

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, June 27, 2012**

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

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

#### **APPROVAL OF MINUTES**

June 13, 2012 Regular Meeting

***N. Comai motioned to table the minutes. Seconded by L. Boswak.***

**Non-public minutes of June 13, 2012 included in the regular minutes. Council requested that the non-public always be separate regardless if the minutes are sealed.**

#### **TOWN ADMINISTRATOR'S REPORT**

Dr. Shankle informed the Council of the following:

- Citizen's request tracker (Civic Plus) for people to submit complaints will roll out on July 2<sup>nd</sup>.
- Main Office changes – Evelyn Horn and Liz Dionne will both be physically located in the Administrative Office.
- We've begun opening the door between Building and Planning and will eventually remove the wall between the offices.
- The Softball Game was exciting and everyone enjoy the event.
- The Council approved the application for the Heritage District Grant. There was a conference call and we should know by the end of the month if we will receive the grant.
- The Municipal Manager's Conference was held. The topic of online meetings was discussed.
- I attended the ribbon cutting for the Farmer's Market on Wednesday at the White Birch Brewery parking lot on Hooksett Road.
- The Community Gardens and Fun in the Sun started this week. An open house was held last week for Fun in the Sun.
- As a result of questions were raised by Councilors regarding the transfer of funds from the Ambulance Fund, staff would like to have a couple of the Councilors get together and decide on what information they would like to see prior to the next transfer.  
T. Lizotte and N. Comai volunteered to serve in that capacity. (M. Downer as alternate)
- The Cable TV Committee asked to meet with Mr. Christianson.
- A meeting was held with Barb Brennan from the Food Pantry. I agree to allow them to stay in their current location and if they could raise the money, they could install air conditioning.

T. Lizotte asked about the payment procedure for Fun in the Sun. He questioned why parents are being told to mail checks to Jodi and he does not feel this is acceptable. Four (4) parents have complained.

D. Shankle stated that parents have been told that payments can be made to the Administration Office (Evelyn).

#### **PUBLIC INPUT**

B. Brennan, Board member for Kiwanis and sponsor of the Food Pantry read a letter to the Board stating the reasons the Food Pantry would like to remain in the town hall kitchen area. She also extended an invitation to the Council to contact her to tour the area.

1. Hidden costs – At a recent meeting with the Deputy Fire Chief, they were told that no vehicles would be allowed to stop along the side entrance way by the Family Service Office. Deputy Hoisington stated that no cars are allowed to stop or park along the Fire Lane for pick up or deliveries. That in itself warrants reconsideration of the relocation of the Pantry. The cost is unknown.
2. Size of the Pantry – The Committee never asked to relocate. The Committee did request temporary use of the expanded area and use of the freezers during Thanksgiving for turkeys. We would like to request periodic use of the large freezer. Some recent clients have been affected by the recession and when the economy improves, will likely no longer need services.
3. Client confidentiality – This is paramount at the food pantry. No one has spoken to Joy (Family Services) regarding the relocation. Moving her to another part of the building will require them to walk the halls and compromise their confidentiality. ‘

On May 29<sup>th</sup>, Kiwanis voted to support the recommendation of the Pantry Committee. If an upgrade to the pantry is allowed, the committee will seek donations and fundraise for the funds. Please consider the community of Hooksett when relocating the Pantry.

***M. Downer motioned to have the Food Pantry move forward to secure the current location and may pursue raising funds. Seconded by T. Lizotte.***

D. Shankle: I am responsible for the building and I would appreciate the opportunity to work through the process.

***T. Lizotte withdrew his second. M. Downer withdrew his motion.***

***M. Downer motioned to authorize D. Shankle to work with Kiwanis to come to an agreement that is best for all parties. Seconded by T. Lizotte.***

***Vote unanimously in favor***

John Gryval, Chairman of Planning Board stated he supports the reappointment of the Planning Board members and recommends Dick Marshall be reappointed as full time member and Dave Rogers be moved from alternate to full member. The other two alternates are Robert Duhaime and Don Winterton. Mr. Nahikian is planning on resigning his position on the Planning Board.

Kathy Northrup, Chair of Heritage Commission: On behalf of the Commission. Pursuant 674:44 I request the Council accept a donation in the amount of \$272.42 which was received as a result of the benefit softball game and other donation which will go to the Veterans Fund.

***V. Lembo motioned to accept the donation in the amount of \$272.42. Seconded by T. Lizotte.***

***Vote unanimously in favor.***

K. Northrup reported that the softball game was a success and raising \$556 in addition to the \$272 for a total of \$800.

Restoration Project: There was concern about the flag being lit 24 hours. There was a light that was repaired. In May, we raised enough money for phase I, which is to repair the mortar, install fasteners and clean the stones. That will start next week. With the \$2000 in town funds and our available balance, we could begin phase II which is refinishing the three large plaques. We will now prioritize how to spend the newly raised funds from the softball game. Probably a sign for the park. The commission is planning other fun-raising events in the fall and the Legion is working on a dinner dance for October.

## **NOMINATIONS AND APPOINTMENTS**

T. Barrett resigned from the Economic Development Committee.

### **SNHPC Represent.**

The Planning Board unanimously recommended Dick Marshall as SNHPC Representative at their June 18<sup>th</sup> Planning Board meeting.

*J. Levesque motioned to recommend Dick Marshall as SNHPC Representative, exp. 6/2016. Seconded by T. Lizotte. Vote unanimously*

Appointments - 2012-2013 Boards' Members

**Cable Franchise Advisory Board**

*N. Comai motioned to appoint Matt Mercier, Marc Miville, Peter Farwell and David Pearl to the Cable Franchise Advisory Board. Seconded by T. Lizotte. Vote unanimously in favor.*

**Conservation Commission**

*T. Lizotte motioned to appoint Cindy Robertson as a full member to the Conservation Commission, exp. 6/2015. Seconded by M. Downer. Vote unanimously in favor.*

*J. Levesque motioned to appoint John Turbyne as an alternate member to the Conservation Commission, exp. 6/2015. Seconded by T. Lizotte. Vote unanimously in favor*

**Heritage Commission**

*T. Lizotte motioned to appoint Kathleen Northrup as a full member of the Heritage Commission, exp. 6/2015. Seconded by L. Boswak. Vote unanimously in favor.*

**Park and Recreation Advisory Board**

*M. Downer motioned to appoint Dustin Raiche as a full member of the Park and Recreation Advisory Board exp. 6/2015. Seconded by T. Lizotte. Seconded by T. Lizotte. Vote unanimously in favor.*

**Planning Board**

*V. Lembo motioned to appoint Dick Marshall as a full member of the Planning Board, exp. 6/2015. Seconded by M. Downer.*

*L. Boswak motioned to appoint Dave Rogers as a full member of the Planning Board, exp. 6/2015. Seconded by S. Orr.*

*N. Comai motioned to appoint Donald Winterton as a full member of the Planning Board, exp. 6/2015. Seconded by T. Lizotte*

**Roll Call Vote:**

**8 – Dick Marshall**

**8 – Dave Rogers**

**Dick Marshall and Dave Rogers appointed as full members.**

*T. Lizotte motioned to appoint Don Winterton as an alternate to the Planning Board. Seconded by J. Levesque. Vote unanimously in favor.*

*V. Lembo motioned to appoint R. Duhaime as an alternate to the Planning Board. Seconded by J. Levesque. Vote unanimously in favor*

**Police Commission**

*T. Lizotte motioned to appoint Joanne McHugh to the Police Commission, exp. 2015. Seconded by N. Comai.*

V. Lembo stated that he respects Mrs. McHugh's for her work and dedication but would like to address some concerns express by his constituents.

What is your opinion of the command staff and why they all left?

J. McHugh: I don't have an opinion; some retired, some relocated, some were interested in positions in other parts of the country.

V. Lembo: There seems to have been a conflict between the command staff and the now sitting Police Commission. I was told that they asked to meet with the Commission through the Chief and the Commission refused.

J. McHugh: I think the decision by the Commission to make one of the positions a civilian position was not popular. We took those responsibilities and put them with DPW and therefore now only require a part time position; so that person chose to leave. Regarding the meeting, I don't ever recall a time when there was any individual that wanted to talk to the Commission and was refused. A formal request was never received by the Commission.

V. Lembo: There was an email sent by the Chief to the former Council Chair that a meeting was requested.

J. McHugh: There was never a formal request to the Commission.

V. Lembo: Why did we lose 90% of our command staff with over 25 to 30 years of experience in this town? Is it because, per this email, they didn't get any support from the Commissioners?

J. McHugh: What is 90%? We had one (1) retire, and one (1) left for another community to become Chief. You must look at the individual reasons. The individual that retire is now work part time for the Hooksett Police Department.

J. McHugh: All individuals were given the opportunity to participate in an exit interview. We asked the Town to assist and Liz Dionne has done the exit interviews. I am not at liberty to divulge the parts of the interview.

T. Lizotte: In your opinion, would you say that going through the audit identified adjustments and as a result things have improved?

J. McHugh: Yes, since the audit with Public Safety Strategy Group, the morale has improved. Look at what happened on Friday with the Softball Game and the enthusiasm from both the Police Department and the Fire Department. People are taking the initiative and want to get additional training and see themselves as promotable and continuing in this community.

***Vote to appoint J. McHugh  
Vote 7:1 motion carried***

#### **Recycling and Transfer Advisory Committee**

***Merrill Johnson – J. Levesque motioned to appoint Merrill Johnson as a full member of the Recycling and Transfer Advisory Committee, exp. 6/2015. Seconded by T. Lizotte  
Vote unanimously in favor.***

***J. Levesque motioned to appoint Raymond Bonney as an alternate member of the Recycle and Transfer Advisory Committee. Seconded by T. Lizotte.  
Vote unanimously in favor***

#### **Town Hall Preservation Committee**

***V. Lembo motioned to appoint Tom Walsh as a full member of the Town Hall Preservation Committee. Seconded by S. Lovas Orr***

*Vote unanimously in favor*

**Zoning Board of Adjustment**

*J. Levesque motioned to appoint Richard Bairam as a full member of the Zoning Board of Adjustment, exp. 6/2015. Seconded by T. Lizotte.*

*Vote unanimously in favor*

*J. Levesque motioned to appoint Phil Denbow as an alternate member of the Zoning Board of Adjustment, exp. 6/2015. Seconded by L. Boswak.*

*Vote unanimously in favor*

**SCHEDULED APPOINTMENTS**

Library Trustees, re: Update

Heather Shumway, Librarian present an update “How we stack up”.

- Providing books to Fun in the Sun for kids to take home for summer reading
- Working with the school to provide books required for summer reading.
- Summer Bingo reading with prizes
- Tech Gadget Group meeting give awareness to technology available
- E books continue to be popular with 206 titles available.
- E mail newsletter sign up on the website
- Upcoming Presentations:            July 12 – Life on Mt. Washington  
   August 2<sup>nd</sup> - Meteorites

Mary Farwell, Library Trustee presented the following updates:

- We’re working to replace the plywood library sign.
- A meeting was held with Leo Lessard, DPW regarding removing the cracked sidewalk and making a two way passage way around the library. The current one way circulation presents a number of safety issues. Lighting and site distance issues will also be addressed. Making that a two-way area means taking the hump out and removing the large trees which will improve the site distance.
- The front steps are crumbling and need to be repaired. Council input and recommendations were requested on how to approach and resolve this issue.

J. Sullivan referred the issue to the Town Administrator.

T. Lizotte supports increasing the safety by making the road two way. The steps should be addressed. There was a fall that was related to the rail at the library.

M. Farwell stated that due to the change in the retirement \$4457.06 is being returned to the town. A check was given to Council.

After 23 years as a library page, Carolyn Gladu, retired.

**Diane Boyce, re: Automated Collection Update**

Diane Boyce reported that the roll out of the recycle and trash program was completed in one week rather than two and has been going very well. She stated she was very proud of the program as well as the crew for doing a great job without any formal training on the trucks.

N. Comai thanked Diane for her quick response to her concerns received from a constituent.

T. Lizotte stated it has gone well in his neighbor and although initially thought they’d need more barrels have managed with one.

M. Downer addressed concerns from his neighborhood and was directed to send all concerns to Diane Boyce at the Transfer Station.

V. Lembo asked about staffing.

D. Boyce stated they are short one employee.

#### **OLD BUSINESS**

**Acceptance of Grants, Gifts and Donations from Kiwanis per RSA 31:95-b - \$65,145.73**

***T. Lizotte motioned to accept the donation of \$65145.73 from Kiwanis. Seconded by M. Downer  
Vote unanimously in favor***

#### **Great Woods Condo Unit C-1B Corrective Deed**

D. Shankle: At the direction of the Council, the Tax Collector worked with the town's attorney to correct the deed for the Unit at Great Woods. The former owner will assume ownership.

***V. Lembo motioned to approve the corrected deed and authorize the Council to sign. Seconded by J. Levesque.***

***Vote unanimously in favor.***

#### **Budget Transfer Requests FY 2011-2012**

***M. Downer motioned to authorize the Chair to sign the transfers as presented. Seconded by T. Lizotte.***

***Vote unanimously in favor***

**Encumbrances FY 2011-2012 – 4350 removed. Remaining \$125,578.00 which excludes the cruiser**

***T. Lizotte motioned to approve the encumbrances #2 - \$11,849; #3 - \$38,121; #4-\$11,638; #6 -\$7258; #7 - \$56,712 for a Total of \$125,578. Seconded by M. Downer.***

C. Soucie reported that two (2) police cruisers were picked up on June 22 and one was a swap for the van and the other was a new purchase. The Commission will come to Council to request the vehicle transfer. The swap was not a cash transaction.

***Vote unanimously in favor***

#### **Budget Transfer Requests FY 2012-2013**

***M. Downer motioned to approve the Budget Transfer Requests. Seconded by T. Lizotte.***

***Vote unanimously in favor***

#### **NEW BUSINESS**

##### **Ambulance Collection Policy**

D. Shankle recommending continuing with the current policy regarding collections of unpaid fees

***M. Downer motioned to comply with the recommendation of Dr. Shankle and maintain the current policy. Seconded by T. Lizotte.***

***Vote unanimously in favor***

##### **District Court Lease Agreement**

D. Shankle stated that the State has agreed to a two (2) year lease agreement for the Court House.

***M. Downer motioned to accept the two (2) year lease. Seconded by V. Lembo.***

***Vote unanimously in favor***

##### **Adoption of Resolution for Fire Truck Lease**

***M. Downer motioned to adopt the Resolution for the Fire Truck Lease. Seconded by J. Levesque.***

C. Soucie: In May 2011, the Town voted to approve the lease of a fire tanker. We ordered it last fall. The bank has drawn up documents and the attorney reviewed them. The bank requires the adoption of the resolution stating the need for the vehicle. We can't sign off on the lease package until the tanker comes. This says that Dr. Shankle has authority to sign the lease. The second part is the tax arbitration. There's a standard form in the lease that says we understand. You can sign and adopt the resolution and when the tanker comes in Dr. Shankle will sign the lease. It is due to come in another two (2) weeks.

The paint issues were resolve and the inspection was complete. When it arrives, the Chief will sign off that there are no issues and then Dr. Shankle can sign the lease.

***Vote unanimously in favor***

## **SUB-COMMITTEE REPORTS**

### Economic Development – L. Boswak

#### Planning Board - S. Lovas Orr

No report

#### Perambulation Committee - N. Comai

- The survey director from Manchester has committed to resolving an issue which arose regarding a rock.

#### Police Commission - M. Downer

- Public Safety Strategy Group Each submits a monthly summary of their services. Several policies have been rewritten. They assisted in the writing of an online grant for bullet proof vests.

#### Union Negotiations -V. Lembo

- The Firefighter's contract has been completed, proof read and is ready for the Council to sign.
- The Town Employee's Union Contract meeting was cancelled for the second time.

#### Assessing Committee - J. Levesque

- SNHU was discussed and tabled at a meeting last night.

#### Conservation Commission – T. Lizotte

- Discussed concerns regarding tree clearing by Bartlett Tree along Goffstown Scenic Road. The trees were recently trimmed with the recent repaving of the road. Are we required to accept the value of the service even though it is provided free? Possibly Kathy Northrup could be authorized to oversee the work.

S. Lovas Orr referred to a letter in the reading file regarding the spraying of herbicides over public water bodies from Tennessee Pipeline. She requested that it be investigated.

V. Lembo stated that there is still an issue with large trucks traveling on Main Street and suggested a larger sign be installed.

## **PUBLIC INPUT**

None

## **NON-PUBLIC SESSION**

***V. Lembo motioned to enter into non-public as listed. Seconded by S. Lovas Orr.***

***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."***

***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.”*

**RSA 91-A:3, II (e)** *“Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph.”*

***T. Lizotte moved at 9:41 pm to exit the non-public session. Motion seconded by S. Lovas Orr. Roll call vote carried unanimously.***

**ADJOURNMENT**

The meeting adjourned at 9:42 pm.

Respectfully submitted,

Lee Ann Moynihan

Leslie A. Boswak  
Town Council Secretary