

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, October 28, 2009

CALL TO ORDER: Vice Chair Ross called the meeting to order at 6:30 pm.

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

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

October 14, 2009 – *N. VanScoy moved to approve the October 14, 2009 minutes as amended. Motion seconded by P. Loiselle. Motion carried.* D. Dickson abstained, not present at the meeting.

PUBLIC INPUT

Mike Horne, Cemetery Commission updated the Council on the commission's recent activities.

1. They will review and update the Cemetery Regulations in the next 4 to 6 months. Plot owners have asked for some changes.
2. They are working with the Town Administrator to add a Cemetery Commission page on the Town's website.
3. They are working with American Legion to place monuments in cemeteries.
4. They will come up with 5-year maintenance and repair plan.

Marc Miville, 42 Main Street: At the last Council meeting there was a discussion regarding the naming of a building or any town structure. I feel that any permanent naming of any town structure should be voted on by residents. Regarding the Dog Park, now that there is a Dog Park there should be an ordinance on Dog Fouling.

PROCLAMATION

A Proclamation was presented to Councilor George Longfellow as the **Dean of Hooksett Town Council.**

NOMINATIONS/APPOINTMENTS

Available Board Positions

Parks & Recreation Advisory Committee, fill-in full member, exp. 6/2010
Planning Board, fill-in full member, exp. 6/2010
Recycling & Transfer Advisory Committee, fill-in full member, exp. 6/2010
Town Hall Preservation Committee, no expiration
Zoning Board of Adjustment, fill-in alternate member, exp. 6/2010
Zoning Board of Adjustment, fill-in alternate member, exp. 6/2012

Appointments

Economic Development Committee – *D. Boutin moved to appoint Jack Dowd (no expiration). Motion seconded by M. Pischetola. Motion carried unanimously.*

John "Jack" Dowd introduced himself to the Council.

Zoning Board of Adjustment – *J. Gorton motioned to move Gerald Hyde from alternate to full member, exp. 6/2010. Motion carried unanimously.*

Nominations

G. Longfellow motioned to move Richard Bairam from an alternate to full member of Recycling & Transfer Advisory Board, exp. 6/2010.

G. Longfellow nominated William Hooley as alternate member of Recycling & Transfer Advisory Board, exp. 6/2012.

D. Boutin nominated Jacqueline McCartin for the Parks & Recreation Advisory Board, full member, exp. 6/2010.

Raymond Guay resigned from the Planning Board. The Council thanked him for his service to the Town.

D. Boutin suggested making a press release on board openings.

SCHEDULED APPOINTMENTS

Public Hearing re: Acceptance of State Reimbursement for December 2008 Ice Storm in the amount of \$6,603.05 per RSA 31:95-b.

Vice-Chair Ross opened the public hearing at 7:20 pm.

The public hearing is to accept State FEMA funds in the amount of \$6,603.05 to reimburse the Town for the costs of December 2008 ice storm. This represents 12.5% of the Town's total eligible cost of \$52,824.40. FEMA reimbursed 75% (\$39,618.31). The total cost to the Town is \$6,603.05 (12.5%).

Marc Miville: Where is the money going in the budget?

C. Granfield: The money goes in the General Fund.

The public hearing was closed at 7:25 pm.

M. Pischetola moved to accept FEMA funds in the amount of \$6,603.05 per RSA 31:95-b. Motion seconded by D. Boutin. Roll call vote carried unanimously.

Head School Project Update
(Postponed to a later date.)

OLD BUSINESS

Legal Services Recommendation

A Request for Proposal (RFP) was issued. Five (5) legal firms submitted proposals and were interviewed by a panel consisted of Councilors Loiselle and Pischetola along with the Town Administrator, Town Planner and Code Enforcement Officer. The panel recommended that while it is satisfied with its current Town counsel, it would be a good opportunity to change its legal services at this time to the firm of Hage Hodes.

C. Granfield introduced Jay Hodes and Steven Buckley of Hage Hodes, P.A.

Jay Hodes gave a brief overview of the firm. They have been in the business for 35 years, represented municipalities all throughout that period of time. Currently, representing the towns of Litchfield and Hudson. Special counsel to Town of Seabrook. The firm has 6 lawyers, 5 support staff and paralegal.

Steven Buckley stated his agenda is to make sure members and boards have the information they need to make proper decisions and avoid problems at the planning level. They will inform the Town of changes and any potential issues, nip the problem in the bud. Stay on top of legislation changes on zoning and planning and try to pass the knowledge to the Town in order to avoid litigation.

M. Pischetola moved to accept Hage Hodes for the Town's legal services effective immediately. Motion seconded by P. Loiselle.

Discussion on the matter ensued.

Roll call vote carried unanimously.

Goals for Town Administrator/Town

The Town Administrator presented the consolidated list of ten (10) goals for the Town and the Town Administrator.

G. Longfellow stated a few years ago a list of goals was given to the former Town Administrator. Some of those are still in the works and some were never accomplished. Most are in different stages. These will be added to the list. The lists will be combined and make 10 to 12 items.

Discussion on the matter ensued.

C. Granfield will combine all items discussed and present it at the next meeting.

P. Loiselle commented that the Council needs a better understanding on the system and costs of adopting single stream recycling. He suggested a workshop.

NEW BUSINESS

Veterans' Exemption/Tax Credit

Currently, the amount of the tax credit is \$250. In 1990, the Council, then Selectmen increased the credit from \$50 (per RSA 72:28) to \$100 and in 2005 it was increased to \$250.

G. Longfellow stated that given the current state of economy, this is not the proper time to increase the tax credit.

Discussion on the matter ensued.

M. Pischetola suggested referring the matter to the Board of Assessor for their recommendation.

Council consensus was to refer the matter to the Board of Assessor.

Bond Releases

Continental Paving for \$30,000 (15 Cross Road) – ***N. VanScoy moved to release the bond. Motion seconded by M. Pischetola.***

J. Gorton (ZBA Council Representative) stated at the time the project was presented to ZBA. There were questions raised on the amount of excavation. The applicant (MTS) indicated it was incidental. He questioned why there was a \$30,000 bond for reclamation of excavation, which was considered incidental.

Council consensus was to ask clarification from the Planning Board regarding excavation reclamation on this project and what is considered incidental and what is considered excavation.

Roll call vote to release the bond in the amount of \$30,000 carried unanimously.

Bast Hatfield for \$60,200 (Walmart) - ***N. VanScoy moved to release the bond. Motion seconded by P. Loiselle. Roll call vote carried unanimously.***

TOWN ADMINISTRATOR'S REPORT

C. Granfield reported on the following:

1. The Town Administrator started meeting with department heads regarding budgets. She has met with the Budget Committee and gave them an overview on budget and format changes, which provides more details. She also met with CIP Committee and informed them of some changes she made from what the departments submitted.
2. The Facility Advisory Committee is making good progress and working on their report to be presented to the Council in December.
3. The Safety Center building group has been meeting on a regular basis. Harvey Construction and HL Turner have been working on the building's evaluation and looking at various alternatives. They will present their report including recommendations to the Council in December.
4. The Parks & Recreation will be offering Ski/Snowboard program as well as the new Archery program. They are starting to generate more activities and programs that would utilize the gym.
5. The 2009 tax rate was set at \$21.16, which is \$0.32 increase from last year. Tax bills will be going out shortly. Residents are able to pay their taxes on-line and a notice was added on the tax bills.

6. The Third Quarterly Project Summary was presented to the Council. She asked the Council to review and if there are any questions, this will be added to the agenda.
7. In the process of working on codification. The Town should have all ordinances, including Zoning Ordinances, Development Regulations and other ordinances in a codebook. The Council may have approved various speed limits, etc. These have to be on an ordinance form to be enforceable.

Discussion on road signs being enforceable. Speed limits and stop signs are not legal therefore unenforceable.

This will be added to the agenda for discussion.

8. Wednesday, November 11th is Veteran's Day holiday. The Town offices will be closed. The Town Council will meet on November 4th and 18th.

SUB-COMMITTEE REPORTS

Planning Board

- The Demolition Ordinance was reviewed. The Board is looking to adopt the ordinance through Planning Regulations.
- Merchants Motors is changing their sign to an LED sign.
- Neighborhood Works presented a proposal for a 20-unit rental workforce housing at the intersection of Londonderry Turnpike and Whitehall Road. They will be rented at \$900 per unit.
- There will be a Market Basket at Exit 10. The Board voted to waive the impact fees in lieu of a gift to the Town to be used for the roads in the area.

High School Study Committee

The Committee toured the Windham High School. There is a possibility they will not receive State aid.

Recycling & Transfer Advisory Board

G. Longfellow requested a cost comparison between the present system, automated, and the single-stream recycling. They estimated they would need to purchase 4 packers in the next 3 years. They are using 3% growth rate, which G. Longfellow believes to be a high estimate. He stated in the last 20 years the Town has seen an average of 1.5% increase, including commercial.

Police Commission

There was a discussion regarding concerns with the number of break-ins and increase in crime rate. They will hold a workshop for residents on November 9th at the Public Library.

PUBLIC INPUT

Marc Miville: Regarding the discussion on signs, at a previous Council meeting there was discussion regarding illegal speed signs. Budget Committee meeting this past week was very informative. Dr. Littlefield, School Superintendent presented what the Budget Committee could expect for School budget this year.

NON-PUBLIC SESSION

N. VanScoy moved at 8:36 pm to enter into a non-public session under 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 public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

and 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 P. Loiselle. Roll call vote carried unanimously.

N. VanScoy moved at 8:50 pm to exit the non-public session. Motion seconded by D. Boutin. Roll call vote carried unanimously.

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

Inventory Forms Notices

N. VanScoy received a notice indicating she was assessed late fees for not filing the Inventory Form. It was determined the notice was sent in error. If hers was sent in error how many more were sent in error. The Town Administrator was asked to check into this issue.

ADJOURNMENT

The meeting adjourned at 8:55 pm.

Respectfully submitted by,

Evelyn F. Horn
Administrative Assistant

Nancy VanScoy
Town Council Secretary