

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, May 9, 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 (arrived at 7:05), Susan Lovas Orr, Chairman James Sullivan and Dean E. Shankle, Jr. (Town Administrator)

PLEDGE OF ALLEGIANCE

FIREFIGHTERS SWEARING IN

A swearing in ceremony was conducted for 2 new firefighters and 2 probationary firefighters.

APPROVAL OF MINUTES

April 7, 2012 (Tabled from 4/25/12 Agenda)

*M. Downer motioned to remove the April 7, 2012 minutes from the table. Seconded by S. Orr.
Unanimously in favor*

*J. Danforth motioned to approve the minutes of April 7, 2012. Seconded by J. Levesque
Vote unanimously in favor*

April 25, 2012 Regular Meeting

*J. Levesque motioned to approve the minutes of April 25, 2012 as amended. Seconded by S. Orr.
Vote unanimously in favor. M. Downer abstained*

April 25, 2012 Non-Public Meeting (1st Session)

*V. Lembo motioned to approve the minutes of non-public meeting (1st Session) of April 25, 2012.
Seconded by J. Danforth
Vote unanimously in favor M. Downer abstained*

April 25, 2012 Non-Public Meeting (2nd Session)

*V. Levesque motioned to approve the non-public meeting (2nd Session) minutes of April 25, 2012.
Seconded by S. Orr
Vote unanimously in favor*

CONSENT AGENDA

1. Acceptance of Donation to Police Department per RSA 31:95-e – \$2,420
2. Acceptance of Donation to Joint Loss Management Committee
 - a) 36" Sanyo Television Valued at \$100 per RSA 31:95-e
 - b) \$500 per RSA 31:95-b
3. Bond/Surety Releases
 - a) MEGA X Partial Surety Release - \$2,000
 - b) Cartunes Audio Holdings Surety Release - \$2,900
4. Acceptance of NH Humanities Council Grant for the Heritage Commission to be used for speaker fee per RSA 674:44-b. - \$247.50

*V. Lembo motioned to approve the consent agenda. Seconded by M. Downer
Vote unanimously in favor*

TOWN ADMINISTRATOR'S REPORT

Dr. Shankle informed the Council of the following:

- The Peterbrook Motel is being demolished and should begin this week. The Heritage Commission has requested that the curved glass which is in one of the buildings be preserved and given to the Heritage Commission.
- I recently attended a Community Development Workshop along with the Planner which discussed the process for obtaining competitive matched grants. One area of interest was Neighbor Heritage Districts, specifically the Village area which has a lot of history. This potential grant for \$30,000 for 2 years was discussed with Kathy Northrup, Heritage Commission and the Planning Board. A presentation is planned for June.
- Our Cable franchise is up in December. I met with the area representative, Brian Christiansen. We need to decide how to approach negotiating a new franchise. In the past, you have put together committees. The Council needs to make the decision on how to proceed. V. Lembo recommending reaching out to past committee chairs and members. Currently the company offers internet access for \$10.00/month to families that qualify for free and reduce lunch through the schools.
- Kathy Northrup notified the Town that an historical marker which was previously stolen from Lamberts Park has been returned.
- Mike Horn, Supervisor of the checklist, sent an email notifying us that June 5th is the last day to change party affiliation.
- The Hooksett Bike Rodeo will be held on May 12th from 10 am 12 pm at the Tri-Town Ice Arena at 311 West River Road.

PUBLIC

Mike Sorel, 54 Cross Road requested the Council send letters of thanks to residents who recently completed renovation work on their homes. Mr. Sorel also expressed concern over the appearance of the front lawn at the Municipal Building as well as lawns at a number of town buildings including the library and safety center and requested the Chair call for a motion to instruct the Town Administrator to do whatever necessary to address the needs of these lawns and maintain these lawns so they are a credit to the community.

J. Sullivan stated that the Town Administrator has noted Mr. Sorel's comments.

T. Lizotte arrived at the meeting.

NOMINATIONS AND APPOINTMENTS

Appointment

ZBA Alternate member, exp. 6/2013 – Jacqueline Roy

J. Levesque motioned to appoint Jacqueline Roy as an alternate member of the Zoning Board of Adjustment. Seconded by M. Downer.

Jackie Roy was present at the meeting and introduced herself to the Board.

Vote unanimously in favor

SCHEDULED APPOINTMENTS

Hooksett Kiwanis – 5K Road Race

Tom Young, 43 Joanne Drive and Sue Willey, 3 Morningside Drive:

Thank you for your support in running the trail race last year. We think it was successful. There were 90 registered racers and many volunteers in attendance. Hooksett Kiwanis would like to hold the race again. We distributed information on how the race will be set up as well as the land owners who were contacted and approved the use of their property. The hand out includes a road map of the race. This year, like last year, we would like to request support of police for traffic control, a medic, and the use of town roads at University Circle, Blackwater, and University Heights. The race is mostly off road. We are looking for support for port-a-potties and DPW cones as well as the Heads Pond Trail and the Conservation Easement.

T. Lizotte: I assisted with this event last year and it offered an opportunity to highlight our trail system and was a great success.

V. Lembo asked if the trail was wheel chair accessible.

T. Young stated that due to the rugged terrain, the trail itself is not wheel chair accessible.

M. Downer suggested a smaller fun run could be setup to include children and families as well as wheel chairs. This would increase registrants and bring more attention to the trails.

S. Orr: How much was raised last year and what is your goal this year?

T. Young: We raise \$1500 last year and are hoping to register 200 runners and raise \$3000 this year.

***N. Comai motioned to grant the use of town owned land. Seconded by T. Lizotte.
Vote unanimously in favor***

N. Comai motioned to discuss the use of town resources. Seconded by T. Lizotte

Items needed from the town include port-a-potties, waste receptacles, traffic cones, barricades, police traffic control and emergency response medics.

D. Shankle: The Departments heads were very helpful last year and I believe there were no issues.

V. Lembo asked for a breakdown of the costs.

T. Young: The total cost was about \$2500.

J. Levesque recommended that D. Shankle speak with the Department Heads and come back with more information for the next meeting.

***V. Lembo motioned to table the discussion. Seconded by T. Lizotte.
Vote unanimously in favor.***

OLD BUSINESS

Fraud Policy

N. Comai motioned to approve the policy as presented. Seconded by J. Danforth.

S. Orr: Page 2 add "no official or town employee"

V. Lembo has the policy been reviewed by our attorney?

D. Shankle stated that it has not.

S. Orr: I found this policy was consistent with those adopted in other towns.

Vote unanimously in favor as amended.

V. Lembo asked if Town Departments would be considered on future bids.

The issue will be placed on a future agenda for discussion.

NEW BUSINESS

Quarterly Financial Report

C. Soucie presented the Financial Quarterly as of March 31st which shows 74% expended and revenues at 81%. The expense is at 74% spent and our revenues are doing well at 81%. The General Fund is in good shape. Administration is predicted to be \$10,000 over due to legal costs. Fire is anticipated to be over by \$50,000 due to NH retirement costs. DPW is over budget by \$70,000 primarily due to vehicle maintenance. Family Service will be under budget and this will be used to cover the overages. Transfer and Recycling is doing well. Their tipping fees are down and we anticipate a savings there as well as a savings in labor costs.

J. Sullivan: Do these changes require a transfer in the budget lines which is the Council's purview?

C. Soucie: Historically, the town does not do transfer of budgets. We do not adhere to the Charter.

J. Sullivan: I suggest we follow the Charter.

N. Comai: Are the overages in the Fire Rescue as a result of the previous concessions?

C. Soucie: No, it is due to fuel cost and retirement.

C. Soucie: Revenues are doing well considering the economy. I anticipate getting the 2.4 million in vehicle registrations. Building Permits have almost met expectations. This spring, the Code Enforcement and Community Development have been slow and this April we did not collect any impact fees. Interest is down. State Revenues are a little short on meals and room tax

Administrative Code

D. Shankle presented the changes to the Administrative Code as written in 4.0 (a) and (b).

T. Lizotte motioned to approve the changes reflected in 4.0 (a) and (b) as written. Seconded by V. Lembo. Vote unanimously in favor.

D. Shankle presented the changes to the Administrative Code as written in 5.7 which will comply with the Charter.

T. Lizotte motioned to accept the modification of 5.7 Budget Development as written. Seconded by J. Levesque. Vote unanimously in favor.

Lion's Club Citizen of the Year Proclamation

Since 1989, the Town Council has issued a proclamation for Citizen of the Year. This year Mary Farwell has been named Citizen of Year.

J. Levesque motion to have a Proclamation written and signed by the Chair. Seconded by V. Lembo. Vote unanimously in favor.

Town Election Results

D. Shankle: We appreciate those that voted. I congratulate those that won.

The Budget Article #3 Operating Budget failed and therefore we are operating under the default budget. C. Soucie distributed a copy of the operating budget which will be submitted to the State. By the next meeting, I will bring my recommendation on changes for the default budget. The town meeting guide outlines the default budget and those items which caused the budget to change. According to State Law, you must take last year's budget and show the change to get to the default number. My feeling is what we have is like all other budgets with all the departments and within those departments we have flexibility on how that money will be spent. Those things specifically listed as increases, just because they failed, are not the ones that will necessarily be cut. For example, Old Home Day was cut. We may want to fund that line. The Veterans Park is another example. The employee raises are not in the default budget. I need time to talk to department heads and see what efficiencies we can find. Because the contracts past, I don't think the community is opposed to give raises. We do need to see where that money will come from.

M. Downer: If an article was voted no, I want to make sure I understand. If it was voted no by voters, we are not going to seek to fund that?

C. Shankle: No, if it was a warrant article, no is no.

M. Downer: The default budget is the base exclusive of any warrants articles?

D. Shankle: Correct, the default budget does not include any warrant articles which were past.

T. Lizotte: Some warrants if mandated by the State, will have to be done. It just means no money can be raised to fund that?

C. Soucie: We are not under the obligation to reassess this year. It will be the following year that we will need to address the short fall. We can consider using fund balance.

D. Riley reviewed the election results and discussed the procedure for conducting a recount if requested. A recount may be requested for any question on the official ballot. Any 10 voters can apply to the Town Clerk, which must be in writing and it must be 7 days from the expiration day of the election. Once that application is in the Clerk's hands, she must establish a date and time. If the recount is for an individual, the candidates must be notified; for any other item, the entire town must be notified. The Board of Recount is the Clerk, the Moderator, and the Councilors.

SUB-COMMITTEE REPORTS

Zoning Board of Adjustment – J. Levesque

- Approved a Special Exception to allow a two family (which already exists) in the URD. A waiver was requested from the Planning Board because it was a preexisting unit.
- A variance was granted for a shed.
- A variance was granted for a sign on 40 Londonderry Turnpike which is a safety issue
- Ritchie Bros requested a variance for a sign on Rte. 93 which has been continued to June.

Planning Board – S. Orr

- Planning Board approved a request to waive the impact fees on a preexisting apartment.
- Beaver Brook requested an extension for drainage. Granted for 60 days
- Heritage Bank found it too costly to connect to public water for a sprinkler system. They will build a well and have 4 sided access for fire apparatus.
- H.S. Study Committee met and are finalizing the report

Town Hall Preservation Committee - J. Danforth

- A booth will be set up at Old Home Day and at the Farmer's Market.

PUBLIC INPUT

M. Miville, 42 Main Street: I sat during the first public input and didn't know how to take the comments made by Mr. Sorel. If I received a comment from the Council saying thank you for fixing my house, I would be insulted. Would we now be under the scrutiny of the Council for working on our homes? It is no one's business. I don't know how a letter would come across from this Council.

There was a casual conversation last night regarding the request for a recount by I do not plan to request one. I trust that the election team got it right the first time.

ADJOURNMENT

The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Lee Ann Moynihan