

Official

TOWN COUNCIL MINUTES Wednesday, November 4, 2009

CALL TO ORDER: Chair B. Gahara 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 and Carol Granfield (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

October 28, 2009

G. Longfellow motioned to table the minutes of October 28, 2009. Seconded by D. Boutin. Vote unanimously in favor

PUBLIC INPUT

Marc Miville, 42 Main Street: I see on the agenda a couple issues previously raised. With regard to the naming of town buildings, I personally feel that any individual, or citizen should not have a name on a public structure based on the vote by Council without a town vote nor authorize the expending of money to put up that structure. I would suggest rather than naming street sign after businesses, we could start a grid like A, B, C Street and 1, 2, 3. There may be speed limit signs that are not accurate. Not having an accurate speed limit is like having an inaccurate watch. They should not be arbitrary and should be based on the RSAs.

Peter Farwell, 21 Grant Drive: About 3 weeks ago, I was at Shaw's and saw the fire truck sent out from the Central Station heading south on Route 3. Later I saw the Ambulance following it down the street. I started going north on Route 3 and saw Tri Town Ambulance heading south as well. Do we have enough staff to send out both a truck and an ambulance and then another ambulance from Tri Town? We have a commission overseeing the Police Department. I was thinking should we have a commission overseeing the Fire Department, even if it is only ad hoc. In Meredith, we still have a volunteer fire station. We need to look at the staffing in the Fire Department. With regard to public access, I have not been successful in getting the town to support this. On Manchester public television, they have had difficulty supporting programs with the recent budget cuts. I talked to Grace Sullivan and she said she would be willing to talk about letting the school have a couple of hours and now in light of the difficult economic times, they might entertain giving more air time to the town. They are going through some struggles and the Mayor is looking to cut their budget.

D. Ross: I wouldn't be surprised if Manchester would air for free. I think it is a great idea. Go ahead Pete and see what you can find out.

B. Gahara asked to place Public Access on a future agenda.

NOMINATIONS/APPOINTMENTS

Available Board Positions

1. Planning Board, fill-in full member, exp. 6/2010
2. Town Hall Preservation Committee, no expiration
3. Zoning Board of Adjustment, fill-in alternate member, exp. 6/2010
4. Zoning Board of Adjustment, fill-in alternate member, exp. 6/2012

Appointments

G. Longfellow motioned to appoint William Hooley to the Recycling & Transfer Advisory Board, as an alternate member, exp. 6/2012. Seconded by D. Boutin. Roll Call vote unanimously in favor. N. VanScoy abstained

D. Boutin motioned to appoint Jacqueline McCartin. Seconded by N. VanScoy. Roll Call vote unanimously in favor.

OLD BUSINESS

Naming Town Building/Structures

C. Granfield stated that this was a result of a prior meeting where it was suggested that a room be named after an individual who passed away and was very active in the community. The Council requested the Town Administrator research what is practiced in other communities. It was found that many communities vary with the policies and procedures. It was suggested that the Council draft a simple policy on the naming of buildings or rooms. It could also be a warrant article to allow the voters to weigh in. With a policy in place, everyone will be treated the same and there will be equity.

P. Loiselle: The Town of Somersworth has a section 6:10, which seems very comprehensive and straightforward. That would be an ideal policy to adopt. It states a public hearing is required whenever there is a naming brought forward.

G. Longfellow: I think there are a number of people that deserve having their name placed in honor. I am against starting this procedure because then there will be many coming forward and how will we choose?

D. Dickson: I agree because if there is an individual that rises to the level of naming, there will be a groundswell within the community and then it will be brought forward in a warrant. I am against it.

D. Ross: Policies are good but are we creating more encumbrances and red tape with another policy. I think this is within our authority to do. To have a policy to allow a public hearing is a good thing. To forgo this all together is wrong. When we have an opportunity to honor someone, we should. Parks and buildings are named all over the country for people. I think we should develop a policy on how this gets done. To make it into a warrant article is going too far. I think that naming this room after Ray Langer is a grand idea.

***D. Boutin motioned to receive and file the report. Seconded by M. Pischetola.
Vote 8:1 (P. Loiselle)***

D. Ross motioned to name the Council Chambers after Ray Langer. Seconded by P. Loiselle.

P. Loiselle suggested designating an area in the hall to honor people who have served the town.

D. Boutin stated that at the State House, pictures are placed on the wall of all the new governors. Plaques and pictures could be hung in the hall. I ask that the Councilors withdraw their motions and allow time to properly research this issue.

D. Ross supports naming the room after Mr. Langer and suggested that future honorees can be placed in the hall.

P. Loiselle withdrew his second because he believes the motion needs to be more general in nature and include more individuals.

Motion fails without a second.

Street Signs / Speed Limits

C. Granfield stated that the Staff Report covers information on signs and speed limits. There was a Sign Committee that was previously abolished. The RSA for setting speed limits was provided to the Councilors. There is an attachment stating the lowest allowable speed limit is 25 mph. There is attachment C that states there are about nine (9) signs posted in the town that are below 25 mph. The reason the signs were posted was to get people to go slower. We can either leave the signs as they are or we can adjust them to the lowest correct limit.

D. Ross: I moved to abolish the sign committee. The purpose was we don't need a lot of encumbrances to do what is right to do. We are not required to hire an outside consultant to determine the correct speed. If we made aware of dangerous curves by Dale Hemeon or we set a speed limit too low, I don't know of any law suit that have ever come about. Orange signs are also unenforceable but most people

don't know that. To have more red tape is foolish. We have professionals working in this town that can make those decisions.

N. VanScoy motioned that all nine (9) signs currently posted below the speed limit be removed and replaced by legal signs. Seconded by P. Loiselle.

D. Ross: These signs are legally posted but not enforceable and to undo what other Councils did is costly. We do have the authority and can set speed limits below 25 mph with the traffic investigation. There is no definition for traffic investigation in the RSA. If D. Hemeon has investigated, that is legal.

D. Boutin: RSA 265:63 states that you cannot decrease the speed limit lower than 25 mph.

Chief Agrafiotis: On advise from counsel, if the governing body wants to go below 30 mph they can go to 25 mph with the study. Per our prosecutor, 25 mph is the lowest. My understanding is you can't go below 25. You put signs up for less, but we can only enforce what is legal. It's not a good idea to post signs that are not legal.

D. Hemeon: Steve and I have both been asked to do studies and we said you cannot go below 25. We have never recommended going below 25 mph.

Chief: School zones are 10 mph below the posted limit when the lights are flashing.

N. VanScoy withdrew the motion. P. Loiselle withdrew his second.

The Council requested the Chief Agrafiotis do a traffic investigation and report to Council his recommendation on the appropriate speed limit for the nine (9) speed limits currently posted below 25 mph. Seconded by P. Loiselle

Chief Agrafiotis suggested that the research be done in conjunction with the public works department.

N. VanScoy amended the motion to say the Police Department and Public Works Department. Seconded by P. Loiselle.

D. Hemeon suggested including stop signs in the report.

N. VanScoy amended the motion to include all traffic signs in the report. P. Loiselle seconded.

Vote unanimously in favor of the motion as amended.

This report will be submitted to the Town Council by the next scheduled meeting.

M. Pischetola suggested a traffic committee be established to review items prior to coming to the Board. This will be an agenda item.

Town Hall Preservation Committee

N. VanScoy stated that there are currently four (4) members on the committee with T. Murphy Roche stepping down.

The following Mission Statement was presented:

The primary objective of the Town Hall Preservation Committee shall be to pursue and engage in courses of action intended to stabilize, preserve and maintain the building historically known as the Hooksett Town Hall. The Committee will conduct research, consult with a variety of entities and generate plans, which will not only focus on the building, but on its potential benefits to the town. The Committee will engaging the community and encourage funding through donations, grants and various fundraising activities, as allowed by the law and Town Council.

D. Ross motioned to accept the Mission Statement as presented. Seconded by J. Gorton. Vote unanimously in favor.

N. VanScoy stated that the Committee needs the support of the community as well as the Council to be successful. The Committee will be reaching out to the community for donations and will research fundraising options. The Committee will also be looking for volunteers to join the cause. The Committee will need a recording secretary.

M. Pischetola suggested Nancy work with the Town Administrator to develop up a plan.

N. VanScoy: We have no funds but need some expert assistance. We need to know if the Council will support this. I would like to put together a web page, which cost \$10 per year.

The NH Plans will complete a design Charette by providing professionals and bringing together local citizens and professionals over a weekend to explore potential solutions. Applications are due by February. This is a competitive applications open to all towns. The requirements are:

- The project will benefit the public at large
- The project is an appropriate scale to be completed in a weekend
- The project is important to the community
- The project presents interesting design considerations
- The host community has a confirmed real interest to move forward

I ask that everyone get the word out in the community.
The Master Plan states we will preserve the Town Hall.

D. Boutin suggested that this committee be appended to the Planning Department so that the Town Administrator and the Town Departments can provide staff as needed.
Could the town website be utilized.

D. Boutin motioned that the Council go on record in supporting Plan NH to come to this community to help with this project. Seconded by P. Loiselle.

J. Gorton suggested this be tied to the Economic Development Committee rather than Planning Board. The EDC offered to provide legal advise with regard to researching the deed for the old town hall at no cost to the town and the Council declined. Until that investigation is complete, I don't know where we can go forward.

C. Granfield: NH Plan is great for coming up with ideas but until the deeds research it done, it is a waste of time. We need to reconsider looking into the deed limitations.

J. Gorton suggesting asking EDC to reconsider their offer to research the deed for the old town hall.

Vote unanimously in favor.

***J. Gorton motioned to ask the EDC if the offer of the free legal investigation of the proper usage of the old town hall in accordance with the deed is still possible. Seconded by P. Loiselle
Vote unanimously in favor***

Goals for Town Administrator/Town

C. Granfield presented ten (10) goals in no order of priority as follows:

- Maintain a viable community for residents and businesses and promote economic development in line with the Master Plan.
- Improvement of town-wide department efficiencies
- Continued evaluation of Quarterly Project Summaries and emphasize priority projects.
- Improve and streamline the Development Review Process and develop a handbook
- Maintain the fiscal stability of the community
- Seek revenue resources and evaluate Town fees
- Continue to enhance all communication resources and maintain positive communication both internally and externally.
- Improve town-wide technology via planned Information Technology (IT)
- Promote Customer Service via response and services provided within a reasonable tax structure
- Develop written Town Policies and Procedures that are equitable and structures to ensure positive and compliant Town operations.

Council Rules Committee will meet a 6:00 pm prior the first Council meeting in December.

NEW BUSINESS

Bond Releases

Koffler/GID Hooksett (Quality Drive) Development Bond for \$609,000.

D. Dickson motioned to release the bond in the amount of \$609,000 to Koffler. Seconded by D. Boutin.

D. Ross asked if a curb cut would be required for the new Fire Station.

D. Hemeon responded, no.

Vote unanimously in favor.

AV Hooksett Bond for \$37,460.

D. Dickson motioned to release the bond in the amount of \$37,460 to AV Hooksett. Seconded by D. Boutin.

Vote unanimously in favor

Pennichuck Corp. Bond for \$4,465.48.

D. Dickson motioned to release the bond in the amount of \$4,465.48. P. Loiselle seconded.

Vote unanimously in favor

M. Pischetola motioned that \$200 be assessed for administrative cost on all bonds. Seconded by N. VanScoy.

D. Ross stated that it may not be legal to add such an item.

N. VanScoy withdrew her second.

Motion failed without a second.

TOWN ADMINISTRATOR'S REPORT

- The Town Offices will be closed on Wednesday, November 11th in observance of Veterans Day.
- A meeting was held with the School Superintendent and Business Manager to review cost savings efforts for fuel and electricity. A more standardized school payment arrangement was reached.
- Tax bills have been mailed. The Assessing Department has been fielding questions regarding the inventory form penalties. Two thousand and ninety eight letters were mailed regarding the penalties. These letters had never been sent out in the past. Now the town is in compliance. People can file an abatement for this penalty. The penalty is 1% of their tax bill and will not exceed \$50.00.
- Cawley Middle School projects will be displayed at the Town Hall starting this week.
- The budget review with all department heads is complete and the majority are level funded. The budget will be presented to the Council on December 2nd.
- All departments and boards have been advised of the transition in legal counsel.
- The Building Safety Center group has met and will be providing a report.
- The Opening Day for the Dog Park is Saturday, November 7th at 9:00 AM.
- The Perambulation is moving forward and is being directed by Denise Pichette Volk.
- The next council meeting is November 18th with a workshop to discuss single stream recycling.

P. Loiselle asked about any response from Arleigh Greene's attorney?

C. Granfield stated that Mr. Greene would like the agreement to indicate a time limit of three (3) years after which time if the Fire Station is not built, the land would revert back to Mr. Greene.

Chairman Gahara request this issue be placed on the next Council agenda.

SUB-COMMITTEE REPORTS

Planning Board – N. VanScoy: Phase II of Webster Woods and Brookview Senior Housing Projects received conditional approval at the last Planning Board meeting.

In response to Council's questioned regarding incidental excavation, it is when the excavation is just to comply with the site plan. The bond that was requested for MTS was required because they requested beginning the excavation before the site plan was approved.

Parks and Rec: Archery and ski program are being organized.

ZBA – J. Gorton: The next meet is November 10th.

Conservation Commission - D. Ross: Conservation is meeting tonight.

PUBLIC INPUT

Jo Ann McHugh requested clarification on the Council's directive on the budget goals for 2010-2011.

C. Granfield stated that what is being done by the departments is the operating budgets are the same or lower than last year. The warrant articles would be above and beyond that and would be added and increase if the voters pass it beyond level funding. For contractual, that is included in level funding and is to be absorbed within the operating budget. A new contract is a warrant article. The new legislation with the Evergreen Law would be included in the budget and would have to be absorbed in the budget to level fund.

Dale Hemeon: With regard to naming structures, as a towny my whole life, I would like the Council to do some research before you make a decision. No one knows that Nelson Lambert gave this land to the town for a \$1. Make sure you do the research to not insult someone in the past.

David Pearl, 79 Main St.: The naming of structure, I am in favor of honoring people with plaques. The Safety Center sign does not say Fire or Police or Hooksett. For a person driving through town, they might not know that it is a Fire Station or Police Station. Using the name Hooksett is a proud thing. We should honor people in other ways and be mindful of the prior generations.

M. Miville: I suggest that if any town recognition was considered that it be paid through fundraising and not town funds. If there is a ground swell for someone, let it be paid for through private funds.

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 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, is based on inability to pay or poverty of the applicant."*

ADJOURNMENT

The meeting adjourned.

Respectfully submitted by,

Lee Ann Moynihan

Nancy VanScoy
Town Council Secretary