

Official

**TOWN COUNCIL MINUTES
Regular Meeting
Wednesday, April 11, 2012**

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

PRESENT: Leslie Boswak, Nancy Comai (excused), John Danforth, Michael Downer (excused), 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

March 28, 2012 Regular Meeting – *T. Lizotte moved to approve the March 28, 2012 minutes as amended. Motion seconded by L. Boswak. **Motion carried.*** J. Levesque abstained, not present at the meeting.

T. Lizotte commented his questions for the Police Commission were not reflected in the minutes. The answers to his questions were in the minutes. He requested in the future to capture his questions, comments could be redacted.

March 28, 2012 Non-Public Meeting – *V. Lembo moved to approve the March 28, 2012 non-public minutes. Motion seconded by T. Lizotte. **Motion carried.***

CONSENT AGENDA

Acceptance of Donations per RSA 31:95(b) & 31:95(e)

1. Donation to Joint Loss Management Committee - \$500
2. Photocopy Machine from Stantec - \$1,900
3. (5) Arborvitae Emerald Green Trees from Dennis Demers - \$174.90
4. Donation from Don Winterton to Purchase (2) Scenic Road signs for Goffstown Road - \$308.24
5. Donations to Police Department - \$785

Item no. 3 was removed from the consent agenda.

*V. Lembo moved to approve the consent agenda. Motion seconded by T. Lizotte. **Motion carried unanimously.***

Donation of (5) Arborvitae Emerald Green Trees from Dennis Demers - \$174.90

J. Levesque stated he believes the original agreement was to allow Mr. Demers to use the right of way to access his property and to return the right of way to its original state. They were supposed to take the gravel out, add loam in and plant trees. All they did was dig holes in the gravel and stuck some pine saplings they dug up somewhere.

Dr. Shankle: The problem is the former DPW Director signed off that the work was done. What we're trying to do is to put something across the entrance to prevent people from going through it. We agreed to do what we needed now. It is unfortunate that the Town signed off on it before everything was done.

J. Danforth moved to accept the donation. Motion seconded by T. Lizotte.

T. Lizotte: I would vote in favor of it since it was something that was acceptable to the neighborhood.

V. Lembo: The neighbor should be made whole even though a representative of the Town signed off on it.

Dr. Shankle: Technically, he (Mr. Demers) did what he was supposed to do. The agreement wasn't specific enough to enforce it. We signed off the bond indicating we were happy with the work.

J. Levesque: I don't think he fulfilled the agreement. Technically he did what he was supposed to do but in reality, nothing was done. In the future, the Town should be careful.

V. Lembo: A lot of people from that neighborhood showed up to oppose the Council giving him access to the right of way. He made a promise and the Council took his word that he was going to put it back the way it was.

Motion carried with J. Levesque opposed.

TOWN ADMINISTRATOR'S REPORT

Dr. Shankle informed the Council of the following:

1. The Deliberative Session was held last Saturday, April 7, 2012. Videos of the Department Heads addressing the budget are still available on the Town's website.
2. Interviewed Fun in the Sun staff applicants.
3. The Town staff met with the Legal Counsel and Engineer for the Walmart sewer proposal. A meeting with the Sewer Commission is next.

T. Lizotte stated the Town Council should have a discussion with the Sewer Commission with regards to the project details.

4. He met with Bob Vachon of SNHU.
5. He met with Ms. Hannah Dempsey. She will be representing Hooksett in the Miss Teen Universe beauty pageant.
6. He attended a workshop on the Virtual Town Hall website.
7. There are plans to establish a couple of community gardens at the Donati Field and Frasier Park. The soil will be prepared and divided amongst residents who would like to participate.

V. Lembo suggested adding one in apartment areas, i.e., Carrington Farms where there are no spaces available for gardens.

8. New Hampshire Municipal Association holds a policy-setting session every year. He asked the Council to bring any suggested proposals to his attention.
9. The Local Government Center has negotiated a settlement on a lawsuit. They would like to come in and speak to the Council about this matter.

Council consensus was to schedule a non-public meeting with LGC at 6 pm on April 25, 2012.

10. The Village District owns a water tower on Post Road that is currently being used for storage. Some of the neighbors are not happy about it. DPW would like to offer some storage space to the Village District so they wouldn't have to use the water tower.
11. Volunteer Appreciation Dinner will be held on Saturday, May 5, 2012, 6 pm at the American Legion.

S. Lovas Orr: On the storage issue, I would suggest a careful inventory taken. The Fun in the Sun program ends at 3 pm. I would suggest arranging after hours care for parents who work full time. I am in support of the community gardens.

Dr. Shankle stated there were some discussions on possibly providing before and after hours care.

PUBLIC INPUT

David Hess, 68 Pine Street: I am here for two reasons, (1) as a State Representative and as a member of the Conservation Commission. As your State Representative, to keep you up to date, four of us and Senator Boutin sponsored SB291 to allow for Town impact fees to be spent on State highways to the extent that they are impacted by town development. That was passed by the Senate. It was heard in Public Works & Highways in the House. We think there will be a favorable resolution. On behalf of the Conservation Commission, I hope you would consider informally. This is regarding the Merrimack riverfront project. It involves 125 acres and almost $\frac{3}{4}$ of a mile trail, 4,000 feet of river frontage, north of the Hooksett Dam between the Hooksett Dam and Suncook River. The Conservation Commission has partnered with the Forrest Society, Kiwanis, NHDES and Fish and Games in hopes of conserving these acreages. The project will cost between \$475,000 and \$575,000. Like Clay Pond II, we want to leverage to the maximum Town funds and get as much funds as possible from other sources. We have gotten an LCHIP grant for \$8,500 so far. The Forrest Society has applied for \$125,000 in grant. There's an April 15th deadline for another grant application from a charitable organization. The Hooksett Kiwanis Club has agreed to submit that application on our behalf. Someone has to apply for us because of stipulation that a public entity cannot be an applicant. The Kiwanis would like to partner with us on this project. Within the 125 acres there will be about 2.5 miles of trails that run on railroad beds as well as the Merrimack River. They are asking for a commitment from us that at least 15% of whatever amount we received be allocated for trails construction and development. I ask you to consider this favorably. A few of us on the Conservation Commission is aware of this and agree with it wholeheartedly. If the Council sees fit to consider it as a matter of principle, it would be helpful.

Dr. Shankle: Will it be possible to include the 15% as a part of the grant request?

D. Hess: Yes. There are ways around it. I am looking for a political expression of support.

V. Lembo moved to add this item under "New Business". Motion seconded by S. Lovas-Orr.

The Council decided to waive the rules and get a consensus immediately.

The motion and second were withdrawn.

Dr. Shankle suggested going back to "Town Administrator's Report" and make this item a part of the discussion to keep the Public Input portion "clean".

The Council agreed.

Marc Miville, 42 Main Street: As a point of order, there must be a necessary Public Hearing, I would think. I'd like to talk about what CIP contributed to the Deliberative Session. He read a prepared statement (attached).

TOWN ADMINISTRATOR'S REPORT

Conservation Commission Request

Dr. Shankle suggested for the Council to give him authority to ask Kiwanis to add the requested 15% funds towards trails into the grant application.

V. Lembo moved to authorize the Town Administrator to ask the Hooksett Kiwanis to add the 15% into the grant application. Motion seconded by J. Danforth.

T. Lizotte stated it's a good solution to go forward.

Motion carried unanimously.

D. Hess was asked to convey the decision to Kiwanis.

NOMINATIONS AND APPOINTMENTS

Conservation Commission

T. Lizotte nominated Cindy Robertson and John Turbyne to the Conservation Commission (for another term starting July 1, 2012).

SCHEDULED APPOINTMENTS

Public Hearing re: \$5 Municipal & Transportation Improvement Fee Warrant Article

The public hearing was opened at 7:25 pm.

This article was amended at the Deliberative Session held on Saturday, April 7, 2012. Chair Sullivan read the amended article for the record.

Amended Article 27

To see if the Town will vote to adopt the provisions of RSA 261:153 VI to collect a \$0.00 surcharge fee on vehicle registrations for the purpose of supporting municipal bridge, road construction, reconstruction and maintenance projects and to establish a Municipal Bridge, Road Construction, Reconstruction and Maintenance Capital Reserve Fund for this purpose governed by the RSA 35:1. Not recommended by the Town Council (8-0), Recommended by the Budget Committee (0-7).

Dr. Shankle: Basically, because no money can go into it, the fund cannot be established even if the warrant article passes. Either way, nothing is going to happen. The easiest way is to take the Council's recommendation and vote "no".

M. Miville: For clarification, for the record, so the voters can understand. A "yes" or a "no" vote has no effect. Either way, nothing is happening.

T. Lizotte: Yes. A "no" vote is best.

The public hearing was closed at 7:30 pm.

OLD BUSINESS

Town Administrator Evaluation

Liz Dionne, Human Resource Coordinator presented a draft of the Town Administrator Evaluation form for the Council's approval. The form was drafted based on the sub-committee's recommendations.

Under "Legislation", there are numerous tasks listed. L. Dionne asked the Council if they would like to break it into sub-categories.

S. Lovas Orr stated this was actually broken down into 3 categories. It wasn't changed on the version given to L. Dionne. S. Lovas Orr will provide the correct version.

T. Lizotte commented on the "Legislation" portion. He is not as concerned about this being as one. He suggested simplifying it and keep it all bundled together.

S. Lovas-Orr will make changes and have it incorporated with the form.

L. Boswak: I agree with simplifying it but as far as, "staying abreast of legislations, policies and regulations", this is a separate issue.

Discussion ensued.

Tangible Goals – keep it in there and just note "Not Applicable".

L. Dionne also presented other suggested additions for the Council to consider.

Council consensus was not to include the suggested additions except for the signature block which will be on the summary.

A second draft will be presented at the next meeting.

Review of Deliberative Session

Chair Sullivan stated based on some feedback received, the Deliberative Session went well.

Town Moderator, Don Riley stated the Councilors' discussion on the warrants were concise, informative and right to the point. Everyone was well-prepared. In general, everything was well-organized, including the facility. The only thing he offered as a suggestion for improvement is how the Town can get more people to attend to get a better cross-section of the voters. All in all, the event went well.

S. Lovas-Orr suggested organizing a supervised child care possibly through i.e., Boy Scouts or Girl Scouts for people with small children.

NEW BUSINESS

Town Council Newsletter

Every year, the Council sends out a newsletter addressing the Town Warrant to all voters.

The Council discussed what would be included in the newsletter.

There was a discussion with regards to the recommendation of the Council and the Budget Committee on the amended Warrant Article #27.

L. Boswak moved to reconsider the vote taken on April 7th regarding the Town Council's recommendation on the amended Warrant Article #27. Motion seconded by V. Lembo. Motion carried unanimously.

S. Lovas Orr moved to recommend the amended article. Motion seconded by T. Lizotte. Motion failed unanimously.

Discussion on how the vote will be reflected on the ballot.

L. Boswak explained the ballot is written with the "yes" votes first followed by the "no" votes. The recommendation will be written as follows:

"Not recommended by the Town Council (0-8). Not recommended by the Budget Committee (0-7)."

Town Board Application Form

Two drafts were presented to the Council for their consideration.

Council consensus was to combine the two drafts for the Town Board Application form.

Selection of Financial Institution for Fire Tanker Lease

Last year, the voters approved entering into a 7-year lease for a Fire Tanker truck and financing \$340,000 at 4.5% for a total cost of \$396,984. On September 28, 2011, the Council approved the bid from HME Lakes Region Fire Apparatus for a 2012 International 2500 gallon fire tanker at a cost of \$334,000. The Town received interest rate quotes for a 7-year lease from the following financial institutions:

Citizens Bank	3.29%
Municipal Leasing Credit	2.84%
People's United Bank	2.66%

Dr. Shankle informed the Council the Finance Director is recommending leasing the \$334,000 Fire Tanker Truck with People's United Bank at a rate of 2.66% for a total of \$366,422. There may be a slight change in the final rate as the delivery date is not until April 30th but it will not be more than the next bid rate.

L. Boswak moved to lease the Fire Tanker Truck with People's United Bank at a rate of 2.66%. Motion seconded by T. Lizotte.

S. Lovas Orr suggested approaching smaller banks and credit unions for bids in the future.

Motion carried unanimously.

SUB-COMMITTEE REPORTS

Sewer Commission – T. Lizotte

- Legal bills are stacking up.
- Discussion with regards to Walmart's sewer proposal. They are now considering going with a larger pipe for a possible public pipe.

S. Lovas Orr: Is this different than what they presented to us? Did they then go to the Sewer Commission and presented something different?

T. Lizotte: No. They went to the Sewer Commission last year and they talked about small pipe. There were some opportunity for a community development and they missed a window. When the lawyers came to make a presentation, they talked about using small pipe. They have reconsidered that. I was not at the Sewer Commission meeting when they came back to present a larger pipe proposal. We're looking for that to become a public pipe. There were some issues with capacity at the Martin's Ferry pump station and other issues. The minutes weren't that clear. When they came before us, I was surprise they mentioned larger pipe. There were a lot of discussions with Sewer, DPW and Community Development with regards to reaching out to some existing businesses along Exit 10 to see if they might want to hook into the sewer. Based on that, they started looking into how to facilitate the process. They would like to bring that to the Council as well. It was a timing issue.

Board of Assessors – J. Levesque

There will be a meeting on Monday, April 16th at 4:15 pm.

ZBA – J. Levesque

- Falcon Brook – Original proposal was for 21 units, only 17 units were allowed.
- Manchester Animal Hospital – Application for a variance to use the basement as an apartment. They asked for contuance.
- Application to allow a basement apartment within a single-family unit.
- Granite State Auto Sales, Inc. – They sell vehicles and offer warranty on vehicles. They would like to be able to do light repairs, no oil changes, no major repairs in the Groundwater Resource Conservation District.
- The board is having some issues with an alternate member who has only attended one meeting and one workshop. The rules states if a member has consecutive unexcused absences, the member can be removed. The board voted to remove the member.

This is a Council appointed position. Only the Council can appoint or remove a board member. Dr. Shankle will contact the member and give him an opportunity to resign. This will be brought up at the next meeting.

- Ritchie Brothers Auctioneers – They will be renting the Pallazzi property. The board approved a variance for an equipment washing unit.

Public Works/Recycling & Transfer Union Negotiation – V. Lembo

Meetings are scheduled in the next two weeks.

Perambulation Committee – V. Lembo

They will meet August 19, 2012.

Heritage Commission – J. Sullivan

- Seeking funds through the Moose Plate program to restore the Native American murals.
- Looking for funding ideas to augment the Town's funds and donations for the restoration of the Veterans' Memorial.
- May 20th is Heritage Day – They will be asking the Town Council to declare this day Heritage Day and the Month of May as National Heritage Month.

High School Study Committee– S. Lovas Orr

The groups assigned to get costs and numbers from various community High Schools met. All groups submitted their reports, which are now being compiled into one report to be presented to the committee by June 30, 2012.

Town Hall Preservation Committee – J. Danforth

There may be two possible members for the committee.

Economic Development Committee – L. Boswak

- The board is working on its 12-month strategic plan.
- They have decided to take the Council's recommendation.

PUBLIC INPUT

M. Miville: I just want to confirm that under Article 27, it is written as "Now recommended by the Budget Committee, 0-7".

Evelyn Horn: Yes.

M. Miville: Thank you. I know the Deliberative Session was video-taped by Molloy. Does that go on the Town's website for future reference and can it be streamed live in the future?

Dr. Shankle: We should be able to do that for next year.

M. Miville: If we could do that, could we open it up for questions through text, tweeter, etc. for people who cannot attend?

Dr. Shankle: That will be a question for the Moderator, I believe.

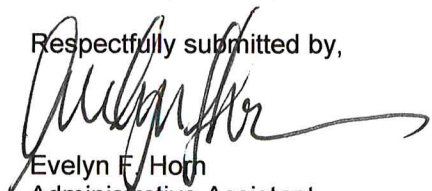
M. Miville: On the application form, is it for Town Council appointed positions only or does it include elected positions?

Chair Sullivan: For Town Council appointed positions, only.

ADJOURNMENT

The meeting was adjourned at 8:53 pm.

Respectfully submitted by,


Evelyn F. Horn
Administrative Assistant


Leslie A. Boswak
Town Council Secretary

Town Council meeting 4/11/12

Public input - Marc Miville

At the start of the 2012-13 budget review season, the Capital Improvements Program Committee was chaired by Nancy Van Scoy and co-chaired by myself.

The CIP Committee examines all high ticket items in the town's overall plans, that include by its responsibility the examination of all department requests of over \$50,000 or any wheeled vehicles, or any land and land infrastructure purchases that are not within the jurisdiction of the Conservation Committee.

The CIP Committee is comprised of only 6 town volunteers from the citizenry, though with many of its members still involved in other boards as well.

The Committee completes its duties within a short period of time, a matter of a few weeks in the fall, and succeeds in determining the planned spending of each department's requested items, such that all are spread out over a period of 6 years, with the intention of reducing the prospect of bunching up expenditures, so as to therefore reduce potential tax rate spikes onto the taxpayers.

This year, an additional criteria focus was implemented by the Committee – to actively educate the general public about the workings of the established CIP plan, as it relates to the tax rate and warrant articles to be voted on by the citizenry. It was the CIP Committee's position that the voters need to be made fully aware that the warrant articles submitted for each budget year, are not merely one year's consideration to money requests. Rather, that the warrant articles should be considered as only a portion of the overall town plans to implement necessary town expenditures.

Since I was the Co-Chair of the CIP Committee, as well as the Chairman of the Budget Committee, I took it upon myself to make a concerted effort to discuss the CIP plan as a live and working document... not just an administrative plan to be filed away without the citizens' understanding of it. I was determined to make everyone aware – the Planning Board, the Budget Committee, the Town Council, and ultimately the voters at the recent deliberative session on Saturday – that everyone should be fully informed and educated on what the CIP plan is, and how it relates to the town plans, relating to the master plan.

I am therefore very pleased that I had the CIP plan printed up for all citizens, to see at the deliberative session, with Dr. Shankle's permission. I am even more proud that my plans to educate the voters as to the CIP plan was accomplished to a greater extent than even I imagined. The citizens took the CIP plan in hand at the deliberative session, and often referred to the document during the review of all warrant articles. I feel that the CIP plan received much needed attention during this budget process, and I am very pleased and honored to have taken a leading educational role in that successful plan. The CIP plan helped to reach out to those voters who now have a better understanding of the budget process and town expenditures, over an extended period of time. Regards, Marc Miville

REGARDLESS ON HOW THE WARRANT ARTICLES ARE VOTED UPON AT THE MAY ELECTION, I AM QUITE SATISFIED THAT THE CIP PLAN WAS ADDRESSED OPENLY AND UNDERSTOOD BY ALL RELEVANT BOARDS AND THE ELECTORATE.