton Road project is coming from FEMA. I worked closely with the Town and FEMA to get the grant. It is important to know that the \$4 million is a federal earmark and likely to be pulled back if not spent quickly. I asked DOT to come up with a plan to spend the \$4 million and create what we can create and not worry about losing the \$4 million.

M. Dugas presented a shorter version of the project starting from Merchants at Benton Road ending just south of K-Mart.

Greg Weir, Central Water Precinct Superintendent asked if this project takes into consideration sewer and water development and allows improvements.

M. Dugas stated this would be an opportune time for the Town to do improvements.

NHDOT will present the project to the Planning Board on Sep. 8<sup>th</sup>.

The Council will entertain a motion to support the project at their next meeting on September 10<sup>th</sup>.

#### **OLD BUSINESS:**

##### Code of Ethics

Councilor VanScoy suggested some changes.

***P. Loiselle moved to accept the changes as presented. Motion seconded by P. Rueppel.***

There was a discussion regarding "Conflict of Interest". D. Ross stated this section would have to be reviewed further. This matter is addressed in the Town Charter and does not need to be included in the Code of Ethics.

Joanne McHugh reminded the Council of the language she is requesting to be added under "Conflict of Interest" (see 5/28/08 minutes). When it was discussed, it was agreed that the language would be added.

***The motion and second were both rescinded.***

N. VanScoy was tasked to present a clean copy of the revised Code of Ethics. J. McHugh's suggested language will be added. This matter will be further discussed on September 10<sup>th</sup>.

##### Old Town Hall / 16 Main Street

This will be added to the next agenda. The Historical Society would be attending the meeting on September 10<sup>th</sup>.

William Sirak informed the Council that the Economic Development Committee will review the stipulations on the Warranty Deed relating to the use of the building.

##### Old Home Day

N. VanScoy recused herself from the discussion.

Due to budget issues, Parks & Recreation Department will not be able to fund the fireworks on Old Home Day. Christina Katsikas, Hooksett Fireworks, Inc. is proposing to perform the fireworks for a minimum of \$2,500 at no cost to the Town. She offered to raise funds through donations. She asked the Town to pay for insurance (\$350) and the licensed professional shooter (\$300). The Town would also be responsible for all detail costs and clean up. Additional costs would be \$1,000 for Fire Department, \$300 for Solid Waste Department, \$1,000 for Parks & Recreation and \$2,056.99 for Police Department. Other costs include \$1,000 for the portable toilets and \$1,000 for the band. These items are in the budget.

**D. Ross moved to accept the proposal from Hooksett Fireworks, Inc. for an amount not to exceed \$3150. Motion seconded by P. Rueppel.**

D. Ross: We all understand the tight budget but there are some things you need to do as a Town and a family. This will be fun for the kids and their families. It's a Town event.

M. Pischetola brought up an agreement NH Fireworks (now known as Hooksett Fireworks) had with the Town to perform fireworks for 5 years.

C. Katsikas explained the agreement was with NH Fireworks and not Hooksett Fireworks. She added that the Town received 2 payments of \$5,000 from NH Fireworks for 2 years to cover fireworks expenses.

W. Gahara: I'm very supportive of anything to do with kids in Hooksett. I do think with the tight budget we're in and the fact that we were handed a default budget. We should be looking at all possible ways to cut back expenses.

**Roll call**

Chairman Dickson	No	D. Ross	Yes		
W. Gahara	No	P. Rueppel	Yes		
J. Gorton	No	M. Pischetola	Yes		
P. Loiselle	No	N. VanScoy	recused	4-4	<b><u>Motion failed.</u></b>
G. Longfellow	Yes				

Primary Day (September 9<sup>th</sup>) Coverage Schedule  
Each Councilor was asked to volunteer on primary day.

**NEW BUSINESS:**

Town Office Gym Use

D. Jodoin: We have been getting inquiries as to the use of the Town Offices gym. There are issues with security, opening, closing and cleaning. Unlike the school, we do not have a full time custodian. Ginger Kozlowski is one of those who is inquiring and she's here tonight.

Ginger Kozlowski: I currently teach a line dance class on Thursday nights and hold a monthly social dance. I am losing the facility at the Millyard and I'm exploring my options. I asked if I could rent the gym.

D. Hemeon, Parks & Recreation Superintendent: What you have in the Village School right now is not exactly what we voted for. The gym was supposed to be earmarked for the Parks & Recreation Department. We'd like to get the gym under our name so we could run some programs through Parks & Rec. The Town will cover the insurance. We'll have people running the programs and determine the costs.

Discussion on the matter ensued.

***M. Pischetola moved to give the gym to Parks & Recreation Department and have them present a proposal for the use. Motion seconded by P. Rueppel. Motion carried unanimously.***

Other Old Business

- The council voted to support all the additional proposed legislative policies (attached).

- The Council is working on a schedule to meet with the Town Boards.
- A commendation letter was received for Dale Hemeon, Highway Department for brush cutting.

#### **TOWN ADMINISTRATOR'S REPORT:**

D. Jodoin informed the Council on the following:

1. He received commendation letters for the Highway Department and the Fire Department.
2. He asked for directions relating to this year's budget process. Budget requests will be sent out to each Department Head in October. Looking at a possibility of having both the Council and the Budget Committee workshop on the same day on a Saturday. He suggested eliminating the fuel and electricity costs in determining the final budget goal.

P. Loiselle suggested asking each department to present what their anticipated shortage would be for this year. The Council will have to decide how to take care of shortages.

3. He brought up an item from the Town of Pembroke August 4<sup>th</sup> meeting minutes relating to the proposal to move Tri-Town Ambulance to the Pembroke Police/Fire Station. The minutes stated that the Town of Hooksett did not offer any input other than their "*desire to have their own service*". D. Jodoin spoke to the Fire Chief. No one from the Fire Department has spoken to anyone from the Town of Pembroke.

***D. Ross moved to draft a letter to the Town of Pembroke for clarification. Motion seconded by W. Gahara. Motion carried.***

4. He contacted David Preece of SNHPC regarding obtaining some free clerical help for the Planning and Building Department.
5. The Council asked what the Historical Society spent \$482 on, and it was stated that it was for historical photographs.
6. The Local Government Center was contacted regarding the training schedule.
7. The Town had the annual audit this week. The auditors will be back next week to finalize the Library records.
8. There will be a retirement party on Thursday, August 28<sup>th</sup> for Lt. Gerald Covey at the Fire Station.
9. The tax bills will be going out late this year because of the Assessing update.
10. He updated the Council on the Peterbrook Motel issue. The property is now in the bank's hands after foreclosure. The bank has put a property management company in charge of the location.

#### **SUB-COMMITTEE REPORTS:**

##### Planning Board

There will be a workshop on Monday, September 8<sup>th</sup>.

P. Rueppel stated there will be 20 Hooksett members at the upcoming SNHPC dinner. She thanked the Council for getting involved with the community.

##### Board Of Assessors

The board agreed to go halfway on Mt. St Mary's Millyard Laundry taxes for a total of \$1,500 a year.

##### Conservation Commission

There was a site walk on the Austin Woods project.

#### **PUBLIC INPUT:**

Harold Murray: When you talk to the Budget Committee about the budget workshop, are you going to inform them that that will be the final meeting?

Police Chief Steve Agrafiotis stated it would be better to have both boards (Council and Budget Committee) for the budget presentation and come back to answer any follow-up questions. This way, no one will have to present their budget twice.

Chairman D. Dickson explained that the budget schedule would be coordinated with the Budget Committee. He recommended holding the workshop on Saturday, January 3<sup>rd</sup>, 2009.

**NON-PUBLIC SESSION:**

***W. Gahara moved at 9:04 pm to enter into “non-meeting” session per RSA 91-A:2, I, (b) “Strategy or negotiations with respect to collective bargaining.” Motion seconded by G. Longfellow. Roll call vote carried unanimously.***

The meeting reconvened at 9:14 pm.

***P. Loiselle moved at 9:15 pm to enter into a non-public session per 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.***

***W. Gahara moved at 9:17 pm to exit the non-public session. Motion seconded by G. Longfellow. Roll call vote carried unanimously.***

***P. Loiselle moved to divulge the July 23, 2008 non-public minutes. Motion seconded by J. Gorton. Roll call vote carried unanimously.***

The Council made a statement that they voted not to divulge the non-public minutes.

**ADJOURNMENT:**

The meeting adjourned at 9:20 pm.

Respectfully submitted,

Evelyn F. Horn  
Administrative Assistant

Nancy VanScoy  
Town Council Secretary

Legislation to waive municipal recording fees for the establishment and release of Elderly Deferras at the County Registry of Deeds.

To see if NHMA will SUPPORT an amendment to RSA 72:28, IV (a) to allow all veterans residing in the State of New Hampshire with an honorable discharge to qualify for the Standard and Operationa Veterans' Tax Credit regardless of whether they serve their country during the qualifying wars and armed conflicts currently listed or received the required medals.

A constitutional Amendment (CACR) to amend Part II, Article 6-A to clarify the uses of funds in the Highway Trust Fund.

Legislation to amend RSA 318-B concerning the location and operation of Methadone Clinics in our Cities and Towns.

Legislation to amend RSA 40:13, IX(b) to clarify the definition of the "Default budget" with language similar to that proposed in HB 479 (2007) [which would have provided a specific definition of "debt service," "employment obligations," and "one-time expenditures," which are terms appearing in the default budget statute, among other things.

An Amendment to RSA 485-C to give the municipal governing body the final approval authority on water withdrawals from aquifers for commercial bottling purposes.