

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, June 15, 2011

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

PRESENT: Nancy Comai, Vincent Lembo, James Levesque, Todd Lizotte, Daniel Paradis, Michael Pischetola (absent), William Sirak, Nancy VanScoy (via telephone), Carol Granfield (Town Administrator) and Chair Bill Gahara.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

May 25, 2011 – *W. Sirak moved to approve the May 25, 2011 minutes as presented. Motion seconded by V. Lembo. Motion carried unanimously.*

May 25, 2011 Non-Public (1st Session) – *T. Lizotte moved to approve the May 25, 2011 non-public (1st session) minutes as amended. Motion seconded by D. Paradis. Motion carried.* N. Comai and N. VanScoy abstained, not present at the meeting.

May 25, 2011 Non-Public (2nd Session) – *T. Lizotte moved to approve the May 25, 2011 non-public (2nd session) minutes as amended. Motion seconded by D. Paradis. Motion carried unanimously.*

RECOGNITION OF OUTGOING TOWN COUNCILORS AND TOWN ADMINISTRATOR

The Council recognized the following Town Councilors for their contribution to the Town of Hooksett.

1. David Boutin
2. William (Bill) Gahara
3. James Gorton
4. George Longfellow
5. Daniel Paradis
6. Michael Pischetola

Town Administrator Carol M. Granfield was also recognized. Ms. Granfield is retiring June 30, 2011.

CONSENT AGENDA

1. Bond Release – Briar Court – Vinewood Development
2. Cash Bond Release – Four Corners – North River Road

J. Levesque moved to approve the consent agenda. Motion seconded by T. Lizotte. Motion carried unanimously.

PUBLIC INPUT

James Moloney, 18 Coaker Avenue: I am aware that public service is a difficult position to be in. We're not all going to agree. The last session that I attended. I was, I believe grilled about the comments I made because I was rather upset about some of the goings on around my neighborhood and some other issues in Hooksett. I brought some of the recent headlines. I believe at the last session it was brought up there has been 4 sewer rate increases in the last couple of years. I'm reading that we had about \$1 million excess fund. The disk incident that received national attention only ended up costing roughly \$212-250,000. I wonder why we have excess funds of roughly \$1 million when one of the worst disasters recorded is roughly about a quarter of that and yet we're paying these rate increases. These are not the type of headlines you should be getting in a community of 14,000 people, in my opinion. I spoke out of frustration. I don't think that I'm alone. It's not a perception problem. These are real issues. I'm going to speak on the Coaker Avenue issue. I believe there are a number of discrepancies that need to be brought to light. I attended the Planning Board meeting in the fall of last year. I spoke to the DPW

Director and the Planner and yet, my concerns about safety went unaddressed. What I'm saying is, these are not perception problems. These are real problems. I realize that public service is a difficult job, but we need to do a better one.

NOMINATIONS AND APPOINTMENTS

Nominations of Boards' and Committees' Members

CONSERVATION COMMISSION

(2) Full Members, exp. 6/2014

J. Levesque nominated Steve Couture.

V. Lembo nominated James Walter.

W. Sirak nominated Bob Steiner.

Alternate Member, exp. 6/2014

V. Lembo nominated Philip Fitanides.

HERITAGE COMMISSION

Full Member, exp. 6/2013

Alternate Member, exp. 6/2012

Alternate Member, exp. 6/2014

V. Lembo nominated Gary Lee for full member.

PARK & RECREATION ADVISORY BOARD

(2) Full Members, exp. 6/2014

J. Levesque nominated David Elliott.

T. Lizotte nominated Mike Horne.

PLANNING BOARD

(2) Full Members, exp. 6/2014

W. Sirak nominated Frank Kotowski.

J. Levesque nominated Robert Duhaime.

D. Paradis nominated Mark Messina.

Alternate Member, exp. 6/2014

J. Levesque nominated Tom Walsh.

POLICE COMMISSION

Full Member, exp. 6/2014

T. Lizotte nominated Kenneth P. Scherer.

N. Comai nominated Dana C. Argo, Sr.

Kenneth Scherer, 16 Post Road: I'd like to thank the Council for the opportunity to address the board this evening. As you saw on my letter of intent to propose myself for consideration. I'm interested in taking a more active role in Town. I have a 7-year old boy. I've lived in Town for 5 years. I did a thorough search for where I wanted to live and Hooksett was the place. I've been looking for opportunities to give back and volunteer in whatever role I can provide. I welcome your questions.

V. Lembo: Why did you pick the Police Commission and not some other board or committee in Town?

K. Scherer: I had look at some of the available positions. Some of which were deadline limited by elected day. This particular position interests me a little more because it's more involved. I don't run from responsibility. I welcome the challenge. I think in this case, in this particular role, I have skills that will bring a lot to the table. I have an engineering background. I'm a detail

oriented guy. Regardless of the situation, I feel I can be impartial. I'm relentless in collecting data. In the end, I think all decisions need to be made when making a fair and balanced analysis of all information available. Professionally, I have a sales role. I manage the northeast region for the company I work for. I'm responsible for project management. In the case of the Police Commission, I only attended one meeting, which was actually a deliberation on Officer Defina's hearing. I try to keep myself as informed as possible by reading minutes. There are a lot of budgetary responsibilities. It seems minutes take a lot of time to get approved, too. I have relatives in the New York City Police Department. My best man was a police officer. I have a little understanding of the role of the difficulties and challenges of the Police Department interacting with the public whether they are on the right side or the wrong side of the law. I think in the case of Hooksett, we've been in the news a little more than we'd like. The Town needs to identify where we can improve and what we're doing well.

W. Sirak: Thank you for stepping up and volunteering for this difficult position. I think we're fortunate to have someone of your caliber and expertise. You're stepping into a very difficult situation. How are you going to ensure a level of objectivity.

K. Scherer: That's just the way I live my life. I'm impartial whether my son is involved or my neighbor's son is involved. I was involved with the Boy Scouts of America as a youth. The parts of the scout law on the scout promise are things that I live everyday. I wake up and enjoy living everyday. I think I'm a good judge of character. Looking at any situation, you need to be impartial, you need to be fair and you need to fair to the citizens, to the individual involved and to your conscience. Ultimately, its conscience that really makes you do the right thing. Integrity is doing the right thing when no one is looking. I think I live that everyday.

W. Sirak: You dais you've reviewed some of the minutes. Are you coming into this situation with some recommendations at this point?

K. Scherer: I wouldn't say its recommendation, by any means. In order to analyze any type of situation, you need to be sure you've investigated and gathered all the pertinent data. Minutes can be dry and not indicate all the details. I would say paying attention to the minutes for the year 2011, prior to that, it was more the news. I felt that was important that if was going to consider putting myself up for consideration, I'd be informed. There is a lot to read through in the minutes.

V. Lembo: In your opinion, what is the role of the Police Commission in the Police Department.

K. Scherer: The commission's responsibility is oversight, oversight without overreach, I would say. Ultimately, the Police Chief and the command staff run the Police Department operations. The commission itself in my opinion, in researching the role of the commission, is the citizens' representative. The commission is the citizens' representative and responsibilities include budgetary responsibility. While the commission needs to have oversight and not overreach and at the same time have a good relationship with the Police Chief and the command staff of the department and makes sure that the Police Department does the best it can do to serve and protect the citizens of Hooksett.

N. Comai: Presently we have two other members in the commission. Mrs. McHugh, who is a CPA and a long-time volunteer in Town. The other is Mr. Karolian, who has law enforcement background. How would you fit in as the third member? And forgive me for saying third member.

K. Scherer: I feel I would be very complimentary, bringing my skills set to the table. Obviously, Mr. Karolian has extensive police background. I think it's important to have a certain level of that understanding on the commission. Commissioner McHugh appears to me to be very strong

in terms of administration. I think of myself as the detail guy. It doesn't really matter what it is. In the end I think I have a "knack" for seeing details and understanding the bigger picture. The big picture is the Town of Hooksett, the service of the Police Department to the citizens of Hooksett. The commission is a citizens' commission. Their interests are varied. I think I will be a good compliment to the existing board.

Dane Argo, 11 Orchard Drive: I've live in Town for 19 years, with a wife and two successful young college kids, I'm happy to say. I think one of the major problems if not the major problem facing the commission/department/Town is the hiring, training and retaining of police officers. I have extensive experience in Union bargaining. I have 30 years in natural gas distribution business. I've been a member of steelworkers' union and also worked on the other side of the tables with steel workers and electrical workers. I've negotiated union contracts both in the private sector and as a member of the Hooksett School Board. I also have extensive experience with employee engagement. It's a very important part running a business. I believe the Police Department is a business. It's very important to know your employees and know what their needs are. It's important that your employees know what you expect of them. I bring a lot of that knowledge to the table. I can answer those two questions you asked, if you'd like.
Mr. Lembo,

V. Lembo: What is role of the Police Commission in the Police Department? I want to congratulate you as the Chair of the School Board. I read an article in the papers that the Cawley Middle School did a fantastic job in the NECAP testing.

D. Argo: Thank you. We're proud of them. I'd like to take the credit for that but I can't. I appreciate your comments and I'll pass it along. I look at the Police Commission and the Police Department as a business. I look at the role of the Police Commission as their board members. They oversee policy and the budget process. Those are the two primary areas where the commission should be involved on a regular basis. I look at the Chief as the CEO of the corporation. He's running it. He's the guy that makes everything run. The command staff is the vice-presidents and/or department heads. They take the Chief's direction and make the operation run. I look at the Commission as high level. Understandably, there are times they need to be involved with day to day operation if there are circumstances that require it. On the whole, very high level, policy, procedure type functions.

W. Sirak: I also want to thank you and congratulate you for your fine work at the School Board. Thank you for applying for this one too. I'm concerned that you have a pre-conceived idea. Help me understand how you would overcome that if it's a prejudice or an approach that you might take.

D. Argo: Like everyone that gets involved in Town politics, we all have opinions and beliefs. I've always been a "just the facts", so to speak. You listen to the facts. You review the facts and you make your decisions on the facts. I could show you in my voting over the years with the School Board and budget. I don't always necessarily vote with my heart. In fact, I don't vote with my heart. I vote with the facts. I can tell there are times, on personal basis, I probably wouldn't vote that way. I vote with my constituents. We have forms where people could voice their opinions. I follow those opinions. I believe I'm representing the voters/residents of the Town. Though my personal beliefs are involved with a lot of questions, or investigations I may do, the bottom line is, my decision is based on facts and figures. I believe my record would show that.

W. Sirak: Do you think we'd ne creating a perception of a conflict because of your association with the School Board?

D. Argo: I don't believe so. The school district is the biggest entity in Town. The biggest budget and with most employees. We're dealing with, pretty much, every child in Town. I don't think there'll be a conflict. There have been issues over the years, i.e., SRO and incidents that happened in the school. Those are issues that have been dealt with by the administration. The board has not had to get involved in most of those decisions, if any of them. That's the way it should be. Our Superintendent, Dr. Littlefield handles them. He keeps the board informed. Occasionally we're asked for comments by the media. It goes with the job. I do not see any prejudice. I personally talked to the Chief about the SRO and told him as long as we have one, it's up to him who's there. Everybody has their preferences. As long as the person in there is doing a good job for the district, for the students, I'm fine with that.

V. Lembo: Are you a supporter of Officer Defina or the Police Department or are you neutral?

D. Argo: Am I a supporter of the Police Department? Absolutely!

V. Lembo: I see in a lot of newspaper clippings, pictures that you support Officer Defina's position in the problems over there. Do you think that would give you more biased towards the Police Department if you were on the commission?

D. Argo: I don't believe so. I'm a firm believer in people being allowed to voice their opinion and have due process. If someone is allowed to have due process, when you have the opportunity to have due process in a public setting like that, the facts speak for themselves. I honestly don't believe there is prejudice, the facts speak for themselves.

N. Comai: I was just checking the Charter. I just want to be sure. Dan, can you tell us, is your term up at the School Board?

D. Argo: No. I've checked into that before I submitted my name. If I could add one point. One might ask. I am a member of the School Board and Chair of the School Board. I have to tell you, come September I am also an empty nester. Both of my children are in college. I'm very involved with them. I'm always looking for a way to fill my free time. If anyone did have any concern about too much on the plate, so to speak. I want to put those concerns to rest.

RECYCLING & TRANSFER ADVISORY COMMITTEE

(2) Full Members, exp. 6/2014

N. Comai nominated Roger Duhaime.

J. Levesque nominated Martin Cannata.

W. Sirak nominated Robert H. Worrell.

T. Lizotte nominated Sean McDonald.

Robert Worrell, 1465 Hooksett Road, #412: I grew up in Manchester. I did some recycling in Hopkinton. I moved to Granite Hill. I may have something to add to the system.

Sean McDonald, 13 Springwood Drive: I moved into Town a little over 3 years ago. I have a wife and a daughter and we live at Springwood Drive. There are two reasons why I sent a letter. First and foremost, I feel like recycling had become a larger part of my life, especially, my adult life. One of the things that frustrates me as I drive through Town on trash day, I see all kinds of stuff, cardboards, plastic, glass all sitting out there on the street. I know we could be a lot more efficient with our garbage. I feel that if people got a little bit more information out there through various resources, website and signage or whatever, then we could get a lot more people on board and save a lot more money. I feel like that's where my expertise could be and introduce some fresh perspective to all this. I think there are ways to do it and I'd love to get a chance to do it.

ZONING BOARD OF ADJUSTMENT

(2) Full Members, exp. 6/2014

Alternate Member, exp. 6/2013

Alternate Member, exp. 6/2014

D. Paradis nominated Don Pare for full member.

J. Levesque nominated Chris Pearson for full member.

J. Levesque nominated Mark Messina for alternate member, exp. 6/2013.

J. Levesque nominated Michael Simoneau for alternate member, exp. 6/2014.

OLD BUSINESS

Coaker Avenue Renumbering (Tabled from 5/25/11 meeting.)

C. Granfield: A couple of comments, then I'd ask Peter Rowell, our Code Enforcement Officer to come up, who has prepared the staff report. I know Councilor Comai held a meeting. Between the two of them, they'll be able to address what the outcome was. I will state, we did have materials for the public but it's just a portion of highlights. The Council has the complete package. We primarily do this for most items. We may have a cover sheet of the staff report and a couple of different pages just to give members of the public who may know nothing, an idea of what the subject is all about. You had a meeting previously. There was a lot of discussion. Members of E-911 were here. After hearing all the information, it was determined that Councilor Comai would schedule a meeting in her district to gain more information. The Code Enforcement Officer and E-911 were there to have a better consensus of what was needed and then come back at this meeting with the intent of moving and taking some action. With that, I'd turn it over to Peter Rowell.

Peter Rowell, Code Enforcement Officer: We did hold a meeting with 8-10 residents from Coaker Avenue. We did discuss similar options that were discussed at the public hearing. After much discussion, it became very clear that the residents did not want to change the numbers on their addresses. They wanted the option that didn't require changing the numbering on their houses. That is one of the options, which is Option 1, two of the houses will pick up Coaker Ave numbers, 21 and 23 and the third lot will pick up an Alice Ave number, probably #15. The other option (Option 2) where there will be no disruptions to other number, which would take the three lots in question, #'s 21 and 23 and the third one with an alpha destination after it. Either one of those options will have no effect on the address numbers. That pretty much what came out of the meeting. The staff's recommendation is to change the numbering on the whole street. Anything that we bring forward is recommendations. It's the Council's decision on how they want to go. In the packet, there were some e-mails to the LGC. While case laws are not settled on this issue, it could go either way.

J. Levesque: Opposite of the street where an open space of land, would there be numbers available for those lots when they are subdivided?

P. Rowell: It looks like there will be numbers available. It's hard to tell until you get to it.

J. Levesque: About 25 years ago, Hackett Hill Road went through re-numbering. Everybody was upset about it but we did it and it just worked out. It was easy. We didn't lose any mail. Initially, it seems a hard thing. For the safety of the people in the neighborhood, I think it's a good idea to re-number the whole street and be done with it.

N. Comai: With a new development and new houses, what is the ordinance of the house? We said something about 4" numbers.

P. Rowell: The actual size of the number?

N. Comai: The actual ordinance itself that the house sits on the corner, specifically will need to be numbered based on the ordinance.

P. Rowell: The Town has no street numbering ordinance. We follow the guidelines established by the Federal government. The Building Code does require a certain size number on each house. That's what they look for in a house with a contrasting background. Does that answer your question?

N. Comai: It does to a point. I think as Councilors, as we move forward, we should think about establishing an ordinance after we decide what to do. Add something to the house that would help with identification. No matter which way we go. Of course, I will recommend the Alice Avenue. It was my suggestion in the first place because it disrupts the least number of people. I'm not an advocate of disrupting the whole neighborhood for the sake of one house. It seems to me it's the easiest answer for now. The recommendations on the staff report, which included Brace Avenue. That's another whole discussion for another day. We can't jam all those things in tonight's vote. I had a nice long conversation of Chief Williams. He is a proponent of the E-911 system; however, he understands the situation we're in. He will adhere to whatever the Council decides. The other issue we have to discuss is who will be paying for all the related costs. I personally did not think it's up to the people. I didn't think it was up to the contractor. I think it needs to go back to us. Again, the drainage and the Brace Avenue issue is an issue for another night. I would like to make a motion that we vote on this tonight.

D. Paradis: I'm going out on a limb here. I'm going to say nobody in this room probably knows the feeling more than I of responding to an emergency and not being able to find an address in the middle of the night. When you're responding to a call and minutes are a matter of life and death. But that being said, every situation is different. We just heard about Hackett Hill. Completely different situation. The houses on Hackett Hill are spread out. They're recessed back from the street. A lot of them, if you go by one address, it's a big mistake, you don't realize it until you get half a mile down the road. You can't turn around a Fire truck or an ambulance on a dime and it might cost you a couple of minutes. I've been on Coaker Ave, I've walked it, driven it. I've also talked to a lot of Hooksett Fire personnel and Manchester Fire personnel. The situation we're talking about here obviously is if all the pieces in Hooksett are unavailable on other call and Manchester is going to respond. I was informed that 99 out of 100 times you'll get Manchester. Manchester is also very familiar with Coaker Ave area. There was a Fire House there. I am also in favor of giving the corner house an Alice Avenue address. I believe the worst case scenario would be, and it happens on a daily basis on every emergency, I don't care somebody from the Police Department gives you something different. They go by address. A lot of pumps and pieces still do not have GPS and you do it the old fashion way by maps or dispatch. If a dispatch were to come in for that address, not only are they just going to give that address, you have breaking points. The people responding, before they get there, Alice Ave on the corner of Coaker and Alice, the houses are so close together, 30 to 40 feet. They are right up on the road. I feel 100% confident that nobody from Manchester or pretty much from any other town would get lost. I think it's completely unnecessary to re-number the street at this time. I just don't think it's necessary. I don't think it poses any life safety issues. Believe me, I'd be the first one to say it would, being in the field for a quarter of a century. I think the situation doesn't require it at all. Access to Coaker and Alice is so easy.

N. Comai: ***I move to have the corner house be assigned an Alice Avenue address (Option 1).***

Motion seconded by D. Paradis.

N. VanScoy: I have two concerns with the motion. The Town Council is the board that makes policies in the Town. I want it to be understood that we are not voting on a policy that it is appropriate to number houses this way in the future. That this is a single motion on a single incident. That would be my first comment. The other comment I would like to make before we vote on this is to once again point out that the building permits were issued without street addresses. As we are voting on this, I would like my fellow Councilors to consider in the future looking at policy or asking the Town Administrator to implement a policy in the Building Department that we do not issue building permit unless we have an assigned and valid street address.

Motion carried unanimously.

Corriveau Drive

D. Paradis: It seems the residents have deemed a less than desirable results in bringing the street back, the easement that we gave them. I do have some good news. I was directed to Mike Carter, in charge of logging. He has agreed to go above and beyond the Council's recommendation. He will go back there in a few weeks. He will spread loam on the area. He will put conservation seed down. Hopefully, it will do a lot to improve the outcome. I'd like to thank him publicly for that. He didn't have to do it. After a lengthy conversation, he decided it's the right thing to do. Hopefully, the residents would be pleased with the results.

NEW BUSINESS

Encumbrances

Christine Soucie, Finance Director: I'd like to start with the prior year encumbrance. This is for Architectural and Engineering Services for repairs to Safety Center. The contract is with HL Turner. There is no expiration date. This money was from 2008-2009 budget and encumbered into this current budget. We didn't spend any of the funds this year. We're asking to continue for at least one more year. We're not sure what the board is going to do with the safety center now that we've had two failed votes on bonding. We thought we should keep it for one more year.

N. Comai: Is this an extension of the \$90,000 that was spent two years ago?

C. Granfield: It's \$53,166. This is a contract. It cannot be used for any other purpose. The question for the Council is the bond failed. We don't know if something would come up mid-year. Will the Council want to go back and have additional work. That's why we thought another year but that is really your option. It can only be used for that and not anything else.

N. Comai: Again, is this \$53,166 within the \$90,000 already approved by the Council two years ago or over and above that?

C. Soucie: The contract was for \$90,000. This is the balance.

N. Comai: This board has already approved that.

C. Granfield: You have to carry it over and we're recommending doing it for one more year than you'll know whether you're going to do something or not. If not, then it can revert to general funds.

T. Lizotte: It was \$90,000 for Architectural and Engineering Services. So it indicated that they used a certain portion of that money to identify whatever structure and architectural issues that might need to be fixed. Correct?

C. Granfield: Correct. That was the report the Council received.

T. Lizotte: So this can only be used for some other things they haven't identified?

C. Granfield: No, it's associated with it. Say, there were additional issues four months from now. Rather than patch it, the Council will have HL Turner come back and look at it. If you don't have this, we wouldn't have the funds to do that.

T. Lizotte: I'm just wondering what else could be wrong with that building if they've identified everything and proposed a bond.

C. Soucie: My understanding is that there was a list of tasks associated with HL Turner that established that initial \$90,000. They did tasks 1, 2 and 3. 4, 5 and 6 would have been completed if the bond was approved by the voters.

T. Lizotte: So there are items they haven't done and this would pay for that.

C. Soucie: So if next year, the Council decides to try the bond again one more time. This money would be available for HL Turner to complete those last remaining tasks that were originally established.

T. Lizotte: Out of curiosity, why didn't they just complete the tasks? Why wait for the bond to complete the study?

C. Granfield: I have to look at the contract as to what those items were. It wasn't anything they would have done before they knew they were going forth. It was to complete that. Have the bond passed, then they would have done those items.

T. Lizotte: So this \$53,166 would perpetually go forth until the bond...

C. Granfield: No, if the Council decides to go forth and start patching and repairing, this money would revert to the general fund, unless you wanted to continue it each year.

Chair Gahara: In effect, what we're looking to do is encumber for one year.

N. Comai: I think I was in the room two years ago when the \$90,000 was brought up for encumbrance. At that time, there was an obligation to L Turner for \$90,000. In my mind I thought we already spent the \$90,000 on what they provided. Now, we're learning there are mysterious items that still need to be done.

C. Granfield: That was for, if they were going forth with construction. Part of the money was for them to work with the construction management, etc. That would be the next phase. It's not that they didn't do the work that we've contracted with them for. It's there if construction was going forth. That money was paid.

N. Comai: We wouldn't have had to encumber \$90,000 two years ago, then. We would only have to encumber \$32,000.

C. Granfield: The contract was for the full amount. So we had to encumber the full amount.

N. Comai: But you guys knew going in that they weren't going to finish the contract pending votes.

T. Lizotte: Are we in violation of the contract?

C. Granfield: No.

T. Lizotte: Can I have an example of where this money got spent?

C. Granfield: If the bond passed by the voters, which, next year if you decide to go forth one more time, then, you've got the money for HL Turner to finish what they needed to do to start construction.

T. Lizotte: Based on the timeline say, of a May vote, we would have enough time by June time frame to encumber the \$53,000 in order to cover that, if the bond went through.

C. Granfield: Correct. So this is giving you that option.

N. Comai: You can add the \$53,000 to the bond.

C. Granfield: You can do that as well.

T. Lizotte: I'm against perpetually pushing money forward. Let's give it back to the taxpayers and put it back to the general funds.

C. Granfield: That's why we put it here to let you know the options. It's not that it has to be but the moneys are there. Christine and I went through what's left and we give it to you. If you go forth, you can tie that into the bond. So the bond wouldn't be \$1.5.

N. Comai: Again, thank you, Carol for explaining. I am still learning but I thought an encumbrance was when you have an obligation. It's gone upon the voters telling us not to do the safety center renovations.

C. Granfield: The obligation is with the contract if you are going to...

N. Comai: Councilor Lizotte's point is there a violation of the contract?

C. Granfield: No. You don't need to do this. If you decide, you would just have to add those funds in.

V. Lembo: I just want a clarification. HL Turner could have done this work but they chose to put it off until the voters approve the bond. So in reality, they were trying to save us money by not doing 4, 5, and 6 of

the study. If we decide to go forward again next year with the bond to try to get the safety center, we won't have to get this out of the general funds, if we put an encumbrance.

C. Granfield: Yes, you would have to add that to the bond. It's not that they didn't complete it. It wasn't scheduled to be done unless the bond passed.

V. Lembo: Correct. It was a part of the contract but it wouldn't have been done until the voters approve the project. They didn't neglect their obligations. They just saved the taxpayers money by not spending it.

C. Granfield: I would recommend you make the motion in the affirmative and then if the idea is not go forward with it, then vote negatively because it was proposed to make a motion to encumber the funds. So someone can make a motion, second it and you all can vote on it.

Chair Gahara: Or don't make a motion and it rides (?) then it goes back to the general funds, correct?

C. Soucie: Right. If you don't make a motion at all, it goes back to the general funds.

Chair Gahara: So there's really no need to have a motion.

C. Granfield: I was just thinking for purposes of history. We always have a hard time tracking back what has occurred. So if it's in the minutes, it can be five years from now. Administratively, this would help.

V. Lembo moved to encumber \$53,166. Motion seconded by J. Levesque. Roll call vote failed unanimously.

Chair Gahara: This is for the second item.

C. Granfield: These are four items that are listed for contract that are in place with the amounts that work are not going to be completed in this fiscal year. If it were, we wouldn't be encumbering the funds.

Chair Gahara: My only question on this one, it is okay because we lump them together to go for the motion under \$31,895 versus doing them singly.

C. Granfield: Yes, the only thing that's stated here is a question with line striping. If they do it, the total amount in the line striping, is that a problem? If it's completed, they don't need to encumber the funds.

Chair Gahara: That was the second part of my question.

Christine Soucie: It's up to the bond how they'd want to do it. If they want to do individual projects or if you want to do the total \$31,859. It's totally up to the board. If you do encumber the full \$31,859, and the line striping gets done before July 1st, what will happen is, I can always reduce the amount of encumbrance without the board's approval but I can't increase the amount of encumbrance. That's why it's on there because if that last week, it rains and they can't go out there and stripe, we'd be out.

Chair Gahara: It does make sense. Then we can move forward on \$31,859. Is that the Council's will?

T. Lizotte moved to encumber \$31,859. Motion seconded by V. Lembo. Roll call vote carried unanimously.

Non-Public Minutes

C. Granfield: You have a copy of some information regarding the non-public minutes. This was brought forth from Councilor Sirak, who attended a meeting with LGC and suggested you take a look at this. What it does and I've used this type of thing in other places, in particular for non-public. It's a format whereby, the secretary can utilize it, check off names, who's there, check off the RSA, makes it very simple. It kind of walks you through having a roll call, then you list that. It does list, which we think this should be done, other persons. Many times you'd invite other people to the non-public so you'd list who is there and descriptional matters and final decisions. You would list just a few brief summary. Then if you seal the minutes, that information is sealed and not open to the public but it walks you through. If you

adopt this format which I think is positive, the secretary would just check off, write names, hand the final sheet to Evelyn who would then prepare it in minutes format. It makes it much simpler and yet doesn't lose sight of, many times we'll have that and Evelyn will have to check, was there a second or whatever the case. This gives you a running thing so I think it's an excellent format. I think it was great that Bill suggested taking a look at it.

W. Sirak: This particular document was part of an extensive all-day workshop dealing with best practices put on by LGC. They are going to do this again next spring. Especially for those of us who are new. It's a day-long session. It brings you up to speed on all the specifics. The focus of the meeting was on right to know. This is a part of it in terms of keeping ourselves out of trouble. The other area I'd like to review with you that came up and there was a lot of discussion. There were probably around 40 Town Councilors and Selectmen there, was minutes, word by word minutes versus summary of discussion. Their recommendation is to do a summary of discussion and obviously, the action taken and do not do a word by word transcript. Driven in large part because they felt materials didn't get read. It was unnecessary strain on most towns that have limited resources. It was best practice to do a summary of discussion rather than doing a word by word transcript. One of the things I was hoping we could do is either adopt that as a policy or take this as well as the other areas of best practice then adopt them going forward. I think we will be better served if we move in that direction.

C. Granfield: Mr. Chairman just to highlight the second part of what was stated on the summary minutes. I know the Council did vote to have verbatim. I agree with what LGC stated. It's taken extensive time in our office for Evelyn to transcribe verbatim, which I don't know if people are reading all of that. It's letting other duties that should be done not being done.

D. Paradis: The Council has voted and I myself voted for verbatim. I don't think that's working out either. I think that it is too much work. I don't know where we could find that happy medium. We don't want to cut the summaries too short but we don't want to put in every word either. I think were lacking a little information before and now we're giving too much. I don't know the solution but I think it's somewhere in the middle.

Chair Gahara: Maybe for this evening, why don't we do this, I think it's two separate issues. This one right here before us is an excellent suggestion. I think we've all read and prepared for the non-public piece of it. I definitely and wholeheartedly agree and you know my position on the full minutes. It's something I would highly recommend that the Council take up in separate time. We could actually, if willing and you can accept we could take the minutes taking and put that on as a future agenda item. We can take look even at the next meeting. But for tonight, because most of you prepared for non-public, if I'm not mistaken. On these minutes, maybe focus here and we'd definitely get back to the discussion on the minutes, in general. Will that be okay with everyone? You've had the chance to read it. If you're interested, there could be a motion made on this particular format, then we could have further discussion.

V. Lembo moved to adopt the non-public session minutes format. Motion seconded by J. Levesque.

J. Levesque: As far the minutes of the non-public, I don't have a problem with them being abbreviated. We'd be the only ones looking at them. I know I was the one who seconded on doing the minutes in detail. I agree with Councilor Paradis, maybe we could find a happy road to keep the constituents happy and still get the work done.

N. VanScoy: Point of order, what we're talking about is not in the motion.

T. Lizotte: There's no indication on this that anything is for shortened minutes. I think that non-public minutes is probably one of the most critical because you're talking about important items that could be used in litigation, etc. You want to have it concise, if possible.

Motion carried unanimously.

Right to Know Law

T. Lizotte: I wanted to bring up a brief subject with regards to right to know. I just put this dialogue out there. Being new, I've gone to Carol and the Council to talk about things in terms of right to know and

responsibilities. I've talked to fellow Council members about the Charter, etc. Going forward and hopefully after July 1st, I'd like to enter a discussion with regards to the true rights of a Town Councilman because there is a conflict. I truly believe and our Charter reflects it in the section that talks about a Councilman has the right in which to go and seek information under right to know as a normal citizen. However, our Charter does state that a Council member can't order a department head to do something. However, the Charter does reflect that a Council member could go to a department and say, "*do you have something on such and such subject? Is it available?*" and, if it's available under the right to know, we should have access to it without having to go through the Town Administrator. That's the kind of discussion I'd like to have. I do believe there's a demarcation between access or ordering or having something produced especially for Town Council members. I don't think we give up our rights as a normal citizen to just come in and say, "*I want this site plan for this particular project. Is that available?*" and pay the fee, whatever it is. I'd like to have that discussion as we go through July 1st.

Chair Gahara: We can add this item to the first or second meeting in July.

TOWN ADMINISTRATOR'S REPORT

C. Granfield informed the Council in the following:

1. Sewer Disks - They are still in the process of trying to determine. I think there's been articles regarding what actually happened to the disks. They are still showing up in various areas, much more limited. The Sewer District is still under contract with Enpro right now, through the end of September. They still are the contact point and we refer people to them. No news on that other than there hasn't been additional funds expended at this point. Everyone was in hopes that it won't be as costly as it was initially deemed to be.
3. Public Works Director Position - In the final phases, hoping to make an announcement in the near future.
3. Town Administrator Position – The Town has utilized LGC for the process. 35 applications were received. There were 2 panels, an employee panel and citizens' panel that were assisting and screening 6 candidates. With that 3 were interviewed by the Town Council. The Council is currently still deliberating on that.
4. Health Insurance Committee – This was initiated in March. The goal of having the group assist in making recommendations to the Council on health insurance. That committee has been meeting every two weeks since March, had providers and other entities come before them, sent out surveys to employees to get feedback and input from them. As a result, we had a meeting today. What the group is looking at there's another meeting in two weeks and it's anticipated that probably in July/August timeframe, that group will be coming forth with recommendations to the Council. The things that we've been looking at are things that would be cost effective not only for the employee but the Town as well. We know costs keep on escalating and right now they're looking at offering a couple of different additional plans that would have lesser costs. Possibly recommending if individuals opt out right now, the Town pays a small amount for someone, a spouse has insurance coverage elsewhere, they can take a cash payment and have it and its pretty nominal. I think they'll be recommending a larger payment, which the Town would great benefit. It would be much less than a plan would cost. They are also looking at cost-share amount. I think what you'd be seeing is once they finalize everything, July/August timeframe coming forth with a recommendation. Some other things that will be happening over the summer is, some of those changes and they are changes that are needed and we've been keeping a list, in the personnel plan that delineates certain benefits and such. That would require some changes and it will be coming forth to you to be changed and at that point it would be anticipated that the Council adopts some of those changes, it'll give them, both the Council as well as employees knowing what direction they'll be going, we'll be getting the rates in September from the providers. So for budgeting standpoint and open enrollment is in December, you would know upfront, the employees would know how much they're going to pay. The Council would have approved what percentages are going be there. It's something you wouldn't have to deal in the budget. The hope is that would put that out of the way. Everyone would know what's happening and you can make some decisions. So that's just an update to you that it's forthcoming and the committee has met at least twice a month. I think they've made good progress. I think they're please with directions. It's not going to be coming forth if we want to keep everything exactly the same. I think you'd be pleased with that.

5. District 4, Councilor Paradis Slot – This position will be vacant as of July 1st. We have publicized that opening. It would have to be filled, appointed by the Council, by July 30th. We've publicized it with plenty of time with a closing date of July 6th. Anyone interested in serving at that point, the Council, when the new Council convene, they could actually appoint someone. That's the time frame and you meet the requirements of the Charter. I know that district has been difficult to get people. We've had calls from some people but not from that district. I don't think they are planning on moving but they were interested. Hopefully, the word would continue to get out and you'll have someone.

SUB-COMMITTEE REPORT

Hooksett Economic Development Committee

W. Sirak: The board is going into recess for the summer. They met last week, doing some work with the Sewer Commission, cooperative contract with SNHPC around Exit 10 and 11. We're continuing to get more and more interests from developers on those areas. We're encouraged but nothing definite at this point.

Zoning Board of Adjustment

J. Levesque: The ZBA met last night. There were two citizens who came in. One was for a 3-season room and another one for a garage, both encroached on setbacks. The person with the 3-season room had a plot plan of their property but it was just a proposed plot plan with what it looked like when they bought the property and it wasn't certified. So we had a discussion with Peter and Lee Ann how that went through without having proper documents. So when it came to the board, they couldn't act on it. They said they'd be more careful in the future. On the second one, we had pictures from the applicant and we had certified plot plan, stamped and dated May of this year from a local engineer. When you look at the plot plan and you look at the pictures, there's a carport that's built into the house that didn't show on the plot plan. All it showed was this portable carport. So I think the engineer went in his file, kept the old drawing because he was involved in that carport area, drew a garage on, stamped it and that's what they turned in. He got caught. So Peter is going to speak to him about that, I guess. The board granted that one for the garage but the other one, they had to ask for continuance because they didn't have the plot plan.

Heritage Commission

D. Paradis: The Heritage Day was a success. I want to thank Kathie Northrup again. She did a wonderful job hosting. Inspiring speech by Mrs. Robie and of course, your riveting speech, Mr. Chairman. Rebecca's donated the plaque at the site of the Odd Fellows, which was nice. After 105 years of service, they had to disband. Everything went great.

Conservation Commission

D. Paradis: The first hour of the meeting was all non-public and I will inform everyone in non-public if they don't know all the information already.

Parks & Recreation Advisory Board

D. Paradis: A lot of that is also non-public. They did mention, they brought up the ice rink again this winter. They are looking for a spot. They are going to try and work with the Fire Department. Their concern was liability/insurance on what happens is somebody gets hurt especially if we have it on Hanna Ho Hee pond keep coming up. That's one of the sites they're looking at. Personally, I think it's a good site and they have talked to the Chief. There's a hydrant close by. I'm hoping it goes through next year. They just never got it through last year. A lot of small project, a lot of things going. Phil gave a run down on what's going on in the department. Everything is running smoothly, just waiting for some positions to be filled to get going on large projects again.

Chair Gahara: Maybe to take back to Parks & Recreation Advisory Board. I was there when we put together the skateboard park across the street from the safety center. Some of those same concerns came up. We were able to work through them. Maybe they could have Mike Horne or someone go back to some of the records, maybe they'll be able to find a path to go down. If people are still worried about insurance and the legalities of it all. We had walked through that with the skateboard park. I see as much danger with skateboard park as I do with ice skating rink. I think we could probably work something out there. But there's definitely a precedent that's been set six or eight years ago.

D. Paradis: Another thing just crossed my mind. They are going to be looking for volunteers this fall. There is a large pile of stone dust still at the beginning of the trail. I'd say 15 to 20 yards. They're going to be looking for volunteers to spread that on the trail section from Pleasant Road to the beginning of the trail. They don't have the equipment. The trucks did the other part. This part of the trail is too narrow so we're trying to come up with a solution. Manually, you'll need a hundred kids with a hundred wheel barrows. I don't know if that will get it done. It's a lot of work.

Planning Board

W. Sirak: I attended the Planning Board meeting in Nancy's place. She was tied up. We've got something we could really celebrate. I think Carol has indicated in the past about PSNH. The Planning Board approved the process to move ahead. However, Todd you were at that meeting as well. I felt, at times it got laborious and bogged down and we didn't really spend time celebrating the success of that in presenting a welcome attitude towards PSNH. The significance of this project is significant. It's almost 400,000 square feet of warehouse and office. There will be about 60 employees in that office building. It's just north or behind the safety center. It's a huge addition to Hooksett. Every city and every town in this State would love to have that in their backyards and it will be located here. So we can celebrate that and we got it through. But the discussion we had with some of the board members is we just need to portray a more welcoming, positive attitude in the planning process. I don't know if you want to comment on that, Todd.

T. Lizotte: I agree that this kind of situation of "*you're lucky, you got through it*" that type of thing. It is pretty significant and really looked at it, especially with all the people on that road there, especially the restaurants. 60 people, lunch crowd, that's a significant impact for those businesses along that corridor. There were some interesting things going on there in regards to debates and how road should be made and then finding out that the road we produced wasn't code either. And stuff of that nature. That was kind of embarrassing. They got through it. Lucky enough, I think PSNH understood. The person from TF Moran who presented it was very good. The fact is they kind of understood what they were getting into and made sure they had a good presentation.

PUBLIC INPUT

David Pearl, 79 Main Street: I think we're very fortunate to have two candidates that were here tonight for the Police Commission. I think we'd be well-served with either one of them. My concern for the reason I came up here was the question that was post by Mr. Lembo. He asked Dana Argo if he supported Officer Defina or the Hooksett Police Department. Personally, I take offense to that. Officer Defina is a sworn officer of the Hooksett Police Department and he's doing an outstanding job there. I think to ask someone who's going to sit on a commission if they support a particular employee or the entire Police Department is totally out of line. I don't think that should be a criteria by which you folks make a decision. I hope you don't. I also think it shows that Mr. Lembo should recuse himself if he is asking questions of people who are going to be seating on the commission if they support one employee's efforts or I don't I don't even know what, over the entire Police Department.

V. Lembo: Mr. Chairman, can I respond?

Chair Gahara: No. We're in public input. We're going to keep moving forward.

Kathie Northrup, 24 Berry Hill Road, Heritage Commission Chair: I have to say this and I hope it comes out the rights way. Talking about the nominations, when someone said, "*we take what we can get*". I really hope there's standard for appointing people that's a little higher than, "*take what we can get*". In every board is different. But, sometimes, nobody is really better than "*anybody you can get*". If nobody doesn't come to several meetings in a row, its okay you can press on but if anybody doesn't come, you don't have the quorum and you can't get stuff done. If you're planning an event, You're not going to count on "nobody". I would hope that there might be an interest in the board that they are applying for. I didn't see the e-mail in the particular case of the Heritage Commission. If somebody is interested about learning I'd be happy to give them my phone number.

Mark Miville, 42 Main Street: Two comments that has nothing to do with the meeting tonight. I was watching a TV news article. They were talking about a town I believe it was in Wisconsin or Minnesota that took some time to identify Iraq veterans or soldiers who are serving anywhere in the world. And in their town, made an effort to help out their spouses by mowing their lawns or improving their properties

while the soldiers were away. It made me think that would be a nice thing to do for Hooksett as well. I don't know how you would identify these soldiers or if Administration has some kind of access to these information on who's currently serving in Hooksett. Maybe we can establish some kind of committee or board who would be willing to volunteer to go help out those spouses while the soldiers are serving. I thought that was an excellent news article. I thought maybe Hooksett should look into that. Secondly, I attended the DOT hearing last week. The bottom line comment was, the whole chart looks great, the plans look great. Councilor Nancy Comai attended at least for a little while. It turned into something more where there was an abutter, the owner of Diguisseppi, I believe his name was. The owner of the Hooksett Landing property. Apparently, the drainage is going back near his property and end up behind his property. He was kind of objecting to that part of the plans and he was more concerned that he wasn't even notified of the plans. He found out about by notice in the papers like everybody did. DOT recommended that the Council made aware of that. That he's actually potentially threatening a litigation because of that. That Council should be at least made aware of that. He wanted to be more involved. He wanted to have more say on it. At the moment, the State did not allow him to have a say. The State was involved and it's mostly their project but because the Town installed that initial Benton Road culvert, makes the Town now liable for any potential flooding on his property. I want to make sure the Council was aware of that.

W. Sirak: Just a quick suggestion on the veterans' issue. I don't know if you've heard of the Veterans Count. It's a program that the Easter Seals does in cooperation with the National Guard. They do specifically what you're talking about. If you get a group of people who's interested in volunteering along that line, contact the Veterans Count staff people. They will help you coordinate that.

Chair Gahara: I think it's worth it looking into getting some information on that.

NON-PUBLIC SESSION

D. Paradis moved at 8:52 pm to enter into non-public session per:

RSA 91-A:3, II (b) *"The hiring of any person as a public employee."*

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."*

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."*

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 T. Lizotte. Roll call vote carried unanimously.

J. Levesque moved at 10:41 pm to exit non-public session. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

The Council made a statement that they voted to seal the minutes of the non-public session.

ADJOURNMENT

The meeting adjourned at 10:42 pm.

Respectfully submitted by,

Evelyn F. Horn
Administrative Assistant

Vincent F. Lembo, Jr.
Town Council Secretary