

OFFICIAL

TOWN COUNCIL MINUTES Regular Meeting Wednesday, January 27, 2010

CALL TO ORDER

Chairman Gahara called the meeting to order at 6:35 pm.

ATTENDANCE

Chairman William Gahara, David Dickson, James Gorton, Paul Loiselle, George Longfellow, David Ross, Nancy VanScoy, and Carol Granfield (Town Administrator)

D. Boutin excused

M. Pischetola arrived at 6:46 pm

APPROVAL OF MINUTES

December 16, 2009 - tabled

January 9, 2010

G. Longfellow motioned to approve the minutes of January 9, 2010. Seconded by N. VanScoy. Vote unanimously in favor as amended.

January 13, 2010

J. Gorton motioned to table the minutes of January 13, 2010. Seconded by G. Longfellow. Vote unanimously in favor

PUBLIC INPUT

M. Miville, 42 Main Street: I attended the Legislative Session for the Police Commission going from three (3) to five (5) members. Mr. Boutin stated that the legislation was enabling legislations, which allows the voters to have their say. At the budget workshop deliberations, with regard to the automated collection system, (T-1 and T-2 were unfunded warrants) you voted not to bring it forward to the voters. I propose it would be no cost to the citizens if you reinstated T-2 as a non-binding referendum as enabling legislation.

NOMINATIONS/APPOINTMENTS

Available Board Positions

1. Planning Board, alternate member, exp. 6/2012
2. Zoning Board of Adjustment, alternate member, exp. 6/2010
3. Trustee of the Trust Funds, exp. 6/2012

M. Pischetola suggested placing an ad in the Hooksett Banner to raise interest in these open positions.

SCHEDULED APPOINTMENTS

Public Hearings

Charter Amendment – Section 3.2 Qualifications of Councilors

Only voters who at all times during their term of office are and remain residents of the Town shall be eligible to hold the office of Councilor. Eligible candidates will be registered voters and will have resided in Hooksett for at least one year immediately before the election. Councilors elected from districts must be legal residents of that district at the time of election. If a Councilor shall move from his said district and shall remain a resident of the Town, he shall remain the elected district's Councilor until the next election. The Council is the sole judge of qualification for office. A majority of the Council may after investigation and hearing declare a vacancy if a member is ultimately convicted of a violation of the Town Charter. Council may also declare a vacancy if a member has missed three (3) regularly scheduled meetings in sequence, or has missed one quarter (1/4) of all meetings within one (1) calendar year, or has interfered

with Administration, or falsified records, misapplied Town funds or property, or has been ultimately convicted of a Federal or State crime punishable by imprisonment (for more than five (5) years) **as a felon**.

No Councilor shall, during his term and for one year thereafter, be eligible to hold any (appointed office) **paid** position of employment with the Town.

Chairman Gahara opened the Public Hearing at 7:25 pm.

C. Granfield explained that this change was proposed last year but was not included in the Warrants. It changes the wording for "felon" and add the word "paid". This is the required public hearing on the Charter amendment.

Chairman Gahara closed the Public Hearing at 7:26 pm.

**G. Longfellow motioned to amend to remove "five (5) years", add "as a felon", remove "appointed office" and add "paid". Seconded by J. Gorton.
Vote unanimously in favor**

Ordinance – Placing Snow and Ice on Streets and Sidewalks

- (a) No person shall place or cause to be placed any snow or ice on the traveled portion of any public way or sidewalk in town, unless specific written permission is obtained for special events from the town administrator or designee of the office of the town administrator.
- (b) Any person who violates this section shall be subject to a fine not less than \$30.00 and not more than \$300.00 and the offender may be subject to reimburse the town for any expense incurred by the cleanup of said violation.

Chairman Gahara opened the Public Hearing at 7:35 pm.

D. Hemeon: There is no RSA preventing this. It is difficult to plow roads and then, when people put the snow back in the road, we have to go back and plow again. We also have an issue with people pumping their water into the street causing ice in the roads.

Chairman Gahara close the Public Hearing at 7:38 pm

J. Gorton motioned to adopt the ordinance and add, "pumped water" to the ordinance. Seconded by N. VanScoy.

Roll Call Vote

G. Longfellow	No	J. Gorton	Yes
M. Pischetola	Yes	P. Loiselle	Yes
D. Ross	Yes	D. Boutin	absent
N. VanScoy	No	B. Gahara	Yes
D. Dickson	Yes		

Vote 6:2 motion carries

D. Ross left the meeting at 8:00 pm.

OLD BUSINESS

Quarterly Financial Report

C. Soucie provided a Quarter Financial Report as of December 31st, 2009, which represents the mid year. She stated that the Town's cash flow is in a good position. At the request of Councilor Boutin, State revenues were added to the report.

Warrant Articles

Article W

The police commission for the town of Hooksett shall be appointed by the town council. Such commission shall consist of five persons each of whom shall have been a resident of the town for at least five years next preceding his appointment. This act shall not take effect unless it is adopted by a majority of those present and voting at any annual or special town meeting held in the town of Hooksett. "Shall the provisions of an act entitled "An Act relative to the Hooksett police commission, passed at the 2010 session of the legislature be adopted?"

**J. Gorton motioned to adopt Warrant Article W. Seconded by N. VanScoy
Roll Call Vote unanimously in favor.**

Article K

To see if the Town will vote to authorize the Council to enter into a seven year lease agreement for \$340,000 the purpose of leasing a fire engine for the Fire-Rescue Department, and to raise and appropriate the sum of \$56,712 (Fifty-seven Thousand Six Hundred Twelve Dollars) for the first year's payment for that purpose. This lease agreement contains an escape clause.

Note: Estimated tax increase is \$.04

D. Dickson motioned to remove K from the table. Seconded by J. Gorton.

J. Gorton stated that this was tabled to look into the possibility of using impact fees to purchase the vehicle if we do not replace an engine.

Motion withdrawn

Beauchesne Development Drainage Update

D. Hemeon: Stantec has checked the wells. We can't go forward without a warrant article to fix the problem. We did the initial study and the monitoring wells. Unless we put pipe in the ground or get money from the developer, I have nowhere to go. My estimate to fix the problem is \$547,000 for the lower portion only. This is everything starting at Pleasant View, including crossing Main Street. I think the number is high. There is still about \$17,000 left from what the Council previously authorized for the study. The \$150,000 from S. Sells is gone? The burden would be 100% on the town?

N. VanScoy: What is the timeline?

Dale: The engineers would have to write up a scope of work so probably in the winter and then begin work in the spring ending the beginning of November.

P. Loiselle: There is a million dollars in Planning from impact fee. Can't we use that money to improve the roads?

D. Hemeon: This would upgrade the pipes and the residents would connect at their costs. It isn't good practice to have a house drain to a town drain, so they would need to put in a backflow valve.

N. VanScoy: \$6363 has been spent leaving just under \$17,000 from the study. What would be the cost for a scope study? The engineer stated there were upgrades needed. You mentioned this would need to be done eventually and could be done piece meal. Does it need to be addressed immediately?

D. Hemeon: If I'm going to do it, I may be able to only replace and upgrade pipes to 24". I believe that the area is clay and it doesn't excuse the fact that people are getting more water.

N. VanScoy: Is it that our drains cannot support the water?

D. Hemeon: The drains cannot handle the volume and to do it correctly, you need to change to larger size pipes. If residents don't tie in, we could still have a problem.

P. Loiselle suggested discussing with the homeowner their willingness to tie in to the town drainage.

D. Hemeon estimated the cost for the residents to tie in would be about \$2000 to \$3000.

G. Longfellow asked if we determined whether this was ground water.

D. Hemeon: Our system can't handle the volume of water coming off Granite Hill. If we don't have much rain, it isn't as significant. If we have a dry year, it isn't as bad.

B. Gahara: Are there other neighborhoods that have these problems?

D. Hemeon: There are other neighborhoods with these problems. You need to be prepared to address other areas as well.

N. VanScoy: Does this need to be addressed as continuing maintenance of our infrastructure. Not acting on this specific development or a town wide issue doesn't make it go away. We need to take care of our roads, which includes the infrastructure of our drainage system.

B. Gahara will work with D. Hemeon and C. Granfield to organize a workshop on how to proceed and determine the cost.

Council Rules and Procedures

B. Gahara thanked N. VanScoy for her work in preparing this document.

- Change appointments to 7:00 pm
- Change Non-Public to the end of the meeting, prior to adjournment
- Limit discussion

P. Loiselle motioned accept the Council Rules and Procedures as amended. Seconded by J. Gorton.

Vote unanimously in favor

NEW BUSINESS

Alternative Suspension Program

Bethany Chase gave an overview of the Alternative Suspension Program.

This is for students in grades 6-12 who live in Hooksett. This is a consequence from an offense at school. Manchester doesn't offer internal suspension due to space and staff. If a suspension is given and the student lives in Hooksett, the principal calls and it is discussed if it is appropriate for the student to attend the program. The parents are contacted and the parents have three (3) choices; stay home with the child, leave the child at home alone or attend the program where they will learn life skills, do school work and community service. Many of the students who are suspended are a result of absenteeism and missed detentions. Suspension is ineffective because students get to stay home. A list of offenses was provided. 93% of students who attend the program are High School students and typically there are no more than two (2) students attending at a time. Community Service is a large part of the program. Taxpayers spend a lot to fund education and the students should be giving back to the community.

P. Loiselle: I don't see where the parents take responsibility. If the parents were home, why would we, as the town, take this responsibility?

B. Chase: Some home situations are not ideal and in some cases it is not the best situation for them to be home.

P. Loiselle: I think the town is taking on a liability.

N. VanScoy: You had 670 referrals. What percentage of the referrals took part in the program?

B. Chase: I don't have that information.

N. VanScoy: What are the criteria?

B. Chase: It is on a case-by-case basis. Manchester has a set level system. The average suspension is 1-2 days. They are usually minor offenses.

N. VanScoy: Can they attend the program multiple times?

B. Chase: Yes, but if it is a pattern, we meet and discuss other options.

D. Dickson: How long have the students been at the library?

B. Chase: We have been at the Library for approximately 10 years. I am an employee of the Hooksett School District.

D. Dickson: Of the three (3) schools, there is no space to house this program?

B. Chase: It would not be appropriate or legal to be at the schools. If you are suspended from school, you cannot be on school property. The school is the place of the offense. They need to be removed from that environment and put in a neutral environment. In my opinion, it is not appropriate to be in a school.

D. Dickson: If the Council approves this, what is the out for us if this doesn't work?

B. Chase: We could meet to discuss options. If there is a problem, I want to talk about it.

D. Dickson: I just sit here with a sense that I have a gun to my head. I have letters and this has been at the library for 10 years and now it is up to us to save this program?

B. Chase: Unfortunately, it was beyond our control. We were fortunate to have this meeting today.

B. Berk, School Board member: I can appreciate the fact that you feel pressured. The School Board feels pressure as well. The School Board received a letter from the library asking that the Suspension Program be moved out by Christmas vacation, which was only allowing us two (2) weeks. We asked for more time because the School Board feels strongly about the program. We asked for an extension until February vacation. I think if we asked the library, they would give us a little more time. The library wants to use the space for public business. We need a dedicated space on a daily basis.

P. Loiselle: Has the library worked out well? Isn't it a good environment?

B. Berk: It is a good space and we have had no trouble. As the library grows and the space is utilized more, the issue is they are in a room that is not dedicated space. They can't have a workstation or do projects that are left in the room.

P. Loiselle: The library is a town building. Why can't that space be dedicated for that function?

B. Berk: The School Board is trying to honor the library's request to vacate. The Town hall is an option and we would like a dedicated space in this building.

M. Pischetola: How many are repeat offenders?

B. Chase: A small number are repeat offenders.

M. Pischetola: Have any students had issues with the police? I would be leery if any information got out to them.

B. Chase: They wouldn't have any access to confidential information.

M. Pischetola: I think this is a liability and a security issue.

P. Loiselle: Time is critical. The only way I would entertain this would be for 6-month trial.

B. Berk: The School Board would be acceptable to a 6-month trial.

C. Granfield: I would like to have all the parameters as well as a written agreement even for a 6-month agreement.

P. Loiselle motioned to allow a 6-month trial subject to legal review and written agreement by Town Administrator. Seconded by N. VanScoy.

D. Ross: I can't understand how they can't have more space at two (2) of the school to house this program?

B. Berk: It isn't a space issue; it is an out of school suspension issue.

D. Ross: What about the SAU building?

B. Berk: There is no space even for the SAU staff in that building.

N. VanScoy: We meet again next week. As much as I think this is a good program that beneficial the students, I don't see why it can't wait until next week for a decision. We have letters from parents as well as from the Mary Farwell, Library Trustee to review.

J. Gorton: I agree that we should wait another week and I would like more time to review the information.

Motion withdrawn

C. Granfield will have a written agreement prepared and reviewed by legal counsel for the next Council meeting.

Austin Woods Subdivision – Proposed Speed Limit

Change Speed Limit from 30 to 25

***P. Loiselle motioned to accept the recommendation of the Highway Department and reduce the speed limit from 30 mph to 25 mph on all roads within the Austin Woods subdivision. Seconded by M. Pischetola
Vote unanimously in favor***

Proposed Graffiti Ordinance

P. Loiselle raised this issue at the last Council meeting. Hooksett Ideas also raised the issue. The Police Department has been asking for an ordinance that can be enforced. The Ordinance proposed was copied from Manchester.

***J. Gorton motioned to move forward and prepare an ordinance and schedule a public hearing. Seconded by M. Pischetola
Vote unanimously in favor.***

Vision Statement

The Management Team developed some options for a Vision Statement following a Team Building Program

***N. VanScoy motioned to adopt the Vision Statement "Treasure History, Welcome the Future". Seconded by J. Gorton.
Vote unanimously in favor.***

TOWN ADMINISTRATOR'S REPORT

- Deliberative Session is scheduled for 9:00 am on Saturday, April 3rd of Easter Weekend.
- Code Red is in place and prominently located on our website.
- An Open House will be held at the Safety Center for the public on Saturday, March 27th.
- A press release will be issues for "Hooksett goes Healthy" which will kick off February 1st with 52 employees enrolled.

SUB-COMMITTEE REPORTS

Planning Board – N. VanScoy

- A meeting was held to review the Proposed zoning changes. The major concern was Workforce Housing where the proposed amendment did not proposed developmental details.
- The issue of sidewalks must be addressed.

Park and Rec. Advisory Committee - N. VanScoy

- The committee talks about the need for sidewalks as well. If they do put in a sidewalk, should they paint the crosswalk? Also, the green space requirement and the maintenance issues need to be addressed.
- Bemis Road issue must get resolved.

Town Hall Preservation Committee – N. VanScoy

- They plan to come forward with a proposal to ask the Council to add a warrant article.

Conservation Commission – D. Ross

A celebration was held this week in the Council Chambers for the Clay Pond project and to recognized Steve Couture.

Transfer Station - G. Longfellow

Transfer Committee discussed the withdrawal of two (2) towns from the Coop. Jim Pressure is having difficulty getting the tonnage.

Police Commission - P. Loiselle

The Police Commission cancelled a meeting last week because it wasn't properly posted. This weeks meeting did not have a quorum.

The Board of Assessors – P. Loiselle

92 people claimed they didn't receive the Inventory Forms.

Board of Assessors meeting will be next Wednesday, February 3rd at 5:30 pm.

B. Gahara suggested having a non-public meeting with the Police Commission.

C. Granfield stated that meeting should be in public session.

ADJOURNMENT

Chairman Gahara adjourned the meeting at 9:48 pm.

Respectfully submitted,

Lee Ann Moynihan

Nancy VanScoy
Town Council Secretary