

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, September 23, 2009**

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

**PRESENT:** David Boutin, James Gorton, Paul Loiselle, George Longfellow, Michael Pischetola, David Ross, Nancy VanScoy, Chairman William Gahara and Carol Granfield (Town Administrator)

**EXCUSED:** David Dickson

#### **PLEDGE OF ALLEGIANCE**

#### **APPROVAL OF MINUTES**

September 9, 2009 – *G. Longfellow moved to approve the September 9, 2009 minutes as amended. Motion seconded by D. Boutin. Motion carried with N. VanScoy opposed.*

#### **PUBLIC INPUT**

Chairman Gahara explained the public input procedure.

Tracy Curtis, 70 B Merrimack Street: As you all know, our community has been in outrage this week at the release of Joel Dutton. When we found out he was living in our neighborhood, we were all appalled. We were told by the Police Department that the Town of Hooksett does not have an ordinance that restricts where a registered sex offender could live. We are here today to ask what we can do, as concerned citizens of Hooksett, to get an ordinance in place to restrict where a registered sex offender could live. The Town of Holderness passed an ordinance in March of this year that says, *“any person convicted of a crime against a person under the age of 18 cannot reside within 2,500 foot radius of the property line of a protected area.”*

Captain Paul Cecilio of Hooksett Police Department gave a brief summary of the investigation on Joel Dutton. On September 11<sup>th</sup>, the Police Department met with a Department of Child & Youth Services caseworker concerning an anonymous complaint they had received involving the family at 24 Dundee Avenue. After interviewing the family, the children and Mr. Dutton, enough information was gathered to charge Mr. Dutton with Felonious Sexual Assault. He was arrested, brought to the Police Department and processed. He was release by the court on \$25,000 personal recognizance bail. Everyone is entitled to bail. Bail is set by the Bail Commissioner appointed by the court. They answer to the Hooksett District Court. A Town Ordinance is not going to work. It has to be on the State level. Councilor Boutin has offered to meet with the Police Department to propose a bill. The Police Department monitors sex offenders on a regular basis. The School Resource Officer was asked to patrol the school bus stop close to Joel Dutton's residence. The Police Department intends to start notifying residents when a registered sex offender moves into their neighborhood. Captain Cecilio added he is hoping for a better state law to address this.

Gayle Gillespie, 30 Dundee Avenue, who lives two houses from Joel Dutton asked why the State's website does not indicate the level of sex offenders. She stated she was the anonymous caller who called Social Services in July and asked why a registered sex offender was living with 3 children. Two months went by and nothing was done about it. The little girl could have been saved.

C. Granfield stated she investigated what options were available. Unfortunately, other communities have experienced similar problems. Currently, there are 6 communities that have ordinances in effect that

restrict where sex offenders could live, Franklin, Tilton, Northfield, Boscawen, Holderness and Dover, which was recently overturned by the Superior Court. In speaking with the Town Legal Counsel and the LGC attorneys, who have researched the matter immensely across several states. They stated ordinances are not legal and do not recommend them. The Town Administrator recommended to the Council not to go through with an ordinance that legally cannot be enforced. C. Granfield recommended adding a link to the State Police website. Introducing legislation would be the best option.

Discussion on the matter ensued.

***D. Boutin moved to add a link to the State Police Sex Offenders registry on the Town website. Seconded by J. Gorton. Motion carried unanimously.***

Steve Hanson, 30 Dundee Avenue asked if it is possible to notify new residents moving into Town if there are any registered sex offenders in their neighborhood.

Captain Cecilio stated he does not think it would be possible as the Police Department does not know when people are moving in. He suggested checking the website.

P. Loiselle stated that at the last Police Commission meeting, Commissioner McHugh suggested starting a Neighborhood Crime Watch in Town.

D. Ross suggested having a map that generally locates registered sex offenders distributed to residents as new offenders move into neighborhoods.

Chair Gahara thanked the Hooksett Police Department and the public for being vigilant on the matter.

#### **NOMINATIONS/APPOINTMENTS**

There was a resignation in the Parks & Recreation Advisory Committee making a full member seat available.

**D. Ross nominated Tracy Murphy-Roche to the Town Hall Preservation Committee.**

***N. VanScoy moved to waive the rules of waiting period between nomination and appointment. Motion seconded by M. Pischetola. Roll call vote carried unanimously.***

***N. VanScoy moved to appoint Tracy Murphy-Roche to the Town Hall Preservation Committee. Motion seconded by M. Pischetola. Roll call vote carried unanimously.***

#### **SCHEDULED APPOINTMENTS**

Public Hearing, re: Acceptance of Justice Assistance Grant (JAG) per RSA 31:95-b.  
Chairman Gahara opened the public hearing at 7:30 pm.

The City of Concord through the Police Department has assumed the responsibilities of Fiscal Agent for a joint application to the 2009 Recovery Act. The eligible joint allocation amount for the jurisdictions of Concord, Hooksett, Northfield, Pembroke and Pittsfield is \$249,721. The allocated amount for Hooksett is \$27,197 to be utilized for overtime and equipment.

The public hearing was closed at 7:34 pm.

***P. Loiselle moved to accept the Justice Assistance Grant in the amount of \$27,197 per RSA 31:95-b. Motion seconded by N. VanScoy. Roll call vote carried unanimously.***

#### **Trails Update**

In September 2007, the Council designated the Kiwanis Club as the organization responsible for the trails for a period of 3 years.

Mike Horne, Kiwanis Trail Committee Chair introduced Fred Bishop to the Council. F. Bishop presented an update to the Council.

The Kiwanis Club applied for and received a \$16,000 grant from DRED. This was supplemented with \$8,000 funding from Kiwanis. A new trail extension was completed in the summer of 2008. The semi-annual clean up project was done. Boy Scout Jeff Scott completed the signs and bench project for an Eagle Scout award in 2009. The Kiwanis Club donated \$1,000 towards the project. Plans for 2009-2010 includes development proposals for the CIGNA and University Heights trails.

The Council thanked the Kiwanis Club for all the work they have done to the Heritage Trail.

### **OLD BUSINESS**

Coastal Partners (Starbucks pad) \$60,424.80 Bond Release

***D. Ross moved to remove it from the table. Motion seconded by D. Boutin. Motion carried unanimously.***

Peter Rowell, Code Enforcement Officer stated the developer is asking for reassurance he'd get his money back. He had expressed concerns he would not be able to access the money right after the work is done.

D. Ross stated the developer already has it in writing. When the work is done, he'll get his money back. It is improper for a department to release bonds.

D. Boutin added this is an experienced developer who knows the rules. There hasn't been a thing done to the property.

***D. Ross moved to release the bond. Motion seconded by M. Pischetola. Roll call vote failed unanimously.***

### **NEW BUSINESS**

Hooksett Ideas

The Town Administrator facilitated a workshop on Hooksett Ideas, which generated 45 ideas (attached). Some of the items, such as recycling, Adopt-a-Spot, are currently being implemented or explored. C. Granfield asked for some input and guidance from the Council. Some of the items could be handled by an entity with the Town.

D. Boutin suggested 5 items that merits immediate attention. Items #11, #30, #33, #39, and #40.

J. Gorton suggested items #6, #8, and #19,

N. VanScoy commented that one of the things that didn't come out as clearly is the need to improve our use of technology. There are a number of ideas that has something to do with recycling, which shows there are a lot of interests in this area.

P. Loiselle stated most of the items could be handled through a Town Community Center, if we had one.

Updates would be posted on the website on items being worked on.

Goals for Town Administrator/Town

This was discussed when the Town Administrator was hired. C. Granfield suggested a few items and asked the Council to provide direction and agree on ten Town goals for the Town Administrator to work on.

**Chairman Gahara suggested for the Council to review the items and provide input through e-mail and add this as an agenda item for the next meeting on October 14<sup>th</sup>.**

#### School Impact Fees

Christine Soucie, Finance Director explained that the School Impact Fees are fees collected from the developers during the year. Every year, the Town transfers funds collected to the School Department to help pay for the Cawley School and improvements to Memorial School in 2003. This year, it is requested to transfer \$43,000 to the School Department.

***D. Ross moved to transfer \$43,000 to the School Department. Motion seconded by D. Boutin. Roll call vote carried unanimously.***

#### State MS-5

C. Soucie explained that the State MS-5 is the Town's Financial Report converted into the State form (MS-5). This statement is done every year and submitted to DRA to set the tax rate.

***D. Boutin moved to sign the State MS-5. Motion seconded by N. VanScoy. Roll call vote carried unanimously.***

The Finance Director was asked to attend the next meeting to answer some questions about the statement.

#### Walmart Site Plan Improvement Bond Release

Walmart received an approval for a wastewater treatment plant. This bond is for the wastewater treatment plant. They opted against it.

***M. Pischetola moved to cash surety in the amount of \$30,818.70 plus interest and the bond for \$110,782.44. Motion seconded by D. Boutin. Roll call vote carried unanimously.***

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

C. Granfield updated the Council on the following:

1. The Town had a successful Employee Appreciation picnic. She thanked everyone that participated and involved in organizing the event. She also thanked various businesses that donated the door prizes for employees.
2. At the last meeting, it was suggested to have a joint workshop between the Town Council, Planning Board and Zoning Board of Adjustment. Upon review from a legal standpoint, it was determined it would not be appropriate for the Council to hold such a workshop. The ZBA is a judicial board. If ZBA would like to seek additional input, it should be at their meeting and invite the Council, PB, and the public.
3. The Right to Know Law/Conflict of Interest workshop will be held on Wednesday, September 30<sup>th</sup> at 6:30 pm. There are 41 board members planning to attend. It will be taped for those unable to attend and new members.
4. The Town received 5 proposals for legal services. The next step will be to review and interview the firms. Department heads that normally works with legal will be asked to join the interview panel. Councilors Loiselle and Pischetola will also join the panel. A final recommendation will be presented to the Council.
5. The 2 defibrillators were installed, one at the Town Hall and the other at the Transfer Station. A training session was held on how to use it.
6. Halloween Trick or Treat night is Oct. 31<sup>st</sup> from 6 until 8 pm.
7. The Facility Advisory Committee toured the Safety Center, Public Works, Parks & Recreation and Transfer Station facilities. They will tour the Town Hall on Wednesday, September 30<sup>th</sup>. The committee will then put together an assessment report for all facilities to be presented to the Council at an upcoming meeting.
8. The Town Administrator received a resignation letter from Al Dionne, Emergency Management Director. Due to his health conditions he is resigning his position effective October 1<sup>st</sup>.
9. There has been a push on illegal signs. The CEO as well as the Town Administrator has collected a number of illegal signs. Other departments have been advised to remove illegal signs if they see any.

G. Longfellow stated the sign ordinance is not clear enough on what is or not allowed.

### **OTHER BUSINESS**

***M. Pischetola moved to officially designate G. Longfellow as Dean of the Council. Motion seconded by P. Loiselle. Motion carried unanimously.***

One of the Town Fathers, Ray Langer passed away on September 12<sup>th</sup> at age 88. He served the Town of Hooksett as a member of the following Town boards: Town Selectmen/Council, School Board, Budget Committee, Sewer Commission, Sanitary Landfill Commission, Planning Board, Trustee of the Trust Fund, State Representative, SNHPC Representative, Municipal Building Study Committee, etc. A memorial service will be held on Saturday, October 10<sup>th</sup> at 11 am in St. Paul Methodist Church, 335 Smyth Road, Manchester.

Arthur Labonville, who was a long-time resident of Hooksett also passed away.

### **SUB-COMMITTEE REPORTS**

#### Perambulation

G. Longfellow stated that the perambulation process is too complicated for volunteers to handle. The Town needs a GPS system for perambulation. Some communities contract this process. Hooksett has a committee with 3 members, G. Longfellow, Harold Murray and Denise Pichette-Volk.

**Council consensus is to add this item to the agenda and ask the Town Administrator to check into costs for perambulation, including a GPS system to be contracted out.**

#### Planning Board

1. The Master Plan update is being considered for the budget process.
2. Discussions on improving properties along Route 3 and plans to develop a residential area next to the mobile home park.

#### Budget Committee

The first meeting for the season will be held on Thursday, September 24<sup>th</sup>.

#### BOA

There may be one more meeting required to discuss 5 more issues. Assessing is looking into it. More information to follow.

#### Conservation Commission

Items will be discussed under non-public session. Recommendations were sent to the Planning Board with regards to phasing of the trails on the conservation development.

#### Town Hall Preservation Committee

N. VanScoy was appointed Chair. They will meet every 3<sup>rd</sup> Wednesday of the month. There were some questions raised on any Town provision that may be available to the committee.

#### Police Commission

Joanne McHugh brought up the subject of starting a Community Crime Watch group due to a couple of burglaries in her neighborhood. From discussions during the "Public Input", this is also needed for sex offenders.

### **NON-PUBLIC SESSION**

***N. VanScoy moved at 9:27 pm to enter into non-public session per RSA 91-A:3, II.(d), "Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community."***

***Motion seconded by J. Gorton. Roll call vote carried unanimously.***

***P. Loiselle moved at 9:55 pm to exit the non-public session. Motion seconded by N. VanScoy.  
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 9:57 pm.

Respectfully submitted by,

Evelyn F. Horn  
Administrative Assistant

Nancy VanScoy  
Town Council Secretary

**On July 29, 2009, the Town Administrator facilitated a Hooksett Ideas Program that generated the following 45 ideas that may be further explored. If you have any interest in assisting with any of these items, please contact Carol Granfield at 485-8472 for further information.**

- 1. Recycling Education**
- 2. Recycling Booth at Old Home Day**
- 3. Challenge Neighborhoods to Recycle**
- 4. Publicize Mobile Recycling**
- 5. Explore Education via Recycling Play**
- 6. Enhance Town Gateways (Exits 9 and 10)**
- 7. Promote Adopt-a-Spot Program**
- 8. Promote Hooksett as a Top 100 town to live in**
- 9. Send Material for the Community to Live up to Standards of top 100**
- 10. Update closed/unoccupied buildings in town**
- 11. Reward Most Improved Business Appearance – Monthly Winner**
- 12. Determine what can be done for run-down buildings**
- 13. Clean up Graffiti with paint on signs and elsewhere**
- 14. Winter Carnival (ball, events, snow sculpture)**
- 15. Expand trails to connect**
- 16. Multi-use of Railroad trails**
- 17. Highlight Outdoor Activity (recreational/river)**
- 18. Explore All American Garden Location in Town**
- 19. Community-wide Calendar**
- 20. Explore having a Hooksett Chamber of Commerce**
- 21. Deck by Robie's waterside**
- 22. Regatta on the River**
- 23. Have a Riverfest Event**
- 24. Uniform Town Policy on phone/email daily statement when not in**
- 25. Bumper Sticker – Ask me about Hooksett**
- 26. Town Slogan Contest**
- 27. Town to Reach Out to Residents with Phone Message – What is Happening**
- 28. Email Distribution Newsletter or Message**
- 29. More Newspaper Coverage – Have a Weekly Column**
- 30. Link to Town Website from Banner Newspaper**
- 31. Provide Ideas to Kiwanis, Lions and Garden Club Groups**
- 32. Eagle Scout Projects in Town such as Benches**
- 33. Link Town Website to Garden Club and Community Organizations**
- 34. Facebook Page, use Town expertise available**
- 35. Taste of Hooksett Pizza/ Fundraiser for Town Project**
- 36. Weigh Station on Route 3 to Create a Park**
- 37. Recycling Club**
- 38. Kid's Corner on Website**
- 39. Have More Children Activities for those not Athletic**

- 40. Children's Community Theater**
- 41. Public Swimming Pool**
- 42. Habitat for Humanity or Garden Club for Improvements**
- 43. Get Kids Involved in Fix-It Program for Community Service**
- 44. Have Intern work on Website**
- 45. Have Single Stream Curbside Pickup Recycling and Pay-as-you-throw regular pickup**