

**OFFICIAL
TOWN COUNCIL MEETING
MINUTES
Regular Meeting
Wednesday, March 11, 2009**

NON-PUBLIC SESSION

Per RSA 91-A:3, II (b) *The hiring of any person as a public employee.*

Approval of February 18, 2009 Non-Public minutes.

February 18, 2009

P. Loiselle motioned to approve the non-public minutes of February 18, 2009.

Seconded by N. VanScoy

Vote unanimously in favor - P. Rueppel abstained.

N. VanScoy motioned to divulge the non-public minutes of February 18, 2009. Seconded by G. Longfellow

Vote unanimously in favor

February 4, 2009

P. Loiselle motioned to approve the non-public minutes of February 4, 2009. Seconded by N. VanScoy.

Vote unanimously in favor.

N. VanScoy motioned to not divulge the minutes of February 4, 2009. Seconded by J. Gorton

Vote unanimously in favor

CALL TO ORDER

D. Dickson called the meeting to order at 6:35 pm

ATTENDANCE

Chairman David Dickson, William "Bill" Gahara, James Gorton, Paul Loiselle, George Longfellow, Michael Pischetola, David Ross, Patricia Rueppel, Nancy VanScoy, and Carol Granfield (Town Administrator)

APPROVAL OF MINUTES

February 18, 2009

P. Loiselle motioned to approve the minutes of February 18, 2009. Seconded by B. Gahara

Vote unanimously in favor as amended - P. Rueppel abstained

PUBLIC INPUT:

D. Boutin, 1465 Hooksett Road: I wanted to bring a few things to your attention. You mentioned the Water Shed Development issue. There is going to be some stimulus money available for that kind of work, you might want to talk to DES about it. There is about 30 million. I think it's 14 million coming to the State from the Federal government. There is \$37.5 million for clean waters, which includes the sewers. When the Governor put his budget out, the Hooksett Court was contemplated in the Governor's budget to be closed. Since then, the Governor said he's not going to close it. Now House Bill 2 has become part of the Governor's budget, it has it in there. If you are concerned about Hooksett Court staying open, you might want to consider sending a letter to the Chairman of the Finance Committee who is Marjorie Smith, and a letter to the Ways and Means Chairman who is Susan Almy. Thirdly, the Governor's proposed budget was going to take room and meals tax away from communities as well as revenue sharing. The Governor has said he's not going to take rooms and meals tax from cities and towns now. However, it is in the Bill. It is out of his hands now. If the legislature passes it, I don't think the Governor is going to veto the budget. So, again, you may want to write to those same people. I bring this to your attention because we were hearing today that a number of Town Managers, Selectmen, and Councilors across the State were tossing the confetti out the window because they thought they were going to get their money. You may very well get your money, but the point is, it is in the legislature now and out of the Governor's hands. If the House and Senate pass this, and it's in there, you probably aren't going to get your money. It's not a done deal and you ought to stay on top of it. I don't know what the New Hampshire Municipal Association is doing or what position they are taking. I think for the Town of Hooksett it's \$727,000 dollars combined. Be aware, I'm not saying we're not going to get it. It's in this legislature and it will work

its way through the legislative process and who knows where it will end up when June comes around. I encourage you to stay on top of it and continue to let the Governor's office and the legislative committees know that you want your room and meals distribution and your revenue sharing.

B. Gahara: Can we craft a letter to *Ways and Means* and to the *House Finance* and then we can all sign off on it at our next meeting?

D. Dickson: Will that be soon enough or should it be sooner than that?

D. Boutin: The train is on the track now and it's moving pretty fast. I would urge you to vote on it tonight. Let Mrs. Granfield draft the letter and get it out to Concord as quickly as possible. For example, *Ways and Means*, tomorrow will be in committee from 9 to 4 in the afternoon talking about most of the stuff that's on this bill. We won't be acting on it, but to get a letter on record to the committee, it won't be too late if it happened by the first of next week.

D. Ross: Now, the way the budget is comprised there, if it was to go through and even if they were able to come with the other hand holding stimulus money, doesn't that still put us at the risk of not having that money the following years' budgets now that it has been taken out?

D. Boutin: The stimulus money is a one-time deal. If, for example, you use stimulus money to hire police officers, then they are on the payroll for a year and the federal money covers it and then it goes away and then it's what happened when President Clinton was in office. It is one-time money. It is not any money that you should expect to happen in the future.

D. Ross: If this were to pass in its current form, revenue sharing is now no longer part of the State budget, correct?

D. Boutin: If this passes the way it's configured right now, it would be for the biennium, and then that would be for 2009-2010 and what would happened after that I don't know. I can tell you this; I spoke with the commissioner of the Department of Revenue Administration today. Real Estate transfer tax is down another million dollars. The revenue picture is not getting any better, it's getting worse. The legislature, I went to a budget hearing in Salem on Monday night, and there was a room full of people for four (4) hours telling us don't cut anything. So, the legislature is going to be in a bind come June when it comes to the final vote. The scary time of the whole session is June, because you don't know what is going to happen in those committees and conferences. The more vigilant you are now, the more they get the message, the better.

C. Granfield: I attended the NHMA meeting today and they were taking votes on all of this. In particular, House Bill 2, which it would be good for the Council to read through it, if that is passed as is, the revenue sharing is a major concern because once that is out of there, even if they have an adjustment, we're out of money and there are a lot of actions in there. One key thing they did indicate was, it is really incumbent upon Councils and Boards to meet with their legislators because they are going to be the ones that will be voting on these items. It is great that you are here, but they also encourage having all the senators and representatives meet with Council so you will hear what the concerns are.

D. Boutin: I assure you that the other Representatives from Hooksett, including Representative Hess, Smith, and Kotowski are working diligently to protect the Town's interest in this matter, as well as Senator Gatsas. The more input that comes from outside of the legislative body into the body, the better chance we have to fight the fight for you and the citizens of Hooksett. I will leave a copy of the bill with you to read at your pleasure.

P. Loiselle: With regard to the Court House, initially, I heard it was on the list to be closed and then I heard a second wave saying that it was taken off the list. And now you are inferring they're back on the list? I heard they were off.

D. Boutin: I'm not inferring anything. I'm stating that "The Hooksett District Court is lined out, and it says that the Concord District shall consist of the City of Concord, Allenstown, Pembroke and Hooksett. That is what the line says. Hooksett is lined out as going away. Now we know the Governor said that he changed his position on that. But, again, it's in here.

NOMINATIONS/APPOINTMENTS:

Available Positions for fiscal year 2009-2010

D. Dickson stated that the update was received from E. Horn and asked the Councilors if they had any concerns with those positions being advertised? No concerns were expressed. The positions will be advertised as submitted.

Sewer Commission Town Council Representative

D. Dickson stated that G. Longfellow announced that he was stepping down from the Sewer Commission as Council Representative at the last meeting. He recommended making this a temporary position and stated that he will fill the position and other Councilors will help fill in as well. The meetings are held on the 2nd and 4th Tuesdays of the month.

P. Loiselle will cover the next meeting.

N. VanScoy stated that the Town is down two (2) Supervisors of the Checklists.

G. Longfellow has been researching whose responsibility it is when there are no Checklist Supervisors without success.

D. Dickson stated that Bob Ehlers may appoint, if he finds anyone interested. The positions will be advertised.

G. Longfellow asked about the residency requirement.

C. Granfield will confirm the three (3) -residency requirements as stated in the RSA and report back to the Council.

SCHEDULED APPOINTMENTS

Arleigh Greene re: Land for Fire Station, 87 Atlantic Ave, Seabrook NH

A. Greene: We signed an agreement with the Town in 2002 to donate two (2) acres of land for a Fire Station. At that time, in 2002, they had hopes of building a 15 to 1800 sf sub-station. Then R. Pantel, the Town engineer for Hooksett and I looked at the land and we came up with an agreement that I'm sure all of you are familiar with that showed the location of the land. Robert was comfortable with it. Sometime later, the town hired someone to go out and take a look at the land and they deemed it unusable for wetland reasons. I never heard anything until sometime in 2006 I heard from the Town's attorney that he wanted to come up with a new agreement. For reasons in the agreement, I wasn't willing to sign that. I did meet with the Fire Chief and a couple of his assistants sometimes in 2005 or 2006 and look at some alternative sites. It was Chief Williams and I can't remember who the Town Manager was then, I've dealt with two or three since 2002. We showed a piece of land on Quality Drive for 3.5 acres. Chief Williams at the time, expressed his concern for the land we had set aside for the Town. He really didn't want to be up on Central Park II. He really didn't like the 3.5 acres down on the river but he thought he could live with that better than he could Central Park II. The Town's Attorney contacted me later and stated the Quality Drive site was not an option because of the residential houses on the street (referencing Kimball Drive). At that time, I made a proposal to Chief Williams and the Town Manager. New Hampshire DOT had 7, 8, or 9 acres available on the northwest corner of the interchange and I offered to fund the cost of that land and let the Town take what two (2) acres they wanted and deed the balance of the land back to me at a future date. I was told that this Board, or someone on the board wanted nothing to do with such an arrangement. At that point, I haven't done anything with it. I've been waiting to see what's going to happen. I did take everything to my attorney early this week and she has not gotten back to me yet. I the interim, I did hire TF Moran to go out and assess the property. She finds the land usable. (Deb Brewster)

D. Dickson: This piece of property is which one?

A. Greene: The original one we agreed on. That combats the original assessment done by the Town's architect. This is from Deb Brewster of TF Moran.

P. Loiselle: With regard to the 3.5 acres down on Quality Drive, you stated that the Town's attorney said it was not an acceptable piece?

A. Greene: I've got his letter dated January 9th, 2006. This is from Bart Mayer. You also suggested that the Town consider a lot down at the end of the cul-de-sac. Initially, the Town inspected this parcel and determined that it would not be suitable. Following our conversation, at your request, I asked the Town to revisit this to make a more formal assessment. In fact, the Town did revisit this site, and surprisingly suggested that it might have possibilities. Unfortunately, the weather conditions precluded the detail analysis necessary to confirm the site was acceptable; therefore we will have to wait until spring.

P. Loiselle: Does that concur with Chief Williams with regard to it not being a usable site? This is the land on Quality Drive. I was of the understanding that there was land down there that was usable. Is that correct. I need Chief Williams or Harold Murray to respond to that.

Chief Williams: Myself, Harold Murray, and Jimmy Watkins had walked a piece of property on Quality Drive and at that point, we said that it would possibly be a usable site and still is a usable site. So that 3.5 acres would work for us if it works for you.

Harold Murray: There are four (4) parcels that we are talking about. He's talking right now about the parcel at the cul-de-sac.

A. Greene: No I'm talking about the triangle piece abutting Home Depot. Somewhere, and I may have left that letter with my attorney, Mary Ganes, I have a letter from Bart Mayer saying that was not a possibility because of the abutters. I can forward that to the Council as soon as I get back to my office.

Chief Williams: The 3.5 acres that does abut the Home Depot property was walked 6-8 months ago with the prior Town Administrator, David Jodoin and the representative from Stantec. That piece of property would be usable. I never saw the letter. That piece of property would be viable and it would work.

A. Greene: I found what I was talking about. Bart Mayer discouraged that plan because of the residential houses. Because I had spoken with the residents down on that street and they didn't like the idea of the Fire Station being up on that burm.

P. Loiselle: I question why Bart Mayer is not responding to the Council on these issues rather than you? If he feels this is a good piece of land or a bad piece of land, that information should come back to the Council.

A. Greene: This was back in 2005.

Chief Williams: I think there's a little confusion with this letter. I believe this letter is pointing at a piece of town owned property at the end of Quality Drive where the cul-de-sac is. At the end of Quality Drive I believe is town owned property.

D. Dickson: I suggested that possibly the Chief and A. Greene could get together and come back to us to formally accept this.

Chief Williams: So we are on the same page, we are talking about the abutting property that we walked with yourself and Jimmy Watkins.

A. Greene: The residents there are never going to go for that Chief Williams. I'm seeking a variance before the ZBA right now and they are not happy about residents going there.

P. Loiselle: For clarification, as far as the Fire Department is concerned, that land is an acceptable piece of land?

Chief Williams: Yes and we've already had Stantec look at that lot.

P. Loiselle: And the engineering firm substantiates that it's a good piece of land for a fire station. There may or may not be an issue with the abutter. If it's acceptable to the Fire Department and acceptable to Mr. Greene, do we have an agreement?

A. Greene: It may have been acceptable 3 or 4 years ago but I've made some changes to the land now. It's not available to the town.

P. Loiselle: Why can't we use it now?

A. Greene: I proposed this 3 to 3 ½ years ago.

P. Loiselle: Why can't we use it now?

A. Greene: Because I've made other plans with it. The land that I originally proposed is the deal that we made 8 years ago.

P. Loiselle: And that piece of land was deemed a wetland.

A. Greene: There is a portion of wetland on just about every parcel today. I think the report I just gave you shows you the square footage of upland.

P. Loiselle: Across the road is also property that you own that abuts the oncology lab? Is that land available?

A. Greene: No it's not.

P. Loiselle: So this is the only piece of land you have available. One that our engineering firm has determined to be wetland. That is all you have to offer?

A. Greene: I brought in a report from a reputable engineer that said it is usable.

P. Loiselle: We have a reputable engineer that says it isn't.

A. Greene: Do you want to get a third engineer to tell us what it is?

H. Murray: You're looking at a 16 to close to a 20 foot fill to bring that up to road level. A fire truck should never go uphill to leave the station. You can go uphill to come back to a station because you have time. But you should be fairly level. This area is wetland and it's indicated as wetlands on the plan that was given to us when we walked it. When I looked at it, and said it was unbuildable, they would say is your background civil engineering and it is not so I called the architect and they came up and their engineers looked at it and penned a letter to us and the town has a copy of the letter that says it is not suitable for building. As Mr. Greene said, if you can get all the permits to fill in wetlands, anything is possible, but at a cost that is unreal when you're filling in that size of an area.

A. Greene: When do you intend to build this fire station? Is it funded? Is it a 2-year project, 5 year, 10 year? Something I talked to Chief Williams several years ago was that probably there is a good chance that we can find something better for the Town when we develop Technology Drive. I can't speak publicly about it, but there is some interest in it right now, and whatever interest I have, I tell my perspective purchasers or developers that I do have an agreement with the Town of Hooksett for 2 acres of land for a town fire station. Let me tell the Council right now, I took a day out of my life, drove over here, spent half a day of my life, and spent time with Robert Pantel, the Town's engineer. We walked the land together for a 15 to 1800 square foot sub-station and now it's 8000 square feet. I spent money recently with TF Moran to have them go out and assess the land. Please take a copy of that and give it to each Councilor. I've been more than fair to you.

D. Dickson: We are not going to bring closure to this tonight. We now know who you are. We had a good dialogue and a lot of questions have been answered. A lot of questions that should have been answered 3 or 4 years ago. I would ask that the Chief stay in touch with Arleigh as well as Paul and keep the communication going and see what is reasonable and what we can live with. Then come back to us and report in a month or so. We are not going to resolve this tonight.

Chief Williams: We have done our background and research on this. We walked the land that abuts Home Depot and that would work for us. So if it's available we'll take that piece of property.

A. Greene: That is not available at the moment. Could it become available down the road, possibly, but the residential people on Kimball will never live with that. The perfect solution was the State DOT land.

N. VanScoy: There was a question as to whether there was a statute of limitations. Is there a statute of limitation on the original agreement and if so, should we request a letter of intent to honor that from Mr. Greene?

A. Greene: I can't answer your question on the statute of limitations but I can tell you I did receive a couple option agreements in late '05 from Bart Mayer. It was kind of ridiculous. He wanted a 50-year option for this piece of land, and I refused to sign it. In 2006-07 when we met, I showed up because I heard I was a welch from town employees. I took time and came over and met with these people to try and resolve things. I still think the land we originally agreed on is usable. If a plan comes forward, you don't have anything funded yet, I could fill that lot for you at a reasonable price. I encourage you to drive up to Technology Drive. There is an awful cut to make that land flat in there and that fill has to go somewhere. My attorney is reviewing everything and I probably can respond to you in the next 7 – 10 days.

Susan Ware re: Proposed Dog Park, Susan Flower, 254 Londonderry Turnpike

Susan Ware presented the idea of developing a Dog Park for the residents and their pets.

The Council suggested she contact the Park and Recreation advisor board to look at developing a plan and securing a suitable area in town.

Board of Adjustment Update

Chris Pearson, 3 Jamie Lane

We currently have a fully staffed Board. This is our strongest board including Roger Duhaime, Vice Chair, Ron Savoie, Jim Levesque, Dick Johnston, Richard Bairam, Tracy Murphy Roche, and Gerald Hyde. We have had great participation and close to 100% attendance every month. We have seen a down turn in applications due to the economic slow down and changes in the zoning regulation, specifically the changes made to the non-conforming zoning ordinance. Peter has done a tremendous job in advising the Board. We are in the process of revising our applications. One of the Board's goals this year is to increase member attendance at seminars in an effort to become more informed and gain a better understanding of the process. We also are working to improved communication with Stantec and the Planning Board.

J. Gorton: I think they are all doing very well and last night they agreed to sign up for the OEP seminar. We are making progress with applicants being better prepared when they present to the Board.

Parks & Recreation Advisory Board Update

Mike Horne: I have been on the Park and Recreation Advisory Board since July 2003. We have five (5) board members and one Council representative. We currently have one (1) vacancy. Meetings are held monthly. As of our February meeting, we are no longer in a deficit with regards to parks and can start to use the impact fees collected. I have copies of the five (5) year plan that shows what we are working on. We have been working with Kiwanis to get the trails done. The Board has also been in communication with HYAA working with the active recreation. We have worked with Conservation but need to work more with them for passive recreation including Quimby Mountain. The Playground at Hackett Hill has not been started. The public input was 95% against. We need to provide a different concept. We are also working on utilizing the gym here at the Town Hall.

B. Gahara: I think they do a wonderful job. The deficit is now settled. The membership has been working hard and the five (5) year plan is great.

P. Loiselle: Congratulations on working through the deficit issue. That was a very serious issue to take care of and now you can utilize the impact fees.

N. VanScoy: It is great that you have provided a five (5) year plan. When and where are your meetings?

M. Horne: We meet the third Tuesday evening of the month at the Library.

N. VanScoy: For the record, I live on Dale Road, which has Donati abutting the property. I consider this a benefit and have rental property there and when I advertise it, I advertise how close it is to the park. I've been really happy with how things are in town, in particular in the Parks and Rec. Department.

D. Ross: There is a lot of interest in the community center to begin to develop and utilize the space. I want to reiterate that possibly you can utilize the new member to start leasing out this gym space.

D. Hemeon: We have a few groups interested in utilizing the gym so there should be schedule coming forward this spring.

OLD BUSINESS

Beauchesne Development Drainage Study

D. Tatem, Stantec gave a report of the drainage study that was conducted in the Beauchesne development that was raised as a result of residents concern over water and drainage problems, which have increased dramatically over the past 3 years. There are also two (2) new housing projects being proposed which residents feared will further impact the water issues, Brookview Housing and Harmony Place.

Dan Tatem, Stantec: Copies of the report were made available to the Council members.

To give a little history on the projects, there are two projects before the Planning Board, Brookview and Harmony Place. Maps were referenced. (all the maps are incorrectly labeled, they show 24" and should be 30") there is a 30" culvert, a 24" culvert, and 15" culvert.

When Brookview Senior Housing was before the Planning Board about three months ago, they were looking for approval and had addressed the engineering comments and had met the town requirements. Jane Fergeson, Mary Farwell, and a number of town residents came to discuss the drainage system, which are indicated in yellow on the map. During major flooding events, these drainage areas flooded. Pictures were shown of rivers of water rushing down Morgan. At that point, the Planning Board tasked us with doing a watershed study that creates this document here. University Height, Granite Hill, Granite Heights, Brookview, and Harmony all flow down the mountainside through those three (3) culverts and through this hard drainage system to the Beauchesne subdivision, under two (2) culverts here and here (indicated on map) on Main Street, this one connects and they go through a box culvert on the railroad and they go into the river. These drainage systems are undersize for the flows that are being presented to them during these rain events. There have also been discussions of water table issues and wet basements. We compiled all the available data. We went back to the mid 90's. Back then, Hooksett did not require drainage studies. We obtained information regarding the drainage from Dale's office, the Planning Office, and the developers provided some. Unfortunately, Granite Hill, the old 1986 and 1988 studies were not available from anyone. We contacted six (6) different developers and even inquired at the State. As a result, some assumptions were made in regard to that study. The studies showed at the 25-year storm event, which is 4.1 inches of rain in 24 hours, that those three (3) culverts back up and flood over Route 3. We have Dale Hemeon here, a number of abutters and we spoke with Rich Rodwonski from the State and everyone says that road has never been overtopped from a storm event. There was an issue, I believe in '06, with University Heights and that culvert at the end had a couple hay bails in it. It went up to almost the road, it didn't go over, the hay bails blew out and destroyed the abutters yard, which was fixed and that's the closest it has come and that's with a clog in the pipe. So, what we didn't want to do was an analysis. These engineering programs are very safe. For a real study, we didn't feel it was prudent to show the water flooding over Route 3 at a 25-year storm event when it doesn't flood at a 100 year. So we took those 3 culverts and did a second analysis. We analyzed all of the downstream culverts with those three (3) culverts flowing full. You could model a 30" culvert, how much water can physically fit through those culverts under pressure and we used those numbers. Taking those water volumes, we then calculated what happens down here. What we didn't do, just to be clear, is there are a number of little off shoot culverts that are in people's front yards that go to different little pockets. We didn't analyze those. We looked at the main trunk line. I will refer to that as the main system that goes through. The water that comes off the mountain goes through two (2) separate trunk lines, one goes down to Beauchesne and consist of 12" and 18" pipes and goes under the road in an 18" pipe. That is the southerly trunk line. The northerly trunk line is the "pink" section that is composed of 24", up to 30" and the rest is 36" with a 36" under Main Street. To make the system flow freely during these storm events, when those pipes are flowing full, these two (2) trunk lines need to be upgraded, this culvert (indicated on the map) being a 12" needs to an 18", there are other 12" and 18" culverts that need to 24" and the 18" under Main Street needs to be a 24" and there is some swale work that needs to be completed on the Town land. There are two (2) 12" culverts that will become 36". With those upgrades, when we get a storm event, that water will all stay in the ground. There may still be a backyard that's flooded but that will not be from the water crossing off of the mountain. That will be from internal issues on Beauchesne. The northern leg will be upgraded from 36" to 48". To do that work, you will need to remove the culverts that are there. All we are doing is culvert replacement. For this presentation here we

are not including new culverts and new areas. We are proposing putting a catch basin on both sides of the road. We did a thumbnail sketch of cost. We used fair market price, knowing you have traffic control.

P. Loiselle: Upon implementing and revising the piping, would you anticipate the overall table to drop?

D. Tatem: I will respond later. That is a groundwater question.

D. Tatem: We want to do a thumbnail estimate of the cost to do this work. This is fair market, hiring a contractor out, with profit, that we would recommend for a bond for a project in town that a developer would put up to protect the town. This southern leg, the Beauchesne side, would be \$192,000. And that includes everything in pink, the swale work across the street, the work on the town property and everything in the subdivision. The northern leg, going up to and crossing under Main Street would be approximately \$355,000 for a total of \$547,700. The study that has been done, the general study provides estimates of these culvert sizes to actually do a design to install this, you are dealing with water crossings, sewer crossings, and catch basins which may not be properly set at grade and there is puddling around them, there would need to be a survey done, there would need to be design done for that work and that work is included in those estimated cost. That's design and install. That also includes wetland permitting. These are estimates but I think they are fair estimates using fair market value.

P. Loiselle: Can we get a written breakdown of the cost, even if it's just projected?

D. Tatem: The wetland permitting is at 1 ½ percent and engineering design is 8 percent.

D. Dickson: Does that take into consideration what the town can do?

D. Tatem: It does not. In fact, with that it gets better. This price is based on you hiring a contractor to do the work.

There is a ground water issue. Surface water is very easy to calculate and quantify. You can take 12" pipes and channels that are 3" deep by 4" wide and you can closely calculate what water goes where and how fast it flows. Ground water is very tough to figure out. We provided Carol a proposal to do a ground water study. Surface water is related to ground water. If there is more water flowing through here there is more water infiltrating through the ground; less water, less infiltration. The residents of Beauchesne, through Jane and Mary provided us with good information of reported ground and surface water issues. If you look at that data, it's very hard to understand. On the board, there are four (4) lots that have never had a problem and don't today, others never had a problem and have problems now. Without doing some monitoring wells and test pits and getting elevation of foundations, and footings, and finding out if these foundations have footing drains, those type of things, you really can't project how to fix that. Paul's question of if you upgrade this section, will you help the ground water, probably. One thing, we assume is the problem is many people in this area have sump pumps that are running. A lot of time you put a rubber hose out of your basement window and pump it into your backyard and it sinks into the ground and goes right back into your basement. One thing we want to incorporate into the design of these culverts is to lower the elevation. Maybe instead of having 2 feet of cover, maybe drop them down an extra 2 feet. Then maybe these folks can tie these drains into a drain in the street. The problem with that is the culverts we are fixing doesn't help the people who have a lot of concerns. We don't know if a lot of those houses were built without foundation drains. In the last four (4) years, there is gravel well that we have data for that has shown the water table has gone up 18" in the last 4-5 years. The flooding and the undersized pipes could be raising the water table. Dale's men fixed Morgan last year and the last storm event which was 5" rain in 12 hours which is worse than a 100 year storm event because of the intensity over a short period of time, that's when all your pipes explode because they don't have time to bleed out. That did not overtop. If you fix the system, you will have less water in people's back yards.

D. Dickson: What is the price for the groundwater system survey?

D. Tatem: The Ground water survey would be \$23,400., which included a lot of test pits, and monitoring wells. It is a much bigger process than the surface water study. With this we can answer if these projects led to these water issues.

D. Dickson: Is Stantec's recommendation to go forward with the groundwater study?

D. Tatem: Yes, it is.

D. Ross: I understand doing a ground water survey, but what can you do about it. There is really no changing the groundwater table.

D. Tatem: That is true; the groundwater table is the groundwater table. If you have a wet basement, you fix your under drain. I think what the neighbors and the town residents are asking is what caused it? Is it just the rain events? Another part of that study would be collecting annual rainfall. With the monitoring wells, we could pinpoint areas that are the worse areas and possibly drop some pipes down so these people could put their foundation drains and feed them by gravity. The question you may have is this a town issue? The drainage pipes, that is probably a town issue, the foundation on private property is not but does the water issue cause the elevated water table. We may find that fixing the pipes reduces it. There is a significant sewer line that comes off University Height and goes across route 3. In the 70's, those lines were back filled with dirt, there may be a solution of back filling it and fixing. Surface water is easy. The Ground water is more complex.

J. Gorton: Would there be an easy way to see if there is water coming from University Heights.

D. Tatem: The dam could be done very easily with little expense with the agreement of 3A Development. I think it is cheaper to just do it and see the results rather than study it.

P. Loiselle: Short term vs. long term. The idea of lowering the drainpipe to allow the homeowner to tap in and take care of an immediate problem. How many houses would that affect?

D. Tatem: Possibly 15 –16.

P. Loiselle: I think that's a fairly significant number and I would like to see a proposal to address the cost to do this as a first step function.

D. Tatem: I said the cost included the main trunk line and some additional catch basins. The idea was along these lines, we could come off of these lines and put a 2 foot drop inlet along the main line, and the homeowners on their own property, no road opening, maybe when Dale's guys are tying into the structure could put a back flow preventer which would be required. That could be a very small addition to the cost. We could come off the main line with a back flow preventer.

Michelle West, 5 Morgan Drive: This map looks great and there appears to be a lot of properties not affected but we are. The foundation drain is great and we would like to be included.

D. Tatem: All the white pieces are those properties where we just don't have data. This map was created through data received from Mary and Jane. Green lots have no problems. The orange always had problem but no significant changes. The blue lots have surface water problems. The red lots have historical had groundwater problems and they are getting worse. The purple are those that never had problems and now they do.

J. Fergeson: There are over 70 homes in that development not 24.

M. Sorel, 54 Cross Road: I had the privilege of brokering 17 houses in that subdivision. I also owned 2 existing houses and built one new house. Only one had a damp basement. That damp basement now has a pipe coming out that is running strong. My experience, personally and professionally, if you restrict the flow of water long enough you will act as an impoundment and it will back up. I don't know if the drainage system in the Beauchesne can handle the additional flow coming off that hill but if it can't, my personal opinion is it is impounding it and would affect the water table. As an example, the ice dams that trap water in the eaves on roofs.

D. Hemeon: At the Planning Board meeting on Monday, a developer offered to pick up the cost of that section. That is, if I pick up the work for the southern leg. The savings to him would be the engineering. If you are going to tie in everyone's house, it will get costly and timely. We can replace the pipe but tying in all the houses is something else. The Town would have to get all the residents to sign off on that before you let anybody tie and in the case that water backs up into their house. We have a rule in the subdivision regulations that you don't allow any cellar drains going into the town's system.

D. Ross: I have concern with tying in private homes to the town system. We have back flow preventers but they fail too. I would think that doing the ground water study and replacing the pipes are all measures to improve the system. Accommodating this neighborhood with under drainage at the expense of the town, I don't agree with. Addressing the concerns of the upland so there are no other issues introduced to increase the problem is fine.

P. Loiselle: I take the same position and I can see where the Town can bring the drainage to the property but from the town road to the house is the owner's responsibility. With regard to the development being willing to participate in the cost, what are the developer's stipulations?

D. Hemeon: He would pick up the cost of putting all the new pipe in the ground to Donati.

D. Tatem: There were two (2) site plans. Harmony Place has offered to foot the bill to fix that run. The history is both projects drainage study show a decrease in the peak flow leaving the site. The State and Town require a decrease in the peak rate of flow, because that is the damaging flow that can affect the downstream abutters. Brookview Senior Housing had to show a decrease as well and they did. They put in a septic type system. That shows a decrease in volume. Harmony shows a decrease in peak rate but an increase in volume. They could spend that \$190,000 on their site decreasing the volume but that doesn't fix anything for Beauchesne. We felt it would be more prudent and better money spent to increase the volume capacity in Beauchesne and up on Pleasant View and a lot of that water will be gone down to the river. You're fixing an existing problem.

B. Gahara: Brookview has the roof drains and is that leaching down? Could that be causing some of the problems?

D. Tatem: Most likely not.

N. VanScoy: I ask any resident that has not provided information to submit that information so that the study can be more complete and we can have a more complete map. I ask Dan how long the ground water study would take?

D. Tatem: Spring to summer. If we could start soon, it would be good to get the monitoring wells in for the spring when the water is worse.

N. VanScoy: Do you feel the ground water study needs to be completed before construction on any changes to the infrastructure?

D. Tatem: They are really unrelated. Fixing the culverts, as Mr. Sorel said, as it relates to the ground water can't make it any worse but can only make it better.

N. VanScoy: As Councilor Ross stated, private residents can't drain their water into the town's drainage system. And I would want to consider any precedence that would set if we were to allow that. Although I can see it would be beneficial, those before us found good reason to not allow that.

P. Loiselle: Dale has asked a question of the Council that we haven't answered.

D. Tatem: This could be considered an off site improvement required by the Planning Board. With that in mind, the question is typically, the contractor does the work, and the only difference is the Town would be doing the work.

Bill Ledou, Beauchesne: A lot of these drives are already tied into the town's system. What do you do with existing lines? At Beauchesne, who built a lot of these, put these into the system. Are you going to do cut them off?

1 Beauchesne: Our pump and sump is connected to the Town's drain. You want to disconnect those. What are you saying?

N. VanScoy: I was saying that is not legal traditionally. We haven't discussed it enough at this point.

D. Hemeon: I just replaced the line on Short Avenue. Three (3) of the five (5) houses on the right side of the street had drains. One guy didn't want to be hooked up because he never had a problem. The other wanted to be hooked up. I think it's a good idea to hook them in. I'd rather see the water go to a pipe than flowing out into the street and creating ice problems. I just think the Town has to be smart and have a waiver to protect itself.

D. Dickson: I propose, with Carol's approval, that we have Dale and Dan and possibly Jo Ann come back next meeting with recommendations and lay out the next steps.

J. Gorton: Shouldn't we move more quickly on the ground water and monitoring wells for the spring?

J. Duffy: The developer is looking for approval for Harmony Place from the Planning Board on Monday. The only other issue the Planning Board has to address is site distance. Can we move forward with the understanding that this will be done?

D. Tatem: The only issue is will the Town or the contractor do this work.

D. Ross motioned to authorize the Planning Board to enter into an agreement pending authorization by the Council for Harmony Place to provide for the installation and design piping drainage plan for the southern portion as stated by Dan Tatem as part of the approval process for their subdivision. Seconded by P. Loiselle.

Roll Call vote unanimously in favor

J. Gorton motion to have Stantec involved in initiating the installation of the monitoring wells and test pits to complete this study and waive the 3 bid rule subsequent to the availability of funding. Seconded by P. Rueppel.

N. VanScoy: I look to Stantec. That's the number that we received, \$23,400. That is for a complete study. Is there a partial study that could be done? Are their ways to lower that?

C. Granfield: I would suggest, up to that amount. Dan and I will be reviewing the proposal and it may be less. Meanwhile, I will be checking on how much funding is available and from what source.

P. Loiselle: I have a sense that we are moving rather quickly an item that will cost \$24,300. I understand the timing and it being a ground water study that should be done this time of year. However, I haven't had a chance to review the actual proposal. This is a little premature.

J. Gorton: This is the second or third time we have met about this problem. It is a big problem.

D. Ross: The thing we have to remember is it is \$23,000 in addition to this potential \$355,000 that we need to find funding for as well on something that we know needs to be done. We do know the drainage needs to be done. We know the ground water study is needed, but should we prioritize. Could we put the \$23,000 towards the work we know has to be done?

D. Hemeon: When you do the study, will they be shooting the elevations in everyone's cellar drains of the their houses to see if it is acceptable. If everyone wants cellar drains, we will need to know about the cellars.

D. Tatem: I believe that will be part. The best solution is the foundations are high enough so they will be gravity fed.

Michelle West: We are not trying to stop development but we want to make sure if there are more trees removed or blasting there will be some controls over the systems so it doesn't get any worse. My understanding is that when Granite Hill was done, no one went back to make sure the plan they said would be done ever happened. That could be a huge part of our problem. So if there is going to be any more development on the hill on that side of the road, how will that affect us in the future. We know that has affected us in the past. We have way too many problems right now. But in the future, we don't want it to get worse. For that reason, I encourage you to do this testing.

N. VanScoy: I'm torn with this because I feel for the Beaugesne development residents, but in agreement with Councilor Ross, we need to find the money and prioritizing. The number is \$355,000 for the infrastructure. At the same time, we had people come before the Planning Board two (2) weeks ago regarding development at Whitehall and Farmer. They are saying the same thing, whenever a new development goes in, they get more water problems.

Roll Call:

P. Loiselle	N	G. Longfellow	N
J. Gorton	Y	D. Ross	N
D. Dickson	N	P. Rueppel	Y
W. Gahara	Y	N. VanScoy	N
M. Pischetola	-		

Motion 3:5 motion fails

P. Rueppel left the meeting.

Town Website

C. Granfield: We are working to make our Town website more user friendly. We met with Tracy Edwards and a sample of the new web page is enclosed in your packets. The Economic Development link is being worked on as well. We are looking for any suggestions or feedback.

G. Longfellow stated that the colors need more contrast.

N. VanScoy: A town calendar is one of my pet peeves and I would like to see that addressed.

C. Granfield: I have had calendars in other communities that have town events as well as a community calendar. There are some programs that do that automatically.

N. VanScoy: One suggestion was to provide funding to allow the library staff to maintain the calendar. This was done in the past but was discontinued due to staffing issues.

Signing of the Default Budget

C. Granfield: The Default budget, which was prepared by Christine Soucie for 2009-2010 is \$15,937,590. which includes the Sewer Department's budget. This default budget is \$58,000 above the operating budget as recommended by the Budget Committee.

**N. VanScoy motioned to sign the default budget as presented. Seconded by J. Gorton.
Roll call vote unanimously in favor**

NEW BUSINESS

Street Name Approval – Heartwood Lane

**B. Gahara motioned to approve Heartwood Lane as a Town street name. Seconded by P. Loiselle.
Vote unanimously in favor**

2009 Volunteers' Appreciation Dinner

G. Longfellow spoke with the Legion and they agreed to host this year's Volunteer Appreciation Dinner at a cost of \$1600.00, which is currently in the budget.

B. Gahara motioned to hold the Volunteer Appreciation Dinner at the American Legion. Seconded by P. Loiselle.

D. Dickson: Based on the money that has been spent and the issues facing the town, including Beaugesne, I will be voting no.

N. VanScoy: As a past volunteer, I have never been invited and have never attended. Who gets invited?

G. Longfellow: Boards and their spouses.

N. VanScoy: I concur with Councilor Dickson.

Roll Call:

P. Loiselle	Y	G. Longfellow	Y
J. Gorton	N	D. Ross	Y
D. Dickson	N	P. Rueppel	-
W. Gahara	N	N. VanScoy	N
M. Pischetola	-		

3:4 motion failed

Town Council Resolution – National Incident Management System (NIMS)

C. Granfield: This is a resolution to be adopted based on the Home Land Security Resolution. There is training required at their cost. This must be reviewed and adopted by the Council. It will be placed on the next Council agenda. There is no cost to the town.

Purchase & Sale of Sullivan Property

C. Granfield: The Council authorized the purchase of a parcel of land from Cynthia Sullivan. In 2006 a resolution was adopted that outlined the procedure and process, which requires sending this to the Planning Board and the Conservation Commission and there must be two (2) public hearings. Counsel stated this is not required under Hooksett's form of government but recommends following this process for large parcels of land but waive the procedure for smaller parcels.

N. VanScoy motioned to waive the rules for the property on Martin's Ferry Road without further meetings. Seconded by P. Loiselle.

Roll Call unanimously in favor

N. VanScoy motioned to extend the meeting to 9:40 pm. Seconded by P. Loiselle.

Vote unanimously in favor

P. Loiselle stated that Mary Anne Maksalla requested the Council consider waiving the \$35 fee required for fingerprinting of all Police Commissioners.

G. Longfellow: Regarding the Police Commission, if we have 3 or 4 nominations, they all get background checks yet only one get in. Do the background check after.

This will be placed on the next agenda

B. Gahara requested that Carol Granfield draft a letter to the State on behalf of the Council to express concern with the State budget.

N. VanScoy: If we are not willing to discuss the groundwater study tonight, I would like to be on the record that we need to...I think we need to discuss getting 3 bids.

D. Dickson: I think this will come back on the agenda. The residents have now left and this should be discussed with them present. We need to see if we can get funding.

N. VanScoy: Can we also research the waiver for putting water into our public system. Even if we have existing connections, was that done legally?

G. Longfellow: That was voted on and the only one that can reconsider the vote is someone voted in the affirmative.

J. Gorton: I have had a number of citizens raise the issue of Economic Development while Planning makes it so difficult for development to come to town. One issue coming for a Zoning change is to reduce the signage. Signs attract business. We have one committee trying to bring business into town and we seem to have another Board being unfriendly to those business. Because of the number of comments, the Council should provide guidance and a more business friendly attitude brought forth by this Board. The warrant article coming forth should state the Council's position.

N. VanScoy: I found that article difficult and I voted to put it on the ballot because I thought the public should make the decision on limiting the signage.

P. Loiselle: The signage is down to 25 sf. That is pretty small. That is not conducive for businesses. I will bring it up at the EDC meeting in two weeks.

J. Gorton: Now that it is on as a Zoning Amendment, it will state approved by the Planning Board. The voters will agree. Very few zoning changes have been voted down. People don't do the research because the ballots are too long. We, as the board of directors, should give direction to the Planning Board.

B. Gahara: I agree there should be a limit. The Planning Board is an example of getting out of control with the number of articles. To make an informed vote, there is a ridiculous amount of time and research to be done.

M. Sorel: My position is, it is my conviction that the Sign Ordinance, as part of the Performance Zone is restrictive and regressive, and not conducive to business. The ZBA has no authority over the Performance Zone. The Sovereign Bank sign is 68 sf and somehow the word sign pollution has been bantered about. Now, the Planning Board has proposed that the signage on the buildings be reduced from 70 sf to 25 sf and now it will go before the voters as recommended by the Planning Board. I predict it will be voted in because it **is** recommended by the Planning Board. The Board can give waivers but they don't like to give them. My complaint is that the person who wrote it came from Vermont and these are not applicable to Hooksett.

P. Loiselle: I would like to suggest we draft a letter to the Planning Board to remove that warrant article.

P. Loiselle motioned to draft a letter to the Planning Board stating that the warrant article be removed. Seconded by J. Gorton.

N. VanScoy: This is for wall signs.

D. Ross: I am in agreement and I spoke against the 25 ft restriction.

N. VanScoy: The vote was 3:2 on this article by the Planning Board.

M. Sorel: The Planning Board did not seek input from the other side or the EDC.

Roll call Vote unanimously in favor 7:0

***D. Ross motioned to extend the meeting to 10:00 pm. Seconded by J. Gorton
Vote unanimously in favor***

D. Ross distributed a proposal for the next Council meeting.

TOWN ADMINISTRATOR'S REPORT

C. Granfield: There is a petition warrant article to establish designated funds for cable access. We do need to add that to the warrant. We must have a public hearing, which will be on April 22nd, after the deliberative session.

J. Gorton: My understanding is that the petition is illegal per the Charter because you need 2% of the register voters.

C. Granfield: You only need 25 signatures, whichever is less.

J. Gorton: Section 8.2.a states that 2% is required.

C. Granfield will do more research to determine if the petition is legal based on the number of signatures.

The computer assessment was completed and indicates that the Town is behind and the offices will be the first priority

The deadline for the Inventory forms is April 15.

We had a positive audit thanks to the good work of finance department. Copies are provided.

Metro is interested in erecting a Cell tower on Elmer Avenue on town owned land. They want to know if the town has an interest in pursuing this. Is the town interested in this as a source of revenue?

Does the space need assessment have any use for buildings to evaluate the uses? If you have an interest, I can bring forth a charge and parameters. A committee needs to be established with a charge.

The Town Treasurer, Mary Ellen Emmerling resigned. The deputy will be available to sign off during the interim and an audit will be required.

Employees will be issued a benefit statements package. Employees should be receiving them shortly.

I attended the NHMA meeting today. They took several votes. Hooksett stand to loose \$729,000 in revenue sharing.

SUB-COMMITTEE REPORTS

P. Loiselle: The Economic Development Committee is looking to add three (3) new members.

G. Longfellow: The Charter states that the Town Administrator, after discussions with department heads is to bring forward the CIP. This Council was not properly notified of the CIP.

M. Sorel: The Charter provides that the CIP and the Planning Board meet with Council prior to the preparation of the CIP. That has not been done in the past but will be taken up in the future.

ADJOURNMENT

The chair declared the meeting adjourned at 10:15 pm.

Respectfully submitted,

Lee Ann Moynihan

Nancy VanScoy
Town Council Secretary