

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, September 10, 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 (arrived at 6:40 pm), Patricia Rueppel, Nancy VanScoy, Chairman David Dickson, David Jodoin (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

August 27, 2008 – ***Tabled.***

ANNOUNCEMENTS

- Chairman D. Dickson thanked the Councilors for covering their shifts at the Primary Election held on Tuesday, September 9th.
- There was a suggestion to use the Library's sound system for the Council meetings. It was determined that the system needed a PA system which the Town does not have, therefore, cannot be used.
- There will be an Employees' Appreciation Cook-out on Friday, September 19th at 12:00 noon. The Town Offices will close at 12:00 noon that day. Notices have been posted.

PUBLIC INPUT

Mary Farwell, 24 Grant Drive read a prepared statement (see below).

"Because of some apparent irregularities in the proper preparation of the checklist for yesterday's election, a number of people were unable to vote when they should have been able to vote. I was one of those people who were improperly registered in a party. When I should have been designated as undeclared, based on the voting in January Primary, to return to undeclared status. I want to know what the Town is going to do to fix this problem and I want to be sure that whatever action taken goes back to the January Primary to fix it. I spoke to three people yesterday who did not vote but have voted in January and believed they returned their status to "undeclared". Based on what I heard yesterday, this may not be so. Perhaps the office of the Secretary of State could advise us. I also spoke to several people who were not allowed to vote. They told me they were told if they wrote in a candidate, i.e., John Lynch on a Republican ballot that their votes would count...My understanding is a write-in vote would only count in the party for which you have a ballot...I'm just looking for clarification."

Leslie Nepvue, Town Clerk: A write-in vote on a republican ballot counts towards the Republican nomination. Their votes are counted, however, they're not counted as a Democratic vote.

Chairman Dickson: Do you have a recommendation for us?

M. Farwell: I think you should call the Secretary of State. I think you have to go back to the original form that was filled out to make corrections.

N. VanScoy: I do believe it's in the hands of the Secretary of State and the Attorney General. I would recommend that the Council issue a public statement.

This matter will be addressed at the next Council meeting.

Joanne McHugh, 14 Jefferson Drive: I just want to speak about the Route 3 project. I'd like to urge the Council to vote in favor of this project. It is important to see this project go forward. Some people are hesitant, they think it will affect their taxes. This is an earmark. This is an opportunity that we have and should take advantage of it.

NOMINATIONS/APPOINTMENTS

Chairman Dickson nominated Terry Creamer (22 Autumn Run) for the Conservation Commission, Fill-in Alternate position, exp. 6/2009.

SCHEDULED APPOINTMENTS

Historical Society

David Paquette, Treasurer of Historical Society: The Historical Society is a non-profit group of volunteers. There are 25 members. We are the keeper of the artifacts, which belongs to the Town. The building belongs to the Town. It needs a lot of work. I can't ask the members, who are mostly elderly, to do the work. We do get \$1,000 from the Town every year. We use the money to purchase cleaners and equipment (i.e., laptop, projectors), fix documents, etc. We go to schools and give a power point presentation. We have not had any meetings for the past year due to inactivity of members. Some of the meetings were held at my house. The building used to be open for 2 hours on Tuesdays and Thursdays but no one shows up. There is no bathroom in the building and space is very limited. We have been involved with the Historical Society since 2000. We decided to take a year hiatus.

Tina Paquette, President of Historical Society: I've been with the Historical Society for 10 years. In the past year, I've put in more than 23 hours of research for people who have called in from different parts of the country looking for information. I've accepted a lot of donations this year, as well. I will not consider turning the heat off in that building because of the sensitivity of its contents. I would love to have more space. I'd like to see the old Town Hall used for the Town and have a space for the Historical Society, Heritage Commission, Conservation Commission and any other Town Boards.

Kathie Northrup, Heritage Commission Chair: The private collection belongs to the society not the Town. The Town owns the building. I don't think we have any members at this point. I was a member and membership is renewable each year. I haven't received any notices for meetings. We haven't had any meetings for a year. The members usually voted on expenses. There were some expenses for this year and I wondered about that.

Carolyn Schroeder, 100 Granite Street: I was a member and I have not heard anything in a year. If they decided to take a year off, it would have been nice to inform the members. I tried to find out when the next meeting will be but never got a response.

D. Ross: I find the disinterest of the 2 people in charge distressing. There are obviously some issues that should be addressed. I've been with the Council for the last 2 years and I haven't heard from the Historical Society until now.

The Historical Society would post future meetings and will report to the Town Council in a few months.

OLD BUSINESS

Code of Ethics

N. VanScoy presented the revised copy of the Code of Ethics to the Council.

P. Loiselle moved to accept the revised version. Motion seconded by P. Rueppel.

There was a lengthy discussion on further revisions particularly the definition of "Conflict of Interest". It was suggested to have board members sign off on the Code of Ethics when they take their oaths at the Town Clerk's office.

D. Paquette stated that the Attorney General's office has a copy of the Code of Ethics for board members.

W. Gahara: I think everyone has done a tremendous amount of work on this. We've been at it now for a while. As Mr. Paquette brought up, there is already a document in place. It's already been passed and reviewed by attorneys at the State level. I'd like to suggest to table this matter, get a copy of the document. We should take a look at it and see if it fits our needs. Because it's already been passed. Maybe it's something we can use and adopt.

N. VanScoy: We have adopted this document.

Council consensus was to table the matter and obtain a copy of the Code of Ethics from the Attorney General's Office.

Route 3 Project

At the last meeting, a proposed project to improve Route 3 through federal earmark funding was presented (see 8/27/08 Council minutes).

Senator Theodore Gatsas: Rep. Hess was suggesting there may be some money available for completion of the project. That's the money for Cabela's, which is roughly \$3 million. I cannot guarantee this will happen I will certainly explore the possibilities of moving the funds. This has to go through the legislative process, which may not be until June. I don't want to hold off a project because we're waiting for something to go forward. As I've said before my fear is that the \$4 million earmark will disappear. NHDOT have set up a time frame. By October 2010 bids could go out and start the project, provided, there are no problems with eminent domain. There is a meeting on Tuesday to come up with an agreement. We will ask you to table this matter until after our meeting.

P. Loiselle: I support the whole concept. I have concerns. I would like the water problem resolved before improvements are put in place.

Sen. Gatsas stated this is being addressed in the project.

P. Loiselle: Eminent domain will be in excess of \$1 million. Landowners will benefit in the road widening. Funds should go back towards the shortage seeing that they will benefit from this project.

D. Ross: In addition to the drainage problem. We have water that appears to be active springs coming up and lifting the pavement by CVS. This is contributing to flooding and have to be looked at. If there is a way to use this \$4 million and use it first and foremost to address the drainage issues.

Sen. Gatsas: The earmark is for the road.

Council consensus was to table the matter until September 24th.

Fireworks

D. Jodoin: The Legal Counsel is reviewing the contract with NH Fireworks (now known as Hooksett Fireworks) to determine what is enforceable and what is not.

W. Gahara suggested canceling Old Home Day because of budget issues the Town is facing.

W. Gahara moved to cancel Old Home Day. Motion seconded by J. Gorton.

G. Longfellow: The event is 4 weeks away and the committee has done a lot of work. We have vendors who already spent money to set up.

Discussion ensued.

W. Gahara withdrew his motion.

M. Pischetola suggested looking into corporate sponsorship.

J. Gorton: In my opinion, it should be on the shoulders of the Old Home Day Committee. They have been told the Town is facing some unknown financial problems. It should be up to the committee and the people running the event to make it happen.

D. Jodoin: The total cost to the Town would be roughly \$5,300 without fireworks, \$10,300 with fireworks.

D. Ross moved to authorize the Town Administrator to offer to pay Hooksett Fireworks \$650 to cover insurance and the shooter. Motion seconded by G. Longfellow.

Discussion on the matter ensued.

N. VanScoy (speaking for the Old Home Day Committee): We have raised \$9,000 this year and we have \$3,000 left from last year. Corporate sponsorship is being looked at and we'll find out by the end of next week. At this point, the committee is planning on paying for the portable toilets and the band. We will need Parks & Recreation for setting up, Solid Waste for clean up and Police/Fire details.

The motion was withdrawn.

The Old Home Day Committee will look into the possibilities of paying for fireworks and will take care of portable toilets and the band. The Town will provide for setting up, clean up and details.

NEW BUSINESS

Committee Workshop on October 16th @ 6:30 pm. – tabled

University Heights Bond Reductions

P. Loiselle moved to reduce bond #0109946 from \$181,082 to \$177,463. Motion seconded by J. Gorton. Motion carried.

P. Loiselle moved to reduce bond #0109950 from \$448,782 to \$117,595.75. Motion seconded by J. Gorton. Motion carried.

Martin's Ferry Road Bridge Repair

Dale Hemeon, Highway Manager informed the Council that the Martins Ferry Road bridge on North River Road is in need of repair because of erosion problems. This bridge was repaired back in the 90's. Trucks travel through this bridge constantly. The road is posted "No Thru Trucking" but there is a problem with enforcement. The State Bridge inspector declared the bridge structurally sound enough to keep it open but the eroded wall has to be fixed. The Town Engineers surveyed the damages. Estimated cost of repair is around \$30,000. D. Hemeon stated in his opinion, this estimate is about \$20,000 short.

D. Ross moved to post a 6-tons weight limit on the bridge on both directions due to emergency conditions. Motion seconded by P. Loiselle.

Discussion on the matter ensued.

Al Dionne, Emergency Management Director stated that he is applying for a grant to completely replace the bridge.

Motion carried unanimously.

P. Loiselle brought up an issue being discussed currently at the Planning Board and Zoning Board of Adjustment. Gravel and sand being removed from Pine Street and transported to I-93 Exit 5 for the extension of airport road. Truck travel is estimated at about 1,400 a week traveling on Route 3A heading South for over a year.

D. Hemeon stated he was against it and thought it will have tremendous impact and traffic on Pine Street, a residential neighborhood. The developer cited RSA 155, which exempts them from obtaining Town permit for a federal job.

J. Gorton stated that the matter has been tabled until such time as the ground water study is finalized because Town well #4 is located in that district.

Alternative Power Source Tax Relief

J. Gorton stated a constituent is looking for help with a warrant article for the Town to adopt RSA 72-27 regarding solar/wind alternative power tax relief, which states that the Town could offer tax relief by not taxing the alternative power building.

This matter will have to be discussed at the Planning and Zoning due to recent restrictions on alternative power sources.

PUBLIC INPUT

Leslie Nepveu, Town Clerk: On the Code of Ethics, if the Tax Office can supply members with copies of Code of Ethics and get the members' signatures, there's no reason why the boards' secretary cannot do the same.

N. VanScoy moved to continue discussion on the checklist used on yesterday's Primary Election. No second. Motion dies.

NON-PUBLIC SESSION

W. Gahara moved at 9:12 pm to enter into non-public session per RSA 91-A:3,II,(a) "The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted." Motion seconded by P. Loiselle. Roll call vote carried unanimously.

W. Gahara moved at 10:00 pm to exit the non-public session. Motion seconded by G. Longfellow. Roll call vote carried unanimously.

ADJOURNMENT

D. Ross moved at 10:01 to adjourn. Motion seconded by P. Loiselle. Motion carried unanimously.

Respectfully submitted,

Evelyn F. Horn
Administrative Assistant

Nancy VanScoy
Town Council Secretary