

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, June 13, 2012

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

PRESENT: Leslie Boswak, Nancy Comai, 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

Boy Scout Griffin Leclerc led the group.

APPROVAL OF MINUTES

May 23, 2012 Regular Meeting – ***T. Lizotte moved to approve the minutes. Motion seconded by V. Lembo. Motion carried.*** S. Lovas Orr abstained, not present at the meeting.

May 23, 2012 Non-Public Meeting – ***T. Lizotte moved to approve the minutes. Motion seconded by V. Lembo. Motion carried.*** S. Lovas Orr abstained, not present at the meeting.

CONSENT AGENDA

1. Acceptance of Grant Fund for Fire Department per RSA 31:95-b - \$4,006.01
2. Acceptance of Donation from PSNH for Volunteers' Appreciation Dinner - \$2,500
3. Acceptance of Donations to Heritage Commission for Veterans' Memorial Fund per RSA 674:44-b - \$100

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

TOWN ADMINISTRATOR'S REPORT

Dr. Shankle informed the Council of the following:

1. He is currently attending the NH Municipal Association conference in Keene, which started today and ends on Friday.
2. "New Business" items will be discussed but the Council does not have to vote on them until the next meeting on June 27th.
3. The softball game between the Fire Department and Police Department will be held on Friday, June 22nd at 6 pm. Admission fee is \$5 for adults and children 14 years and older, children under 14 are free. T-shirts will be sold for \$10 each. All proceeds will benefit the Veterans' Memorial renovation fund.
4. He shared an e-mail received from a resident commending the Town on the great first day of automated trash collection.
5. Fire Tanker 1 will be delivered soon.
6. On Thursday, June 14th at 10 am NH Fire Academy will be bringing a class A trailer for a live fire training with the Fire Department crew.

PUBLIC INPUT

John Gryval, Planning Board Chair: I am here to support the Planning Board members who are up for nomination and appointment. I would like to recommend Dick Marshall to be nominated and re-appointed as a full member. I would also ask that you nominate and appoint David Rogers to be moved from an alternate to a full member. I also ask to nominate and re-appoint Rob Duhaime as an alternate member.

Tom Young, Kiwanis President: The Kiwanis Club and the Town Administrator have been working diligently in securing a proper real estate for the Food Pantry. We appreciate the time and effort that the Town Administrator and his staff have provided. He has offered us what we think is the most pristine real estate in the Town Hall but it was turned down by the committee. The committee would like to stay where they are. The problem is, there's no air moving in there. There is an emotional tie by the committee members, which has kept them there. I personally liked the option the Town Administrator suggested, however, we're stuck where we are because that's where the volunteers want to work. I am requesting for assistance to fund the air conditioning for that room. Please consider it. Thank you

NOMINATIONS AND APPOINTMENTS

Nominations for 2012-2013 Boards' Members

CABLE FRANCHISE ADVISORY BOARD

V. Lembo nominated Matt Mercier.

N. Comai nominated Marc Miville.

J. Levesque nominated Peter Farwell.

T. Lizotte nominated David Pearl.

CONSERVATION COMMISSION

Cindy Robertson was nominated as a full member, exp. 6/2015 on April 11th.

John Turbyne was nominated as an alternate member, exp. 6/2015 on April 11th.

HERITAGE COMMISSION

V. Lembo nominated Kathleen Northrup as a full member, exp. 6/2015.

PARK & RECREATION ADVISORY BOARD

T. Lizotte nominated Dustin Raiche as a full member, exp. 6/2015.

PLANNING BOARD

(2) Full Members, exp. 6/2015

Chair J. Sullivan nominated Richard Marshall as a full member, exp. 6/2015.

J. Levesque nominated David J. Rogers as a full member, exp. 6/2015.

N. Comai nominated Donald Winterton as a full member, exp. 6/2015.

Discussion regarding recommendation on the Charter to appoint a current alternate member to fill an open full member position.

Alternate Member, exp. 6/2015

L. Boswak nominated Robert Duhaime.

T. Lizotte nominated Donald Winterton.

Note: David Rogers is currently an alternate member. If Mr. Rogers is appointed to the full position, an additional alternate position will become available.

Donald Winterton, 10 Prescott Heights Road: I'm a graduate of Central High School and UNH. I have a two-prong career I'd like to talk about. My hobby career involves basketball refereeing. What does that have anything to do with the Planning Board? I've been yelled at by some pretty famous people. I've made decisions people didn't like. For 18 years in a row, I refereed games for the NHIAA. I'm the only referee in NH in the Big East referee list. I'm one of two referees in the history of NH to become members of collegiate lifetime honoree. My last job, I was the national Director of Sales for pharmaceuticals in San Diego, CA. When I left work of my own choosing, I had 93 people reporting to me. I negotiated contract, solved problems, hired and fired people. Every organization has a culture. This board has a culture. I have chosen to live in the Town of Hooksett and I intent to be here for a long time. I request for your vote so that I can help to change the culture of the Planning Board. I am a part-owner of the Manchester

Wolves football team. I interacted with some of the “movers and shakers” of the greater Manchester community. We need a selling job because they don’t want to come

David Rogers, 15 Mt. St Mary’s Way, #203: I am a current alternate member of the Planning Board. I am a lawyer by trade, graduated from College of William & Mary in 1982, graduated from law school in 1988, practices law regularly up until 2005, currently a labor officer at the Department of Labor in Concord doing workers comp hearings on a full time basis. I lived in Hooksett previously from 1996-2007 and moved back to town in 2010. I was on ZBA in Salem at the time when the Mall of Rockingham Park was being constructed. I have not missed a single meeting since my appointment as an alternate in October of last year. In every meeting, I’ve been a voting member because of absences. I’ve also served on the High School Study Committee. I’d like to address the Heritage Commission aspect of it. If somebody’s willing to serve, they should be given that opportunity. Last fall, there were two opening. I was a History major in college and Heritage Commission seems like a nice fit for my talents, if you will. Last month, I attended the LGC training session for municipal officials. I would like to be appointed as a full member of the planning board. If that’s not the pleasure of the board, I would like to be considered for one of the alternate positions.

Richard Marshall, 6 Lancelot Drive: I graduated from UNH with a bachelor’s degree in Civil Engineering and Perdue University with a Master’s degree in Transportation and Planning. I served for 35 years with the NH Department of Transportation. My last ten years as the Chief Planner. I have a 20 year association with the Southern NH Regional Planning Commission. I’m known in town as the longest running member of the Planning Board. I’m in my 40th year right now. In those 40 years, we’ve seen the Town grow. We’ve tried to maintain through the planning process a balance between residential, commercial and industrial growth. That should be the goal of the Planning Board into the future. People argue that businesses don’t want to come here. That’s a fallacy. Take a look at what happened in the last ten years and what we’ve brought in. We brought in Lowe’s but that’s a business decision on their part, a larger Walmart, Market Basket, Exit 10. They all have to go through the planning process, most of them painlessly. Those who are complaining very often try and bend the rules. I have the experience and the desire to serve.

POLICE COMMISSION, exp. 6/2015

J. Danforth nominated Joanne McHugh.

Joanne McHugh, 14 Jefferson Drive: In the next, I would be here in Hooksett for 40 years. I raised my children here. I have been active in the community for most of the years I’ve been here. I started off in the school system as a member of the PTA at Underhill School and moved on to the School Board. I was on School Board for 21 years. I also served on the Planning Board, which not only was an eye opener but gave me a new understanding of what the Town has to deal with when they bring in new projects. When we built the Cawley School along with doing renovations at the Memorial School there was a lot of cooperation between the Town and the school district. Recently, three years ago I was appointed to the Police Commission. I am finishing my third year. That again was quite a learning experience. In the last year we have been working on the recommendations of an audit that was done. That’s why I come to you to ask to be re-appointed. We have started the process and I’d like to see it through. Things are improving.

J. McHugh was asked by Councilor Lembo to come back and answer some questions at the next meeting

RECYCLING & TRANSFER ADVISORY COMMITTEE

J. Levesque nominated Merrill E. Johnson as full member, exp. 6/2015.

T. Lizotte nominated Raymond Bonney as an alternate member, exp. 6/2015.

SNHPC Rep

Member, exp. 6/2016

The Planning Board’s recommendation is required.

V. Lembo moved to table. Motion seconded by T. Lizotte. Motion carried unanimously.

TOWN HALL PRESERVATION COMMITTEE

J. Danforth nominated Tom Walsh.

ZONING BOARD OF ADJUSTMENT

J. Levesque nominated Richard Bairam as a full member, exp. 6/2015.

T. Lizotte nominated Phil Denbow as an alternate member, exp. 6/2015.

SCHEDULED APPOINTMENTS

Public Hearing re: Acceptance of Grants, Gifts and Donations on Creating the Heads Pond Trail from Kiwanis Foundation per RSA 31:95-b - \$65,145.73

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

T. Young spoke about the different community projects Kiwanis is currently working on, which includes the Heads Pond Trail. The organization solicited grants, gifts and donations for the trail.

Ron Dion, 45 Pleasant Street: When we originally got involved with the trails, we asked the Town officials what the Town needed the most for the children of Hooksett. The overwhelming response was hiking trails. With the Town's support, Kiwanis was able to achieve this.

Frank Kotowski, 21 Pleasant Street: We asked the Town Council for Kiwanis to be named as the organization in Hooksett charged with the development and maintenance of trails. The trails were donated by Manchester Sand & Gravel. We would like some clarification on what our role is. We are concerned that we will be relied upon to be the sole organization to maintain the trails. We need your help and support. We're willing to help when we can. We would like to be able to finish the Heritage Trail and fill the missing gap between Concord and Manchester.

The public hearing will be closed at the end of the second public hearing.

Reappointment of Kiwanis as the organization charged with the development and construction of trails within Hooksett.

The Town Administrator suggested scheduling a meeting between the Kiwanis Club, Conservation Commission and Parks and Recreation to come up with an understanding.

T. Young: Part of the Master Plan was the development of the trails. We've done the Head's Pond. We would like to see a fine network of trails. Right now, we've only been able to put in 1.5 miles of trail in 3 years. Conservation Commission has come to Kiwanis for assistance.

T. Lizotte suggested taking the Town Administrator's suggestion.

Dr. Shankle added his concern is that the Administrative Code, section 4-10 states the following:

Parks and Recreation Advisory Board (Appointed) - Under the jurisdiction of the Town Council, assist the Public Works Department in an advisory capacity on recreational projects, recreational budgetary items, recreational capital improvements, and with the submittal of applications for federal, state, and other grant monies relating to parks and/or recreation. Develop plans and work with the Conservation Commission in obtaining and receiving land for recreational purposes.

Trails fall under recreational purposes. This would be stepping on their (Parks & Recreation Advisory Board) responsibilities.

T. Lizotte moved to table. Motion seconded by L. Boswak. Motion carried unanimously.

OLD BUSINESS

Kiwanis 5K Race

The Council has given permission for the 5K race. There were questions regarding detail costs and handicapped accessibility.

T. Young stated the intent was to have Police and Fire in the immediate area doing their regular duties for the event. There should be no additional costs.

V. Lembo moved to authorize the Town Administrator to direct the Town Departments to offer assistance with the 5K Race as needed. Motion seconded by T. Lizotte.

Sue Wiley: The trail is not handicapped accessible. The Public Works Director provided an estimate of \$20-25,000 to make the trail handicapped accessible. It's not feasible for this year to have the trail handicapped accessible.

A survey would be done to find out if there is a need to make the trail handicapped accessible.

Motion carried unanimously.

Update on Pinnacle Street Parking Lot

At the last meeting, Mr. Merrigan came in to speak about the debris and other issues at the Pinnacle Parking lot.

The issues were addressed and resolved. Dr. Shankle received an e-mail (attached) from Mr. Merrigan, which was read into the record.

Community Planning Grant

Jo Ann Duffy, Town Planner: Recently, we found out about a grant that was available to all NH communities through HUD. They are releasing \$1 million for various planning projects, one of which was for Neighborhood Heritage project.

The grant package was put together by the Town Administrator, Town Planner and Kathie Northrup of the heritage Commission. They received letter of support from various organizations in Town. J. Duffy requested for the Council's letter of support and to accept a resolution allowing for the \$30,000 grant application. The grant has 25% matching share. Total project is \$37,600, \$7,600 is the Town's match, approximately, \$1,800 would be cash. Deadline is this Friday and being awarded within the next two weeks. The grant would allow the Town to hire a consultant in order to establish a Heritage District for the Village area. A committee would be formed and neighborhood heritage district ordinance would be adopted. The district would be written into the zoning ordinance and approved by the Planning Board and the voters. If it passes, an advisory committee would be formed to come up with rules for the district and advise the Planning Board.

L. Boswak asked about the makeup of the committee and the process to be taken if the committee does not agree.

J. Duffy stated there is a suggested make-up of the committee and an appeal process is available through the Planning Board.

L. Boswak: What is the in-kind match?

J. Duffy: Staff time would be roughly \$4,000, volunteer time is calculated at \$21.79. The remainder of \$3,000 would be for outreach media, etc. The Town will have to provide 25% of \$7,600, which is roughly \$1,860.

Dr. Shankle added most of the funds would be used for State Heritage Preservation Alliance. The Town will also have to get a consultant who would provide expert advice, which would be helpful in acquiring future grants.

T. Lizotte asked if the Town is obligated to do anything.

Dr. Shankle stated the Town is obligated to bring something at the Town Meeting to be voted on, work with the people, work with the consultant to come up with a recommendation for the Planning Board to approve, work on the process and gather information.

T. Lizotte moved to send a letter of support (see attachment). Motion seconded by V. Lembo. Motion carried unanimously.

N. Comai read the resolution for the record (see attachment).

J. Levesque moved to adopt the resolution. Motion seconded by S. Lovas Orr. Motion carried unanimously.

T. Lizotte requested to make sure to have something tangible for the consultants to deliver at the end of the contract.

NEW BUSINESS

Budget Transfer Requests FY 2011-2012

Christine Soucie, Finance Director presented the following budget transfer requests for 2011-2012. Per Town Charter the Town Administrator, with the approval of the Council, may transfer any unexpected balance from one department to another. She added there may be more coming as the fiscal year ends.

1. Fund \$45,000 shortfall in Fleet Vehicle Maintenance from Road Maintenance Overtime.
2. Fund \$60,000 shortfall in Legal Services from Administration's Salaries lines and Tipping Fee line.
3. Fund \$15,000 shortfall in Assessing's Professional Services from Town Welfare line.
4. Fund \$7,500 shortfall in Finance's Health Insurance from Town Welfare line.
5. Fund \$3,500 shortfall in Town Clerk's Town Meeting line from Town Welfare line.

Town Welfare line will be \$50,000 under-expended after the transfers.

L. Boswak asked how the transfers would affect next year's default budget.

C. Soucie stated the transfers would be included in the budget.

N. Comai expressed concerns over taking funds out of the Welfare line. She stated she wants to make sure funds are returned to Welfare line.

The Town should be able to put \$200,000 back into the fund balance after encumbrances. The town policy stated to maintain 5% fund balance and strive for 8%.

Encumbrances FY 2011-2012

C. Soucie explained encumbrance is moving funds from this budget year over to next year's budget to pay for contracted items and services. Any work done by June 30th will be paid out of this year's budget. The following are the requested encumbrances for fiscal year 2011-2012:

1. Sewer TIF District Exit 10 & 11	\$4,350.00 (Contract with CRDC)
2. Line Striping of Roads	\$11,849.00
3. Police Computers	\$38,121.00
4. Police Vehicle Equipment	\$11,638.00
5. Police Cruiser	\$26,471.00
6. Police Gear	\$7,258.00
7. Lease of Fire-Rescue Tanker	\$56,712.00

Total - \$152,049.00.

T. Lizotte asked for more information on the Capital Regional Development Council contract for \$4,350.00.

Dr. Shankle explained two contracts are tied into the projects, one is with SNHPC and one is for CRDC. He'd like to encumber the CRDC contract in the event the proposed Ritchie Brothers project falls through. The contract with SNHPC will not be encumbered. If needed, a new contract with SNHPC will have to be written.

T. Lizotte stated he does not see the scope of the contract being accomplished for \$5,000 and does not approve encumbering funds for this purpose. He does not see a cohesive plan from CRDC. He'd rather support the Town Administrator to execute a better plan.

Dr. Shankle stated the contract was with the Economic Development Committee. He will not cancel the contract without discussing the matter with the committee.

Discussion with regards to Food Pantry (air conditioning) encumbrance.

Dr. Shankle made a suggestion to move the Food Pantry where the Family Services office is and moving the Family Services office to the second floor, but the Food Pantry Committee (volunteers) would like to stay where they are. There's an emotional tie to the present space as it started out as an Eagle Scout project. He will not be opposed to putting an air conditioning system in the Food Pantry.

T. Lizotte commented moving the Food Pantry next to the Kids' Kloset is the best option and would incur the least cost.

V. Lembo suggested asking Kiwanis if they would be willing to pay for a portion of the air conditioning costs.

The Council consensus was to have the Town Administrator speak to Kiwanis and have the Food Pantry move into the room next to the Kid's Kloset.

Classification Pay Plan

Dr. Shankle stated one of the items he would like to recommend for next year's budget transfers is the 2% non-union raises. An issue came up with the raises. Under the current classification pay plan, some people are at the top of their pay range and will not be eligible for raises.

Elizabeth Dionne, Human Resources Coordinator presented the proposed amended classification pay plan. Union positions were crossed out and some positions were added in for housekeeping. She recommended increasing the range on the maximum by 10% to allow for pay adjustments. She also recommended reviewing the plan annually. A pay comparison chart between various communities within population range was also provided to the Council. The chart shows the current Town pay plan is outdated.

L. Boswak stated she does not support adjusting the pay plan at 10% increase on the maximum range across the board. She suggested looking at the positions that are currently maxed out and adjusting those, if necessary. She also suggested providing the Council with a copy of the LGC wages and salaries' survey to be reviewed.

T. Lizotte stated he agrees it shouldn't be a blanket 10% increase. He added education and training should also be taken into account.

N. Comai commented part-time position should not be included. She stated it should take a lot more work to look at the wage scale. Factors such as, other towns' wage scales, number of employees, structures, determining which positions are more important, etc.

E. Dionne explained when the plan was amended in 2010 the Town Administrator at that time did decrease some of the positions, not thinking in long term. The Town of Hooksett has always paid lower than private sectors and other municipalities. The Council over the years has tried to provide decent benefits to make up for that. The Town started experiencing people leaving for better paying jobs.

V. Lembo stated if the pay plan is not adjusted, the Council can expect the whole Town to go union and more people will be leaving for better paying jobs.

Discussion on the matter ensued.

Chair Sullivan suggested for the Town Administrator, Human Resource Coordinator and a couple of Councilors to get together and work on amending the pay plan.

Dr. Shankle suggested reviewing the positions that are currently on the maximum range to be eligible for the 2% raise.

L. Boswak also suggested looking at those positions that are under-paid.

T. Lizotte suggested looking at wage scales from similar size (number of employees) private companies.

Budget Transfer Requests FY 2012-2013

C. Soucie presented the budget transfer requests for fiscal year 2012-2013. Some of the items are funded within the department but under the wrong department. These items were moved in the proposed budget and were put back with the default budget.

1. Move \$6,088.00 to the Election Division in Administration's budget from the Town Clerk's budget.
2. Move \$30,316.00 in agencies requests currently in Administration's budget to the Family Services, Community Development and Emergency Management's budgets.
3. Fund \$16,959.00 for 2% non-union COLA increases for the Assessing, Finance, Tax and Library departments from the Administration and Fire-Rescue budgets. All the other departments can cover the 2% increase within their budgets.

The 1% bonus which was included in the proposed budget did not get in the default budget but could be funded mid-year if funds become available.

SUB-COMMITTEE REPORTS

Recycling & Transfer Advisory Board – J. Levesque

1. The barrels were distributed. A few issues with some residents asking for extra barrels.
2. A total of 27 tons were recycled in the month of May. On Monday and Tuesday, they collected almost 12 tons of recyclables.

ZBA – J. Levesque

1. They granted a re-hearing for Murais development.
2. Did a balloon test for the Ritchie Brothers sign. It was suggested giving an exception for a temporary sign. If Ritchie Brothers leave, the sign goes with them.
3. They granted a variance for a property on Leonard Avenue to be a residential zone.

Planning Board – S. Lovas Orr

1. Ritchie Brothers' waiver request to use gravel instead of a paved parking area was denied pending more environmental wastewater tests. They also requested for a waiver to use temporary lighting. This was not granted because the type of lighting to be used was not presented to the board. Because of those issues completeness was not approved. They were asked to come back before the board on July 9th.
2. Some issues with the signs where road work is being done in front of Merchants Motors. They want to take down the 5 signs and put up 3 signs. The size exceeds the maximum of 10 feet. Their request for a waiver was denied. They will come back with a better plan for the 3 signs.

PUBLIC INPUT

Marc Miville, 42 Main Street: I did put my name on the Cable TV Committee. I am also interested in the future Historical District committee, when it's established. The discussion about the Food Pantry comes across as the "tail wagging the dog". I can't see how volunteers could dictate how the Town is operated. Finally, I totally agree with Councilor Boswak and other Councilors about the whole pay structure. Everybody makes their own life's decisions. Even if you're at a ceiling, if you want to stay at a job, that's your choice. If you want to leave to make more money, that's your choice too. I would agree with that. During a Budget discussion, I suggested a 2% merit increase and let the Town Administrator decide who gets the range and who does not. Call it a merit pool increase as opposed to across the board increase.

NON-PUBLIC SESSION

J. Levesque moved at 9:56 pm to enter non-public session under RSA 91-A:3, II (a) "The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee effected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted."

Motion seconded by S. Lovas Orr. Roll call vote carried unanimously.

DISCUSSION

The Council discussed the Town Administrator's performance evaluation.

V. Lembo moved at 10:55 pm to exit the non-public session. Motion seconded by J. Levesque. Roll call vote carried unanimously.

PUBLIC SESSION

Chair J. Sullivan closed the public hearing on the acceptance of grants, gifts and donations from Hooksett Kiwanis.

This matter will be voted on at the next Council meeting on June 27, 2012.

ADJOURNMENT

The meeting adjourned at 10:57 pm.

Sincerely,

Evelyn F. Horn
Administrative Assistant

Leslie A. Boswak
Town Council Secretary