

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, October 13, 2010**

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

**PRESENT:** David Boutin (arrived at 6:45 pm), James Gorton, Vincent Lembo, Jr., James Levesque, George Longfellow, Daniel Paradis, Michael Pischetola (excused), Nancy VanScoy, Chairman William Gahara and Carol Granfield (Town Administrator)

#### **PLEDGE OF ALLEGIANCE**

#### **ANNOUNCEMENT**

The first meeting of the newly formed Hooksett Chamber of Commerce was held tonight. The Council Chair and Town Administrator attended the event. Chair Gahara encouraged all Councilors to attend future events to follow.

#### **APPROVAL OF MINUTES**

September 22, 2010 – *N. VanScoy moved to approve the September 22, 2010 minutes as amended. Motion seconded by D. Paradis. Motion carried.*

#### **NOMINATIONS/APPOINTMENTS**

##### Available Board Positions

Heritage Commission – Alternate Member, exp. 6/2012

Town Hall Preservation Committee

Charter Review Committee

***J. Gorton nominated Richard Bairam to the Charter Review Committee.***

##### Budget Committee Town Council Representative

Councilors Boutin (Town) and Lembo (School) were both appointed as Town Council representatives to the Budget Committee. Per RSA, the Town Council must have a representative to the Budget Committee. In order to divide the responsibility, the Council, a few years ago decided to appoint two representatives to the Budget Committee, one for the Town budget and another for the School budget. A constituent expressed concerns about the Council having two representatives to the Budget Committee. C. Granfield stated having two representatives is not in violation of the RSA but the Council could only have one vote.

Councilor Boutin stated he could only commit to either Town or School but not both.

Discussion on the matter ensued.

***N. VanScoy moved to appoint Councilor Lembo as Budget Committee Representative. Motion seconded by G. Longfellow. Motion carried.***

#### **SCHEDULED APPOINTMENTS**

No scheduled appointments.

#### **OLD BUSINESS**

Sidewalks

At the October 6<sup>th</sup> workshop between the Town Council and Planning Board, the Town Council voted (4-1) to start Sidewalks CIP Fund. It was later determined the vote was invalid as there were only 5 votes and at least 6 votes are required for any action.

C. Granfield was asked to check into legal liabilities pertaining to sidewalks. She learned from consulting with LGC Legal advisors that the Town is responsible for maintaining the existing Town sidewalks. She also spoke with the Town of Tilton. Tilton has adopted a sidewalk policy, which lists sidewalks in priority order. Many communities are putting painted walkways in lieu of sidewalks. C. Granfield added the Town could implement a policy on sidewalks. She added that in the State of NH, residents couldn't be required to clear sidewalks.

G. Longfellow stated this is another added expense, which is not in line with the Council's decision to decrease the budget by 1%.

N. VanScoy explained the Planning Board needs guidance whether the Town should continue to require subdivisions to provide sidewalks or not. She agreed with the Town Administrator's suggestion to implement a policy.

D. Boutin stated the general consensus among residents he spoke with is not in favor of sidewalks.

Discussion on the matter ensued.

***N. VanScoy moved to instruct Parks and Recreation Advisory Committee to work with Hooksett Kiwanis to come up with an alternative to traditional sidewalks. Motion seconded by D. Paradis.***

**Roll call vote**

D. Boutin	No	G. Longfellow	No		
J. Gorton	Yes	D. Paradis	Yes		
V. Lembo	Yes	N. VanScoy	Yes		
J. Levesque	Yes	Chairman W. Gahara	Yes	6-2	<b><u>Motion carried.</u></b>

***D. Boutin moved to recommend to the Planning Board not to require sidewalks. Motion seconded by G. Longfellow.***

**Roll call vote**

D. Boutin	Yes	G. Longfellow	Yes		
J. Gorton	Yes	D. Paradis	Yes		
V. Lembo	Yes	N. VanScoy	No		
J. Levesque	Yes	Chairman W. Gahara	Yes	7-1	<b><u>Motion carried.</u></b>

**NEW BUSINESS**

**Tax Rate**

The Town has \$1.5 million (3.72%) in Unreserved General Fund Balance as of June 30, 2010. The Town's policy is to maintain a minimum of 5% for emergencies and economic downturns. The Fund Balance is normally used to reduce the tax rate. The estimated tax rate for 2010 is \$21.88.

Christine Soucie, Finance Director does not recommend lowering the Fund Balance below \$1.2 million (3%) to reduce the 2010 tax rate. Using \$300,000 of the Fund Balance would reduce the tax rate to \$21.69. She provided other options to the Council.

***D. Boutin moved to use \$300,000 of Unreserved General Fund Balance to reduce the 2010 tax rate. Motion seconded by G. Longfellow.***

**Roll call vote**

D. Boutin	Yes	G. Longfellow	No		
J. Gorton	Yes	D. Paradis	Yes		

V. Lembo	Yes	N. VanScoy	No		
J. Levesque	Yes	Chairman W. Gahara	Yes	6-2	<b><u>Motion carried.</u></b>

Animal Control Discussion

Councilor VanScoy received some concerns from constituents regarding Animal Control.

Lt. Leslie McDaniel stated the Police Department used to have a full-time Animal Control/Community Service Officer. In addition to animal control issues, the duties included checking on the elderly, moving vehicles, maintaining business emergency contacts, tracking licenses, etc. This freed up sworn officers from performing non-essential tasks. The last Officer who held the position retired a few years ago (2005/2006) and the Police Department has not been able to fill the position since. The Police Department continued to take care of animal control issues.

Discussion on the matter ensued.

***G. Longfellow moved to put the position back into the Police Department budget. Motion seconded by V. Lembo. Motion failed.***

Bond Releases

99 Restaurant Landscaping Bond - \$16,954.00

***D. Boutin moved to release the bond. Motion seconded by J. Gorton. Roll call vote carried unanimously.***

PSNH (North Branch Construction) - \$100,080.90

***D. Boutin moved to release the bond. Motion seconded by N. VanScoy. Roll call vote carried. V. Lembo recused himself due to his employment with PSNH.***

Back-Up Ambulance

G. Longfellow commented he has seen Rockingham Ambulance in Town twice, recently. The Town should be using Tri-Town Ambulance for back up. The Town Administrator will check with the Fire Department.

**TOWN ADMINISTRATOR'S REPORT**

C. Granfield updated the Council on the following:

1. Parks & Recreation is having the Town's 1<sup>st</sup> "Haunted Trails" on Friday, October 29<sup>th</sup>, from 6 until 8 pm at Donati Park. The event is free to the public. Trick and Treat is Sunday, October 31<sup>st</sup> from 6 until 8 pm.
2. Barbara Stadtmiller, Intern has been working with Emergency Management on putting together (30) Emergency Kits to be distributed to selected Food Pantry recipients. Hannaford Supermarket raised a total of \$475 towards the kits.

The Council thanked Hannaford Supermarket for coordinating the fund drive.

3. The Town is working with Cawley Middle School Social Studies group to start a Government Learning program. The school requested to have a Council meeting at school during the day for students to observe. 25 students will be selected to come to the Town Hall and have a mock Council meeting.
4. The Town's 2<sup>nd</sup> newsletter will be sent out with the tax bills.
5. The Town is in the process of revamping its website. The new website will go live in January.
6. The streetlights at the intersection of Merrimack Street, Connector Road and Main Street should be installed in the next 5-10 working days.

7. The Town Administrator will be away next week to attend ICMA conference. She will be available via e-mail and/or cell phone. Christine Soucie will be the Acting Town Administrator in her absence.

### **SUB-COMMITTEE REPORTS**

#### Planning Board

- More discussion on sidewalks.
- Auto Zone was approved.

#### Town Hall Preservation Committee

Currently doing the survey.

#### Perambulation

- Perambulations with the towns of Dunbarton and Goffstown were filed with the State.
- Currently working on City of Manchester perambulation. The Town Administrator will update the Council.

#### Police Commission

Staffing, scheduling, check manifests were discussed.

#### ZBA

- Burl Land Clearing scheduled a site walk for January 11, 2011.
- A resident on Sterling Avenue moved a shed to install a swimming pool without a permit. The shed was moved over the property line to an open space. The applicant asked for a variance for a 10-foot set back. He didn't show up at the meeting, twice. The board voted for the shed to be moved.

#### Economic Development Committee

There are two available positions on the committee.

### **PUBLIC INPUT**

Todd Lizotte, 21 Post Road: I'm shocked that Police is called to deal with animal issues. The Town could consider posting local Pest Control businesses on the website and property owners could call them. The Town Clerk could remind residents to pay dog licenses due when they come in to register vehicles. Another suggestion is to check into utilizing free veterinarian care with Animal Hospital interns. I've checked into Police calls for the last couple of months and did not find one animal issue. Maybe these calls are not logged.

### **NON-PUBLIC SESSION**

#### ***N. VanScoy moved at 8:45 pm to enter into a non-public session per:***

1. ***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."
2. ***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."
3. ***RSA 91-A:3, II. (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 J. Gorton. Roll call vote carried unanimously.***

***J. Levesque moved at 9:50 pm to exit the non-public session. Motion seconded by V. Lembo.  
Roll call vote carried unanimously.***

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

**ADJOURNMENT**

The meeting adjourned at 9:52 pm.

Respectfully submitted by,

Evelyn F. Horn  
Administrative Assistant

Vincent Lembo, Jr.  
Town Council Secretary