

Official

**TOWN COUNCIL MINUTES
Regular Meeting
Wednesday, October 8, 2008**

CALL TO ORDER: Acting Chair P. Loiselle 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 (excused), David Jodoin (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

September 24, 2008 – *P. Rueppel moved to approve the September 24, 2008 minutes as amended. Motion seconded by G. Longfellow. Motion carried.* P. Loiselle abstained not present at the meeting.

D. Ross moved to request for an inventory of all artifacts in Historical Society's possession. Motion seconded by P. Rueppel.

G. Longfellow: This is a private organization. The Council cannot order them to take an inventory. It could be extensive and time consuming.

D. Ross: It is important to take an inventory and determine who owns the items.

P. Loiselle: I think it's a fair and responsible request.

Discussion on the matter ensued.

Roll call vote carried unanimously.

NOMINATIONS/APPOINTMENTS:

Available Positions:

Budget Committee (3) Full members, exp. 6/2009 & 6/2011

Parks & Recreation Advisory Board, Full member, exp. 6/2009

N. VanScoy informed the Council that Mr. Mark Milville is interested in one of the open positions for the Budget Committee.

Note: Budget Committee members are elected. The board appoints their members.

ANNOUNCEMENTS

Acting Chair P. Loiselle thanked and congratulated the Old Home Day Committee for a successful Old Home Day.

SCHEDULED APPOINTMENTS:

Public Hearing, re: Acceptance of Donation from Hooksett-ites Happy Helpers to the Fire Department per RSA 31:95(b).

Acting Chair P. Loiselle opened the public hearing at 7:00 pm.

Bernadette Chevrette, Hooksett-ites Happy Helpers: I'm here to ask for the Council's approval to purchase and donate to the Fire Department a thermal imager in the amount of \$13,545.

Fire Chief Michael Williams presented a similar imager also donated by the Happy Helpers four years ago and demonstrated how it's used to sense heat. He thanked Ms. Chevrette and the Hooksett-ites Happy Helpers for their generous donation.

The public hearing was closed at 7:08 pm.

D. Ross moved to accept the \$13,545 donation in the form of a thermal imager per RSA 31:95(b). Motion seconded by J. Gorton. Motion carried unanimously.

OLD BUSINESS:

Gym Use

Acting Chair P. Loiselle asked to review the general policy for gym use. He stated that Ginger Kozlowski, who previously came before the Council to request using the gym for her line dancing classes went to the American Legion first and offered them 50% of the generated revenue.

G. Longfellow: We should have a different rate for profit-making organizations. There should be two fee scales, one for non-profit and another for profit organizations.

D. Ross: I agree with Councilor Longfellow. There should be two rates, one for non-profit and one for commercial. As far as profit sharing, I don't think that's a good idea for the Town. There should just be a flat rate. I also think it's wise to protect the Town by having the legal counsel draft a legal policy to be followed.

D. Jodoin: Dale (Hemeon, Parks & Recreation Superintendent) and I had some preliminary discussion on this. All these things will be addressed. The gym will not be rented out to anyone until a policy is drafted, reviewed by legal and adopted. This will have to come back to the Council for approval.

Discussion on the matter ensued.

Council Rules of Procedures

At P. Rueppel's request, N. VanScoy went through the Council Rules of Procedures' areas of concerns including procedural matters to remind the Council as well as restore public confidence.

- With votes, making sure Councilors are asked whether in favor, opposed or recused.
- Make sure everyone's voice is heard.
- All conversations are through the Chair.
- 2/3 roll call vote to extend the meeting.

Route 3 Project

D. Jodoin: The project is still ongoing. There are a couple of issues with the Benton Road culvert project as well as easements. They are working on a program with Merchants for an additional access. About 95% of the engineering process is done. We're trying to get an expedited wetlands permit. We have to take care of Benton Road first. At some point, the Council will have to decide which plan to approve.

P. Rueppel: Do we have the power to take easements by eminent domain.

D. Jodoin: It will take longer to take by eminent domain and the costs would be outrageous.

Code of Ethics

Previously, the Council decided to review the State's Code of Ethics. It was also agreed that the definition of "Conflict of Interest" should be fine-tuned.

D. Ross stated it's not necessary to define "Conflict of Interest" and should be taken out.

N. VanScoy: At this point, I do think it may be important to provide guidance. The document states that it is a tool and guidance. We should include the definition of "Conflict of Interest".

Changes suggested by N. VanScoy were made to make a cleaner document and not to change the meaning.

D. Ross: Why not adopt the definition used by the State, which states, "*Officials shall avoid conflicts of interest. Officials shall not participate in any matter in which they or their spouse or dependents have a private interest which may directly or indirectly affect or influence the performance of their duties.*"

Council consensus was to table the matter.

Historical Society

G. Longfellow: 9 new members attended the last meeting. I joined. They charge \$5 per family. The members nominated Jim Sullivan as President and Leslie Nepveu as Vice President. Both David and Tina Paquette chose not to run for office. The meeting went well. We hope to get more people involved. The meetings are held on the 4th Thursday of the month at 6:30 pm at the Arah Prescott Library.

Council Chamber Microphone System

The Council would look into encumbering money at the end of the year for a microphone system.

Old Town Hall

The Economic Development Committee discussed the matter at their meeting today. A structural engineer would check the building for possible uses. They are working on the legal aspect of the deed. They talked about using part of the building for Town Boards and part of it to be rented out as offices. They would like to know if the Town would be willing to renovate and preserve the building.

D. Ross: The key element is to preserve what is there right now and prevent further deterioration. I would close it down completely and secure the building as cheaply as possible.

NEW BUSINESS:

Street Names Approval – Chambers Drive

P. Rueppel moved to approve the street name Chambers Drive. Motion seconded by J. Gorton. Motion carried unanimously.

G. Longfellow suggested forwarding the new street names to the Supervisors of the Checklist.

Comcast Cable Bill

The Town has a franchise agreement with Comcast Cable dated November 1, 2004 for the term December 16, 2004 through December 15, 2012 (8 years). Under the agreement, the Town shall receive quarterly payments for franchise fees equal to 3% of the Franchisee's (Comcast) Gross Annual Revenues. Approximately \$100,000 goes directly to the general fund.

D. Jodoin: Previously, Peter Farwell, Public Access Television Committee Chair requested to remove the fees when the public access television was voted down. Should the Council vote to remove the fees, it cannot be put back until the contract is renegotiated in December 2012.

M. Pischetola: Franchise fees could be used for the public access television.

D. Ross suggested putting it before the voters and let them make the decision.

Acting Chair P. Loiselle: The \$100,000+ collected as franchise fees goes into the general fund. Bear in mind, if this is eliminated, the taxpayers will have to make up the shortfall.

J. Gorton: Anytime a cable company comes into the community, it's up to the Town to negotiate the contract. I would be in favor of continuing to collect the franchise fees. Subscribers, like myself, know the franchise fees are paid to the Town and goes into the general fund. If the Town approves public access television in the future, the money is there.

M. Pischetola: I don't think it's fair for the whole Town to vote on something only few people pay for. The subscribers should decide what should be done with the money. Maybe create an account where the fees would go until it could be used for public television.

D. Ross: I consider this type of fee a hidden tax.

Councilor Nametags

W. Gahara suggested that the Councilors wear nametags at public Town events like the voting poll. Nametags would be ordered.

Election Coverage

The schedule for Councilor coverage for the Nov. 4th election will be assigned at the next meeting.

P. Rueppel: Are we allowed to campaign for someone and also work the polls?

D. Jodoin: There has been some discussion whether its permissible but then again there was also some discussion on first amendment rights.

D. Ross: This was an issue that came up in 2004 where SNHU students were campaigning and once they went to work at the polls, they took their buttons off. So they were able to do both. It's not unusual to see elected officials campaigning at the polls. I don't see any problem with that.

The Town Clerk will be asked to call the Secretary of State to get clarification on the issue.

TOWN ADMINISTRATOR'S REPORT:

The Town Administrator informed the Council on the following:

1. He asked the Council to sign the MS-5 report, which was prepared after the annual audit. The report shows where the Town stands financially at end of fiscal year on June 30th, 2008.
2. He asked the Council to sign the Town Warrant for the Presidential Election.
3. The Town was able to obtain two interns from St. Anselm's College with the help of SNHPC and David Preece. He met with them today. They will be introduced to the Town Departments as well as the Planning Board and ZBA. They are both sophomores, Political/Government Affairs major.
4. The public information meeting on the revaluation is scheduled for Wednesday, October 15th at 6 pm at the Council Chambers.
5. He suggested meeting with 2 boards at a time for discussion to comply with the Charter.
6. At the last meeting, the Council decided to set a budget target of 2.5% over last year's default budget. He asked if this figure includes the Health Insurance increase. The potential increase could be 10-15%. The Town could be looking at substantial cut in personnel in order to hit this target.

G. Longfellow: That 2.5% includes all increases. This is just a goal. It doesn't mean it's cast in iron.

7. He asked the Council to send in all proposed charter changes to be included in the warrant to make sure they make the notices' deadline.
8. The annual LGC training is scheduled.
9. He met with the web design company (Varuna) last week. They are working on the Economic Development site.
10. Jutras Signs is holding the old Safety Center sign and will be placed at the corner of Legends Drive and Route 3.

P. Rueppel: Have you met with the Planning and Building Departments to address the duties of the departments?

D. Jodoin: I met with the Code Enforcement Officer and the Planning Board Chair, separately. Then, I met with both the Town Planner and the Code Enforcement Officer. We are scheduled to meet again next week.

SUB-COMMITTEE REPORTS:

Planning Board

N. VanScoy informed the Council that Joanne McHugh, Planning Board Vice-Chair is looking for some guidance on a phase development article that was passed and how it should be handled by the Planning Board. A developer is considering putting a dead end road at Phase 1 and continuing the road at Phase II.

D. Jodoin: This has to do with a project that was originally a 90-lot subdivision. They wanted to build it in phases. They were asked to get a written approval from the Fire and Police Department to make sure it won't be a problem in case of an emergency. This is an ordinance that came from the Planning Board. This is not a Council issue but a Planning Board issue. They are on the Technical Review Committee agenda tomorrow. Police and Fire Departments will be there.

Sewer Commission

They started the process of putting in a new clarifier. They interviewed CMA Engineering. They received a treatment proposal for a method used in Seabrook, which reduces the sludge down to 10%. The initial set-up would cost around \$1.5 million. They will take a trip to Seabrook to look at the process.

Economic Development Committee

They had a meeting today. They discussed the old Town Hall. They are having on-going meetings with a number of businesses in Town to discuss their business relationship with the Town. Merchants Motors offered their conference room. 7 businesses are coming in. The meetings are scheduled on Oct. 20th, 27th & 30th at 3:30 pm.

Recycling & Transfer Advisory Board

They will have a demonstration of the automated trash collection system on October 15th. The cost for obtaining the system is around \$1 million.

Conservation Commission

Wal-Mart will have its own sewer treatment facility on-site as part of their efforts to "go green". Vernal pool mapping is still ongoing. Preliminary work was brought in. Manchester Sand & Gravel presented a plan to expand the potential school site. They increased the footprint considerably to include undeveloped conservation land surrounding the area. The commission endorsed the plan.

ZBA

Arleigh Green has a proposal for a new development by the river. ZBA has done the site walk.

Budget Committee

Dr. Charles Littlefield, School Superintendent attended the last meeting. He talked about future needs as well as this year's. The Budget Committee is not in favor of having a joint Budget Workshop, as the Council suggested. The 2.5% increase budget target was acknowledged. There was a discussion regarding the Safety Center's new sign, whether it should have been presented to the Budget Committee. The Police Commission will attend the next meeting to address the purchasing policy.

PUBLIC INPUT:

Harold Murray: When appointing a new member for the Budget Committee, you should consider someone who would look at the whole Town's best interest, and not one with a personal agenda. As far

as the cable franchise fees, the people did not vote to put it on, I don't think it has to be voted to take it off.

ADJOURNMENT:

The meeting adjourned at 8:20 pm.

Respectfully submitted by,

Evelyn F. Horn
Administrative Assistant

Nancy VanScoy
Town Council Secretary