

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, April 20, 2011

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

PRESENT: Vincent Lembo, James Levesque, George Longfellow, Daniel Paradis, Michael Pischetola, Nancy VanScoy, Carol Granfield (Town Administrator) and Chair Bill Gahara

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

April 13, 2011 – *N. VanScoy moved to approve the April 13, 2011 minutes as presented. Motion seconded by M. Pischetola. Motion carried.* G. Longfellow abstained, not present at the meeting.

March 23, 2011 – *M. Pischetola moved to approve the March 23, 2011 as amended. Motion seconded by V. Lembo.*

J. Levesque: These were the minutes I thought we should have more detailed after people came up to say the minutes were not detailed enough to say what's going on. To get the whole gist of everything that was said. I don't think what was said about Mr. Boutin really transcribes what was actually said and what happened. I'd like that to be added.

N. VanScoy: I would like to know why my statement is of so much importance when there are many other statements at this meeting and other meetings. I am asking the Chair why my particular comments are of so much interest that they deserve twice asking for the minutes to be changed. We've had many discussions around here and we do not write word for word. There are many things that should have been written word for word so our constituents would understand how each of us serves them but I do seem to be being picked on in here for this particular statement. I have no problem presenting what I said that night. I have the written words. I just do not understand why those particular statements are drawing so much attention. Thank you.

Chair Gahara: I can't comment to that. When we do the minutes, I leave it up to the Councilors to add or make corrections that they want.

J. Levesque: I'm not picking on a fellow Councilor. I think all minutes starting with this one should be in detail. It just happened, I started with this one. It's not detailed enough. We've been told many times by citizens that we don't have enough details on our minutes. I apologize to my fellow Councilor but I'm not picking on her.

N. VanScoy: I would ask that we vote and we do not table this and change them again. It was changed once. That's how I feel. I have never once asked for someone else's statements to be changed in the minutes. I look at my statements and make sure they accurately represent what I said. I don't understand why twice my words have been used as an example of what's wrong with the minutes. Thank you.

Chairman Gahara: So we have an amendment requested. Anything else at this point? Any other changes?

J. Levesque: As I said I wasn't picking on anyone in particular. Councilor Longfellow said more also at that time. I think all minutes down the road now should be very detailed.

Chair Gahara: The motion being voted on is to accept the minutes as amended and additional amendments suggested.

N. VanScoy: I would ask for clarification. Is he asking for word for word, similar to the Planning Board minutes? That's what's being requested of Evelyn.

J. Levesque: The Planning Board minutes are very detailed. You can read and understand what happened at the Planning Board without being there. I think the Town Council should be the same way. I think all the boards in town should be that way.

N. VanScoy: If I may, I certainly have no problem with minutes being as detailed as they want to be. I would question why we then just approve the minutes of April 13th which were not detailed. Why my fellow Councilor was not as concerned with details with the last minutes? Thank you.

Chair Gahara: At this point, your remarks are on record. We have an amendment. Let's put strict clarity out there. The clarity is this... the amendment – that you're looking for is basically a full transcription from the tape.

J. Levesque: Yes, every detail. What many people asked us to do.

Chair Gahara: So everybody's clear now on what you're voting on?

G. Longfellow: I'm not sure.

Chair Gahara: Ok. One more time. There's an amendment that was given asking for more detail on Councilor VanScoy's and Councilor Longfellow's discussions and under Public Input. Basically, we're going back and have it written verbatim to the tape. That's the amendment on the table. That's what we're voting on.

Roll call vote carried unanimously.

AGENDA OVERVIEW

Chair Gahara: We have nothing under Consent Agenda this evening. We'll have a Public Input 15 minutes, Nominations & Appointments, particularly we will discuss the Councilor at Large appointment that you all have information on. We have three scheduled appointments. Public Hearing for Mt. St Mary's and Coaker Avenue e-911 address changes. Kathie Northrup will be here for the Heritage Committee and we've got an Emergency Expenditure regarding the Sewer Commission. Nothing under Old Business. Under New Business, we have the Quarterly Financial Report, Christine's here. We're discussion the Town Administrator Search. We do have to address the next Council meeting, which will be May 11th. I need to update you on that. Sub-Committee Reports, 15 minutes Public Input, we will be going into a non-public session under RSA 91-A:3, II (c).

G. Longfellow: I thought we've done away with the Consent Agenda.

Chair Gahara: We removed the Minutes from the Consent Agenda but we still have Consent Agenda for what I refer to as "passive" items.

CONSENT AGENDA

None.

PUBLIC INPUT

David Ross, 56 Sherwood Drive: I just wanted to offer my support for Bill Sirak for the Councilor at Large position. As you know, I have some experience in the Council and also with Mr. Sirak over the years. I think he would be an exemplary addition to this Council. Thank you.

Don Winterton, 10 Prescott Heights Road: I think all of you have received communication from my attorney. Basically, it is to ask the Council to investigate the Planning Board for not following the regulations in a nut shell. I am a part of a 6-lot subdivision. There was house, I have been told, that was granted a parent lot part of the subdivision and was not required to follow the regulations of the subdivision. There is nothing in any code, or law, or regulations of the Town of Hooksett that allows for a parent lot to be grandfathered. No one has the authority to do so. Yet, that was done. That house was

not required to have a fire sprinkler system. Three months later, I got a building permit and I was required to put in a fire sprinkler system. I can tell you if this is not resolved, we will be in court where a judge will determine whether this Town has followed planning laws, whether my right to equal protection under the law has been abridged, and it has. When you have a subdivision that says, this is a 6-lot subdivision, and sprinkler systems are required, and yet the person who lived in Hooksett is not required to have a sprinkler system and the person moving into Hookset is required, that's wrong and it violates my rights. This is the second time I've been here. I've been to the Planning Board twice, and the Planning Board has clicked their heels to the Fire Department that says, this is a safety issue. My house is 75 feet from an existing road. The house that was waived is 400 feet from the road. Somehow I find the safety issue hypocritical. This has become my "Don Quijote" crusade. I don't like being lied to. I don't like being treated unfairly. This is a terrible welcome to Hooksett. I ask this body to right this wrong. If not, I will see you in court. Thank you. I would be glad to comment on any questions you might have. I understand, Mr. Chairman you have a time limit and I respect these people's rights to express their opinions.

Chair Gahara: As it is a Public Input, I'm sure the Planning Board is aware of your letter as well and we'll take it under advisement.

D. Winterton: The last time I was here, I was told it'll be taken under advisement as soon as possible with the Town Administrator. I had 4 appointments broken with her. I understand there was a problem with disks. I had 4 appointments broken. It was over a week before I was able to meet with the Town Administrator, which was understandable and I'm not blaming her. I'm spending my money on lawyers but I'm going to because this is wrong. This is absolutely wrong. I'm going to spend money on lawyers and you're going to spend money on lawyers, and a judge is going to find a building permit that says, new construction, a building permit that required a new foundation. And the Town of Hooksett has told me that is replacement construction. Please tell me how it's replacement construction. A new construction, here a new foundation is required. If this body cannot explain to me how that is not new construction and that it's classified as replacement construction in the Town of Hooksett, then we'll have to have a judge decide it. Thank you.

Mary Farwell, 24 Grant Drive: I'm here in my capacity as the Chair of Library Trustees. We are sponsoring a meet the candidates' night for Town Council candidates, opposed or not opposed. It is Monday evening on April 25th, 7-9 pm. I've talked to all the candidate and they've all committed to come. Don Riley, former School Board chair will be the Moderator. We want everyone to take this opportunity to come and meet the candidates and ask questions. The candidates have a chance to introduce themselves to the town's people. We will all see you on Monday evening. Thank you.

John Gryval, Planning Board Chair read his statements for the record (below).

The Planning Board members are greatly disturbed with how the MRI study was conducted and disagree with the unsubstantiated results of that study that has been released because of the following points:

1. This report referred to our staff as unprofessional, unsophisticated, and unqualified without ever discussing this with any of the land use boards. A majority of the staff's work is related to the Planning Board activities.
2. The Planning Board should have been consulted when creating the scope prior to the implementation of the study.
3. The consulting firm ignored the Planning Board's written request to discuss this study in public with the Board during the process.
4. Only eight of 28 board/commission members of the land use boards responded to the questionnaire. However, it did not appear that their comments were integrated into the report.
5. We believe that using MRI to do such a study was not in the best interest of this community.

We respectfully request that the Town Council formally vote this evening to cancel the scheduled interviews, and the completed MRI study be disposed of and all records be removed from the employees' personnel files.

Chair Gahara: I appreciate you coming forth, but because this is Public Input. What I would prefer is you give a call to either myself or to Carol to be put in the agenda so we could have a discussion on this.

J. Gryval: We wanted you to be aware of this. We understand there are interviews scheduled for next week and as far as the board is concerned we'd like to see you cancel those. It doesn't seem to be doing any good. It's not the proper way to go about this.

Chair Gahara: I think the best thing you can do this evening is if the Councilors would like the discussion to happen under New Business, we'll add it in there. If not, it'll be treated as Public Input.

V. Lembo: We have a joint meeting tomorrow night, can we discuss it then?

J. Gryval: I don't know if that would be appropriate. If you'd like to add it under New Business tonight, we'd be happy to discuss it.

N. VanScoy: I would ask for it to be added under New Business. In fairness and because we'll have the Planning Board here, will it be appropriate to discuss 10 Prescott Heights (Don Winterton) just to get input from the members who are here?

Chair Gahara: Because a letter came from an attorney to the Town, it might not be appropriate to discuss that.

N. VanScoy: Do we just need to go into non-public? I think it's a good opportunity since the Chair of the Planning Board is here.

C. Granfield: The letter was just received that was sent to the Town Council was just provided to the Planning Board today. I'm not sure if all members have seen it.

Howard Garvin, 17 Coaker Avenue: I'm here regarding the situation regarding the E-911 renumbering system.

Mr. Garvin was advised to speak on the matter under Public Hearing.

James Moloney, 18 Coaker Avenue: There's a lot going on in this Town. I just want to say, there's a lot going on and I applaud Councilor VanScoy's recommendation that we go to full verbiage on the minutes. I think that will help a lot of people in this Town understand exactly some of the situation and what needs to be voted on. Thank you.

James Sullivan, President of Lion's Club and Historical Society: I would like to congratulate the Council for your support in the Citizen of the Year program. This Saturday, April 23rd, we will be honoring Mr. David Hess for being chosen as Citizen of the Year. I would also like to thank you for supporting Kiwanis. They recognized members of the Town, School and local businesses. Kathie Northrup will be speaking this evening regarding the Village School. The Historical Society is in support of that 100%. Heritage Day is May 28th. The Historical Society is working with the Heritage Commission on that event. We are going to have a Town Treasure Hunt. Thank you.

Jim Gorton, 150 W. River Road: I am here tonight to lend my support for one of the candidates who's looking to fill my position. That would be Mr. Bill Sirak. I've known Bill going back to HCTV. I can't think of a better guy to sit on the Council. Thank you.

Michael Sorel, 54 Cross Road: I've known Bill Sirak for over seven years both personally and professionally. I was so pleased several years ago when Council Chair George Longfellow asked him to accept the chairmanship of a new committee, the Economic Development Committee. His record for the Town is proven and I believe he's an excellent candidate and I urge your support in appointing to the Council. Thank you.

Marc Miville, 42 Main Street: I am in full support of my Councilor Nancy VanScoy. I think she is the most prepared, researched and most vocal Councilor on this board. Yes, she adds a minute of minutes, especially if you're going to do it verbatim, but I challenge any Councilor here to keep up with here. Oftentimes, we sit here and we don't see the research being conducted. We have presentations here and the Chairman asks for questions, such as the most recent Sewer discussions and there was a long pause. Nobody asked questions involving a million dollar worth of sewer disks clean up. Nancy VanScoy started the conversation. And then all of you followed in. I am in full support of it. As you know I am also in full support of verbatim minutes. If you can, that will be wonderful. I think it'll be shocking and interesting to see when it goes more detailed, how many times each one of you Councilors actually speaks and which ones do not. I also want to add, although I feel both candidates for the Town Councilors are very capable. I want to put in my pitch for Matt Mercier. I do support him. I support Mr. Sirak as well but I encouraged Mr. Mercier to apply and I'm glad he did.

Todd Lizotte, 21 Post Road: I just have a quick question. As we start moving towards the next election cycle, I wanted to know since it hasn't been posted, what the intention of the Councilors in seating District 1 and 6 right after the election and whether that will be posted. Thank you.

NOMINATIONS AND APPOINTMENTS

Councilor-at-Large Appointment

Chair Gahara: I was informed today by Carol that we had a late submission of an individual that was interest in the appointment. The reason why I bring this to your attention is because if you recall, the procedure that we set up is that the Council had a closing date for consideration of April 13th. This came in afterwards. I wanted to bring that forth to all of you so you understood that. I want to know what the Council's wishes would be. Should we take this under advisement? Do we move forward with the procedure we had in place, which is to close after the 13th? I want to try to be a fair individual here. I didn't want to make that decision on my own without input from the Council so I'm throwing it out to you for discussion.

J. Levesque: I think we should stick to our plan of closing date of the 13th. We gave everyone enough time and notice to put their name in. I'm sorry the person was late but there was a closing date.

D. Paradis: I tend to agree.

G. Longfellow: I think we should nominate, waive the rules and appoint.

Chair Gahara: For the matter of the record, I would entertain a motion right now.

J. Levesque moved not to accept any applications after the closing date of April 13th. Motion seconded by D. Paradis. Motion carried.

G. Longfellow nominated Bill Sirak.

Chair Gahara: Any discussion:

N. VanScoy: That's just a nomination, not appointment. I believe you wouldn't need a second.

N. VanScoy nominated Matt Mercier.

N. VanScoy moved to waive the rules. Motion seconded by J. Levesque. Motion carried unanimously.

N. VanScoy: I know both these men. I hold great respect for both of these men and I think the two of along with the third applicant that did come in late show what good quality people we do have in this Town that are showing interest for this Town to get involved with the government. I do think we have to stick with procedure. Mr. Sirak, I do have a question for you. Because you have done such an incredible job on the Economic Development Committee and I do feel that we are seeing a recovery in our economy and I do think we're going to need a very good Economic Development leader. My question would be,

how would this appointment affect your role on the Economic Development Committee? And how will you role on the Town Council help to improve the economics of this Town?

Bill Sirak: Thank you for your kind comments. Obviously, it would be up to the Town Council but I would question whether if it was appropriate if I was elected to also continue serving as Chair of the Economic Development Committee. I'm concerned about conflict of interest there. There will be an appointment by the Town Council. I hope I could be appointed to continue serving on the Economic Development Committee. I would hope if I served as a member of the Town Council that I would continue to be a strong advocate for the development of Economic Development with the primary purpose of broadening the economic tax base. That would be my primary focus and concern.

N. VanScoy: Mr. Mercier, I wanted to hear a little more about your business. You said you have been self-employed for 15 years. Could we a little more about that?

Matt Mercier: My business, Acapella Technologies is a technology consulting and services business. We hope small and medium size businesses make better decisions about their technology infrastructure from website through network and infrastructure design and hand-held devices. A time-shared IT department for small business that don't need a full time staff.

Chair Gahara: If Bill Sirak is appointed, he would have to step down as Chair of EDC. He could be appointed as the Town Council rep to the board. I am serving in that capacity now. That could be easily turned over to him.

M. Pischetola: Matt, can you tell us which committees you've been on?

M. Mercier: I have no committee experience in Town. When the seat came up for the Council, a couple of folks approached me having known I've put in my hat for the seat before encouraging me to do so again. In their opinion, it would be valuable to have a fresh set of eyes on the board and a business owner's perspective. I lived in Town for four years. I think the best place to serve is where the rubber meets the road. There's a lot of things going on in Town. This seems like a good opportunity to make a contribution.

Chair Gahara: I had a chance to speak to both candidates. I want to thank the candidates for stepping up at a time when it's much needed. Whatever happens this evening, I think you're both outstanding individuals.

B. Sirak: I think we have a good candidate for a member of the EDC as well.

M. Mercier: I thank all Councilors who took the time and made an effort to reach out and talk to me.

N. VanScoy: We have seen Mr. Mercier in front of us before. I find myself wanting to welcome a new volunteer. I can't say I've made my decision. I want to thank them both. It's been a difficult decision. Win or lose, I hope to see you Matt get involved with Town government and Mr. Sirak, I hope you continue to work with EDC.

M. Mercier: Nancy, you speak of win or lose. I don't think there's a lose here. We're both well qualified to serve the Town. Bill clearly has a terrific track record and numerous supporters. As such, should I not be appointed to the Council, I see the Town as winning by having terrific Councilors step up and do the work.

B. Sirak: When I heard the unsolicited comments of support, I was really touched. Bill (Chair Gahara), your comments at the Kiwanis Citizens of the Year award recently just exemplify what a great community we all have and how proud I am to be a member of this community. There's a lot of wonderful things happening in this community. I think we could be proud of the potential good times ahead of us. It's a pleasure to be a part of it.

Roll call vote

V. Lembo B. Sirak
J. Levesque B. Sirak

G. Longfellow B. Sirak
D. Paradis B. Sirak
M. Pischetola B. Sirak
N. VanScoy M. Mercier
Chair Gahara M. Mercier

Bill Sirak – 5 votes

Matt Mercier – 2 votes

Bill Sirak was appointed as the new Council at Large.

Mr. Sirak will have to be sworn in and will join the Council at their next meeting.

SCHEDULED APPOINTMENTS

Public Hearing – Mt. St Mary's and Coaker Avenue E-911 Address Changes

C. Granfield: This is a part of establishing the E-911 street names and renumbering. The Town has been working with the State on this. The Building Department is responsible for this project. They worked with the Fire Department. You have a staff report prepared by our intern who worked with them gathering all the data and sent out notices.

Peter Rowell, Code Enforcement Officer: Mt. St Mary's Apartments has been kicking around to be numbered for a number of years. The street has been named and we have assigned numbers. We used the Town intern to do the mailing. Consent forms were sent to all affected residents but less than 50% were received. Unless, 100% is received, a public hearing is required. Initially Mt. St Mary's had a Hooksett Road address. It has no access to Hooksett Road anymore so now we're splitting it up. Coaker Avenue arose when there was a subdivision on all existing lot with a lot of frontage in it. The developer bought the house and subdivided the frontage into 3 lots. We typically assign house numbers because street numbers are only assigned to structures not land. When they applied for a building permit, we were short of numbers. After discussions with the Fire Department, we went to the State Bureau of Emergency Communications and asked for their recommendations, we were told Coaker Avenue along with a lot of road in Town were not numbered with correct interval. Their recommendation was to go back and renumber the whole road starting from the beginning out to the end and put the number in correct interval. They recommended dropping a number every feet of the road.

The public hearing was opened at 7:15 pm.

Howard Garvin, 17 Coaker Avenue: I've got some problems with it because apparently, someone didn't do their job initially. When it was subdivided, it appears somebody failed to do the job again. It's not just a matter of replacing the number on your mail box. There's a lot of administrative things involved. I believe the contractor should bear any and all costs related to the address change. There was a variance allowed for 3 houses on what should have been a two-house property. I don't think we should be required to change our address because somebody in Town didn't do their job.

M. Pischetola: How do you want to resolve this so that the emergency vehicles respond to the right address?

H. Garvin: First of all, it has to be updated with GPS. That will not be updated for a number of years. They should have assigned unit numbers, 21 a, b, etc. Then it wouldn't impact everyone else on that street. My recommendation is the contractor to be responsible for any and all costs involved.

P. Rowell: We can't use the unit numbers. The way it works with multi-units is the structure gets the numbers and units get A, B, C, etc. Every structure should have a number.

M. Pischetola: Has the contractor offered to compensate home owners? How much is it going to costs?

P. Rowell: The contractor hasn't been approached.

H. Garvin. I have no idea how much it's going to cost. Everything has to be changed. The emergency people operate on GPS system. This needs to be uploaded in GPS system and it will take time. When it

changes, GPS won't be able to locate the new addresses. There's a lot involved, titles and deeds have to be changed. I am voicing opposition to the renumbering of addresses.

J. Levesque: I think he has a valid point. The contractor has to be involved in this.

D. Paradis: Not only an inconvenience but an actual cost. I think the residents have to be compensated for that.

P. Rowell: There was no variance granted, there was a subdivision granted by the Planning Board and all the abutters were notified. There was a lot line adjustment but not a variance.

Nancy Comai, 21 Elmer Avenue: I offer the solution of number 21, 23 and potentially on the corner of Coaker and Alice Avenue, add an Alice address.

P. Rowell: According to the State, houses should be numbered on the street where the driveway faces. As far as the GPW, I know dispatch uses house numbers, not GPS.

V. Lembo: On the corner of Beauchesne and Main Street, there was a new house built there and it had a Main Street number. The driveway and main door is facing Beauchesne. Does that number get changed?

P. Rowell: That house has a Main Street number. There was no Beauchesne number available. The first house on Beauchesne is number "2". We left that with a Main Street address.

V. Lembo: Could we do the same thing for this situation, as Mrs. Comai suggested?

P. Rowell: That situation was trying to avoid all street number on Beauchesne. If we had gone to E-911 on that, that's what they would have said. I have to present what they recommend.

Chair Gahara: We don't have enough information to make a decision tonight. I think there's a lot of questions. We'll need the Fire Department, the State Bureau of Emergency Communications and the contractor in here. At this point, I'd like more information on this. The main thing is safety and we want to make sure we're doing the best thing for residents. I'm not trying to sway any Councilors but personally, I feel we need more information.

M. Sorel: Mrs. Comai has offered a solution, which I believe deserves research and consideration. Are there any addresses available on Alice Avenue? We can reposition the house to face the other way. It's a process that I believe deserves consideration if it solves the problem. Is there an address available on Alice Avenue?

P. Rowell: I believe there isn't an address available on Alice Avenue.

James Moloney 18 Coaker Avenue: I want to second what Howard has already said. I was actually at the meeting discussing the variances for this property. It's not about trying to prevent the guy from building 3 houses. I was specifically concerned about the impact. My safety concerns at the time were regarding drainage for a very dangerous intersection. There's a pretty good grade for Alice Avenue and entry from Coaker Avenue unto Alice Avenue. It's dangerous especially in the winter time. The variance was granted. What should have been two properties ended up with three properties. The other thing I was concerned about was visibility. You can't see far enough to turn around and stop at the stop light. That was disregarded. I see that the foundation for the property on the corner is higher than the property in the middle and is building a berm at that property. I suggested no plantings or fencing be placed on the corner so people can see up and down Alice Avenue from Coaker Avenue. That was not done. There are a lot of impacts regarding address changes. A lot of banks charge extensive fees. This is a lot of inconvenience on the residents. It's about making good decisions and considering impacts on residents that already live there.

David Ross, 56 Sherwood Drive: Something like this happened on Sherwood Drive just two years ago. They did use A, B, etc. It seems late to be coming up with addresses. I thought that was a part of a subdivision's plan. That should have come up first. I'm wondering where that fell apart. I find it a little

odd. How could this have gone this far without having actual addresses? Granted it was suggested by E-911 but is it an absolute and enforceable regulation? I don't know if it is.

P. Rowell: House numbers are typically assigned at the time of building permitting. Then you know there's a building. Lots could sit vacant for a long time. I'm sure I can get someone from E-911 to come down and talk to us.

Bob Ehlers, 14 Ardon Drive, Supervisor of the Checklist: Whenever the decision is made, if you could send a letter to Mike Horne to let us know what addresses have changed to change the voters' records updated.

N. VanScoy moved to continue the Coaker Avenue E-911 renumbering. Motion seconded by J. Levesque. Motion carried unanimously.

M. Farwell, Library Trustee: We are absolutely delighted we finally have a new address. We have been waiting for this to happen. We are now using our new address, 31 Mt. St Mary's Way. I hope you vote to accept that tonight.

P. Rowell: Thank you, Mary for saying that. This process has been very labor intensive and has been sitting on my desk since I got here.

D. Paradis: I think it's a great idea. We're a small Town and Police and Fire usually know where a particular address is but when a mutual aid emergency responds to a call looking for an address you're not going to find that on Hooksett Road. It makes a lot of sense.

V. Lembo: Is anyone opposed to the change at Mt. St. Mary's Apartments?

None

Chair Gahara closed the public hearing at 7:47 pm.

V. Lembo moved to accept the address changes at Mt. St Mary's Way. Motion seconded by M. Pischetola. Motion carried unanimously.

Village School Preservation/Rental

Kathie Northrup, Heritage Commission Chair: Ordinarily, I wouldn't have brought this up to the Council but for the sake of present conditions and continuity I thought it was a good idea. I'd like to talk about the rental of the original portion of this building, the 1937 front part. This was discussed at the Heritage Commission meeting. When the voters last year allowed rental of the original portion, there was a concern we might lose the historical integrity of the space. I'm here to request that the Town make every reasonable effort to preserve what remains of the historical and architectural features of the second floor front part of the building. If you haven't had a chance to look at that space, I attached some photos. I think you'd agree features like these probably wouldn't be replicated in the new building. I did some research when the renovation was being done. I'd be happy to share what I found. I hope you will keep this request in mind.

Chair Gahara: I appreciate you bringing this to our attention.

Emergency Expenditure per RSA 32:11 – Sewer Commission

C. Granfield: I'll present the information to you. We also have Bruce Kudrick, Sewer Department Superintendent. Sid Baines, Sewer Commissioner had another engagement and went over this with the Budget Committee last night. This emergency request is a result of the recent disks release, the costs associated with the cleanup, etc. It was learned that in order to utilize funds from Sewer Commission, DRA provided the process of what needed to be done. The process involved it being an emergency expenditure. The Financial Adviser prepared some materials indicating the amounts available that could be utilized from their reserve accounts (unexpended fund balance) totaling \$991,000. They have contracts with Enpro for \$125,000 for the initial cleanup and additional \$85,000, fees for cleanup for Hampton Beach, \$14,000 and \$7,000, other bills that came in. They have contracted for an engineering study in the amount of \$18,800. The study is going to evaluate what did go wrong. They want to ensure

it won't happen again. There are other entities involved. Krueger has committed up to \$150,000 and Graves Engineering, \$50,000. Unlike the Water department, the Sewer Commission is a quasi-system. They have elected officials. This is something that came up during the Charter Review process, the review of entities. What is required is that all forms were verified by the Financial Adviser as discussed with DRA and approved by the Sewer Commission. The Budget Committee has approved the request at their meeting last night. The Council has to endorse the request. \$991,000 is all the funds the Sewer Commission has available. The Sewer Commission attorney has environmental background and best suited to handle the issue. He is working with the State. He is working on the insurance appeal. \$991,000 will be utilized but a good portion will come back to the Town. The Town is looking at a possible FEMA grant. Dan Pike has been doing a good job updating everyone of the situation. It's finally getting a handle on it. Bills are starting to come and money's have to be expended to pay for them.

Chair asked when the Town could expect to hear about the insurance consideration and FEMA grant.

C. Granfield: FEMA is currently evaluating and have not made a determination as of yet. They have to determine if it meets a certain level of moneys for this particular area. Regarding the insurance, the attorney is submitting an appeal. The appeal goes to arbitration.

D. Paradis: At the last meeting, Krueger was going to pay \$85,000 now it is up to \$150,000. Is this all they're going to pay?

C. Granfield: There is a technical meeting scheduled for next week with all entities involved, Kreuger, Penta, Graves Engineering, etc. My understanding is that's what they committed to as of now.

Bruce Kudrick: That is correct. As of right now, that's what they committed but we have not received any money. The Sewer Commissioners and the lawyer have been in contact with them.

Chair Gahara: What is Penta?

B. Kudrick: Penta is the general contractor. Krueger is the sub-contractor to the project.

Chair Gahara: Has Penta made an offer?

B. Kudrick: Not as of yet.

M. Pischetola: You spent about \$250,000 so far. Anymore outstanding bills from MA?

B. Kudrick: We have not received any bills from MA yet. I just received a bill today from the State of NH for some testing that they did which is for \$785 and for some cleaning supplies.

M. Pischetola: The only bills left may be from MA?

B. Kudrick: Yes.

Chair Gahara: Any idea on an estimation on MA?

B. Kudrick: No, we have no idea what's going to be coming from them.

V. Lembo: Are you anticipating any bills from Maine.

B. Kudrick: We are not anticipating any bills from Maine. I understand there's only about half a dozen of disks.

D. Paradis: What is their burden of proof? We have no way of really knowing how much they actually have or how many people they have doing the cleaning. We just more or less take their word for it.

B. Kudrick: We haven't got to that point. We've talked about it a little bit. Until we start seeing the bills we can't get into something like that. That is a concern we do have.

N. VanScoy: How many people were in attendance at the Budget Committee meeting last night? I see there were six signatures.

C. Granfield: There were seven.

N. VanScoy: I'd like to first address the committed moneys. I'm assuming the moneys being offered as, "accept this money, don't sue us any further".

C. Granfield: My understanding is that's what they've committed at this point. There's no agreement whether that will settle anything. Next week is when they're going to have a detailed discussion. What they've offered at this point isn't contingent upon anything. This is more in good faith, nothing has been agreed to.

N. VanScoy: Where did \$991,000 come from? Is this how much you expect to spend?

C. Granfield: They may be more. That's all the money they have at this point that can be utilized for this.

N. VanScoy: How does this affect rate payers? Rates have gone up three times over the last two years.

B. Kudrick: The Sewer Commission decided to use as much of any available funds they have first. We have to take the first step. We have bills coming in. We are looking to get the money back from the insurance company and other companies involved to replenish the funds.

V. Lembo: At the Budget Committee meeting last night, it was mentioned you have \$1.5 million available.

B. Kudrick: That's money we have to keep for loan payment. If we took that money, we'll have to replace that. Come next year, we'll have to make the loan payment. If we don't have the money, that has to come from the rate payers. That's part of our budget.

V. Lembo moved pursuant to NH RSA 32:11 that the Council endorse the proposal of the Sewer Commission to over expend the 2010-2011 Sewer Department appropriation in the amount of Nine Hundred Ninety-One Thousand Dollars (\$991,000.00). Motion seconded by D. Paradis.

N. VanScoy: Just for clarification, the Sewer Commission at this time is asking for our endorsement to spend all of the money they have available even though they do not know how much the actual costs are and it is anticipated at this time that it could cost more than this amount.

C. Granfield and B. Kudrick: That's correct.

J. Levesque: This doesn't necessarily mean they'll spend it. They can use it if they need it but will be put back if they don't need to use it.

C. Granfield: Correct.

V. Lembo: Is there any timeframe on determining what exactly caused this?

B. Kudrick: They're working on it right now. I'm meeting with them tomorrow morning to start giving them some information. I don't know what the timeframe is. They have met with the Sewer Commission. What I can do is have the Chairman get ahold of you and give you a timeframe on that information.

N. VanScoy: I'd like to ask for a definition of "Sewer Unreserved Fund Balance Used as Revenue", just for clarification.

C. Granfield: It includes Capital Replacement, Bridge Restoration, Sludge Farm, etc.

N. VanScoy: If we're taking funds out of this. I need to ask how this will affect the rate payers.

B. Kudrick: This is a very unusual thing that happened. You have to realize that. What the board done, we are allowed to build funds like this so that we have money for i.e., the bridge fell down, etc. That's

what it's for. We were putting money aside for an emergency. We're doing the best we can to use the fund balance and will try our best not to raise the rates but we're not saying we're not going to raise the rates. We have a situation that never happened to anyone else. Hopefully we'll get the money back. There's no guaranty because this has never happened before.

V. Lembo: Is Krueger still running the plant.

B. Kudrick: We have not taken over the facility yet. Since March 7th, nothing has changed. Krueger is still in control.

Roll call vote carried unanimously.

NEW BUSINESS

Quarterly Financial Report

Christine Soucie, Finance Director: I'm here to talk to you about the 3rd quarter of the fiscal year 2010-2011 budget. The budget is about 66% spent, which is a little higher than the last two previous years. It's mainly due the lower budget presented as well as expenditure being a little higher. It's a combination of both things. I do anticipate overall we will be within our budget, we won't over-expend, no need for emergency appropriations for the Town end. Revenues are looking very well at 59% collected to date. Administration is high due to those one-time yearly expenditure, i.e., workers' comp, property liability insurance, etc. Legal Fees are higher than what we have been seeing in the past years. Computers – updated computers and server. We expect Computer line to be over-expended by \$30,000 for the year. Family Services is doing extremely well, not expecting to over-expend their budget. Public Works, by the end of the year, they will have expended all their budget. Usually, they tend to give back funds. I don't see that happening this year. On the other hand, Recycling & Transfer will be giving back funds to the Town. We will be using their under-expended lines for Administration over-expenditures.

M. Pischetola: Do you think Police Department will come in under budget?

C. Soucie: Yes. How much? I can't say.

C. Soucie: On Administration, we expect Legal Line to be over by \$77,000 for the year, Computer line to be over by \$32,000. The savings under Family Services and Recycling & Transfer will cover those overages. Fire Department, historically, run really close to their budget every year. The Chief anticipates very little back to the Town. He doesn't anticipate anything going over. Public Works – They have three divisions. Highway Division had some savings in the overtime line because of the late start of the winter, not a lot of snow for November and December. Fleet maintenance – they have a vehicle that will need repair which will probably bring their Fleet Maintenance over budget but they'll have an underspent section in Highway to cover that. Town Building will again be over budget which will be covered under Highway Division. Public Works Department will stay within their budget. Recycling is underspent and is expected to be underspent by \$100,000.

On the Revenue side, things are looking very well. Motor vehicles registration is at 67 % collected to date. Generally, May and June are higher for motor vehicles. We anticipate if they don't meet expectations, they'll be right there. Building Permits is doing extremely well this year. They've already exceeded their budget expectations and its mainly due to the bigger development coming in. The Market Basket and the SNHU doing their upgrades. It's a good year for them. One negative point is the Interest Income, we have not seen a change in that. It's still very, very low. I do anticipate that's one revenue that won't meet expectations. I think it'll be about \$40,000 short for the year. State revenues will meet expectations. Ambulance Service will be over by \$70,000. Overall, revenue expectations will be met by year end. On the expenditure side, we might not return a lot but we won't go over.

G. Longfellow: On the total revenue, I look at it, if it keeps the trend, we will be about \$1.3 million short.

C. Soucie: This information includes the Sewer Department budget and it throws the numbers a little off because we do not have information on their revenue. The Sewer accounts for \$1.7 million budget but were showing "0" expended. That's not accurate. I just don't have the information where they're at. We make the assumption that at the end of the budget year, Sewer will have expended all their budget and will have raised revenue in that same amount so it'll have "0" impact on the tax rate.

V. Lembo: Looking at the Fuel line, it looks like they're running where they said they'll be.

C. Soucie: Fuel lines and Diesel in particular is handled by the Transfer Station for the majority of the departments. They submit to Finance once a month for the prior month. They are actually a month behind. This does not include funds expended in March.

Harold Murray, Forest Fire Warden: The gasoline pumps have been removed from stations and they're using Exit 11 State pumps. They have two 500 gallon tanks for immediate use. That also covers the generator.

C. Soucie: I'd like to go over the Governor's State Budget proposal for next year. The Town stands to lose \$197,500 for the School Building Aid, \$225,300 for Catastrophic Aid Formula and will have to incur \$363,000 for employees' retirement. The Town would have to incur an additional \$378,000 for NH Retirement. This is still in process. They don't know what's going to happen. Just to give you an understanding of what the Governor has proposed.

Town Administrator Search

Chair Gahara: I've asked the Town Administrator to put together some information for us so we can begin to talk about how we want to proceed.

C. Granfield: I had asked Liz Dionne, our Human Resource Coordinator to seek out quotes and proposals from three agencies that do this type of work. She solicited quotes from Local Government Center (LGC), Primex and Municipal Resources, Inc. (MRI). She prepared the staff report with varied levels of service depending on costs. It also includes information on providing Interim Town Administrator. Of the three, only two provided quotes. Primex indicated they do not provide quotes to non-member. The Town currently does not belong to Primex. LGC provided their timeline indicating their standard approach. The cost is \$4,200. They don't provide Interim Town Administrator. They connect you with managers who are either retired or in transition that negotiate with you separately. The one from MRI provided three different levels. One was full scale, comprehensive for a lump sum of \$12,000. Option 2 eliminated some of the services for \$8,500 and Option 3, which is more comparable to the LGC proposal is \$6,500.

Chair Gahara: The purpose of getting these proposals is to have a smooth transition for the Town Administrator. I would like us to try to come to a decision as quickly as we can. I didn't want to make this decision on my own. I'm bringing it to the Council.

V. Lembo: I would be inclined to go with LGC for both the Interim and the permanent Town Administrator. We'll find out down the line if we'll need an Interim. They should at least start the process of finding a Town Administrator. We're with them now. We even get a break on the costs by going with them.

C. Granfield: That's because we have three insurances through them and we get a discount when you have that.

Chair Gahara: So the cost comes down from \$6,000 to \$4,200.

M. Pischetola: Liz Dionne has done the job of an Interim Town Administrator. Can she do it again?

C. Granfield: I think an Interim Town Administrator would work better. While I have a lot of things in place for the next person, things are quite a bit different now.

N. VanScoy: We did this about two years ago. At that time, we had a community group and we looked at three applicants. From what I heard, only one of those candidates is qualified and we eventually hired Carol. I'm concerned about hiring a group that is not going to provide with better candidates than we saw last time. I think we all recognize that Carol knew what she was doing when she was just working as an Interim Town Administrator. I guess when we go with hiring somebody else, we're in some ways could be limiting ourselves because they're only going to be reaching out to their standard or normal group of places to look. Again, two years ago we didn't find a great amount. What I would be interested in

knowing is what LGC would do for us different than what MRI did for us. Are they advertising in different places? Do they have a different pool of candidates? Is it generally the same people between the two?

Chair Gahara: I have the same concerns. That's why I asked for a very thorough proposal. The thing with hiring is that you cast the net as far as you can. You're limited to the candidates that are interested. Specifically, you're interested on how far they are casting the net. If you look under LGC, according to their proposals, they are talking about ads published in Sunday newspaper, going to websites, municipal website, Vermont, Maine, including New Hampshire login, local government information network, etc. If you at MRI, according to their proposal, "*recruitment team consists of seasoned professionals, managers*. Their net gets cast all throughout New England and beyond. In there they talk about the selection. They talk about their services, their approach and the process that they put in place. They kinda walk you through pretty good. And they have a one pager where you go.

C. Granfield: It's pretty standard where you go for recruitment and all the places they listed, the websites. If you want to go nationally, the ICMA publication does that. But they all go basically the same places. Managers that are looking at those places. It's pretty much those who have interests. You can recruit nationwide and still have the same group.

M. Pischetola: Do you feel comfortable contacting someone you know who's maybe looking for us to meet with us for the Interim position?

C. Granfield: As far as contacting managers that I know that are out there or retired. I know of them, I can do that. I think LGC does the same thing based on having a pool. I think what you do need for an interim or a manger is you need someone that has the experience. When I came in, things were not in place are now in place. Based on the issues here, you need someone who knows the business and has been in it for a while versus someone just coming out of school. You won't continue to go forward.

Chair Gahara: I think the decision that needs to be made is, are we interested in an Interim? I concur with Carol. I'd like to see a smooth hand off of the baton. What I'd like to see is, we go out and search for the best qualified candidate and set up the process with whoever we choose to help us with this. I hope there's going to be a two or three week time when we could do a transition and have a good transition plan in place. I feel based on the issues and some of the things we're trying to work through as a Town. We need someone extremely strong in here. Personally, I would not be in favor of bringing someone in from the building and filling that role. I think there's too much pressure put on that individual. This is not to disparage the good folks we have working for us. That's not what I'm saying. I'm saying that this role is highly elevated and it needs to be somebody with a very strong back ground. I concur I would not want someone who just graduated from college or even three or four years out. I personally would be looking for a good 10-15 years of experience if we could get it.

G. Longfellow: I've been on the Council a little over nine years. I can count five different Administrators in those nine years. It's not a very stable job. The average time for an Administrator is about 3 years on any Town. You should look for someone who intends to stay a while.

M. Pischetola: When I attended the interviews when Carol was hired, no one else has her qualifications. Carol was the only one. That's why she was selected. The rest of them were young. No one was out there with an experience of 10-15 years.

G. Longfellow: I was involved with two people who seem to stick around. Bill Jackson, who used to be a Councilor here is a Town Administrator for Gorham. And someone else in Rye. My thoughts would be to steal someone from another Town.

Chair Gahara: We can put together what we're looking for. We can work with an organization to assist us in the recruitment process. We can set up exactly what we want. We need to decide tonight and select a recruiting company. We need to make a decision whether to hire an Interim or permanent.

N. VanScoy: I would be in support of placing someone in the Interim. I don't think we should rush into hiring someone permanently. We want to make sure we get the right candidate. I would make the motion to contract with LGC for an Interim Town Administrator.

C. Granfield: LGC don't actually contract for that. They give you name of people. The Town will negotiate directly.

N. VanScoy: The Chair eluded early on about the next meeting which is scheduled for May 11th. I guess before moving forward with a decision, I'd like to hear more about what is going on with that.

Chair Gahara: Nothing out of ordinary and it should affect the decision tonight. I've been called away to work so I'm not going to be here at the meeting. I'm leaving on the 9th and I return late on the 11th. Not only do I need to get an absentee ballot but I also need to make other arrangements. You have a choice. You move forward and have a meeting and Vinnie would run the meeting or my thought was if you wanted me to be able to attend, moving the meeting to the 12th.

N. VanScoy: I'm not sure if this particular decision should wait until the next meeting until it can be reviewed further. My initial feeling is we should pursue exploring what we need in here in the interim until we can hire someone full time.

V. Lembo: Can we hire LGC right now and start the recruiting process for the permanent Town Administration. And if we decide we need an Interim a month out, we could do that at that time. We might get lucky and get someone before Carol leaves.

Chair Gahara: LGC does not contract for an Interim. If you'd like to go with an Interim, you either go with MRI or do it yourself.

V. Lembo: The Human Resource Coordinator is recommending LGC for both Interim and permanent.

C. Granfield: LGC would provide a list of potential Interim. The Town will have to interview and select.

J. Levesque: We can always hire an interim through MRI on short notice. We really need to start looking for a replacement. At least start the process.

The cost to hire an Interim through MRI is \$65-90 an hour.

N. VanScoy moved to obtain the list of potential candidates for the Interim Town Administrator position from LGC. Motion seconded by J. Levesque.

N. VanScoy: For tonight, I think the step would be to get that list. And to allow future decisions to be made at the next meeting after we all have a chance to review the proposals. Unless, there is a substantial cost in obtaining the list, I see no reason not to get it.

M. Pischetola: I'm in favor of bringing in Liz Dionne as Interim Town Administrator and work with Carol. Then contact MRI or LGC to put together a list of candidates to be interviewed. Liz has done the job before. She can work with Carol. She has Christine as a resource person. I'm sure she's familiar with all the Human Resource problems that's going on. I think that's a good solution while waiting for a new candidate.

D. Paradis: I like Councilor VanScoy's idea. My only concern is do we have enough time. Our next meeting is not until May 11th. If this motion passes, we'll come back with a list on May 11th then we're looking at two more weeks out until the next meeting before we take another step.

N. VanScoy: I would hope our Human Resource Coordinator would take the list and use it appropriately to help us find an Interim. I would say it would be up to the Town Council to go to the people that have an interest review résumés and decide if one of those is appropriate. Special meetings aren't off the calendar. This may be one of those that justifies having special meetings.

Chair Gahara: Carol is here until June 30th. We don't need an Interim until June 30th. We don't need an Interim and we have to start recruiting. Maybe we don't even need an Interim. Why are we going the Interim path? Help me understand. Maybe I'm not understanding something.

J. Levesque: I think we need to get started with hiring a permanent Town Administrator through LGC. It's most important to get going. We have to get that wheel in motion. We'll have time to decide if we're going to need an Interim.

V. Lembo suggested amending the motion to obtain the list from LGC and hire them.

N. VanScoy: I think it needs to be in two motions. That's just my feeling.

Roll call vote on obtaining a list a potential Interim from LGC

D. Paradis	Yes	
M. Pischetola	No	
N. VanScoy	Yes	
V. Lembo	Yes	
J. Levesque	Yes	
G. Longfellow	Abstained	
Chair Gahara	No	4-2-1 passes

J. Levesque moved to hire LGC to start the process of recruiting. N. VanScoy seconded. Motion carried. G. Longfellow abstained.

N. VanScoy: It does indicate that step 1 is to consult with the hiring authority. We should be looking for that on our next meeting.

Chair Gahara: If I recall the last time we did this, we were contacted individually by MRI. They did their homework on what our thought were. I'd say that's a pretty good way of doing this. To get that background. I'm not sure if LGC would do that. If you would be in favor of this so we could get started in that direction.

C. Granfield: They indicated they can adjust however. We can indicate to them what we'd like to do.

N. VanScoy: Do we have a timeline on when you plan on contacting them?

Chair Gahara: Tomorrow. That's what I asked for.

MRI Study re: Community Development and Building Departments

Chair Gahara: Nancy had asked for this matter to be discussed.

N. VanScoy: This is the MRI study I believe everyone was here when we first discussed the report that came back. Not everyone was here when we decided to do the study. I think it's important that we address the concerns of the Planning Board because they are the group that works closely to these two departments. That is why I asked for it to be brought up under New Business, out of respect for the letter we did receive. The other reason I do bring it up is we do have more information being collected to further the reporting. It has been brought to our attention that members of the PB who have sat on the PB for a quite a while and obviously are respected in Town, who do not feel those interviews should go on. I would like to have the Council discuss that. I do support the study. I do think it's important we look at it with an open mind and an understanding of how it was conducted. It is important to realize only a few people from the board responded and to realize some input may be missing. I would like to know why MRI did not respond to a request from the PB to meet. Those are my concerns and would like to discuss amongst us.

Chair Gahara: We'll take one question at a time. The first question you have is why did MRI refuse to meet with the PB?

N. VanScoy: I don't know if they refused. I don't know if they even responded to the letter requesting for a meeting as opposed to the survey questions which we even discussed at a past Council meeting that many of the PB members did not like how the questions were being asked. They felt they were leading. That's why they requested a face to face sit down as opposed to answering the survey. It was sent to Don Jutton by Chair Gyval.

Chair Gahara: Was it a response to the letter? Did you follow up?

J. Gryval, PB Chair: No. I didn't follow up because I was waiting for a response. Everything that was done on this was in non-public session. We had no idea what was going on. I never saw a copy of the report. I don't know anything about it. All I know is we want to sit down and discuss it with them. They chose not to answer us.

Richard Marshall, PB member: What bothers me the most is that the Planning staff that we have, 95 % of their work is associated with the PB. The arrogance of this company who calls our staff unsophisticated, unprofessional and unqualified and not once would face the Planning Board to discuss it. I have 40 years on the PB, I've seen Building Inspectors come and go, Planners come and go, engineers come and go. The Planning staff we have today is sophisticated, is professional and is qualified. I cannot believe the arrogance of that company. To do it, without ever meeting with the Planning Board who makes the best use of the staff along with the Code Enforcement people. I just cannot believe it. The letter was mild compared to where my anger was at. The fact that the study even started without the scope being discussed with the PB. The original intent was to study exit 11 and how we go through the process of approving things. I don't know what's wrong with the process. When Cabela's was coming in here, the PB was bending backwards but our hands were tied because of State agencies and other governments involved. Our process had nothing to do with any failure that may have happened at Exit 11. So that study was turned around and studied how the staff was. Did they come to the PB? No. This is a slap on the face of our staff. They misquoted the amounts of money being used. This is ridiculous. You can't allow these kinds of things to go on. I lay the blame on the Council that hired a company to do a study like this without talking to the people that are involved in a day to day basis. That's where my anger comes from. I don't know about the rest of the board.

J. Gryval: The rest of the board discussed this thing. I couldn't truthfully answer the survey the way they were presented to us. I just couldn't do it. I think it's a total waste of the Council's resources, to be honest with you. They complained about the Town Planner. When she was hired, there were other candidates with degrees but did not have the knowledge. That's why she was the one that was hired. I don't understand the whole thing. There are more interviews coming. We would like to ask the Council to call off further interviews and disregard the whole study and to clear this from the staff's personnel records.

V. Lembo: Could you give us some idea of what they asked you that offended you so much?

J. Gryval read from a copy of the survey. Indicate what board you're on; how long have you served; what's the most challenging aspect of serving on the board; what do you find most frustrating about serving on the board; If you can change one thing that would dramatically change the performance of the board, what would it be; based on your experience on board, how satisfied are you with the following, materials provided in preparation for the meeting, the level of pre-meeting staff coordination, level of subject expertise, the level of staff input and advise, the organization and structure of the agendas, the order and form of the meetings, the level of staff input during the meetings, accuracy of the minutes, the amount of time allotted for discussion and deliberation. It goes on for pages and pages.

R. Marshall: Those who did answer it, we don't see any information about it in the report. Where is the data that was submitted as a result of this questionnaire. Very few people filled this out because they felt they don't know what MRI is looking for or why they're doing this.

Martin Cannata, PB member: This study wanted to prove a point that created a problem before they solved anything by the very fact that they omitted getting into a dialogue. I think there's a short circuit in the process. The questionnaire does evaluate the staff. I think that's very unethical for volunteers to evaluate the staff and they didn't give the staff a chance to even know this questionnaire was being floated. When it came to my attention, I called Mr. Jutton and I asked him about it. I asked him if the staff were aware of the survey and did they see it. He said no. To me that's very unprofessional. I had to deal with my own healthcare insurance company because they were wanting to know about my doctor. I asked them if the doctor know the survey was being done. I was told yes. It could have been dealt with counseling, reviews or even having HR. I'm very displeased with the whole process. I have 13 years as a volunteer.

J. Gryval: We're asking you to disregard the whole thing and get rid of it and clean up the staff's records.

N. VanScoy: You refer to non-public. My recollection is the Council, in public session did request the Town Administrator to look into the performance of those two departments and how they work together. That was done in public session. The only non-public that I was aware of is when we reviewed the study. I believe that was in non-public because it had to do with personnel. I do not believe we've been hiding anything and doing things in non-public. Personally, I was shocked when the report came out in public because I do feel it's a personnel issue. I was particularly concerned about it because it didn't seem to me that the study has been completed yet. And that it was a partial study.

J. Gryval: Somebody had to decide what type of study you wanted. It would have been nice to have some idea of what you're looking for.

N. VanScoy: I do not believe that discussion was had in non-public. I do agree we were negligent in consulting with the PB before putting out that scope. The council did discuss the concerns in a public session.

Chair Gahara: To go back, the Council has asked for a study to look into the 2 departments. A part of it was to do a survey. Personally, I don't see too many disparaging questions there. They're pretty straight forward. It's an opportunity to provide input. That was your opportunity. We can't control over how many responds. I would have loved to see 28 out of 28. The more input you get, the more information is out there, the better plans you can lay down for any types of improvement. Maybe everything is fine, but we can't control the fact only a few people responded.

J. Gryval: On the other hand, when you read those questions, it's very clear somebody is out to hang somebody. I don't want to be a part of it. I want to sit and discuss it a little bit.

V. Lembo: You haven't seen the report? What if the report stated the staff is doing everything right?

R. Marshall: No, I've seen the report but he hasn't seen it.

V. Lembo: I don't know. I wasn't on the council when this started. I saw the preliminary report. It just made suggestions on how to run the departments more efficiently.

Chair Gahara: I'm going to ask Carol to respond. I do think there's a timeline here that might be missing.

C. Granfield: Councilor VanScoy was correct. The Council approved the study between the two departments which were not getting along. There were issues. It was impacting some of the services. The contract was awarded to MRI. That was part of it in addition to the economic development. They then met with employees. Generated the questionnaire. Got only 8 responses. The Council in non-public provided them with an insight. I won't discuss what was discussed in non-public. The Council then directed me to go the next step. When speaking with MRI, they indicated they did not receive sufficient input from survey so that couldn't be a part of it. It wasn't sufficient to address it. And that was what they found. The Council indicated to me there still were issues there to be addressed. The next step is to work with the department and see if there are other process that could assist them. Based on that, the interviews were scheduled with colleagues for many years, not the MRI. They're not being paid. They will sit with them to discuss what MRI did not cover to get a full scale of what MRI. At this stage, I'm not going to be here. That will be presented to the Council for the new Town Administrator to follow up.

R. Marshall: One more comment. So we have these interviews scheduled. These people will not be talking to the PB. They just sent out a survey and only a few responded. Why didn't they reply? You have to ask yourselves that question. It's because the questionnaire was slanted. I cannot believe the lack of communication.

N. VanScoy: Is this in the staff's personal records?

C. Granfield: No. It's a report that was presented to the Town. It's not in personnel files. Again, the reasoning for it is those two departments continue to have working relationship problems that are impacting some aspects of the operations. It may not be the end result you see in the PB but there are

issues there. This is going to look further to help address those. We already have a prior group through LGC. It had to be two years ago, that came in to work with those two departments. For a short time, it made some progress but reverted back. It's not necessarily the PB, it's the day to day workings of those two departments.

J. Gryval: If it's within the two departments, why call in an outsider?

C. Granfield: Because it wasn't working inside and it's been going on for more than two years and it's been showing in public.

M. Cannata: It was going on before you came, Carol?

C. Granfield: Yes, it was.

M. Cannata: Were the Council aware of the problems during that time?

M. Pischetola: Yes, we were. I didn't know how severe the problem was until the information came to the board. I personally thought it was best handled from the outside for review because of the complaints just kept on coming in. I knew Carol has attempted on numerous occasions to solve those problems but it didn't help. It was just like vinegar and oil, they didn't mix. I had hoped all 28 members answered the survey so you all had input. I did have information about conflicts.

Chair Gahara: It will not be a good thing for us to do to just take the words of a couple of individuals or group of individuals. What we attempted to do here was to get as much information as we could and get facts, get people's input, not only the staff we also asked for the ZBA's and PB's input. Thus the reason why the questions were asked that way. There's nowhere in the survey where people were asked for their names. It was more of, what can we do better? From there we can come back and say, do we have an issue here? Maybe we could work on it together, or the departments could work on together. It's not a witch hunt. It's not looking at an individual board. It was a look at two department and hoping we could get input from others that work there day by day side by side all the time. So that we could get the information we need to make an appropriate decision. If there was decisions to be made. That's what this process was all about.

R. Marshall: If that was your purpose, you failed. You should have brought the boards in on it.

Chair Gahara: We did. We tried to bring them in through the survey.

R. Marshall: That's where it failed. Don't you understand that?

Chair Gahara: We could agree to disagree.

N. VanScoy: I think we should respect the opinions of other volunteers in this Town. We should take any lessons we can learn from this discussion and particularly the comments about failure of execution. Maybe the failure and letting people understand what the intent was. As a Council we should look at that. I personally don't feel we should stop the progress as it is going. I do think we are seeing improvement between those two departments and the work between them. I do think we're gathering valuable information that we can use in future times to consider how we build these two very important Town departments, especially concerning the economics of our Town.

Chair Gahara: The one thing I'm disappointed about this is that they got no response from Mr. Jutton. Maybe we can follow up at this point and we can ask Mr. Jutton to come and meet with the PB, ZBA and Conservation Commission.

M. Cannata: I think that's a good start but I would really like to hear before that takes place a rationale why it's taking place in the most general sense. Your cooperation would be really appreciated. So we have a sense of what is going on. Maybe they'll be a little more receptive to the questions you're asking.

Chair Gahara: We have a couple of follow ups. We'll get in touch with Mr. Jutton at MRI and get all the three boards together so you can ask some questions. A review of the survey and its purpose is completely appropriate. That should be discussed as well.

N. VanScoy: Is it going to cost us to have MRI review a survey further?

Chair Gahara: I misspoke, may be interpret the survey to you. I think that's what you're looking for, is clarification.

J. Levesque: Why didn't they put a protest on the survey and send it back? If they didn't agree with it. Return it with their comments. They didn't have to fill it out. The comments should have been there.

M. Cannata: I did that.

J. Levesque: Ok. Why didn't the rest of them do it?

J. Gryval: When we sent the letter, we asked for them to explain it. That's why.

J. Levesque: Do we need to separate this? We're talking about two departments under the Town Administrator and two boards.

R. Marshall: They are inseparable. You can't separate the PB from the planning staff. You can't separate CEO from ZBA. They're too dependent on each other.

Next Meeting

V. Lembo moved to change the meeting from May 11th to May 12th. Motion seconded by N. VanScoy.

N. VanScoy: There are a lot of things going on that I think it's important that we have the input of someone with Chair Gahara's experience.

Chair Gahara: Right now, I'm 99.9% sure that I can make it on the 12th. Don't hold it against me if something should change.

Motion carried unanimously.

PUBLIC INPUT

M. Sorel: I had the privilege of serving on the citizens' committee that interviewed seven qualified applicants for the job of the Town Administration. It is my memory that we did not find any of the applicants unqualified. We found there were three that will be a good fit for the Town. They were more qualified than the other four. We recommended 3 to the Town Council. We found none of the applicants were unqualified. We just found 3 that would be a good fit to the Town. We also found that Carol Granfield was the most qualified of those three and that was our recommendation. So there were no unqualified applicants that came before us. I want the records to be clear and accurate.

Second subject, I would urge all the members of this board to very carefully listen to Martin Cannata. I'm a long-time observer in the audience of the Planning Board and I served briefly on the board with Martin Cannata for a year. I went to his house after he declined to be reappointed for health issues. I asked him to please put his name in to be reappointed to the PB. He has a unique special talent. I asked him to come back to the PB because the Town and the PB needed his intellect. His talent and his intellect allows him to listen very carefully, does not speak often and gather all information being provided, sorts it all out and addresses the issue. He always hits the nail on the head. So I would urge you Councilors to listen to what he said this evening. To listen to him in the future and seek out his opinion. Hooksett benefits from his intellect. He sees things other people don't. The Town Charter provides that you meet with each department at least once a year. You really don't do that. This is not a criticism, it's just an observation. You can't tell a board what to do but you can tell them what you wish. And that is leadership. It has to come from this board. It's not my position to lecture you. I just point that out. It's in the Charter. Meet with the entire board not just the Chair and the Vice Chair. Thank you for your time.

Bob Ehlers, 14 Ardon Drive, Supervisor of the Checklist: I'm concerned about what I heard about the PB. As a former PB member, I took part with joint meetings between the PB, ZBA and the Council. Those did happen when I was on the PB. I heard there's going to be interviews with the Planning staff. These interviews will be done by people who are not being paid, have no liability. They're going to be talking about personnel issues. I find that concept totally wrong. I don't think it should go forward. What standards are these people accountable to other than their colleagues. This report that was in the newspaper that points to people in the staff. How does something discussed during a non-public meeting get in the newspaper? We had an increase in litigation. You want to know where litigation comes from? It comes from this stuff, putting stuff in the newspaper.

David Pearl, 79 Main Street: Again tonight we veered off the path of our process here. You said you were talking to the PB but you weren't talking to the PB. You had three members of the PB sitting in the audience. Past the point of public hearing, I don't know what we were doing. It wasn't a public hearing. They were free to talk to the Council. Another member of the audience wasn't. I think we need to watch that process. There's many of us that would like to speak and we don't because it's not part of the process. You need to be clear. If you're opening the floor and having a public hearing. We'd like to partake in that. Out of respect to you, we're not interrupting when we have concerns when it's not a time to speak. Certainly, you did not have the PB here tonight. You had some concerned member. I think they have valid points. They were heard during the Public Input. But past that, I don't know what we call that. I think that turns into problems. Regarding the report, I would agree with Bob Ehlers. I think we should refer to these people as elected officials. Yes, they don't get paid so they are volunteers in that sense. But they are elected official. They have to be sworn in and uphold their duties. Being an elected official in Hooksett, I would like to be referred to myself as an elected official. As limited as my role might be, out of respect to these people that give their time, you are all elected officials so are these people. You refer to them as volunteers. Volunteers are people that help other people. These are elected officials that make decisions as you do in this Town. At the same that report came out, I was helping my daughter with her biology report and how a good report should be written. That report didn't fall into a good report. I don't think we got our money's worth.

M. Farwell: I hope when you structure looking for a new Town Administrator, you will include a citizens committee. I think it worked well the last time. As of May 11th, you will have 2 vacant seats on the Council. I hope you would consider whether you would plan to seat the newly elected Councilors.

ADJOURNMENT

The meeting adjourned at 9:56 pm.

Respectfully submitted,

Evelyn F. Horn
Administrative Assistant

Vincent F. Lembo, Jr.
Town Council Secretary