

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, June 10, 2009**

**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 (excused), Nancy VanScoy, Chairman David Dickson, Carol Granfield (Town Administrator)

#### **PLEDGE OF ALLEGIANCE**

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

*May 27, 2009 – N. VanScoy moved to approve the May 27, 2009 minutes as presented. Motion seconded by W. Gahara. Motion carried unanimously.*

#### **PUBLIC INPUT:**

Mary Farwell, 24 Grant Drive: I'm here representing the Library Trustees. The Library Gates computer lab with 11 computers needs to be replaced. The computers were donated by the Gates Foundation in 2002. Councilor Loiselle suggested that we ask Walmart for a donation. That's what we would like to do. I have drafted a letter requesting for donation. I am asking for the support of the Council.

P. Loiselle suggested taking the amount (\$8,500) out of the letter.

M. Farwell: We're letting them know what the total cost would be. We're not asking for the whole amount but if we don't get the whole amount we're coming back to you for a warrant article.

Council consensus was to support the request.

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

##### **Board Members Nominations for FY 2009-2010**

The applicants were given a chance to speak and introduce themselves to the Council prior to nomination.

Kathie Northrup, 24 Berry Hill Road (Heritage Commission): There are some projects that I've started and I would like to finish them. I would ask for a re-appointment.

Richard Marshall, 6 Lancelot Drive (Planning Board): I think my letter explains that I am seeking a nomination for a full member and I would appreciate your support.

Joanne McHugh, 14 Jefferson Drive (Police Commission): I've been a resident of Hooksett for 35 years. I was on the School Board for 21 years, on the Planning Board for 8 or 9 years. I've also served on the Budget Committee. I think given that background, it shows my commitment to the community. On the School Board, we have been able to improve education as well as address the needs and concerns of the community. We've had tough times but were able to resolve them at everyone's satisfaction. As far running meetings, I have served both as Chair and Vice Chair of the Planning Board. I am fully aware of Robert's Rules. I'm well aware of the RSA's that pertain to non-public sessions. I commented in my letter that one of the things I consider very important is when you go to a non-public session, that is private and not to be divulged, not unless the board itself decides to make it public. While on the Budget Committee, I went to Laconia with former Police Chief Oliver and spent a lot of time learning about the Command System they have that was implemented here in Hooksett. I've worked for different commissions. I've

also worked with the Chief in aspects that concerned the School. It was the Chief who asked the Schools to bring in a Resource Officer. Another question might be, do I have an opinion about what's going on. I feel that's something I should stay out of for the time being.

P. Loiselle: Do you have any personal opinion on how a School Resource Officer should be funded?

J. McHugh: In today's economy it's difficult on the school side and it's difficult on the town's side. The way I look at it, students are also citizens of the community so it should be a match from both sides. Given the state of the world today, we need a School Resource Officer for Homeland Security issues and guidance.

D. Ross: There have been times when you had to recuse yourself from certain decisions on the Planning Board. I see that as a potential problem for the Police Commission being a much smaller body.

J. McHugh: The Town Council has instituted the Code of Ethics. The Code of Ethics states that I have to recuse myself. I think it's a matter of integrity.

Mary Ann Maksalla, 62 Pine Street (Police Commission incumbent candidate): I have been here for about 37 years. The past 3 years on the commission has been one of learning, challenges and frustrations. It's longer than one hour a month. I think commitment get you through that. There are many issues and activities that are ongoing that I would like to help bring to fruition if that's the decision of the Council. Thank you for the last three years. The decision is yours.

N. VanScoy: There seems to be an awful lot of uproar in the press. Is it normal to have a 3-day meeting with the public? No. So, there's a lot going on with the Police Commission right now. As a Councilor, I've received many comments from constituents. Was there anything the board could have done in retrospect? Was there a way this could have been handled differently and not end up the way it did? Do you take any responsibility for the way it ended up?

M. Maksalla: I don't have any answers right now. The investigation is still on going. We have to wait.

M. Pischetola: The Police Commission Chair requested to do an investigation on some Police operations. Did you vote for that?

M. Maksalla: I'm not sure how to answer that.

M. Pischetola: Yes or no.

M. Maksalla: I did at the time although it was not brought up as a motion. We all agreed.

Richard Sullivan, 7 Morgan Drive (Police Commission): I've had several citizens of the Town come and ask me if I would consider applying for this job. It was their opinion that perhaps I could contribute something positive to the organization. I would certainly hope that would be the case. I have no agenda other than to serve the Town. I have no conflicts of interest, whatsoever. I believe that when there's controversy going on in the community that's the time for citizens to step up and participate in finding solutions in restoring peace to the community. We have what's going on in the press, I won't even mention those. We have a contract coming up that needs to be negotiated, the safety center building issues, etc. The commission will be busy. About my business experience, my first job was a shoeshine boy at 8. The City of Boston taught me a lot about self-preservation. I worked for the Boston Herald Traveler for 17 years. I was Senior Advertising Account Executive and handled major retail accounts. I worked for Zayre Corporation for 4 years as a Circular Program Manager then went to Treasure Chest Printing for 2 years as a General Manager. For the past 25 years I ran my own business, Suburban Real Estate News of NH. I was in the Town Finance Committee where I formerly resided. I was Chair for 4 years. I learned a lot about municipal affairs. Education, Business Administration, University of Maine. That's the essence of it.

M. Pischetola: Mr. Sullivan, on your Motor Vehicle record you had a record of suspension for 180 days. What's that for, Sir?

R. Sullivan: That was for a DWI. I refused to blow, it's automatic suspension. It is everyone's right. I asked to have a blood test taken and that was not granted. I was found not guilty of DWI but you still have to serve that. That's the only thing you'll find as a blemish on my record.

M. Pischetola: If you are on the Police Commission where an Officer is charged and later found not guilty of DWI, what would your thought process be?

R. Sullivan: If I was a Commissioner, I can't say. I wasn't there. I didn't have that information presented to me. I'd have a bunch of questions I'd have to ask. But I would get the information and make the decision at that time rather than what comes along later.

M. Pischetola: Do you believe that anyone associated with the Police Commission should be held to a higher standard?

R. Sullivan: I think that's evident in the trade. Everyone in the department feels that. Every Police Officer I know feels that way.

M. Pischetola: I am concerned about how you refused to take the test.

R. Sullivan: That's an option. I didn't refuse to take a test, I asked for a blood test, which is recognized as the absolute best method for determination. The Bow Police Department has an arrangement with the Concord PD that will call individuals who come in and take the blood test. They didn't present me that opportunity. In fact, never mentioned it. They later admitted that they only use it in case of drugs.

M. Pischetola: I'm just concerned that this is on your record. In the future, as a Police Commissioner, you'd be judging Police Officers. You said you don't have an agenda. How do I know you don't have an agenda for losing your license for 180 days, against Officers.

R. Sullivan: It's simple, I'll tell you, I don't. I'm supportive of all law enforcement officers.

N. VanScoy: Would you feel you should recuse yourself if an officer came in front of the board for refusing an implied consent law.

R. Sullivan: No. I wouldn't recuse myself from situations where an officer received a speeding ticket.

D. Ross: To refuse a breathalyzer is a right everyone has.

R. Sullivan: The reason why I refused a breathalyzer is that it is another piece of equipment. You have no idea when it was calibrated last, the state and accuracy of that equipment. That's my rationale. I'd be pleased if I could get a vote from everybody but I'd be satisfied with the majority.

Clark Karolian, 25 Helen Drive (Police Commission): I've been a resident of Hooksett since 1994. I was previously employed as a Police Officer in the City of Manchester. I retired in 2002. I worked with the Federal US Marshall Service under contract. I also did some contract work for Customs and Border Patrol. Numerous times people have told me to contact the Town Councilors individually and lobby them and explain my position. The other thing I was told was that under no circumstance would the Council appoint a commissioner with prior law enforcement experience. I did not call anyone on this board. I felt it would be best in an open forum. Much like the Police Officers, I feel that the Police Commissioners should be held at the same standard when it comes to impartiality. I was not a member of the local Police Department but a member of the community next door. I would think it would be a benefit having known what police work is like on both sides, understanding what its like to be a Police Officer and understanding how the chain of command works. I am also a business owner. I own a private investigation business. I understand one side of it. I also understand the task that's before the Chief of

Police. The Commission should be holding the Chief's feet to the fire as well as the Police Officers. I have no conflict of interest with the Chief of Police nor do I have any conflict of interest with the Police officers in Hooksett. I firmly believe that the commission should be impartial in that regard. I don't believe that a Police Commissioner should have an agenda. That's what I bring to the table. I don't believe that a Police Commission should be political in nature. I believe I could serve my community, which I've done in the past. I don't have any comment about what's going on. This is not the proper forum to address that.

N. VanScoy: Just a little curious about the business that you have. Do you do the books? Where would you rank your business background?

C. Karolian: I would rank it as minimal background. I understand budget and try to work with that. I also believe its up to the manager, in this case the Chief of Police to come forth with the budget. I don't think its necessary for Police Commission to have a great deal of business background. It involves union negotiation and grievance. I believe in protocol and chain of command. The buck stops at the top.

M. Pischetola: When you worked in Manchester and you handled grievances, did you understand the procedure on both sides?

C. Karolian: I did. It was spelled out very clearly, contractually. I understand there is certain grievance procedure when it comes to labor contracts, however, if there is a written contract, both sides should abide by it or compromise.

John Patti, 6 Stirling Avenue (Police Commission): I've lived in the community for almost 6 years. I certainly don't have the background Joanne McHugh has but I have begun my community involvement coaching my child's baseball and soccer teams. This is part of doing my civil duty as a community member and as a parent. I am hoping to be a part of the commission and have a positive impact on the Police Department and the community as well. I am currently employed by the City of Manchester as a Detective Sergeant. I supervise 5 detectives. I have 17 years of law enforcement experience. I began my law enforcement career with Laconia Police Department. Manchester PD is an accredited Police agency, which means there are standard operating procedures that they have to follow to become nationally accredited. Many things have changed. Criminals are evolving. Police are evolving. The management needs to evolve. I think it's beneficial for the commission and the community to have a current law enforcement insider on the board. I can bring some insight of what goes on.

M. Pischetola: If someone told you that a Police Officer is not an asset to the Police Commission, how would you respond to that?

J. Patti: I would dispute it. In my opinion, the Police Commission should have some insight as to how a Police Department should be run. As a current law enforcement officer, I can provide that and make some recommendations, help understand how things appear and steer officer and administration in the right direction.

N. VanScoy: Do you socialize with local police officers.

J. Patti: No.

Stephen L'Heureux, 15 Fieldstone Drive (Police Commission): I have been involved with Emergency Services for 30 years as an EMT. I've been with the City of Manchester Fire Department for 21 years. While I was in Paramedic School and in need of money, I attained a certification in 1983 as a part-time Police Officer and worked for 3 nights a week for 18 months. I was elected by this community to serve in the House of Representatives in 2000 for 6 years. I was on the Education and Fish & Game Committees. I was Chair of the House Education Committee. I was appointed on the State Board of Education. Locally, I've coached soccer teams. I participated with the Kiwanis Club in its early days. I can bring some leadership to the board. I think I can give something to the community.

M. Pischetola: What is your main goal in joining the board?

S. L'Heureux: To bring leadership to the commission. I wasn't a School Teacher and yet I serve for 9 years in the Board of Education. It's really about learning the issue as it's brought before the board. I didn't know I was supposed to be soliciting votes. I didn't know I was supposed to be reading minutes or attending meetings. If you think I can read issues and articulate decision, we can move forward.

The Chairman thanked all applicants.

CONSERVATION COMMISSION, Full Member, exp. 6/2012

D. Ross nominated Cindy Robertson.

HERITAGE COMMISSION, (2) Full Members, exp. 6/2012

N. VanScoy nominated Kathie Northrup.

PARKS & RECREATION ADVISORY BOARD, (2) Full Members, exp. 6/2012

W. Gahara nominated Corri Wilson, who is currently an alternate member.

J. Gorton nominated Marjorie Lennon.

G. Longfellow nominated Jim Moloney.

Alternate Member, exp. 6/2010

Note: Stuart Werksman was nominated on 4/8/09.

PLANNING BOARD, (2) Full Member, exp. 6/2012

P. Loiselle nominated Richard Marshall.

J. Gorton nominated Robert Sullivan.

G. Longfellow nominated Robert Duhaime.

Alternate Member, exp. 6/2011

D. Ross nominated Robert Sullivan.

Alternate Member, exp. 6/2012

N. VanScoy nominated Martin Cannata.

N. VanScoy nominated Robert Duhaime.

POLICE COMMISSION, Full Member, exp. 6/2012

W. Gahara nominated Joanne McHugh.

D. Ross nominated Richard Sullivan.

M. Pischetola nominated Clark Karolian.

N. VanScoy nominated Stephen L'Heureux.

RECYCLING & TRANSFER ADVISORY COMMITTEE, Full Member, exp. 6/2012

W. Gahara nominated Merrill Johnson

Alternate Member, exp. 6/2012

G. Longfellow nominated Richard Bairam.

ZONING BOARD OF ADJUSTMENT, Full Member, exp. 6/2012

J. Gorton nominated Kevin Van Horn.

Alternate Member, exp. 6/2012

G. Longfellow nominated Richard Bairam.

**SCHEDULED APPOINTMENTS:**

Impact Fees Purchases - Ambulance

Michael Williams, Fire Chief presented the following bids for the ambulance and the ambulance equipment. This will be coming out of the Impact Fees collected. Current balance of the account is \$416,223.22. No additional personnel will be needed.

Ambulance

Greenwood Emergency Vehicles	\$274,897.68
Professional Vehicle Corporation	\$285,701.00
Autotronics & Company	\$278,978.00

***D. Ross moved to approve the bid from Greenwood Emergency Vehicles in the amount of \$274,897.68. Motion seconded by J. Gorton. Roll call vote carried unanimously.***

Ambulance Equipment

Bound Tree Medical	\$16,849.00
MedexSupply Medical Supply	\$17,272.10
Moore Medical	\$8,758.23

***G. Longfellow moved to approve the bid from Bound Tree Medical in the amount of \$16,849.00. Motion seconded by W. Gahara. Roll call vote carried unanimously.***

Plow Truck Bids

Dale Hemeon, Highway Manager presented the bids for the plow truck. The original warrant article was \$140,000 for the plow truck. The first bid is a state bid for the cab & chassis in the amount of \$64,997.

***D. Ross moved to approve the Liberty International state bid for cab & chassis in the amount of \$64,997. Motion seconded by P. Loiselle. Roll call vote carried unanimously.***

D. Hemeon recommended accepting the HP Fairfield bid for the dump body in the amount of \$64,211.00 with emergency lighting from New England Lighting for \$5,000.00 and radio from Ossipee Mountain for \$4,000.00 for a total amount of \$73,211.00.

***D. Ross moved to approve the bid for a dump body from HP Fairfield in the amount of \$64,211 with Emergency Lighting from New England Lighting for \$5,000 and Radio from Ossipee Mountain for \$4,000 for a total of \$73,211. Motion seconded by P. Loiselle. Roll call vote carried unanimously.***

D. Hemeon recommended accepting the state bid for a 2008 Liberty International with a dump body for \$62,960.

***N. Van moved to approve the state bid for a 2008 Liberty International 4300 SBA with a dump body for \$62,960. Motion seconded by M. Pischetola. Roll call vote carried unanimously.***

D. Hemeon recommended accepting the state bid for a 2009 Ford F350 crew cab with a utility body for \$36,528. The vehicle will be used to tow equipments needed for the construction site. This is a CIP item.

***P. Loiselle moved to approve the state bid for a 2009 Ford F350 crew cab with a utility/service body in the amount of \$36,528. Motion seconded by N. VanScoy. Roll call vote carried unanimously.***

**OLD BUSINESS:**

Old Town Hall / 16 Main Street

C. Granfield: At the last meeting, Councilor Loiselle discussed having a committee formed to explore uses of the old Town Hall. The Economic Development Committee started working on this and sought approval to change use of the facility based on the deed to investigate and determine if the covenant could be changed to allow other uses, however, this was not approved. Kathie Northrup, the Heritage

Commission Chair has expressed interest in working with the committee. The Council also adopted the Facility Advisory Committee. Part of their charge is to look into possible uses of the old Town Hall. Appointments to this committee have yet to be made. I think it's preferable to look at the town wide facilities. The old Town Hall could be a priority.

D. Ross: The Town Hall is a unique situation and deserves specialized attention because of its historic value to the Town and the State. By forming such a committee strictly on this building, the focus would be solely for this building. A plan would be the first thing in order. I would be happy to be a member of this committee. There are a number of people who have expressed interest in serving in this committee.

***I would like to move to form a Town Hall Preservation Committee to secure and stabilize the building, establish a budget to maintain it, to develop a plan to help further secure it, to start soliciting donations of money, materials and/or expertise to ultimately restore the building to its original condition. Motion seconded by N. Vanscoy.***

J. Gorton: I would be in favor of the Town Facility committee being formed and from there form a sub-committee to oversee the old Town Hall. It would be better to have one central committee and form a sub-committee, if necessary.

W. Gahara: There are too many committees out there. And sometimes, it becomes stressful. I would lean on what J. Gorton had suggested and maybe bring on someone like Kathie Northrup on the committee.

Discussion on the matter ensued.

**Roll call**

D. Dickson	Yes	G. Longfellow	No		
W. Gahara	Yes	M. Pischetola	No		
J. Gorton	No	D. Ross	Yes		
P. Loiselle	Yes	N. VanScoy	Yes	5-3	<b><u>Motion carried.</u></b>

**NEW BUSINESS:**

**Legal & Engineering Bid Proposals**

C. Granfield: This was requested to be an item for discussion regarding seeking proposals for legal services and engineering services. We have utilized primarily the same firm for the last 20 years. There is no contract with that firm. Engineering could go out for proposal but it is overseen by the Planning Board. The Council could recommend to the Planning Board.

P. Loiselle: I don't think the Council has a jurisdiction over whom the Planning Board hires for engineering. I think it's strictly the Planning Board's call.

N. VanScoy: I think it's a good idea to shop around to make sure the Town is getting the best for the money. If there's no competition, they won't offer better price.

D. Ross: I agree, competition is good. As this Town has grown, perhaps it's time for us to have a Town Engineer. My concern is that having a Town Engineer eliminates any potential conflicts. We know that this will be a Town employee looking after the Town's best interest.

G. Longfellow: As far as engineering, I see nothing wrong with looking around. As for legal, we've had legal committees at least 2 or 3 times in the last 7 or 8 years to review proposals. I think what they came back with is that the one we've got is the cheapest.

P. Loiselle: Having a Town Engineer would restrict the Town to that particular engineer's discipline. Whereas, if you have an engineering firm, you have multiple expertise available to the Town.

J. Gorton: I concur with Councilor Loiselle.

C. Granfield: We could send communications to the Planning Board based on the Council's interest in exploring proposals. Regarding the legal services, if the Council would like to explore, I would generate RFP's and go through the bid process.

***P. Loiselle moved to direct the Town Administrator to pursue legal services bid proposals. Motion seconded by G. Longfellow. Motion carried unanimously.***

Bond Release – AV Hooksett

***N. VanScoy moved to release the bond for AV Hooksett in the amount of \$325,449.95. Motion seconded by G. Longfellow. Motion carried unanimously.***

Bond Reduction – Butler Hockey

***J. Gorton moved reduce the cash surety for Butler Hockey from \$22,795.00 to \$3,400. Motion seconded by P. Loiselle. Motion carried unanimously.***

Police Commission

M. Pischetola: I received a letter dated May 27<sup>th</sup> and another letter dated June 2<sup>nd</sup> from the Police Commission signed by Chairman David Gagnon and Henry Roy. I won't mention people's names. I feel both letters violated the Code of Ethics and there's a conflict of interest on the part of the Police Commission. As this letter indicates, *it's been the policy of the Police Commission for many years that a preferred candidate be a person with business background. A candidate with a police background is not truly an asset given the duties by law of the Police Commission.* It is a conflict of interest to influence the Council to vote one way or another or eliminate certain people. I find their statement not so true. Under Chief Oliver, there was a former female State Trooper on the commission. I believe her name was Michelle Murdock. I may have the name wrong. She was a resident of Hooksett and a Police Commissioner with a police background. I don't know how long "a period of time" is that they say "for many years" it has been the policy of whomever, I don't know who made it up. I think the Commission should have left it up to us. We make the appointments, not them. I personally feel insulted that Mr. Gagnon and MR. Roy would tell me that the people whom I associated with over the years, people with police background will not be an asset.

***M. Pischetola moved to send the letter to the Attorney General's office for review of conflict of interest and any other violation of federal regulations. Motion seconded by W. Gahara.***

D. Ross: I did find that to be troubling to say that someone is not qualified because of his police background. I agree with Councilor Pischetola. It's not a good thing for Town Officials to use their official capacity to influence another board or official's vote. It's an unfair advantage or detriment to another as an official act.

W. Gahara: I support Councilor Pischetola. Personally, I just set the letters aside so I could make a decision on my own. I do have the same concerns Councilor Pischetola has. I think it's worth looking into. Unfortunately, the letters are out there now.

N. VanScoy: I just inquired about why we received these letters. I was informed that it's a matter of protocol to forward all applications to the Police Commission. Why are we doing that?

C. Granfield: Part of the process that the Council adopted is for the Police Department to conduct an in-house record check.

G. Longfellow: I've always said that the Council is too careless when we appoint Police Commissioners.

D. Ross: If they wanted to make a recommendation or advise to us it should be made in public and not confidential. That's the part I found troubling. I would be hesitant to bring this matter any further. To bring this to a state level is not in the best interest of the Town.



**Roll call vote to send the letters to the Attorney General's office.**

D. Dickson	No	G. Longfellow	Yes		
W. Gahara	Yes	M. Pischetola	Yes		
J. Gorton	No	D. Ross	No		
P. Loiselle	No	N. VanScoy	No	3-5	<b><u>Motion failed.</u></b>

***D. Ross moved to make it a policy that any recommendations for any board appointments are done in public. Motion seconded by N. VanScoy.***

N. VanScoy requested to add this item to the next agenda.

D. Ross: My only concern is the confidentiality of the response. It should be made in public.

Discussion on the matter ensued.

D. Ross withdrew his motion.

Council consensus was to discuss the matter at the next meeting.

**Public Use of Town Buildings**

N. VanScoy received a request from a constituent to use Town facilities. She suggested adding as an agenda item.

**Tapes and Meeting Minutes**

N. VanScoy: Since we record meetings on tapes, the meeting tapes become the container of records. There's a concern that some boards' meeting minutes are not always complete. I think the Council should address this matter.

**TOWN ADMINISTRATOR'S REPORT:**

C. Granfield informed the Council of the following:

1. The new and improved website is up and running. In the process of doing some modifications. One whole segment is dedicated to Economic Development. She encouraged everyone to take a look and make comments/recommendations.
2. The Town received a number of complaints about a rave incident at the Space Center. The Town's Police, Fire and Building Departments got involved and notices of violations were issued. For any future incidents, regulations are more clear-cut.
3. As previously reported, the Town received requests from Dunbarton and Bow to start the perambulation process. The records show that a sub-committee is still in place. Members are Harold Murray, Denise Pichette-Volk and G. Longfellow. The Town Administrator will provide them with information.
4. The Town has a 3-year (2008-2011) property liability contract with LGC/Melcher & Prescott with condition that the Town could send it out to bid after the first year. This was done and the Town received only one feedback from LGC. Other companies did not bother submitting bids as the Town has the lowest price available. Melcher & Prescott will meet with the Town Administrator and the Finance Director, Christine Soucie. The Council will be updated.
5. The draft agreement with regards to Beauchesne Development will be sent out in the next two weeks.
6. The next step for the Safety Center assessment would be to send out RFP's for construction management to work with the architect to get concrete evaluation and costs. The Town will have to decide whether this will be a warrant article or budgeted.

**Council consensus was to move forward with the RFP's for construction manager.**

7. She asked the Council to sign the resolution allowing for a new depository account with Centrex Bank & Trust and to authorize the new Town Treasurer and Deputy Treasurer to conduct transactions on behalf of the Town.

***P. Loiselle moved to sign the resolution. Motion seconded by W. Gahara. Motion carried unanimously.***

8. She asked for a motion to authorize the Sewer Commission to represent the Town in matters relating to issuance of the sewer bond, which was approved by the voter on May 12<sup>th</sup> Town Election.

***D. Ross move to appoint the Sewer Commission to represent the Town in matters relating to issuance of the bond that was approved at the May 12<sup>th</sup>, 2009 Town Election. Motion seconded by W. Gahara. Motion carried unanimously.***

9. She asked to approve the CTAP grant for Regional Economic Plan with SNHPC. Each town participating in the plan is required to approve and sign the grant.

***P. Loiselle moved approve and sign the CTAP grant. Motion seconded by N. VanScoy. Motion carried unanimously.***

10. A joint public hearing with the Council and Conservation Commission will be held on June 24<sup>th</sup> at 6 pm for the purchase of an easement on Clay Pond using the Conservation Current Use Fund.

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

##### Planning Board

Jensen's did not satisfy 10% ADA housing regulation and was asked to use Easy Living instead of ADA. They only have 10% left to build and did not want to do ADA housing.

##### ZBA

J. Gorton requested for the Planning Board to pay attention to the history of a particular site as far as water run off. After the shredding facility was put up on Route 3, Route 3A was close down on 2 separate years. Sunrise Blvd water was gushing out of the grates for at least 2 or 3 feet high. The owner did a good job taking care of his water problem but there was a considerable run off north of his property.

##### Economic Development Committee

SNHPC presented the complete Hooksett Business Directory and the proposed economic revitalization state tax credit zones. Everything will be integrated with the website.

##### High School Exploratory Committee

They are still looking into what the school should look like and running numbers.

##### Conservation Commission

All projects the commission is looking into are moving smoothly except for a particular site where the river is higher than the site. The Planning Board was asked to pay a particular attention to these sites.

##### Heritage Commission

The improvement at Head's School is moving along.

***P. Loiselle moved to extend the meeting for 20 minutes. Motion seconded by J. Gorton. Motion carried unanimously.***

#### **PUBLIC INPUT:**

Harold Murray: Councilor Pischetola probably does not remember this but when he ran for Police Commission, the former Police Chief came in and reminded the Council that former police officers should

not be considered. There was an article in the newspaper where Bill Sirak stated he thought that the current Economic Development Committee was the first in Town. I would like to point out that is not so. There was one that cost this Town \$50,000. The only thing that came of it was Cummings Press. This committee has done more in 6 months than that committee ever did in its existence. About Perambulation, the last one done was never finished due to an area on Manchester/Hackett Hill line. I was told that perambulation has changed, no longer 7 years.

Note: It was verified that perambulation is still required every 7 years.

M. Pischetola: Do you recall if Chief Oliver had a former female ex-trooper as a Police Commissioner?

H. Murray: No, I do not.

C. Karolian: With regards to the last gentleman's statement where the former Police Chief stated that former police officers should not be considered for the commissioner's position. No explanation was given. I'd like to know why. This is the first time I'm hearing about letters that were sent from the current Police Commission to the Town Council in confidence. Am I being named specifically regarding my qualification or disqualifications? I think I have a right to know that. I would ask the Council if this falls under the RSA's for non-public session. I'm disturbed that I am being disqualified because of my previous vocation and yet there is no explanation as to why a former police officer is not qualified. I would understand it would be a conflict of interest if the candidate is seeking position in the Town he served as an officer. I feel there are serious issues and should be looked into.

David Pearl, 79 Main Street: Having attended the recent Police Commission meetings, I can say and show you video tapes where this was not discussed in an open meeting. I would question the legality of discussing this in a non-public session. I think this should be looked into. Personally, I would welcome someone with a law enforcement background to the commission.

Marc Miville, 42 Main Street: I would also echo the previous comments. In my view a commission should not be recommending a course of action for appointments in a discriminatory way. They are in fact, attempting to pick their own boss. I would ask why is the commission even discussing the appointments under non-public. And if they did not discuss it in non-public, when did they actually discuss it in public session? I want to thank all the candidates who came up to volunteer for these commissions and boards. We heard six very qualified candidates. Other than one candidate, no one even mentioned they were there for the citizens. I was dismayed that the incumbent commissioner chose not to answer questions. My experience in attending the meetings and reading the minutes, there is very little record of participation in her part. One of the candidates stated he was aware that the Chief has testified in the Sherriff Department's investigation. How would he know that if he does not already have a relationship or at least sympathizing with the Police Department. He also stated that the job of the commissioner is to overlook the Police Department. The work should be to oversee.

R. Sullivan: I have one correction, I believe in my presentation I indicated that I will try to make decisions in the benefit of the Town and the Department. Perhaps Mr. Miville wasn't listening then but I did say that.

***M. Pischetola moved to extend the meeting for another 20 minutes. Motion seconded by W. Gahara. Motion carried unanimously.***

John Pieroni, 26 Autumn Run: About a month and a half ago I came before the Council and stated I believe the Council did not have authority to set any policies regarding all elected officials in the Town. The Town Administrator heard from the Town Counsel. His letter stated, "*I have no question about the Council's authority to adopt the conflict of interest policy, which would be applicable to all public officials. Please note that my focus is not good or bad behavior.*" Based upon that, I guess you do have the power to set policy. I just want to bring that to your attention.

**NON-PUBLIC SESSION:**

***D. Ross moved at 9:50 pm to enter into non-public session per RSA 91-A:3, II (c), "Matters which, if discussed in public , would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting."***

***and (e), "Consideration and 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 J. Gorton. Roll call vote carried unanimously.***

***N. VanScoy moved to exit the non-public session at 10:12 pm. Motion seconded by J. Gorton. Roll call vote carried unanimously.***

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

**ADJOURNMENT:**

The meeting adjourned at 10:15 pm.

Respectfully submitted by,

Evelyn F. Horn  
Administrative Assistant

Nancy VanScoy  
Town Council Secretary