

## Unofficial

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, May 26, 2010**

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

**PRESENT:** David Boutin, David Dickson, James Gorton, Paul Loiselle, George Longfellow, Michael Pischetola (excused), David Ross (arrived at 8:06 pm), Nancy VanScoy, Chairman William Gahara and Carol Granfield (Town Administrator)

#### **PLEDGE OF ALLEGIANCE**

#### **APPROVAL OF MINUTES**

April 21, 2010 – *D. Boutin moved to approve the April 21, 2010 minutes as amended. Motion seconded by P. Loiselle. Motion carried unanimously.*

April 21, 2010 Non-Public – *D. Boutin moved to approve the April 21, 2010 non-public minutes. Motion seconded by P. Loiselle. Motion carried unanimously.*

#### **PUBLIC INPUT**

David Pearl, 79 Main Street: I have a couple of concerns, one, I was wondering if we're going to see the public meeting with the Police Commission regarding the raises. That's been postponed and stalled but we'd like to see that forthcoming. Tuesday night's Police Commission meeting was an embarrassment to this Town to watch one of the Commissioners mock one of the citizens. I filed a complaint against the Chief six months ago. They have not investigated it. It seems the Commission want no part of it. I understand the Town Council has no power over the Police Commission. For the record, I'd like to see something done about this.

Chairman W. Gahara stated the Council has attempted to schedule a workshop with the Police Commission. Unfortunately, for various different reasons, it has to be put off. The Council will schedule a workshop with the new Police Commission sometime in August.

Todd Lizotte, 21 Post Road: I have something to add to Mr. Pearl's comment regarding the Police Commission meeting. I believe that few if any people has responsibility for oversight of the Police Department. (Mr. handed copies of the Hooksett Police Department Administration & Operations Manual (AOM)).

Mr. Lizotte stated that when Commissioner McHugh asked for clarification on how changes were made to the entire AOM, Chief Agrafiotis immediately started taking a legal stance saying that the Commission only has a legal standing on changes in the first chapter. The AOM clearly states "*the Commission has the final authority for all decisions related to the approval, revision or purging of any permanent written directive contained in the Manual*". How can the Police Commission impartially judge patrol officers' conduct if they do not maintain control over the AOM? The Council should seriously consider developing a policy that would ensure at least one Commissioner has experience with Police procedure so the Police Commission can reassert themselves properly.

#### **NOMINATIONS/APPOINTMENTS**

##### Available Board Positions

Zoning Board of Adjustment, alternate member, exp. 6/2010

#### **PRESENTATION**

There was a special presentation for the Town's very first *Good Citizenship Award* to Councilor James Gorton. Councilor Gorton came to assistance for a resident, William Peacock. Councilor Gorton is also a mail carrier and Mr. Peacock's address is on his mail route. He noticed the mail has not been picked up

for a few days and called the Police to check. They found Mr. Peacock unconscious on the floor and brought him to the hospital. Mr. Peacock is currently doing well and recovering.

### **NEW COUNCILORS**

The Council welcomed newly elected Councilors, Vincent Lembo, Jr. and Dan Paradis. Their terms will start on July 1, 2010.

### **SCHEDULED APPOINTMENTS**

#### **Public Hearing re: Acceptance of FEMA Reimbursement**

This is to accept Federal's share in the February 2010 windstorm expenses in the amount of \$14,709.53 or 75% of qualified costs (\$19,612.70) for emergency and cleanup activities. The State will not be reimbursing its share of 12.5% at this time but may decide to at a later date. Total costs to the Town is \$4,903.17 or 25%.

The public hearing was opened.

No comments from the public.

The public hearing was closed.

***P. Loiselle moved to accept Federal and State funds for reimbursement of the February 2010 windstorm under RSA 31:95(b). Motion seconded by D. Boutin. Roll call vote carried unanimously.***

#### **Library Trustees**

Mary Farwell, Library Trustee gave a budget update. The Children's Librarian they hired did not work out. As a result there is money left over from the line item. \$8,844 will be given back to the Town. There were also savings in utility line because of mild winter combined with conservation efforts starting to payoff. Ms. Farwell stated they would like to replace the carpeting in the lower level of the Library. This was installed when the Library was renovated. Projected costs is around \$12,000-13,000 for 14,000 sq. feet. It would be \$1,000 less if the Library rips the old carpeting themselves. They will check if disposal costs are included. Savings may be realized if the Library disposed of the old carpeting.

#### **Market Basket Agreement**

In December, the Planning Board voted unanimously to waive the impact fees in lieu of the Town receiving a one-time cash gift of \$260,963.60 from the developer of the Market Basket project, subject to approval of the Town Council.

***D. Boutin moved to consent and agree to the Memorandum of Understanding between the Town of Hooksett and RMD, Inc./Demoulas Super Market, aka, Market Basket whereby, Market Basket agrees to make a gift in the amount of \$260,963.60 to the Town of Hooksett, which will be earmarked for the roadway improvements as outlined in the Memorandum of Understanding. Motion seconded by J. Gorton. Roll call vote carried unanimously.***

### **OLD BUSINESS**

#### **Estimated Revenues**

At the Council's request, Finance Director Christine Soucie prepared an estimated revenue by end of fiscal year 2009-2010. The total estimated revenue shortfall is \$483,816.

C. Soucie stated revenue shortfall will lower Fund Balance. In May 2009, the Council adopted a Fund Balance policy, which stated a minimum balance of 5% with a target balance of 8% to be achieved over five years. Revenue shortfall resulted from lower Motor Vehicle registration fees, lower Building Permit Fees, lower interests on investments and reduction in State funds.

The Town Administrator has met with all department heads to find funds to make up for the shortfall, restrict spending and keep encumbered funds to a minimum. The Police Department will be able to return about \$300,000 back into Town funds out of Salaries & Wages and Benefits lines. Due to the mild winter, there are also some available funds from the Public Works Department budget.

**NEW BUSINESS**

**FEMA Grant Application**

This is a request for FEMA Grant application to be used to install an emergency generator at the Hooksett Town Hall.

Dan Pike, Emergency Management Director stated that the application was dated back in December. FEMA is now requiring for the Council's approval for all grant applications. If approved, the Town will receive funds in the amount of \$19,937.50 from the federal government. The Town's share is \$5,274.50 and in kind, which includes installation of a concrete pad.

***D. Dickson moved to approve the grant request. Motion seconded by J. Gorton.***

D. Boutin asked where is the additional \$5,274.50 is coming from and what it is for.

C. Granfield stated she will find the funds within the Administration budget and D. Pike stated the funds will be used for additional work to install the generator.

**Roll call vote carried unanimously.**

**Farmers' Market**

As a result of the Planning efforts during the Village Committee project, the idea of establishing a Farmers' Market was discussed.

Jo Ann Duffy, Town Planner stated a Farmers' Market Committee was formed. The Committee received a grant from SNHPC for 20 hours of technical assistance through the CTAP Agricultural Commission. Lion's Club will sponsor the event and will provide insurance. The Police, Fire and Public Works Departments have approved the event. The Town received permission from the American Legion to use their parking lot. The market will be located on Riverside Street near Robie's Store. A portion of Riverside Street will be blocked off. The market will kick-off on July 14<sup>th</sup> and run through September 29<sup>th</sup> from 4-7 pm. This event could ultimately lead to the formation of an Agriculture Commission for the Town of Hooksett. She asked for the Council's support, permission for minimal use of staff time and supplies. Any expenses would come out of the Community Development Budget.

***D. Boutin moved to support the event. Motion seconded by N. VanScoy. Motion carried unanimously.***

**NH Police Standards & Training Council Grant Acceptance**

This is to accept a grant in the amount of \$2,653.73 for Police Field Training & Evaluation and Command Training Series.

***D. Boutin moved to accept the grant in the amount of \$2,653.73 per RSA 31:95-b, III (b). Motion seconded by P. Loiselle. Roll call vote carried unanimously.***

**Ambulance Collection Policy**

The Town has an Ambulance Billing Collection Policy. This policy was placed into effect on 11-21-07. Fire Chief Michael Williams presented an updated version of the policy, which addresses all non-paying patients and allows for a collection process to follow.

***D. Boutin moved to adopt the revised Ambulance Collection Policy effective May 27, 2010. Motion seconded by N. VanScoy. Motion carried unanimously.***

**Fire Engine and Authorization of Impact Fees Purchase**

The Fire Rescue Department requested for approval to utilize the impact fees to purchase a new fire pumper. This pumper will not replace any vehicles but an addition to the fleet. The department received four bids.

Greenwood Emergency Vehicles	\$272,000.00
Ferrara Fire Apparatus	\$288,305.00
Lakes Region Fire Apparatus	\$253,589.00
C&S Specialty	\$256,119.00

Fire Chief Michael Williams recommended approving the bid from Lakes Region Fire Apparatus in the amount of \$253,589. \$200,000 will be taken from the impact fees and \$53,589 will be taken from the Fire Department budget.

***D. Boutin moved to approve the bid from Lakes Region Apparatus in the amount of \$253,589. Motion seconded by N. VanScoy. Roll call vote carried unanimously.***

H1N1 Clinic Reimbursement

The Town received \$1,502.96 for reimbursement of expenses relative to the H1N1 Vaccination Clinic held on January 27, 2010.

***D. Boutin moved to accept reimbursement for the H1N1 Vaccination Clinic in the amount of \$1,502.96 per RSA 31:95-b, III (b). Motion seconded by N. VanScoy. Roll call vote carried unanimously.***

Introduction of Ordinance relative to Property Acquired by Tax Collector's Deed

In accordance with the Town Charter, ordinances must first be introduced. This is a housekeeping measure requested by the Town Legal Counsel.

***D. Boutin moved to schedule a public hearing. Motion seconded by J. Gorton. Motion carried unanimously.***

Verizon Wireless – Release of Security

A five-year security deposit in the amount of \$75,000 was required for the retaining wall. Security was collected on 2/8/05. The account has a balance of \$87,066.40 as of February 2010. Stantec recommended the release of security deposit.

***P. Loiselle moved to release the security deposit in the amount of \$75,000 plus interests. Motion seconded by D. Boutin. Roll call vote carried unanimously.***

MS-2 State Form

The Town is required to complete State Form MS-2.

***N. VanScoy moved to authorize signing of State Form MS-2. Motion seconded by D. Boutin. Roll call vote carried unanimously.***

American Legion Event Request

The American Legion is requesting approval for the Poker Run event to be held on June 5, 2010

***D. Boutin moved to approve the event. Motion seconded by N. VanScoy. Motion carried unanimously.***

Dog Park

Councilor Longfellow brought up the problems with the park. People using foul language and having loud music.

The Town Administrator will speak to the Police Department to monitor the area. This item will also be added to the agenda.

**TOWN ADMINISTRATOR'S REPORT**

1. The tax bills will be mailed out on Tuesday with a due date of July 2<sup>nd</sup>. The first Town newsletter was sent with the tax bill.
2. *Hooksett Goes Healthy* campaign is ending its 4-month program. The final weigh-in for the *Biggest Loser program* is on Wednesday, June 2<sup>nd</sup> followed by a healthy lunch at Public Works.
3. Hooksett was one of 3 communities selected for the NHMA intern program. Other selected communities were Dover and Exeter. The three communities interviewed 4 candidates. The Town selected Barbara Staedmler from UNH's Master of Public Administration program. She is starting on June 9<sup>th</sup> and will work for five months, 20 hours per week. Costs of the program will be shared by LGC, NHMA and the Town. The Town's share is \$2,000.

4. The Town is waiting for approval from DOT for some state-owned areas for the Beautify Hooksett program.
5. Public Works has been working to finish the Martin's Ferry bridge. It should be done by end of this week.
6. The Town is anticipating to receive donations for the Annual Volunteer Dinner. The event will be held on Saturday, June 26<sup>th</sup>.
7. The Town and the School recently talked to brokers and providers to get a better rate for gas and electricity. UMG locked into a lower rate to do both electricity and gas for a year. The School has been with UMG.
8. The Council approved to hold the Annual Employee Appreciation Picnic for Friday, September 10<sup>th</sup>.
9. The Town offices will be closed on Monday, May 31<sup>st</sup> for Memorial Day.

### **SUB-COMMITTEE REPORTS**

#### Parks & Recreation Advisory Board

They met with HYAA. The Board got an overview of what HYAA does.

#### Heritage Day

The event went very well. One of the best held in years. A survey was done on what people would like to do with the old Town Hall.

#### Planning Board

- The CIP expressed a little discouragement for not being able to present what they worked on to the Town Council. There was a request to have a Town Council Representative to the CIP.
- Manchester Sand & Gravel Heads Pond project was extended for another 120 days. Part of the plans involve a park that would be town property and side walks. The Planning Board is looking for directions from the Council whether to require a crosswalk at the end of the sidewalk.
- Poultry Products is interested in taking over Bemis Road. There are questions whether the road belongs to Manchester or Hooksett.

#### Board of Assessors

The Board handled 16 cases.

#### Perambulation

They spent a day to do five different points from Bow all the way to Manchester. Manchester line is still a problem. The marker is gone. The larger community has all the responsibilities for markers. Manchester should be asked to take care of the marker.

Harold Murray stated the line is not only a Town boundary but a County boundary between Hillsborough and Merrimack. It has to be done by a certified surveyor and has to be okayed by the State legislature. A brand new development is being proposed by Manchester along the area in question. This should be straightened out as soon as possible. The one who collects the most taxes is responsible for resolving boundary issues.

D. Ross suggested filing a formal protest to put the development on hold until the boundaries are resolved.

C. Granfield suggested sending a letter to the Mayor's Office of the City of Manchester.

#### Police Commission

- There are still some unresolved issues with residents. Commissioner McHugh stated she will make sure these issues get resolved.
- Some issues with vehicles being turned over to the Fire Department. They asked if there should be transfer of funds whenever a piece of equipment is transferred from one department to another.
- Due to the cut in their budget, the department is looking for ways to generate revenue. They would like to ask the Council if they would consider charging reasonable fees for animal control issues.

Chairman Gahara suggested for the Police Commission to come before the Town Council to present the proposal.

**PUBLIC INPUT**

D. Pearl: I am awfully disappointed to hear that the meeting with the Police Commission was moved to potentially, August. I sat here and saw the outrage about these raises. As a citizen, I was confident that this Council was going to address it. I've contacted the Council about that numerous times. I was assured it was going to happen. What seemingly like an immediate action is now into August. I am very disappointed about that. I think this is something that should be addressed sooner than August. The public has the right to see the outcome of that. The second thing is the Council's discussion of Article 13. It was the Council's warrant article. It was changed and the vote was a tie. I am curious as to what the Council's take is on this.

**NON-PUBLIC SESSION**

***D. Boutin moved at 9:35 pm to enter into non-public session per RSA 91-A:3, II (a), (d) & (e). Motion seconded by P. Loiselle. 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.***

An announcement was made that the Council voted not to divulge the non-public session.

**ADJOURNMENT**

The meeting adjourned at 10:00 pm.

Respectfully submitted by:

Evelyn F. Horn  
Administrative Assistant

Nancy VanScoy  
Town Council Secretary