

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, September 8, 2010**

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

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

#### **PLEDGE OF ALLEGIANCE**

#### **APPROVAL OF MINUTES**

August 25, 2010 – *D. Boutin moved to approve the August 25, 2010 minutes as amended. Motion seconded by J. Gorton. Motion carried unanimously.*

August 25, 2010 Non-Public – *N. VanScoy moved to approve the August 25, 2010 non-public minutes. Motion seconded by D. Boutin. Motion carried unanimously.*

Chair Gahara stated recent public input has become out of hand. He reminded everyone that public input is 15 minutes long and each person will be allowed to speak for no more than 5 minutes. He asked everyone to be polite and civil. No back and forth comments will be allowed. He added anyone who has an item to bring up can always call his/her Councilors. It is not necessary to wait for a Council meeting.

#### **PUBLIC INPUT**

David Dickson, 15 Autumn Run: I am here to support the single stream recycling. 18 to 20 months ago, when I was the Chair of this board, the Council approved for the department to look into the process. We also talked about what a great educational tool this would be. Voluntary recycling would increase because of the ease of the new process. It is a nice big step for Hooksett to get behind this and move forth.

Jodi Pinard, 11 Morningside Drive: I also would like to express my support for the single stream recycling. I also recycle. It's very time consuming to separate all recyclables. This will make recycling so much faster and easier. I urge you to support this and move forward.

#### **NOMINATIONS/APPOINTMENTS**

##### Available Board Positions

Heritage Commission – Alternate Member, exp. 6/2012

Planning Board – Alternate Member, exp. 6/2011

*D. Boutin nominated Tom Walsh to the Planning Board as an alternate member, exp. 6/2011.*

##### CIP Council Rep

C. Granfield informed the Council a CIP Council Rep will have to be appointed at the next meeting on September 22<sup>nd</sup>. This is one of the items the CIP board requested last year. Their first meeting is Wednesday, Oct. 20<sup>th</sup> and every Tuesday, thereafter.

#### **SCHEDULED APPOINTMENTS**

##### Historical Society Update

James Sullivan, President: I am the President of Hooksett Historical Society. This is my 2<sup>nd</sup> year as President of the organization. I appreciate the opportunity to give an update after two years. We are

attempting to reinvigorate the interest in Hooksett's 188 years history. Historical Society was established in 1974. We have taken great steps in bringing back the Historical Society, specifically, public awareness and public education.

J. Sullivan talked about the organization's recent activities and artifacts acquisition. He added the Historical Society would like to encourage the Council to preserve the Old Town Hall building as a town building. He asked for the Council's support on Historical Society's nomination for Public Education/Public Programs award.

The Historical Society has a collection of Town Reports from 1822. J. Sullivan commented on this year's Town Report and suggested for all departments to add a little more detail and information on their reports to help for future historical research.

***D. Boutin moved to approve the letter of support. Motion seconded by V. Lembo. Motion carried unanimously.***

### **OLD BUSINESS**

#### **Single Stream Recycling**

In February 2009, the Council voted to send a letter of intent to the Concord Regional Solid Waste/Resource Recovery Cooperative (the Concord Coop) regarding a single stream recycling facility. The economy has impacted solid waste and recycling and the facility has been slow to get the amount of tonnage needed for a commitment.

Diane Boyce, Recycling & Transfer Superintendent stated the facility has received the committed tonnage and will be looking for Hooksett to officially sign on to be a Recycling Facility Associate Member (RFAM). There are 27 communities that are Coop members that got together 20 years ago and 17 communities that are seeking to be RFAM members. Single stream recycling will make recycling a lot easier and will encourage more people to recycle. This will make a huge impact on the Town and will save money on disposal fees. The Town will still get the revenue from metals.

C. Granfield stated the agreement has been reviewed by the Town's legal counsel as well as Goffstown's legal counsel.

G. Longfellow stated the Coop is assuming all members will sign in. It's a 15-year contract, 60 pages long. On page 33, it states the only way the Town can get out of the contract is if the recycling tipping fee reaches 90% of the going rate for trash.

D. Boyce: That wouldn't be our going rate, either. That would be the Coop's going rate, which is less than what we have right now. The Coop rate is always going to be less than what the Town is paying right now. I don't think there is anything on the contract that we should be worried about. I am so positive that this is going to work.

Merrill Johnson, Recycling and Transfer Advisory Board member stated that most members of the board are in favor of the system. If the Coop doesn't get enough population, the facility will not be build. Trash will still have to be hauled to a different facility.

N. VanScoy stated she took time researching and looked at EcoMaine, Maine's Coop Recycling facility. Out of the towns that went to single stream recycling in 2007, every town except one saw an increase in voluntary recycling. Recycling helps reduce the disposal fees and tipping fees. Study shows more people are likely to recycle with single stream recycling.

A lengthy discussion on the matter ensued.

***N. VanScoy moved to approve the contract. Motion seconded by J. Gorton.***

George urged the Council not to vote for the contract. It is a 15 years contract. They have to pay back \$15 million.

**Roll call vote**

|               |     |                    |     |     |                               |
|---------------|-----|--------------------|-----|-----|-------------------------------|
| D. Boutin     | Yes | D. Paradis         | Yes |     |                               |
| J. Gorton     | Yes | M. Pischetola      | No  |     |                               |
| V. Lembo      | Yes | N. VanScoy         | Yes |     |                               |
| J. Levesque   | Yes | Chairman W. Gahara | Yes | 7-2 | <b><u>Motion carried.</u></b> |
| G. Longfellow | No  |                    |     |     |                               |

**Legislative Policy**

At a prior Council meeting, the Council voted on various proposed policies. Additional floor policies for the NHMA Legislative process were received. The Council voted on the proposed policies. (Attached)

**Fire Station**

A Fire Station study was conducted and presented to the Town Council recommending the best option to address growth and community needs would be to co-locate with the City of Manchester. At the July 28<sup>th</sup> Town Council meeting, the Council voted to provide guidance to keep the two stations. A letter was drafted to be sent to the City of Manchester advising them the Town does not wish to proceed with a joint station at this time.

The whole process with Arleigh Greene will have to be reopened. He has a buyer for the property who was advised of the potential issues.

***D. Boutin moved to authorize the Chair to sign the letter and send it to the City of Manchester. Motion seconded by G. Longfellow.***

V. Lembo asked for a clarification on Councilor Boutin's previous motion to provide guidance for the Town to have only two stations. (See 7/28/10 Council Minutes.)

C. Granfield explained that the motion does not restrict the Fire Chief from adding this item as a warrant article.

**Motion carried unanimously.**

**Hawkers and Peddlers Ordinance**

The amended ordinance was presented to the Council.

D. Boutin suggested deleting "Vendor" from Section 8 and replacing it with "Hawkers & Peddlers".

***M. Pischetola moved to adopt the ordinance as amended effective immediately. Motion seconded by N. VanScoy. Motion carried with D. Boutin opposed.***

D. Boutin explained the reason he is opposed to the ordinance is that he believes the Town Administrator should not be involved with the process. She has far more pressing items to deal with.

C, Granfield stated the ordinance states, "Town Administrator or his/her designee", and she plans on designating the Code Enforcing Officer.

**Administrative Code**

The amended document was presented to the Council. (See file.)

***D. Boutin moved to adopt the Administrative Code as presented. Motion seconded by N. VanScoy.***

G. Longfellow suggested adding, "amending the district within 2 yrs of the census", under Section 4.15 Supervisor of the Checklist.

***The motion was amended.***

**Motion carried unanimously.**

D. Boutin asked for an update on his request to adopt the IEBC (International Existing Building Code) code.

C. Granfield stated this item will be on the agenda for September 22<sup>nd</sup>.

**NEW BUSINESS**

**Budget Guidance**

C. Granfield explained this year, the Town will hold a kick off meeting with all the departments to start the 2011-2012 budget season. The Town Council usually provides guidance for the departments to follow.

Christine Soucie, Finance Director provided some information for the Council to consider. There are 4 major challenges this year. (1) The Town's revenue continues to decline, mainly due to the economy. (2) It is uncertain whether the State will distribute the Town revenue for this year. The State pays for 25% of NH retirement and the Town pays 75%. It is projected that the State will revert back to 35-65. (3) Health insurance is projected to have 10% increase and (4) deferred maintenance of the Safety Center and paving of town roads.

M. Pischetola commented that IT should be a priority.

C. Granfield stated an IT specialist will present a recommendation to the Council.

***D. Boutin moved to provide a budget guidance of \$0.10 (\$145,000 on the Town budget) decrease on tax rate . Motion seconded by N. VanScoy.***

D. Boutin explained the recession is far from over. The Town will have to do everything it can to lower the taxes. The Town needs to show fiscal restraint in a responsible way.

C. Granfield stated some services may have to be cut down. There will be a decrease in revenue and increase in health insurance and other items.

G. Longfellow stated there are too many unknown factors to set a goal of \$0.10 decrease on tax rate.

***D. Boutin amended his motion to 1% decrease in budget. Motion seconded by N. VanScoy.***

Discussion on the matter ensued.

**Roll call vote on the motion to give a general guidance of 1% decrease in budget carried unanimously.**

***D. Boutin moved to add "no increases in fees". Motion seconded by . Motion carried unanimously.***

Chair Gahara suggested advising the School Department to follow the same budget guidance.

**Investment Policy**

C. Soucie stated the Town's current Investment Policy was adopted on September 9, 2009. Per RSA 41:29, the policy should be reviewed at least once a year. The Town Treasurer recommended the following updates to the policy:

**Section VII. Maturity and Diversification:**

- 1) Limit all investments to a maximum of 180 days. This change is restricting the length of any one investment for one year to 6 months to mirror the cash inflows from tax collections.
- 2) Increase percentage of total portfolio in one financial institution from 75% to 80%. All investments are required to have secured collateral, by increasing the percentage it allows for an increase in investment returns.

**Section X. Safekeeping and Collateralization:**

- 3) add "over the FDIC limits". Collateralization is not required if amounts invested are under the FDIC limits.
- 4) Add "A Certificate of Insurance is not considered to be adequate collateralization." Certificates of Insurances are less secure than other types of collateralization.

The Independent Auditors have reviewed this policy and found no issue with these recommendations.

***D. Boutin moved to adopt the amended Investment Policy as presented. Motion seconded by G. Longfellow. Motion carried unanimously.***

Cash Receipt Policy

The Cash Receipt Policy was adopted on March 12, 2008. The policy has to be amended

Christine Soucie, Finance Director presented the following revision to the policy.

**Section 2. Regular Deposit Procedures**

- 1) Change "insure" to "ensure"
- 2) Increase the minimum amount needed to be deposited to the Finance Office from \$500.00 to \$1,500.00 per RSA 41:29 VII. This RSA was amended in 2009.

**Section 4. Petty Cash Procedures**

- 3) Remove "prior to the second working day of the month". This language is too restrictive for the department operations.

**Section 8. Policy Approval/Amendments**

- 4) Add this section

***D. Boutin moved to adopt the amended Cash Receipt Policy as presented. Motion seconded by M. Pischetola. Motion carried unanimously.***

School Impact Fees

The Town collects school impact fees at the time the Town issues occupancy permits. These fees are collected in order to offset the cost of growth for the new developments.

Each year at this time, the Town transfers the fees collected during the year to the School District to offset the cost of the new middle school and renovations at Memorial School. In 2003, these two projects were funded with a 20-year bond and it was determined they met the criteria for impact fees use.

C. Soucie recommended transferring \$55,000 to the School District at this time.

***D. Boutin moved to transfer \$55,000 from the School Impact Fee Special Revenue Fund to the School District. Motion seconded by N. VanScoy. Motion carried unanimously.***

Right-of-way Request – Corriveau Drive

The request with withdrawn.

Library Water System – Emergency Request

C. Granfield stated this is primarily to advise the Council of the issue, no need for Council action.

The Town was contacted by Mt. St. Mary's Apartments regarding an asbestos abatement program that will impact water services for both the Public Library and the Little Angels Day Care for a period of 4-6 weeks. The Town Administrator has reviewed the agreement between the Town and Mt. St. Mary's. Mt. St. Mary's is not required to provide water to the Library, just an easement. The Town is not required to provide water to businesses. The Village Water Precinct has been assisting the Town with evaluating the situation. They do not own the water lines. The Council does not need to take action to allocate funds. The funds will come from the Building Maintenance line item. It is possible for the Library to remain open on a limited basis with porta potties.

Dale Hemeon, PW Director: The pipes are 100 years old and runs through a tunnel full of asbestos. If it breaks in the middle of winter, it will be a big problem. I'd rather work on it now. If everything goes smooth, it'll cost about \$73,000, without hitting a ledge. The Council has to make a decision which way to go. To fix it right and do it right now would cost between \$60,000-\$73,000. I can't predict what's in the ground. Hopefully, I can get it done in less than a month. Our goal is not to shut down the Library and the Day Care and have it done before the asbestos abatement starts.

Barry Neville, Little Angels Day Care owner: I own Little Angels Daycare but my home is also behind the daycare. Our family home will also be affected. It sounds like we're going to be asked to pay for the work. We do not have the funds to be able to pay. And if we do pay, are we going to be responsible for whatever happens down the road?

D. Boutin: We have a moral obligation to find a way to help this business owner. We have a property owner in this Town and distressed. We need to find a solution. He needs about 4-6 weeks to get by. That's what I recommend.

D. Hemeon: My obligation is to take care of the town building. I would recommend taking care of the Library building. From the water main to the Library is about 650 feet, to Mr. Neville's property is another 400 feet. Mr. Neville will still have to take care of the lines going into his property and his home. Mt. St. Mary's will still have water from another source when the valve is shut off.

Joe Hebert, Village Water Precinct stated the Village Water has only provided water in that area for the last 13 years. It was always fed from a low-pressure water main. All Village Water services are high-pressure water lines. The old pipes will not be able to handle the pressure. The problem is how to supply water to the Library, Day care and Mr. Neville's home without blowing the pipeline apart.

***J. Gorton moved to authorize D. Hemeon to do the necessary work for the Library and to start discussion with Mr. Neville, the Village Water Precinct, and any and all necessary Town officials to come up with an amicable agreement for the Daycare. Motion seconded by J. Levesque. Motion carried.***

Chair Gahara suggested getting everyone together by Tuesday, September 14<sup>th</sup>.

#### Charter Review Committee

C. Granfield recommended updating the Town Charter and forming a Charter Review Committee.

***N. VanScoy moved to form the Charter Review Committee. Motion seconded by J. Gorton. Motion carried.***

#### Bond Release - Proctor Road Subdivision

A maintenance bond was put into place in 1999. The project has been completed for some time. D. Hemeon recommended releasing the bond in the amount of \$18,865.80.

***N. VanScoy moved to release the maintenance bond in the amount of \$18,865.80. Motion seconded by D. Paradis. Roll call vote carried.***

#### Bond Reduction - University Heights

A letter of credit was issued on July 9, 2010 in the amount of \$230,800. D. Hemeon recommended reducing the letter of credit to \$190,090.

***N. VanScoy moved to reduce the letter of credit from \$230,800 to \$190,090. Motion seconded by D. Paradis. Roll call vote carried.***

### **TOWN ADMINISTRATOR'S REPORT**

C. Granfield informed the Council on the following:

1. Employee Appreciation Picnic will be held on Friday, September 10<sup>th</sup>. The Town offices will close at noon. *Hooksett Goes Healthy* program was featured in the National League of Cities. The Town has been receiving calls from communities around the country.
2. The signs were installed at Main Street for "No Thru Trucking, 26,000 lbs limit". The Police Department has been notified.
3. Workshop with the Planning Board may be scheduled at the next Council meeting. The Planning Board will discuss this item at their next meeting on September 13<sup>th</sup>.

### **SUB-COMMITTEE REPORTS**

#### School Board

- Setting up sub-committees.
- Discussion on tuition paid for Hooksett High School Students.

#### Police Commission

- Discussion on scheduling, staffing, lack thereof, assigned vehicles.
- Rescinded a previously issued mandate to staff what the department referred to as, 2+1 level, 24/7. They did not get enough volunteers for overtime. The mandate was lifted and the department is back to scheduling necessary staff for security of the Town.

#### Town Hall Preservation

N. VanScoy requested to add the two openings on the agenda for Town Hall Preservation Committee.

#### Planning Board

The board has not met since the last meeting. N. VanScoy sent some information on Aesthetics Committee to all Councilors for their review. This will be discussed at the next Planning Board meeting.

N. VanScoy requested to add the Animal Control officer on the agenda.

### **PUBLIC INPUT**

Marc Miville, 42 Main Street: In your discussion on budget guidance, was there a recommendation for warrant articles?

C. Granfield stated the Council did not take any action on the item.

M. Miville informed the Council the first Budget Committee meeting for the year is Thursday, September 9<sup>th</sup>. He pointed out a correction on the Police Commission report, the department is going from 3+1 (3 cruisers to 1 officer) to 2+1.

### **NON-PUBLIC SESSION**

***N. VanScoy moved at 10:25 pm to enter into a 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, if based on inability to pay or poverty of the applicant."***

***Motion seconded by J. Levesque. Roll call vote carried unanimously.***

***N. VanScoy moved at 10:43 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 the non-public session.

**ADJOURNMENT**

The meeting adjourned at 10:45 pm.

Respectfully submitted by,

Evelyn F. Horn  
Administrative Assistant

Vincent F. Lembo, Jr.  
Town Council Secretary