

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, December 14, 2011

CALL TO ORDER: Acting Chair N. Comai called the meeting to order at 6:35 pm.

PRESENT: Leslie Boswak (joined the meeting after being sworn into office), Nancy Comai, John Danforth, Michael Downer, Vincent Lembo, James Levesque, Todd Lizotte, Susan Lovas Orr, James Sullivan and Dean E. Shankle, Jr. (Town Administrator)

PLEDGE OF ALLEGIANCE

Oliver Mack, Jr. lead the group.

APPROVAL OF MINUTES

November 30, 2011 – J. Sullivan moved to approve the November 30, 2011 minutes as presented. Motion seconded by J. Levesque. Motion carried. J. Danforth abstained.

November 30, 2011 Non-Public (1st Session) – J. Levesque moved to approve the November 30, 2011 non-public minutes as presented. Motion seconded by M. Downer. Motion carried. J. Danforth abstained.

November 30, 2011 Non-Public (2nd Session) – J. Levesque moved to approve the November 30, 2011 non-public (2nd session) minutes. Motion seconded by T. Lizotte. Motion carried. J. Danforth abstained.

CONSENT AGENDA

Acceptance of Donation from Kiwanis in the amount of \$1663 to be used to repair the Skate Board Park fence per RSA 31:95-b, III (b).

M. Downer moved to accept the consent agenda. Motion seconded by T. Lizotte. Motion carried unanimously.

TOWN ADMINISTRATOR'S REPORT

D. Shankle informed the Council of the following:

1. Primary Election will be held on Tuesday, January 10, 2012. At least one Councilor should be present during election from 6 am until 7 pm.
2. The retainer wall on Granite Street will be finished in the spring. PSNH had to move a pole out of the way. Public Works cannot do the work during winter.
3. Corriveau Drive – Plantings will be added on the Town's right-of-way to make it look better.
4. The Fire-Rescue Department sent out a Functional Needs Survey for residents who may require assistance with communication, medical support or transportation during a disaster. The Fire-Rescue Department received a commendation letter from the New England Heart Institute for offering these types of assistance to residents as very few communities do so.

PUBLIC INPUT

Mary Farwell, 24 Grant Drive: I appear before you tonight as Chair of the Hooksett Public Library Trustees. We have some information we'd like to share with you and we'd like to have this a part of the record.

M. Farwell read a letter into the minutes. (See attached.)

Chair N. Comai: It is our understanding that Oscar Morin, Jr. had passed away Saturday. On behalf of the Heritage Commission and pursuant to RSA 644:44-b, I (h) donations in the amount of \$75 to the

Veterans monument project. One of the gifts was given in memory of Oscar Morin Jr., who served as a Selectman for 28 years and was also a School and Town Moderator among other positions in Town.

John Gryval, 5 Elmer Avenue: I'm here tonight to ask for your support for Leslie Boswak for the Town Councilor position. She worked for the Town for many years as Town Clerk. She's very knowledgeable and I think she'd be a big asset to the Council. I'd like to ask for your support.

David Hess, 68 Pine Street: I'm going to second what John had asked of you. I'm also here to ask and urge you to seriously and favorably consider Leslie Nepveu-Boswak for the vacancy in the Town Council. She'd bring an incredible amount of history to this Council should you appoint her. She has institutional memory that is probably only matched by Councilor Sullivan on the board having served as a Clerk for decades. Her experience since she left has been as a Town Administrator for the Town of Deerfield. So she also provides some expertise and knowledge and experience on the other side of the table as well, which this Council would benefit from. I'm rising in support of her request to be appointed to the Council.

Philip Fitanides, former Town Councilor: I've known Leslie since I've been in Hooksett, since 1971. She'd make a fantastic person to be on the Council because of her knowledge about everything in this Town. She'd be an asset to you.

Charlie Dockery, River Village: I recent attended the report we got from a consulting group on the Police Department. I'd like to know if there is further action or information that you can announce to the public as to what the progress has been since that report came out.

M. Downer, Police Commission TC Rep: There has been nothing announced publicly other than the results of the audit and the recommendations therein. The responsibility for acting on those lies with the Police Commission. As such time as things could be made public, they would do so.

C. Dockery: Where is the proper agency or person, if one has a suggestion for some things to be done about the Police Department?

Chair N. Comai: I would suggest sending it to the Town Administrator.

NOMINATIONS AND APPOINTMENTS

Nominations

Councilor at-Large

J. Sullivan nominated both Leslie Boswak and John Pieroni.

Leslie Boswak, 6 Orchard Drive, introduced herself to the Council. She is currently the Town Administrator for the Town of Deerfield and former Town Clerk and Tax Collector for the Town of Hooksett for 24 years. She has 1/4 century experience working with the local government. She would bring a fair amount of knowledge and expertise to the Council. She stated the Town has a win-win situation having her and John Pieroni seeking to be appointed. Either one would serve the Town well. She added she has no commitments other than every other Mondays when she meets with the Deerfield Board of Selectmen.

John Pieroni, 26 Autumn Run introduced himself to the Council. He has been a resident of Hooksett for about 22 years. He has served on Town boards as the Budget Committee Chair, School Board member and other committees. Between Leslie Boswak and himself, they could bring a lot of experience to the Town. Either one would be a benefit to the Town. He is not serving on any Town boards at this time.

J. Sullivan moved to waive the rules of waiting period between nomination and appointment. Motion seconded by S. Orr. Roll call vote carried unanimously.

Roll Call

S. Orr	L. Boswak
J. Sullivan	L. Boswak
J. Danforth	J. Pieroni
M. Downer	L. Boswak
V. Lembo	L. Boswak

J. Levesque L. Boswak
T. Lizotte J. Pieroni
N. Comai J. Pieroni 5-3 **Leslie Boswak was appointed as Councilor At-Large.**

L. Boswak was sworn into office by Deputy Town Clerk Billie Hebert and joined the Council for the remainder of the meeting.

Appointments

Town Council Officers

Town Council Chair

V. Lembo moved to appoint J. Sullivan as Chair. Motion seconded by M. Downer.

T. Lizotte moved to appoint N. Comai. Motion seconded by J. Danforth.

Roll Call

T. Lizotte N. Comai
S. Orr N. Comai
J. Sullivan J. Sullivan
J. Danforth N. Comai
M. Downer J. Sullivan
V. Lembo J. Sullivan
J. Levesque J. Sullivan
L. Boswak J. Sullivan
N. Comai N. Comai 5-4 **J. Sullivan was appointed as Chair.**

Vice Chair

V. Lembo moved to appoint N. Comai. Motion seconded by T. Lizotte. Motion carried unanimously.

N. Comai was appointed as Vice-Chair.

Secretary

T. Lizotte moved to appoint M. Downer as Secretary. Motion seconded by N. Comai.

M. Downer moved to appoint L. Boswak as Secretary. Motion seconded by T. Lizotte.

Roll call

J. Levesque L. Boswak
T. Lizotte M. Downer
S. Orr L. Boswak
N. Comai L. Boswak
J. Danforth M. Downer
M. Downer L. Boswak
V. Lembo L. Boswak
L. Boswak M. Downer
Chair J. Sullivan L. Boswak 6-3 **L. Boswak was appointed as Secretary.**

Parks & Recreation Advisory Board

M. Downer moved to appoint Dustin J. Raiche as member of Parks & Recreation Advisory Board (exp. 6/2012). Motion seconded by N. Comai. Motion carried unanimously.

Planning Board

M. Downer moved to appoint Brendan Perry as member of the Planning Board (exp. 6/2012). Motion seconded by T. Lizotte. Motion carried unanimously.

Planning Board Town Council Representative

J. Danforth and S. Orr expressed interest in the position.

Roll Call

V. Lembo	S. Orr	
J. Levesque	S. Orr	
T. Lizotte	S. Orr	
S. Orr	S. Orr	
N. Comai	J. Danforth	
J. Danforth	J. Danforth	
M. Downer	J. Danforth	
L. Boswak	S. Orr	
Chair Sullivan	S. Orr	6-3

Susan Orr was appointed as Town Council Rep to the Planning Board.

Economic Development Committee

Leslie Boswak was appointed as Town Council Rep to the Economic Development Committee.

Public Works/Recycling & Transfer Labor Union Negotiation

J. Danforth and V. Lembo were appointed as Town Council Reps to the Union Negotiation.

Available Positions

Cemetery Commission – Fill-in Member (Exp. 6/2013)

Heritage Commission – (2) Alternate Members (Exp. 6/2012 & 6/2014)

Planning Board – Alternate Member (Exp. 6/2012)

SCHEDULED APPOINTMENTS

Public Hearing re: Clay Pond II Conservation Commission Easement

Chair Sullivan opened the public hearing at 7:25 pm.

David Hess, Conservation Commission member: This is a joint hearing for both the Town Council and Conservation Commission. Conservation Commission members are present.

No public comments received.

The public hearing was kept open and closed at 8:24 pm (after CIP presentation).

CIP (Capital Improvement Program) Committee re: 2012-2013 CIP

CIP Committee members, Nancy VanScoy and James Walter presented the proposed CIP for fiscal year ending 2013 -2018.

N. VanScoy gave a brief overview. CIP is an ad hoc committee of the Planning Board. It is not a policy maker. CIP links local infrastructure investments with master plan goals, land use ordinances and economic development. CIP committee votes to recommend the plan and the Planning Board votes to adopt the plan. The purpose of the committee is to level off expenses and spread them out over a number of years. The recommendation being presented is a 5-year plan but the Council will be voting on this year's plan only. The plan was adopted by the Planning Board on December 5, 2011.

Improvements & Infrastructure of Conservation Land Capital Reserve – \$10,000, J. Walter explained this is not for purchase or maintenance of the land. This is for creating infrastructure to allow passive recreation, i.e. parking lots or paths to conservation lands.

Feasibility Study for Southern Leg of Parkway – Current trust balance is \$59,459. Not recommended by CIP committee and Town Administrator. On the plan for 2016-17 for \$100,000. Planning Board recommends keeping on CIP.

Fire Apparatus Capital Reserve Fund - \$50,000, to start a reserve fund for apparatus replacement. Replacement of Rescue 1 will be coming out of Ambulance Revenue Fund.

Car #5 (used for fire prevention) - \$30,000, to replace a 1999 vehicle.

Public Works - Drainage Upgrade Capital Reserve Fund (Beauchesne Development) for \$50,000; Plow Dump Truck Capital Reserve Fund for \$80,000; Parks & Rec Facilities Development Reserve Fund for \$10,000 and Parks & Rec 4x4 Truck for \$150,000.

V. Lembo questioned why nothing was allocated for Sidewalk Plow when it is on the Master Plan and required per Town ordinance.

D. Shankle explained the Public Works Director requested for priority items, i.e., Drainage Upgrade. The current sidewalk plow is still functional. The plan calls for \$140,000 to be allocated for this item in 2013-14.

Recycling & Transfer – Automated Collection Equipment Capital Reserve Fund for \$10,000; Upgrade Diesel Tank & Fuel Dispenser Capital Reserve Fund for \$25,000 and Front End Loader for \$160,000. The front end loader is an immediate need as it could stop working at any time.

OLD BUSINESS

Complaint Procedure

V. Lembo requested for clarification if a procedure is in place other than what is stated in the Charter.

Chair Sullivan stated other than what is stated in the Charter there is no official complaint procedure.

T. Lizotte commented there is a home rule and the constitution and the constitution states that any citizen can come forward and complain against its legislature. The Town has a method to bring a complaint but not a process. He recommended asking the Town Administrator to look into other communities' best practices and bring some options for the Council to consider.

L. Boswak suggested bringing in as many choices as possible for the Council to decide on instead of one or two.

V. Lembo stated the Charter is very specific on what Councilors could be charged with. Will the Council entertain other complaints other than what is provided in the Charter? This would require changing the Charter.

M. Downer added it would make sense to look into what other communities are using and incorporate that to the Town's process. The Charter provides the result but not the process of getting there.

S. Orr suggested having concrete steps that need to be taken.

The Town Administrator will gather the information.

NEW BUSINESS

Administrative Code Amendment – Code Enforcement Division

The purpose of the amendment is to eliminate the Building Department and create a Code Enforcement Division under Public Works Department to streamline work and increase efficiency.

Other minor amendments (sections 4.9, 4.10, 4.20 and 5.5.2) are housekeeping items.

M. Downer moved to approve the amendment effective January 1, 2012. Motion seconded by V. Lembo. Motion carried unanimously.

Maureen Hemeon, 31 Pinnacle Street Quit Claim Deed

This is to correct a survey error from 1964 and add approximately 6,807 square footage to an adjacent town-owned land.

J. Levesque moved to accept the quit claim deed. Motion seconded by T. Lizotte. Motion carried unanimously.

Budget Presentation

D. Shankle presented an overview of the 2012-2013 proposed budget.

The Town is anticipating a decrease in revenue due to the removal of Ambulance Service out of revenue sources. A Capital Fund was created for Ambulance Service. Last year, the Town sold some properties creating additional revenue of \$202,000. School plowing for \$82,651 will not appear as revenue for this year. Other revenue sources remained level. Possible increase on Vehicle Registration, Building Permit and Building Inspection Fees is also anticipated.

D. Shankle also stated proposed increases in Building Permit and Inspection fees will be presented to the Council for approval. Hooksett's fees are considerably lower than most communities.

The following budget items will be presented and discussed at the Council's meeting on December 28, 2011.

- Administration and Agencies
- Assessing
- Capital Improvement Program
- Debt and Leases

Budget Committee – Town Administrator's recommended budget is \$8,496. T. Lizotte explained the change in the board's budget request is due to the adjustment on the Recording Secretary's salary.

Cemetery Commission – Town Administrator's recommended budget is \$850. Mike Horne presented the board's budget request. In addition to their usual annual request, they are looking to replace the fence at Riverside Cemetery on Route 3A and repair the pavement at Martin's Cemetery. The former Town Administrator recommended adding these items as warrant articles.

Conservation Commission – Town Administrator's recommended budget is \$10,000. John Turbyne and James Walter presented the board's budget request. In addition to their usual annual request, they are requesting an additional \$10,000 for open space infrastructure (under CIP).

SUB-COMMITTEE REPORTS

Conservation Commission – T. Lizotte

- Discussion on land acquisition for Clay Pond II project.
- Insurance Issues on a land acquisition has been rectified.

Sewer Commission – T. Lizotte

Discussion on testing that was recently done.

ZBA – J. Levesque

- Brox's sandpit on Route 3 came in to request renewal of their permit and add two more areas.
- Hefron will come up with reclamation plan with the developer.

Board of Assessor – J. Levesque

Robie's Country Store was granted an extension on their exemption for one more year.

Fire Union Negotiation – V. Lembo

Negotiations are on-going.

Parks & Recreation Advisory Board – M. Downer

- A public hearing was held to discuss plans for the Pinnacle Park. They are on the next Town Council agenda to request to expend impact fees.

Economic Development Committee – N. Comai

The board met with property and business owners as well as developers.

Town Hall Preservation Committee – S. Orr

S. Orr will meet with the Town Administrator. Have not received any response on request for volunteers. Previous members will be contacted.

Planning Board – S. Orr

Pizza Man – The developers restored the slope back to 2:1 grade. The slope was also seeded. Trees will be planted in the spring, when they have a better chance of survival.

Exit 11 Informational Public Hearing – L. Boswak

The public hearing was well-attended. Most of the residents' frustrations have to do with the traffic it will create.

Heritage Commission – Chair Sullivan

Chair Sullivan asked for a motion to accept the donation of \$75 in memory of Oscar Morin, Jr.

N. Comai moved to accept the donation of \$75 per RSA 644:44-b, I (h). Motion seconded by J. Danforth. Motion carried unanimously.

PUBLIC INPUT

David Pearl, 79 Main Street: I realize that the Charter provides for removing Councilors. I just like to clarify that none of my complaints asked for a Councilor to be removed. I think there's a lot of room between good behavior and removal. I think you should be willing to accept that criticism as a body and hopefully, have a process to handle it. I think it did escalate and I'd like to clarify I never did. The point was brought up if there's no policy there can't be a complaint. I don't think that makes any sense. After what I was at this table and was asked to remove myself and threatened to be removed by the police. Don't you expect me to file a complaint? These type of things need to be handled. I understand tempers can flare and people say things they regret. What I was seeking here was the rest of the Council's opinion that that conduct was incorrect. Not that the person should be removed as a Councilor. That's why I hope you would develop some type of policy to handle that. I think it will do your own board well to look into that. I was looking to you to affirm that what I was saying was in fact true and not to have someone removed or have someone resign. I hope you will look at having a complaint policy that will keep things from getting out of control and keep things said to me in this seat which I feel is an injustice as far as this Council goes.

NON-PUBLIC SESSION

M. Downer moved at 9:07 pm to enter into non-public session per RSA 91-A:3, II (c) "Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant."

Motion seconded by T. Lizotte. Roll call vote carried unanimously.

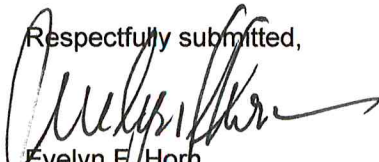
T. Lizotte moved at 9:22 pm to exit non-public session. Motion seconded by J. Levesque. Roll call vote carried unanimously.

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

ADJOURNMENT

The meeting adjourned at 9:25 pm.

Respectfully submitted,



Evelyn F. Horn
Administrative Assistant



Leslie A. Boswak
Town Council Secretary

Hooksett Public Library

1701-B Hooksett Road
Hooksett, New Hampshire 03106
Telephone (603) 485-6092

December 13, 2011

Members of the Town Council
Town of Hooksett
35 Main Street
Hooksett, NH 03106

Dear Members of the Town Council,

On behalf of the Hooksett Library Board of Trustees, I want to make you aware of the extraordinary level of cooperation and assistance given to the Library by the Highway and Parks and Recreation Departments. Leo Lessard and Phil Arnone have been exceptionally helpful and available whenever we need to consult with them about an issue. Their employees have done a wonderful job on our grounds, whether it is mowing, spring and fall cleanup or safety issues. Recently we consulted with Leo about a safety issue behind the library. There is a severe drop-off in the parking area and we were concerned that a patron might drive over the bank. Leo agreed that this was a concern and installed curbing to protect the citizens using the library. Darrell Bradley has been most helpful when we have needed minor repairs, including fixing a safety issue with the front steps. Jodi Pinard and Doug Urquhart have also been a great help to the library and we appreciate that they are willing to assist in any way that they can.

The Library Trustees want to be sure that the Town Council and other officials recognize how dedicated and committed the Highway and Parks and Recreation Departments are to serving the best interests of the town and all of its residents. We believe that collaboration and cooperation between town departments and boards is essential, especially in these times of default budgets and economic stress and that these departments are a great example of working together to make Hooksett a better place to live.

We would appreciate it if you would place a copy of this letter in each of their personnel files.

Very truly yours,



Mary Farwell
Chair
Hooksett Library Board of Trustees