

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, August 25, 2010

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

ROLL CALL: Chairman William Gahara, David Boutin, James Gorton, Vincent Lembo, James Levesque, George Longfellow, Daniel Paradis, Michael Pischetola, Nancy VanScoy and Carol Granfield (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

August 11, 2010 – *D. Boutin moved to approve the August 11, 2010 minutes as presented. Motion seconded by J. Levesque. Motion carried unanimously.*

PUBLIC INPUT

Jason Hyde, 36 Edgewater Drive: I'm not speaking as a Budget Committee member or on behalf of Cub Scouts. First is the Sign Ordinance, I would ask for the Council to review the ordinance so Cub Scouts, Girl Scouts and other non-profit organizations won't have to ask for a waiver whenever its time to put the signs up.

"Second, during the budget process last year, I had asked for the Town's telephone and cable bills to be looked at to see if we could save some money particularly, on the phone line. Perhaps this could be done before the start of the budget process this year."

J. Hyde also requested for the Council to encourage the Town Administrator and the Police Department to "clean up" (for lack of better words) and change the way it runs. He stated he believes it is top heavy. He added that he sees the Council as the Town's CEO and when the Police Commission does not do their job, it is up to the Council to set it straight.

NOMINATIONS/APPOINTMENTS

Available Board Positions

Heritage Commission – Alternate Member, exp. 6/2012

Planning Board – Alternate Member, exp. 6/2011

Appointment of Tax Collector

Kimberly Blichmann was appointed as Interim Tax Collector. Three candidates (Kimberly Blichmann, Kevin Foss and Elayne Pierson) were interviewed for the position. Liz Dionne, Human Resource Coordinator and the Town Administrator recommended appointing Kimberly Blichmann as Tax Collector.

J. Levesque moved to appoint Kimberly Blichmann as Tax Collector. Motion seconded by D. Boutin. Motion carried unanimously.

Appointment of Deputy Tax Collector

Per RSA 41:38, the Tax Collector shall appoint a Deputy with the approval of the Town Council. The Tax Collector recommended appointing Kevin Foss as Deputy Tax Collector.

V. Lembo moved to appoint Kevin Foss as Deputy Tax Collector. Motion seconded by J. Levesque. Motion carried unanimously.

SCHEDULED APPOINTMENTS

Sustainable Communities Initiative Letter of Support

This was discussed at the last meeting. The Council did not approve sending the letter of support. David Preece, SNHPC CEO requested to attend the meeting and offer some explanation.

D. Preece, SNHPC CEO stated this initiative is the first time that the USDOT, HUD and EPA have come together on a program. The purpose is to improve regional planning efforts to integrate regional housing, transportation, economic development, environment, energy, green space, infrastructure and land use as well as to increase the capacity to improve land use planning and zoning policies. These all go together. The final product of the initiative will be a Regional Plan for sustainable development within the region.

J. Gorton: I'm against this because to me it's just another picture of big brother stepping in. When this was created, the funding available for grants was \$150 million, of which, only \$100 million is going to be made available to communities. What happened to the other \$50 million? I don't know what the sustainable communities initiative is and I don't know what model they are envisioning.

D. Preece: I hear your concerns. This program is costing you nothing. We're just asking for your participation, working with your staff and the Planning Board and getting their input throughout the process. The Master Plan will not be impacted at all and the Town will not be obligated to adopt any plans. 12 (Auburn, Bedford, Candia, Chester, Deerfield, Derry, Goffstown, Londonderry, Manchester, New Boston, Raymond and Weare) out of 13 communities supported the program. Hooksett is the only town that chose not to support the initiative.

D. Boutin asked if this has something to do with the railroad issue.

D. Preece said no.

Richard Marshall, Planning Board: The Planning Board voted unanimously at their last meeting to strongly request that the Council sign and send the letter of support. The board looks at this as another planning tool to be used, not against the Town but for the Town. Our Master Plan still reigns supreme. I'd hate to see Hooksett as the only Town not having a voice in this initiative.

Bill Sirak, HEDC Chair: Mr. Marshall said it well. I would choose the word rather than a tool as a resource. As you know we have an extensive contract with SNHPC on a variety of issues. The Town has very limited resources and SNHPC have been helpful in gathering data. In fact there are some funds available, being a part of this group will serve the Town well. I'm concerned about being the only community that's not involved in it. I don't see the downside but I see an opportunity to work collaboratively with other communities in the region.

D. Paradis stated he does not want Hooksett to miss an opportunity that everyone else in the region is taking advantage of.

Discussion on the matter ensued.

D. Paradis moved to reconsider the vote. Motion seconded by N. VanScoy.

Roll call vote

D. Boutin	No	D. Paradis	Yes		
J. Gorton	No	M. Pischetola	No		
V. Lembo	No	N. VanScoy	Yes		
J. Levesque	No	Chairman W. Gahara	Yes	3-6	<u>Motion failed.</u>
G. Longfellow	No				

D. Boutin moved for further reconsideration. Motion seconded by N. VanScoy

N. VanScoy rescinded her second. Motion seconded by M. Pischetola.

D. Boutin explained the reason for his motion is to make sure the issue does not come up again for discussion.

V. Lembo stated if someone could present something to make him change his vote he'd like an opportunity to change his vote.

D. Boutin withdrew his motion and added that he hopes it does not come up again.

Hooksett Chambers of Commerce

Richard Sullivan, Morgan Drive: We're here to celebrate the arrival of Hooksett Chamber of Commerce. For some months now, a group of people acted as the steering committee. Mr. St. George is an attorney. He helped us organize our application for a non-profit status with the State and federal government. At this point we've been given our status as a non-profit organization.

R. Sullivan introduced the members of the steering committee, Eric Blouin (Program Chairman), Joan Lydon (Secretary), Stacy St. George (Membership Committee). Other members are Barbara Cocci (Cocci Computers), Mike Sorel, Scott Riley (Edward Jones), Heather Shumway (Library Director), Mark Lester, etc. He added that it is the committee's intention to put forth an opportunity for businesses to get together, share information, educate one another and help the community grow. They have adopted a slogan, "*For a Better Hooksett*".

Robert St. George, Barberry Street: The program will really help local businesses thrive. I believe we have 50 charter memberships at \$250 each. We have not established the membership fees, as we are not as viable as we'd like to be at this point.

R. Sullivan presented the non-profit corporation certificate to Chair Gahara.

B. Sirak distributed materials from Greater Manchester Chamber of Commerce (GMCC). He stated that Hooksett Economic Development Committee (HEDC) has formed a subcommittee headed by Tom Barrett to work with GMCC. About 60 people from different local businesses attended the first meeting in April hosted by Cocci Computers. HEDC strongly endorse the development of Hooksett Chamber of Commerce, however, they also recognize limitations and difficulties in organizing such an entity and feel it will be more cost effective and would like to encourage Mr. Sullivan and his group to join their efforts with GMCC. Having two entities will cause confusion in the community. GMCC offered to assist HEDC at no cost. Currently, GMCC has 20 Hooksett members. Membership fees are on a menu basis depending on what type of services to be used. B. Sirak added he hopes the two groups could find a way to work together. This will be discussed at the next HEDC meeting on September 8th.

R. Sullivan: With all due respect to Mr. Sirak, I and several other people have gone to HEDC to express our interest in establishing a Hooksett Chamber of Commerce. For some reason, Mr. Sirak thought it should be approached from a regional point of view and not local. We're not trying to compete with Manchester. We'll work very closely with GMCC as well as Concord. We're trying to strengthen our community. If Bill feels there is a conflict, I don't know where it came from. We're not in opposition with anyone.

OLD BUSINESS

Hawkers & Peddlers Ordinance

A public hearing was held on July 28, 2010. The ordinance was amended to incorporate recommendations and input received at the public hearing.

N. VanScoy moved to adopt the Hawkery and Peddlers Ordinance as amended. Motion seconded by M. Pischetola.

Additional changes were suggested and discussed.

No action was taken. The ordinance will be further revised and presented at the next meeting.

Administrative Code

Per Section 1.2 of the Administrative Code, the document should be reviewed annually at the beginning of each fiscal year.

In addition to various grammatical corrections and other housekeeping items, the Facility Advisory Committee was deleted, as this was a short-term committee and no longer exists.

D. Boutin moved to adopt the Administrative Code as presented. Motion seconded by J. Levesque.

J. Gorton questioned the wordings under Section 4.12, Police Commission.

Discussion on the matter ensued.

No action was taken. The Administrative Code will be revised and presented at the next meeting.

Classification Pay Plan

As a result of the changes and separation of Town Clerk and Tax Collector positions, along with the Deputy Town Clerk and Deputy Tax Collector positions, the Classification Pay Plan must be modified to reflect the positions and salary ranges accurately. The Town Clerk was deleted, as it is an elected position with a stipend of \$5,000.

D. Boutin moved to adopt the amended Classification Pay Plan. Motion seconded by N. VanScoy. Motion carried unanimously.

International Existing Building Code (IEBC)

D. Boutin shared an article he read on the New Hampshire Business Review about communities that adopted the IEBC code. The information should be useful in dealing with the old Town Hall. Adopting the code will give the Town flexibility and it allows for controlled departure from full compliance to technical codes in rehabilitating historical structures. D. Boutin requested for the Town to look into the procedure on adopting the code.

This matter will be discussed at a future Council meeting.

NEW BUSINESS

Quarterly Financial Report

Christine Soucie, Finance Director presented the final unaudited quarterly Financial Report for fiscal year 2009-2010.

The actual operating expenses for the year is at 95% leaving a balance of \$821,000. Total revenue is about 95% of what was projected, \$331,000. The net effect is \$483,000 being added to the fund balance at year-end.

Administration budget was \$8,000 over expended due to the number of current legal issues, change of legal services as well as (\$15,000) unexpected expenses. The Town Hall's electricity expense was not properly budgeted for, which resulted in the Town Buildings line being over expended by \$33,000.

There are two more payments left for the Safety Center bond and three more payments for Exit 10 TIF bond. Exit 10 is paid out of the TIF district and does not come from taxpayers outside the TIF District. Payments are made once a year.

The Town did not receive its State revenue share this year and will not receive it for next year. The State has not paid their share of the FEMA funds.

Reorganization – Town Clerk and Tax Collector Office

Due to the changes with the Town Clerk and Tax Collector positions, a reorganization of the department was necessary. Per Section 10.13 of the Town Charter, a reorganization plan must be prepared by the Town Administrator and presented to the Town Council for approval and adoption.

C. Granfield presented the reorganization plan. The Department Head will now be the Tax Collector who will be overseeing the Clerk, Clerk/Deputy Tax Collector and the Clerk/Deputy Town Clerk. All personnel in the department will be on a 40-hour basis, same as all other departments. The elected position of Town Clerk is now a separate elected position with an annual stipend of \$5,000. The proposed reorganization meets state requirements.

D. Boutin moved to adopt the reorganization plan. Motion seconded by G. Longfellow.

There was a lengthy discussion with regards to the Clerk/Deputy Town Clerk's position being under the supervision of the Tax Collector and appointed by the Town Clerk.

Motion to adopt the reorganization plan carried unanimously.

Acceptance of Donation to the Fire Department

The Fire Department received 18 gift certificates to Robie's Country Store, each valued at \$15 (total \$270) for Station 1 personnel from an anonymous donor.

D. Boutin moved to accept the donation in the amount of \$270 per RSA 31:95-b, III, (b). Motion seconded by J. Levesque. Motion carried unanimously.

Town Council Resolution – September, National Preparedness Month

The resolution was read.

D. Boutin moved to authorize the Chairman to sign the resolution. Motion seconded by V. Lembo. Motion carried unanimously.

DRA Reimbursement Application

C. Granfield explained this is standard procedure and done every year for Bear Brook State Park.

N. VanScoy moved to authorize signing the application for reimbursement. Motion seconded by M. Pischetola. Motion carried unanimously.

Bond Releases

Fairfield Inn Landscape Surety – The Code Enforcement Officer conducted a site visit and is recommending releasing the letter of credit in the amount of \$29,712.

D. Boutin moved to release the letter of credit in the amount of \$29,712. Motion seconded by D. Paradis. Roll call vote carried unanimously.

Granite Hill Storage – The Code Enforcement Officer conducted a site visit and is recommending releasing the cash surety in the amount of \$12,517.94.

D. Boutin moved to release the cash surety in the amount of \$12,517.94. Motion seconded by D. Paradis. Roll call vote carried unanimously.

Harvey Construction/SNHU Dining Hall – Stantec is recommending that the bond in the amount of \$194,976.54 be released.

D. Boutin moved to release the bond in the amount of \$194,976.54. Motion seconded by D. Paradis. Roll call vote carried unanimously.

Hooksett Cub Scouts Recruiting Signs

Jason Hyde and John Danforth, Hooksett Cub Scout 292 requested a sign ordinance waiver to put up recruiting signs around Town, as was done last year.

Chairman Gahara suggested making a carte blanche motion for the future, provided the process stays the same and there are no significant changes with the organization.

D. Boutin moved to grant the request for sign ordinance waiver every year. Motion seconded by J. Gorton. Motion carried unanimously.

TOWN ADMINISTRATOR'S REPORT

C. Granfield advised the Town Council on the following items:

1. Gov. Lynch toured the Waste Water Treatment facility to see how the expansion was proceeding. Stimulus funds were used for the expansion project. The Hooksett facility is first in the country to use the Micro Disk Filter technology. They will have an official opening once the project is completed.
2. She provided the Council with the final Ambulance write-offs before the new collection policy was adopted.
3. The Governor's Council approved the two-year lease extension for the Court House.
4. The Town is in the process of going out for bid on various services/items. The Town received proposals for office supplies. Next to be looked at is custodian supplies and telephone.
5. The Town offices will be closed on Monday September 6th for Labor Day holiday. The Employees picnic will be held on Friday, September 10th. Offices will close at noontime. Notices have been posted.

Chairman Gahara added that for the 3rd year in a row, HYAA will be providing all food and drinks for the Employees' picnic. The Town Council thanked HYAA.

6. The Town is looking into enhancing the Town's website.
7. Various activities are being planned for National Preparedness Month throughout the month of September. Barbara Stadtmiller, Intern is working with Dan Pike, Emergency Management Director.

N. VanScoy requested for an update on Stantec's report on the Beauchesne's Development water issue.

SUB-COMMITTEE REPORTS

Parks & Recreation Advisory Board

1. Trails update will start next month. The \$25,000 grant money will be used.
2. The board will work on organizing the parking arrangement at the Dog Park. Dog Park visitors are interfering with the Rowing Club.
3. Mike Horne resigned as Chair and agreed to stay on as an active member of the board. Marty Lennon took over as Chair.
4. The board also discussed the possibilities of turning the land behind the 99 Restaurant into a park.

School Board

The board is working on setting the meeting schedule for the year.

Police Commission

1. Copies of recent hearings and decisions with regards to interpreting RSA 91 were distributed to members. The Attorney General's Office updated the memorandum on the Right-to-Know Law. This went into effect on July 15th.
2. The board had discussions on review of manifest, spending authorities, scheduling, use of vehicles, etc.

BOA

The board met this evening and hopefully, prevented some issues from going to court.

Recycling & Transfer Advisory Board

More discussions on the single stream recycling system.

Town Hall Preservation Committee

The board had a very productive meeting. The Facility Advisory Committee's report was very useful and provided the board with directions on how to proceed. Barbara Stadtmiller provided some information from the Attorney General's viewpoint. The board will meet twice a month for the next couple of months to get more accomplished before the holidays.

Planning Board

1. An auto parts store is looking to move into where the furniture store used to be. Merchants Motors, the owner, will lease the property and looking to remove the restaurant portion of the building. The Planning Board expressed concerns about existing water issues in the area. They thought it should be less pointed at the lessor and more on the lessee. The number of parking spots will be lower and smaller than required on the current code. RK Plaza is also concerned about parking issues. The board will agree with the business moving into the property. There may be issues between the two property owners that could prevent this from happening.
2. The Southern New Hampshire Operations Center was approved.
3. N. VanScoy will give an overview of what the Aesthetic Committee was charged with.

Old Home Day

Old Home Day is Saturday, September 25th.

PUBLIC INPUT

J. Hyde asked how the Hawkers & Peddlers ordinance came up.

C. Granfield explained that the Town does not have an existing ordinance on Hawkers & Peddlers.

J. Hyde: It's probably a good thing that we don't have one. It will encourage businesses to come here. If you are talking about Aesthetics Committee, consider abolishing it. This is one more thing to slow businesses down. The more friendly we make this Town to work with, the easier we make it, the less regulation, the less fees, the more businesses will come into Town.

J. Levesque stated that the ordinance is designed for the protection of the community.

NON-PUBLIC SESSION

D. Boutin moved 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." and (e) "Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph."

Motion seconded by M. Pischetola. Roll call vote carried unanimously.

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

The Town Council announced that they voted not to divulge the minutes of the non-public session.

ADJOURNMENT

The meeting adjourned at 9:45 pm.

Respectfully submitted by,

Evelyn F. Horn
Administrative Assistant

Vincent Lembo, Jr.
Town Council Secretary