

Official

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

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

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

PLEDGE OF ALLEGIANCE

NOMINATIONS AND APPOINTMENTS

Available Positions

Heritage Commission

Full Member, exp. 6/2015

Alternate Member, exp. 6/2014

Alternate Member, exp. 6/2015

Parks & Recreation Advisory Board

Full Member, exp. 6/2015

Planning Board

Alternate Member, exp. 6/2013

Appointment of Town Council Officers

V. Lembo nominated J. Sullivan as Chair.

Nomination was closed.

J. Sullivan was appointed as Chair.

V. Lembo nominated L. Boswak as Vice-Chair.

T. Lizotte nominated N. Comai as Vice-Chair.

Nomination was closed.

Roll Call

L. Boswak L. Boswak

N. Comai N. Comai

J. Danforth N. Comai

M. Downer L. Boswak

V. Lembo L. Boswak

T. Lizotte N. Comai

Chairman J. Sullivan N. Comai 4-3 **N. Comai was appointed as Vice-chair.**

L. Boswak nominated J. Danforth as Secretary.

Nomination was closed.

J. Danforth was appointed as Secretary.

Appointment of Town Council Board Representatives

The Council appointed the Town Council Board Representatives (attached).

The last member of the Board of Assessors and Police Commission Rep will be appointed at the next meeting on August 8th.

Acceptance of Board Resignation

The Council accepted a resignation from Yervant Nahikian, Planning Board alternate member.

APPROVAL OF MINUTES

June 13, 2012 Regular Meeting – ***T. Lizotte moved to approve the minutes as amended. Motion seconded by V. Lembo. Motion carried.*** M. Downer abstained, not present at the meeting.

June 13, 2012 Non-Public Meeting – ***V. Lembo moved to approve the minutes. Motion seconded by T. Lizotte. Motion carried.*** M. Downer abstained, not present at the meeting.

June 27, 2012 Regular Meeting – ***T. Lizotte moved to approve the minutes as amended. Motion seconded by V. Lembo. Motion carried.*** J. Danforth abstained, not present at the meeting.

June 27, 2012 Non-Public Meeting – ***V. Lembo moved to approve the minutes as amended. Motion seconded by T. Lizotte. Motion carried.*** M. Downer abstained, not present at the meeting.

Jim Gorton, 150 W. River Road, provided an update on Councilor Levesque. He was admitted at the Elliot Hospital and is showing signs of improvement. He was planning on joining the Council meeting tonight via teleconference but he had a rough day today due to tests. He has MRSA infection but the prognosis is good. He is in Room 568.

The Council wishes him a quick recovery.

CONSENT AGENDA

1. Acceptance of Grant Fund Reimbursement for Fire Department per RSA 31:95-b - \$3,717.76
2. Acceptance of NH Humanities Council Grant for Heritage Commission - \$250

T. Lizotte moved to approve the consent agenda. Motion seconded by L. Boswak. Motion carried unanimously.

TOWN ADMINISTRATOR'S REPORT

Dr. Shankle informed the Council of the following:

1. The Town received a Community Planning grant for \$30,000. This would allow the Town to hire consultants to establish a Heritage District for the village. The Town of Hooksett is the only one in the State to receive this type of grant.
2. Human Resources office is now located in the Administration Department (Town Hall Room 100). The wall between Planning and Building departments was taken down to create one area for easier coordination between the two departments.
3. An area in the Town Hall will be provided for Councilors' use to read files, store materials and mail. Councilors will be given keys to the Town Hall.
4. The next Public Works and Recycling Union negotiation meeting will be held on Monday, July 16th at 5 pm.
5. A joint DOT and Public Officials Informational meeting re: I-293 Exits 6 and 7 Improvement Study will be held on Wednesday, July 18th, 7 pm at Manchester Community College.
6. The first Cable Franchise Advisory Board meeting is set for Thursday Aug. 2nd.
7. The Annual Town Report printing bid was awarded to Puritan Press for \$1,465.35.
8. Things are going well with Fun in the Sun. The kids went to the Fisher Cats game the other day. One girl was hit by foul ball and broke a collar bone. She is doing better and is back to camp.

V. Lembo asked for an update on Walmart sewer and the hourglass projects.

Dr. Shankle stated a meeting between the Sewer Commission, Walmart, Town staff and residents will be held on Thursday, July 12th to discuss Walmart sewer. Hackett Hill intersection project will be moving

forward. The Council will have to approve the project. This item will be added to the next agenda. Goonan Road will be done after the Hackett Hill Intersection as part of the hourglass project. This project is possible because the Town could now use impact fees towards State roads.

T. Lizotte commented on Stantec's engineer's claims of accidents. He requested to see data that supports this claim. He is concerned it's not a well thought out plan.

T Lizotte asked for an update on the Civic Plus tracking system.

Dr. Shankle stated the new system is now being used to track inquiries and complaints.

PUBLIC INPUT

Mike Sorel, 54 Cross Road: I spent some time with Councilor Levesque at the Elliot Hospital this afternoon. He has a pretty serious MRSA infection. He cannot use the cell phone or laptop. We wish him well. As I was leaving, Richard Bairam was also admitted at the hospital.

Harold Murray, Deputy Emergency Management Director: The grass at the Safety Center is looking better since they turned the water on.

SCHEDULED APPOINTMENTS

Pinnacle Property/14 Ardon Drive

Bob and Eileen Ehlers, 14 Ardon Drive: We are here to discuss our property as impacted by the Pinnacle Park. The last time we're in front of the board, we were told that the Pinnacle Park Committee was part of the Parks & Recreation Committee. One of the things the committee agreed to do was to put the sign up at the end of Ardon Drive next to our property. Since the park was opened to the public, there has been a significant increase in traffic and trespassers. The sign is not enough. There is no access to Pinnacle Park from Ardon Drive. It's all private property. People can look into our home while walking on the trail. Our vehicles have been vandalized. Vehicles park anywhere in the cul-de-sac. Since the park was opened, rules have yet developed. When the Town surveyed the property, we were told a fence will be erected. Trespassing will be alleviated by putting up a fence. We're here tonight to ask the Council to expedite the erection of the fence. We have owned the property for 28 years. We used to have a fence around our property but it was taken down when we did some updating. People are respectful once they know where the boundary is.

Dr. Shankle: The issue is not whether a fence is needed. The issue is where it's going. I would like to put the fence along the trail line, two feet beyond the property line. The Town will be willing to purchase an easement.

R. Ehlers: There is no reason why the trail could not be expanded towards the Town's property where there is 37+ acres and our property is only 152 feet along that edge.

E. Ehlers: As a taxpayer, I can't imagine asking the Town to spend money on more property when you already have 37+ acres to walk on. Why would it need 2-3 feet of my tiny backyard? What happens when we sell our property? How does the deed read?

T. Lizotte: Because it's Conservation property, we can't just widen the trail and make changes.

E. Ehlers: I invite all of you to come and take a look. We're the only abutters that are impacted by this.

Dr. Shankle: There are two issues here. There is a need for visual barrier so no one knows the house is that close. If we put the fence in the middle of the trail, people can walk through either sides of it. If we get it tight to the right side of the trail, they will stay on the trail. That's what we're trying to do is to give you privacy.

R. Ehlers: We can put a property line on either ends of the trail.

E. Ehlers: With all due respect, what you call a trail is half public trail and half our yard.

Discussion on the matter ensued.

Chair Sullivan: I would encourage inviting the Pinnacle Park Committee and Conservation Commission. We did purchase that property and we want to resolve the issue. We want to make sure you, as the property owner and the public are satisfied. I think a fence will probably solve the problem. The issue is where the fence will be put up. We need to come up with a resolution that makes everyone happy.

R. Ehlers: Whatever you decide on doing, I would like to request for it to be put in writing and with specificity.

This item will be scheduled as an agenda item for the next meeting with the Heritage Commission, Conservation Commission and Pinnacle Park Committee.

OLD BUSINESS

Ambulance Collection Policy

The current policy states that *the Town of Hooksett shall be permitted to collect all fees by all means allowed by law*. An appeal process is available.

Dr. Shankle asked the Council if they would like to keep the policy and enforce it to everyone including Town residents.

The note, "*If you are uninsured and payment of this bill creates financial hardship, check here [] and return in the enclosed envelope. You will be sent an application for abatement or reduction of charges.*" appears on the third bill.

Discussion whether this note should be shown on the first and second bills.

Council consensus was to keep the policy as is (send to collection including Hooksett residents) and to notify patients of the abatement/payment reduction option earlier in the process.

The policy will be posted on the Town website.

NEW BUSINESS

Approval of Town Council Meeting Schedule

The Council approved the meeting schedule (attached).

Auditors' Financial Procedure Questionnaire (attached)

The Council received a questionnaire to be filled out and signed by all Councilors.

The Council went through the questionnaire with Christine Soucie, Finance Director.

Amendment to the Town Administrator's Contract

An amendment to the Town Administrator's contract authorizing an extra week of vacation was presented to the Council.

Section 10 - Vacation and Sick Pay: The Administrator is entitled to 20 days of vacation and 9 days of sick leave for each year of this agreement. The Administrator may accumulate up to 30 days of vacation and sick leave.

V. Lembo moved to approve the amendment to the Town Administrator's contract. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

Asphalt Paving Bid Award

Leo Lessard, Public Works Director presented the bids received:

Pike Industries	\$242,121.50
Brox Industries	\$305,426.20
Advanced Excavation & Paving	\$246,884.14

L. Lessard stated the scope of the RFP requested included 2" overlay (top coat) on Goffstown Road, which would complete the roadway as it was started last year and 1 ½ " overlay of pavement on Harvest Drive, Monroe Drive, Madison Drive, Jackson Drive, Jefferson Drive and Lincoln Drive. He recommended awarding the bid to Pike Industries for \$242,121.50.

T. Lizotte moved to award the bid to Pike Industries in the amount of \$242,121.50. Motion seconded by J. Danforth. Roll call vote carried unanimously.

Permission to Publish the Abenaki Penacook Mural]

The Town received a request from Mr. R. Duncan Mathewson, III, Ph.D. to publish the *Abenaki Penacook* mural as a wrap-around cover of the book he is writing for University Press of New England.

Kathie Northrup, Heritage Commission Chair stated the artist is now deceased and the Town owns the rights to the murals. The Town should receive credits for the picture.

V. Lembo moved to give permission to publish the Abenaki Penacook mural as a wrap-around cover of the book. Motion seconded by T. Lizotte. Motion carried unanimously.

Discussion on royalty fees. This could be negotiated with the writer and/or publisher.

Dr. Shankle suggested asking for a donation to be made to the Heritage Commission in lieu of royalty fees.

Approval of Town Report Cover

The proposed cover featuring the Town's stonewalls was presented to the Council for approval.

J. Danforth moved to approve the Town Report cover. Motion seconded by N. Comai. Motion carried unanimously.

The Town Council's report will be discussed at the meeting on August 8, 2012.

Council consensus was to add a memorial page for citizens who passed away during the year, i.e., Oscar Morin, Jr.

SUB-COMMITTEE REPORTS

Cable Franchise Advisory Board – N. Comai

The first meeting is scheduled for Thursday, August 2, 2012.

Union Negotiation – J. Danforth

Next meeting will be held on Monday, July 16, 2012. Councilor Boswak will not be able to attend this meeting.

V. Lembo commented on truck traffic on Main Street. It has not subsided at all. Council Downer will follow-up with the Police Department.

NON-PUBLIC SESSION

V. Lembo moved at 9:09 pm to enter into non-public session per 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."

Motion seconded by T. Lizotte. Roll call vote carried unanimously.

M. Downer moved at 9:19 pm to exit the non-public session. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

The Council made a statement that they voted to seal the minutes of the non-public session.

ADJOURNMENT

The meeting adjourned at 9:20 pm.

Respectfully submitted by,

Evelyn F. Horn
Administrative Assistant

John Danforth
Town Council Secretary