

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, January 11, 2012

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

PRESENT: Leslie Boswak (excused), Nancy Comai, John Danforth, Michael Downer, Vincent Lembo, James Levesque, Todd Lizotte, Susan Lovas Orr, Chairman James Sullivan and Dean E. Shankle, Jr. (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

December 28, 2011 – J. Levesque moved to approve the minutes as amended. Motion seconded by T. Lizotte. Motion carried.

CONSENT AGENDA

1. Surety/Bond Releases
 - a. Lowe's Landscaping - \$129,600.00
 - b. SJB Development Landscaping – \$5,291.00
 - c. SNHU Dining Hall Landscaping - \$18,840.00
 - d. MTS Associates Landscaping - \$5,315.00
 - e. Cartunes Audio Holdings Landscaping - \$2,985.00
 - f. Crown Communication - \$41,279.40
2. Acceptance of \$1,500 Grant from NHLGC for Fire-Rescue Department Fitness/Wellness Program, per RSA 31:95-b, III (b).
3. Acceptance of \$25 Donation for Veteran's Memorial in memory of Oscar Morin, Jr. per RSA 674:44-b.

S. Lovas-Orr moved to remove items 1.b and 2. Motion seconded by N. Comai. Motion carried unanimously.

SJB Development Landscaping - \$5,291.00

S. Lovas-Orr stated this was tabled from a previous meeting to gather more information.

S. Shankle stated the question had to do with whether all of it or part of it should be released. There were two separate pieces that were undeveloped.

Leo Lessard, Public Works Director explained at the time it was going to be built there was an additional building at the back with more landscaping to be done. That part was not added to the bond. The Code Enforcement Officer indicated the second part of the site was not completed. Public Works was aware it was not completed. The landscaping in the front part was done. There will be another bond posted for landscaping for the other part of the property.

Acceptance of \$1,500 Grant from NHLGC for Fire-Rescue Department Fitness/Wellness Program, per RSA 31:95-b, III (b).

S. Lovas-Orr requested for more information regarding the program. D. Shankle will provide information.

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

TOWN ADMINISTRATOR'S REPORT

D. Shankle informed the Council of the following:

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1. The meetings are currently being taped but not yet streamed. Live streaming should be available for the first meeting in February.
2. The sale of the Peterbrook property is completed.
3. Heritage Commission would like to post signs to protect the Town's archeological and historic sites. They would like to ask permission to put the Council's name on the signs.

T. Lizotte moved to authorize Heritage Commission to add the Council's name on the signs to be posted. Motion seconded by M. Downer.

Mike Horne, Parks & Recreation Advisory Board commented when Manchester Sand & Gravel had to take apart one of the dam outlets for Head's Pond, one of the requirements from the State was for a signage to be posted.

Motion carried unanimously.

4. The Financial Statements/Audit Report is now available. The Auditors will be invited to present their report to the Council.
5. The new Code Enforcement Officer, Matthew Labonte was introduced to the Council.

Matthew Labonte introduced himself. He's been a registered architect for the last 13 years, been in the profession for the last 22 years. He has been involved extensively in filing for Health permits on hotels, which includes a lot of health inspections.

M. Labonte will also serve as the Town's Health Officer. The State appoints Health officers and the Council makes the nomination.

V. Lembo moved to nominate Matthew Labonte as Health Officer. Motion seconded by N. Comai. Motion carried unanimously.

PUBLIC INPUT

Mike Horne, Election Board: I'm here as a resident and also as a member of the Election Board to thank the Councilors for their assistance for a smooth election process. I don't have the exact number of turn out but I know it's between 40-50% of voters. And also to recognize the Town Clerk, Linda Pischetola, Moderator Don Riley, Supervisors of the Checklist, Bob Ehlers and Sally Humphries for their work and dedication. Thanks for the cooperation of Cawley School staff, who agreed to park in the back field to make room for voters and the Police Department for working the traffic flow and assuring the safety of our students as well as voters. I'd like to make special thanks to Councilor Lizotte for spending many hours working with the laptops in an attempt to see if they could be used by the Supervisors. My recommendation would be to get inexpensive new laptops to make volunteers' time a little better spent.

NOMINATIONS AND APPOINTMENTS

Appointment

Cemetery Commission – John Pieroni

J. Danforth moved to appoint John Pieroni to the Cemetery Commission, exp. 6/2013. Motion seconded by T. Lizotte. Motion carried unanimously.

J. Levesque nominated Robert Duhaime to the Planning Board as an alternate member, exp. 6/2012.

Available Positions

Heritage Commission, (2) Alternate Members

SCHEDULED APPOINTMENTS

Ritchie Brothers Auctioneers, re: Proposed Site at the Palazzi Property on Hackett Hill Road (Exit 11)

Scott Lennon, Steve O'Duggan and Ben Swenson of Ritchie Brothers Auctioneers presented the proposal.

Ritchie Brothers is a multinational company operating through over 110 locations in more than 25 countries around the world. The auctions focus on a broad range of used and unused equipment utilized in the construction, transportation, material handling, mining, forestry, petroleum, marine, real estate and

agricultural industries. They employ close to 1,100 full time staff worldwide. They are looking for a long-term lease and possibly purchase the property. Intensive site work will have to be done to prepare the site. No equipment will be visible from Route 3A, some visibility from Hackett Hill Road. They hold auctions 3-5 times a year. There will be numerous opportunities for the community to use the site when not in use. Their customers come from all over the world, which will create economic impact for the Town.

N. Comai expressed concerns with impact on the road. J. Levesque stated that section of Hackett Hill Road belongs to NHDOT. Will they be responsible for that section of the road? S. Lennon stated his company is willing to work with the Town on this matter.

The proposal will be presented to Zoning Board, Planning Board and NHDOT.

Policy on Public Access and Passive Recreation on Conservation Lands

Steve Couture, Conservation Commission member is currently pursuing his Master of Public Administration at UNH. One of the requirements is a capstone project. He is proposing to develop a policy that would include multiple Town boards (Planning Board, Parks & Recreation Advisory Board, Heritage Commission and Conservation Commission), entities and non-profit organizations (i.e., Kiwanis) that would clearly outline their roles and responsibilities relevant to management of conservation lands in Hooksett for public access and passive recreation (trails).

S. Couture requested for the Council's approval to develop the policy, which would be presented to the Council for approval and adoption in April.

V. Lembo moved to accept the proposal for Steve Couture to develop a policy. Motion seconded by J. Levesque. Motion carried unanimously.

Proposed Private Prison on Hackett Hill Road

Richard Danais of Danais Realty Group and Michael Murphy of Management & Training Corporation requested to meet with the Council to discuss the proposed privately-run prison on Hackett Hill Road in Manchester.

R. Danais explained the 130 acres piece of land on Hackett Hill Road was originally bequeathed to UNH. Infrastructure was added anticipating a new campus. The City of Manchester inherited the piece of property and in May, 2011, Danais Realty group acquired the property. This fall, the State of NH created an initiative to get out of the corrections business in order to cut costs. The State put out 4 RFP's, (1) to replace the women's prison in Goffstown, (2) to replace the Concord men's prison, (3) a hybrid prison that would combine the two prisons, and, (4) to renovate and expand the Concord prison to accommodate the women's prison and possibly, the Berlin prison. They wanted the facility in Southern or Central NH. They did not want it in Berlin. The State decided to pursue the Hackett Hill Road site.

The facility will be a 1 million square feet building, next to 800 acres of conservation land. The facility will not be visible from the road. There will be no traffic impact. They are going to invest \$100 million on the facility that will have the latest building technology. 25% of the land will be developed and the rest will act as buffer. 2-year construction that will utilize local construction companies. They estimate it will create \$50-75 million dollar economic impact on the greater Manchester area.

Michael Murphy, Management & Training Corporation explained private prisons have been providing service to various states and federal agencies for 30 years. The State does not have enough resources to take care of its prison system. The project is still on bidding and conceptual phase. They wanted to give the Town information about the proposed facility. There's still a lot of due diligence that need to be done. Everything will be made public once the plans are completed. The company does not want to be in an area where they are not wanted. Private prison is not for every community. The State will have jurisdiction and constitutional responsibility on the prison system.

The State is soliciting for a 1,500-bed facility for men and a 200-bed facility for women. The company has the ability to build a facility for 30% less than any state or federal agency. They are required to be cheaper than state/federal operated prison. They can do more things effectively, cost savings on pensions most unions require.

D, Shankle commented the Town does not have enough information to have either a positive or negative opinion at this point. The concept is not as exciting given the nature of the facility. He added he appreciates all the information provided and requested to continue providing information to the Town as it becomes available.

OLD BUSINESS

Town Clerk Budget

The Town Administrator's recommended budget was \$20,607. At the last meeting, it was brought up that additional funds were needed for the following items:

Town Meeting - \$1,652 – for the State Election in September.
Office Supplies - \$150 – for additional supplies needed for the State Election.
New Equipment - \$4,700 – for 20 new Voting Booths

The new total Town Clerk budget is \$27,109.

V. Lembo moved to approve the total budget in the amount of \$27,109. Motion seconded by T. Lizotte.

Discussion on the Town's non-compliance with the number of voting booths. There were questions as to how many will be needed to be in compliance and how many booths the Town currently has.

The motion and second were withdrawn.

This was tabled until additional information is provided.

Administration

T. Lizotte moved to reduce line item 1-401-16-711 (Elections-New Equipment) to \$1,000. Motion seconded by N. Comai.

T. Lizotte explained he checked the (3) surplus laptops the Town has available. They were outdated and a couple did not even have usb ports. One is operational. He suggested purchasing inexpensive laptops for the Supervisors of the Checklist.

D. Shankle stated he should be able to find funds within Administration budget.

The motion and second were withdrawn.

T. Lizotte moved to reduce line item 1-401-16-711 (Elections-New Equipment) from \$1,100 to \$1. Motion seconded by. Motion carried unanimously.

V. Lembo moved to reduce line item 1-401-61-922 (Amoskeag Rowing) from \$5,000 to \$1. Motion seconded by T. Lizotte.

V. Lembo explained this line item was establish to provide scholarship to Hooksett residents but was never used.

D. Shankle explained the Town has an agreement with Amoskeag Rowing Club. ARC pays the Town \$5,000 annually for the use of Town property. The \$5,000 was establish for Hooksett residents use of the program but was never used. Should the Council vote to eliminate the line item, the Town could use the annual fee to offset the scholarship expense, if needed.

Motion carried unanimously.

V. Lembo moved to reduce line item 1-401-61-923 (Farmers Market) from \$2,000 to \$1. Motion seconded by T. Lizotte.

V. Lembo stated it was indicated to the Council last year that they will only need the stipend for the first year and Farmers' Market would be self-sufficient the following year. (See 12/10/10 Town Council Minutes)

M. Downer stated he supports keeping the line item at \$2,000. It is a community-building activity.

S. Lovas-Orr stated the Town should support the program. She sees it as a community program just like Old Home Day.

Roll Call Vote

N. Comai	No		
J. Danforth	No		
M. Downer	No		
V. Lembo	Yes		
J. Levesque	Yes		
T. Lizotte	No		
S. Lovas-Orr	No		
Chairman J. Sullivan	No	2-6	<u>Motion failed.</u>

V. Lembo moved to add \$2,000 to the budget and establish a line item to refurbish the Veterans' Memorial. Motion seconded by T. Lizotte.

V. Lembo stated that the Veterans' Memorial is just as important as the Farmers Market. This is a monument to honor the Town's veterans.

T. Lizotte agrees with V. Lembo's statements and added it is important for the Town to honor its citizens who have given their lives to the country.

J. Danforth expressed his support and stated he'd be prejudiced to vote for this item as he is himself a veteran. He also added the Town should be putting more effort into honoring the veterans especially on Veterans' Day.

Motion carried unanimously.

S. Lovas-Orr moved to approve the Administration budget in the amount of \$868,895. Motion seconded by J. Danforth. Motion carried unanimously.

Warrant Articles

Administration - Town-wide Computer Development Capital Reserve Fund - \$10,000

T. Lizotte moved to place on the warrant. Motion seconded by J. Danforth.

T. Lizotte stated in dealing with the surplus laptops, he can't imagine what type of computers the Town currently has. Considering what DPW and Fire Department is looking to put into place the GIS and maintenance software, it is important to maintain good quality equipment and put money aside for that.

Motion carried unanimously.

Administration - Revaluation Capital Reserve Fund - \$68,500

V. Lembo moved to place on the warrant. Motion seconded by J. Levesque.

V. Lembo stated this is something that needs to be done.

J. Levesque added this is for revaluation, where the Town gets its revenue from. It is important to get assessment values corrected and updated to get a better feel for what the Town can expect for revenue.

Motion carried unanimously.

Community Development - Master Plan Capital Reserve Fund - \$12,031

J. Levesque moved to place on the warrant. Motion seconded by M. Downer.

J. Levesque stated the Town's Master Plan was last updated in 2004. Under State law, it has to be updated every 10 years.

T. Lizotte asked the Town Administrator if this was something that could be done internally.

D. Shankle explained he actually recommended \$10,000. \$12,031 was CIP committee's recommendation. The Town needs to keep adding money into this fund, which currently has a balance of \$16,000. He recommended that the Town work on some parts of it. Economic Development was done. The Energy Committee recently presented a proposal to the Planning Board for the energy portion of the Master Plan. He thinks the Town should keep on working on it. The Town would do as much as it can internally.

T. Lizotte moved to amend the amount to \$10,000. Motion seconded by N. Comai.

T. Lizotte stated based on his research, there is a tendency to spend money if there is money allocated for it and to out-source the activity. He thinks it should be done internally.

S. Lovas-Orr questioned what the actual cost was to do the Master Plan in 2004 and who did the work.

D. Shankle explained the department took into consideration what other towns have spent. Most of the expense is paid to SNHPC. He suggested looking at what the Town could do with the money it already has and pulling everyone together. The Town will have to look at where it is currently, before it can plan for the future.

Motion carried with V. Lembo opposed. 7-1

Recycling & Transfer – Automated Collection Equipment Capital Reserve Fund - \$10,000

V. Lembo moved to place on the warrant. Motion seconded by S. Orr. Motion carried unanimously.

Recycling & Transfer - Upgrade Diesel Tank & Fuel Dispenser Capital Reserve Fund - \$25,000

M. Downer moved to add this item to the budget. Motion seconded by J. Levesque.

M. Downer stated this is something mandated by law and has to be funded.

Diane Boyce, Superintendent explained this is a necessary item and the Town will have to raise \$50,000 next year if not passed this year.

Chair Sullivan questioned if this can be taken out of the department's special revenue fund.

This will have to be researched.

Motion carried unanimously.

Chair Sullivan requested verifying if special revenue fund could be used for this purpose before the budget is finalized.

Recycling & Transfer - Front End Loader - \$160,000

V. Lembo moved to place on the warrant. Motion seconded by T. Lizotte.

V. Lembo explained this will be taken out of capital reserve fund already established, no tax impact.

Motion carried unanimously.

Conservation Commission – Improvement & Infrastructure Capital Reserve Fund - \$10,000

T. Lizotte moved to place on the warrant. Motion seconded by M. Downer.

T Lizotte explained the Town needs to provide funds to maintain and access Conservation lands.

Motion carried unanimously.

Fire-Rescue – Fire Apparatus Capital Reserve Fund - \$50,000

V. Lembo moved to place on the warrant. Motion seconded by J. Levesque.

V. Lembo explained this is an on-going program and eventually equipment will have to be upgraded.

Motion carried unanimously.

Fire-Rescue – Car #5 - \$30,000

M. Downer moved to place on the warrant. Motion seconded by T. Lizotte.

T. Lizotte commented now that Ambulance Service is self-funded, he hopes they would generate enough revenue to fund expenses such as this one in the future.

V. Lembo questioned whether this vehicle was from a warrant article or was it acquired through the Police Department.

M. Downer stated The Town is letting the voters decide with the fact it is being included on the warrant.

V. Lembo commented the voters may think they voted on this in 1999. He remembers years ago when he was a member of the Budget Committee, the Fire Department requested for a new Tahoe, which was approved. The Fire Department never mentioned they received a brand new Ford Explorer from the Police Department that PD cannot use for some reason. They ended up with two new vehicles in one year.

S. Orr questioned if there was a study done to determine the number of vehicles needed in each departments and what it is used for.

N. Comai explained departments have done due diligence by the time it reaches CIP.

V. Lembo stated he'd rather go with Police Commissioner McHugh's suggestion to trade-in vehicles rather than passing it down to a different department.

Motion carried with Chair Sullivan opposed. 7-1

Fire-Rescue – Air Packs and Bottles Capital Reserve Fund - \$20,000

J. Levesque moved to place on the warrant. Motion seconded by N. Comai.

V. Lembo pointed out the Town Administrator zeroed it out and the Fire Chief stated he didn't have any problems zeroing it out.

Motion carried with V. Lembo, M. Downer and Chair Sullivan opposed. 5-3

Police – Emergency Radio Communication System Capital Reserve Fund - \$50,000

M. Downer moved to place on the warrant. Motion seconded by T. Lizotte.

M. Downer stated it is important to continue funding this item as it is for the officers' safety. Officers cannot be out of radio contact.

T. Lizotte he is favor of funding this item but added the department should make sure the radios do work at the time of purchase.

Motion carried unanimously.

T. Lizotte stated he is in agreement but the department will have to make sure it works properly.

Public Works – Drainage Upgrade Capital Reserve Fund - \$50,000

V. Lembo moved to place on the warrant. Motion seconded by J. Levesque.

V. Lembo explained this started out as a request to repair the Beauchesne Development drainage. CIP suggested changing it to town-wide.

J. Levesque stated the problem started out with Mt. St. Mary's development and the trees were cut. Geological study was not done and the older developments get flooded downstream.

Motion carried unanimously.

Public Works – Plow Dump Truck Capital Reserve Fund - \$80,000

S. Lovas-Orr moved to place on the warrant. Motion seconded by N. Comai. Motion carried unanimously.

Public Works – Parks & Recreation Facilities Development Capital Reserve Fund - \$10,000

M. Downer moved to place on the warrant. Motion seconded by T. Lizotte.

M. Downer stated funding this item would allow the Town to make improvement on existing facilities. Impact fees cannot be utilized for this purpose.

Motion carried unanimously.

Public Works – Town Building Maintenance Capital Reserve Fund - \$150,000

N. Comai moved to place on the warrant. Motion seconded by J. Danforth.

N. Comai questioned the need for this item when there is a similar line item under operating budget.

J. Danforth stated this fund is needed for major repairs to be done at the Safety Center. The warrant article was voted down but the Town still needs to do the necessary repairs.

M. Downer stated he is in agreement. The building is abysmal and it is only a matter of time before it causes health and safety issues.

D. Shankle added the Town should start accumulating some money for bigger projects.

C. Soucie explained the regular maintenance line is included in the Public Works budget. This is for any major unexpected repairs, i.e., roof replacement.

N. Comai suggested checking into grants available for energy saving improvements.

Motion carried unanimously.

Fire-Rescue – Personal Protective Equipment - \$24,000

V. Lembo moved to place on the warrant. Motion seconded by M. Downer.

V. Lembo stated as the Fire Chief explained this is a part of the national standard. This will replace half the equipment.

Motion carried unanimously.

Cemetery – Repair Road in Martin's Cemetery - \$5,000

M. Downer moved to place on the warrant. Motion seconded by J. Levesque.

D. Shankle suggested combining the two Cemetery maintenance related items into one warrant. The other warrant is to replace a fence at Riverside Cemetery for \$4,500.

The motion and second were withdrawn.

M. Downer moved to combine the (2) warrant articles into one for a total amount of \$9,500 and place it on the warrant. Motion seconded by J. Levesque. Motion carried unanimously.

Finance – Financial Software - \$47,000

N. Comai moved to place on the warrant. Motion seconded by M. Downer.

D. Shankle stated the Town is trying to upgrade its software to have real-time financial information available.

C. Soucie added the current software is from the early 90's. It is windows over DOS system. Currently, the departments do not have real-time access. They have to wait for the monthly reports to keep track of things on their side and reconciliation has to be done. In addition, because the Town still uses paper work orders, there is no way of keeping track of line items. The new software will improve efficiency.

Motion carried unanimously.

Non-Union Merit Pool

The Town Administrator is suggesting adding \$40,466 to the operating budget to give non-union employees 2% merit increases. D. Shankle explained due to increase in insurance and retirement costs, employees are actually taking home less money. The 2% increase will bring everyone back to what they were making a couple of years ago.

He is also suggesting allocating for 1% one-time bonus to be given to employees going above and beyond.

N. Comai moved to add \$40,466 to the Wages and Benefit operating budget. Motion seconded by V. Lembo.

N. Comai stated she would like to see the raises added to the budget instead of warrant. The Non-Union employees have not seen raises in a long time.

Last year, employees received 0.5% raises. V. Lembo stated this was probably the reason why DPW and Recycling decided to form a union. He is in favor of 2% raises and 1% one-time bonus as the Town Administrator suggested.

S. Lovas-Orr expressed her support for the motion.

T. Lizotte stated he works for a private company and he hasn't seen a raise in three years. Taxes on everyone's property are up.

Motion carried unanimously.

V. Lembo moved to add \$20,233 (1% merit) in the operating budget for one-time bonuses as proposed by the Town Administrator. Motion seconded by S. Lovas-Orr.

T. Lizotte stated he does not think a 1% merit is justified given the current economic conditions. He agrees with the 2% raised but not the additional 1% bonus.

S. Lovas-Orr stated a little bit of money goes a long way to show how employees are appreciated.

Motion carried with T. Lizotte and M. Downer opposed. 6-2

NEW BUSINESS

Town Council Rules – Public Input

Tabled.

SUB-COMMITTEE REPORTS

ZBA – J. Levesque

1. Brox Industries – They went on a site walk and were quite impressed with the way they reclaimed the pit. There will be a joint meeting with the Planning Board, Conservation Commission and Brock Industries regarding performance zone.
2. The 20-building project on Mammoth Road requested for a continuance.

Perambulation – N. Comai

In light of the proposed private prison facility, N. Comai suggested re-convening the committee and try to resolve boundary line issues with the City of Manchester.

Planning Board – S. Lovas-Orr

Current Town regulations require a sprinkler system on homes built where there is no public water system. It was suggested to remove this requirement from the regulations. The Fire Chief is not in support.

D. Shankle explained due to the change in State law, if the Planning Board decides to remove it from the Town's regulations, no other Planning Boards will be able to put it back again.

V. Lembo moved to send a message to the Planning Board not to remove it but use great discretion in waiving the requirement. Motion seconded by M. Downer.

S. Lovas-Orr stated the Town will need guidelines on when the Town can and cannot waive the requirement.

M. Downer stated the Town should take a position to keep the regulation in place.

The motion was amended to send a message to the Planning Board not to remove the requirement.

Chair Sullivan stated he is concerned with keeping a regulation when a waiver is available.

T. Lizotte stated he agreed with the Chair and suggested holding off until after the public hearing.

Motion carried. 4-3-1. S. Lovas-Orr abstained, she has already made a decision on how she's going to vote. She believes the Town should keep the regulation in place and putting together guidelines on when to waive it.

Sewer Commission – T. Lizotte

Discussion on liability insurance and trying to get private insurance. This will have a big impact on the rate payers.

Town Hall Preservation – S. Lovas-Orr

The open house is scheduled for Saturday, January 28th at 1 pm at the old Town Hall.

PUBLIC INPUT

David Pearl, 79 Main Street: As a person who has critique this board many times, I'd like to compliment you all on working together tonight. Chair Sullivan is doing a good job of working through the budget. I like Mr. Lizotte's idea on trying to stay in-house whenever we could with the Master Plan or not shopping out some of these planning things. That might go in Dr. Shankle's bonus idea if we're asking the employees to gather more data. He has a method to reward the money stays here instead of going to Planning Commission or some other place. I think that's something that can help us. I like the bonus idea. It allows you to repeat the reward versus just giving somebody a raise. It may be a way that they like the fact they are not with the union. There are many benefits in being in a union but that's not one of them, usually.

ADJOURNMENT

The meeting adjourned at 10:30 pm.

Respectfully submitted by,

Evelyn F. Horn
Administrative Assistant

Leslie Boswak
Town Council Secretary