

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, August 8, 2012

CALL TO ORDER: Acting Chair N. Comai called the meeting to order at 6:30 pm.

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

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

July 11, 2012 Regular Meeting – *T. Lizotte moved to approve the July 11, 2012 regular meeting minutes as amended. Motion seconded by M. Downer. **Motion carried.*** S. Lovas Orr abstained, not present at the meeting.

July 11, 2012 Non-Public Meeting – *M. Downer moved to approve the July 11, 2012 non-public minutes as amended. Motion seconded by T. Lizotte. **Motion carried.*** S. Lovas Orr abstained, not present at the meeting.

CONSENT AGENDA

1. Acceptance of Grant Reimbursements for Fire Department per RSA 31:95-b.
 - a. \$1,664.27
 - b. \$2,251.96
2. Bond Release – Nancy Lane Extension - \$28,800
3. Acceptance of Donation to Heritage Commission for Veterans' Memorial Fund per RSA 674:44-b - \$287

V. Lembo moved to approve the consent agenda. Motion seconded by S. Lovas Orr. Roll call vote carried unanimously.

TOWN ADMINISTRATOR'S REPORT

Dr. Shankle informed the Council of the following:

1. The next meeting for Public Works/Recycling & Transfer Union negotiation is scheduled on Monday, August 27th at 4 pm.
2. The proposed date for Employee Appreciation Picnic is Friday, September 7th. He asked for the Council's approval to hold this event and close at 12 pm.

V. Lembo moved to approve the event and close at 12 pm. Motion seconded by L. Boswak. Motion carried unanimously.

PUBLIC INPUT

Alden Beauchemin, Keyland Properties: I'd like to give you an update on Exit 11. As a landowner and land consultant, I have been following the potential developments for some time. We're extremely excited to have a global company such as Ritchie Bros. as our neighbor. Exit 11 is making great headway. We have seen incredible interests from developers as a result of Ritchie Bros. In particular, Ralph Bruno the owner of the Boston Winery attended the meeting. He is looking to go forward and build in Hooksett pending the approval of Ritchie Bros. One of the partners of the developer of Boston World Trade Center was also present at the Planning Board meeting. Attached is a letter distributed to the Planning Board stating his involvement in the development of Exit 11. We are also seeing developers that are part of the original proposal for the gateway development come to life. The original developer for Cabela's, Jeff Larrabee is preparing to move forward as well as soon as the approval of Ritchie Brothers with site plans for a hotel, restaurant and a winery. Ritchie Brothers is key to the future development of Exit 11. I just

want to get the attention of the Council. It is important that this project has the full support of the Town. It almost died on Monday and we've been working to pull it together. It may be helpful to give direction to the Town's Economic Development Committee to get on board as well.

David DiCicco, HYAA Pop Warner & Cheer: Our 10 Annual Jamboree is scheduled for next Saturday, August 18th. Parking will be at Cigna with buses running back and forth. We'll have signs posted leading everyone to park at Cigna. We have a very limited, by Parking Permit only down at Donati Field. We'll have the area completely blocked off just for buses.

T. Lizotte commented on the noise and asked about where the games will be held.

D. DiCicco: We'll be using the main football field and will cut that in half with two games going on at the soccer field. There will be kids warming up throughout the park. No announcing until 9 am and we'll be done by 5 pm.

V. Lembo: How many teams are participating?

D. DiCicco: Not as big as it's been in the past. We'll have 25-27 teams.

Senator David Boutin: Several months ago I went before the Board of Assessors to petition a waiver of property taxes for the Robie's Country Store. Several years ago, when the Robie's Country Store Historic Preservation Corporation was formed, and for 10 years thereafter, they were not assessed taxes. When the new Assessor was going through the records, he determined this property should be assessed for property taxes. IDRA confirmed he was correct. We came before the BOA and made the argument that there is hardship and was granted a year reprieve. I made a promise that I would work on a legislation that would provide relief for this hardship situation. We all agree that Robie's Country Store is a historic property. It's an icon on the historic landscape of New Hampshire. It's a working museum. We want to keep that operating. It attracts national attention. We want to keep that going. If the store were to close, it will probably deteriorate. I would work to craft a piece of legislation that would be tailored to strictly meet the needs of properties like Robie's Country Store, which is owned by 501-C non-profit but has a business inside it. Various state and local organizations are interested in this issue. I thought tonight would be an opportune moment to bring this matter to the Council's attention. What we have settled on is to use Chapter 79-F template, which is taxation of farm structures and lands under farm structures. It creates a special assessment. The property, for assessing purposes, is 10% of market value. This is what we're pursuing. It will probably be a new chapter with a very specific criteria. Someone brought up an idea of a Dunkin Donuts inside Elliot Hospital. It will not be tailored for that type of situation. It has to be a historic structure owned by 501-C with an operating business. We have to narrow it down. I'd like to continue to come and update the Council. We'd like the Council's endorsement for this proposed legislation. We'd like someone to speak on behalf of the Town when the bill goes before the committee.

Jacqueline Roy, Hooksett Chambers of Commerce: I'm here with respect to the Ritchie Bros. We attended the Planning Board meeting on Monday. It was followed by favorable input from many businesses and homeowners in the area. I didn't hear any negative input, whatsoever from the community. I would like to read the letter the Chambers of Commerce put together for the Planning Board (attached). I'd like to share it with you so we'd receive some support from you on August 20th.

The letter was read into the records.

NOMINATIONS AND APPOINTMENTS

Available Positions

Budget Committee, exp. 6/2014

Conservation Commission

Full Member, exp. 6/2014

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

Nomination

Conservation Commission - **T. Lizotte nominated Steve Couture to be moved from an alternate to a full membership.**

Appointments

Board of Assessors Town Council Rep (need 1 more member)

S. Lovas Orr was appointed as Council Rep.

Police Commission Town Council Rep

L. Boswak was appointed to replace M. Downer as Council Rep.

SCHEDULED APPOINTMENTS

Public Hearing re: Acceptance of \$30,000 NH Community Planning Grant per RSA 31:95-b

The public hearing was opened at 7:06 pm.

Jo Ann Duffy, Town Planner: As you are aware, we did apply for a \$30,000 Community Planning grant, which we were awarded. We were hoping to use the funds to create a Neighborhood Heritage District. We will be working closely with the NH Preservation Alliance. We are waiting for them to finalize the scope of service. We have the draft contract. It will be a 2-year program. It will be completed by 2014. We're here tonight to ask you to accept this grant money so we can begin to look to hire a consultant to work on this project.

Kathie Northrup, Heritage Commission Chair: I am here to urge you to accept this \$30,000 Community Planning grant to look into creating a Neighborhood Heritage District. The information gathered by the consultant and input from the residents would be invaluable to planning efforts. It will help Heritage Commission in researching and identifying sites of historic importance. The Town of Hooksett has started recognizing the importance of preserving the character of the Town by investing in special areas or buildings. In 2005, the Town adopted the State Historic Barn Tax incentive program, which encourages barn owners to maintain and repair their buildings by granting them specific tax relief. The Council's financial support of the restoration of Head's School. In 2007, the Council passed the Community Revitalization Tax Relief incentive program, which offers specific tax relief to encourage people to invest in the area. The Conservation Commission, with the Council's approval has acquired large tracts of land within the village for recreation and preservation. This is just another step we can take in finding ways to preserve our historic resources.

Marc Miville, 42 Main Street asked about the Community Revitalization Tax Relief incentive program for property owners.

K. Northrup: The Tax incentive program has nothing to do with this grant program. It is a separate program, which is available now.

M. Miville: How does this affect the residential owners within the district?

J. Duffy: The first part of the project is to gather residents to form a committee. They will determine the boundary and with the assistance of the consultant, put together the criteria, guidelines and requirements for District. This is not a Historic District but a Heritage District. A Historic District is very strict on what you can do. This does not have strict guidelines. Once a plan is put together, it will be presented to the Planning Board. It will be treated as a zoning change. It will need to go to the voters. There's no other Heritage District in NH. This will be the first in the State. The restrictions will be created by the residents.

Acting Chair N. Comai announced that the public hearing will be kept open until after the 2nd "Public Input".

Veterans' Memorial Park

K. Northrup: I'm here to bring to public attention our wish to formalize the naming of the park area at Jacob Square. The next phase of the project is to put up a sign. Currently, there is no sign. It is a park within a square. The square is named after Private Robert Jacob who was killed in action in WW II. We are proposing to put up a sign that says, "Veterans' Park at Jacob Square". It identifies the park and honors the Jacob family, as well.

She requested for this item to remain open to allow for public input.

Town Clerk Resignation

Acting Chair N. Comai informed everyone that the Council received a letter of resignation from the Town Clerk, Linda Pischetola effective August 10, 2012.

T. Lizotte moved to accept Linda Pischetola's resignation and to attach the letter to the minutes. Minutes seconded by M. Downer. Motion carried unanimously.

Acting Chair N. Comai stated this position is an elected position. The Town Council would be appointing an acting Town Clerk to serve until the next Town Election. Deputy Town Clerk, Billie Hebert may be appointed, if she is willing to accept the position.

T. Lizotte suggested checking to see if the existing staff can handle the job as well as getting feedback from the Board of Elections and the Supervisors of the Checklist. Maybe seek someone who has done this before and keep Billie as a Deputy.

L. Boswak: Billie Hebert is the Town's Deputy Clerk. She automatically serves in the Town Clerk's absence. The Town is legally covered as far as having a town Clerk. She is the most experienced at this point. The Secretary of State is very helpful in providing full instructions to everyone. Billie can serve until the next election when someone has to run for this position. I think the Town needs a full time person for the Town Clerk's position.

Dr. Shankle will speak to the Deputy Town Clerk and advise the Council.

Old Home Day Event

Robin Boyd, Old Home Day Committee introduced Carrie Hyde to the Council as the new Chairperson.

C. Hyde: For a number of years, the Town has helped us with their support for Old Home Day. We'd like to thank the Town for their continued support. We have put together a schedule of activities for the day. We keep it a free event for everyone and try to get sponsors for the event. With this year's tight budget, we have some questions for the Council.

R. Boyd: As we get closer to the date, September 22nd. We'd like to confirm whether or not the Town would be able to help us with the porta potties and fireworks. We are asking for your guidance.

Dr. Shankle: The Public Works Department intends to support Old Home Day the way they have in the past.

Leo Lessard, DPW Director: Bids for the Fireworks just went out and should be coming back next week.

OLD BUSINESS

Budget Transfers

Christine Soucie, Finance Director presented the budget transfer requests for FY 2011-2012. There are five (5) requests to cover shortfalls.

1. Fund \$2,210.00 shortfall in Assessing Professional Service line from Administration's Workers' Compensation line.
2. Fund \$2,081.00 shortfall in Finance's Health Insurance line from Administration's Workers' Compensation line.

3. Fund \$12,528.00 shortfall in Public Works Fleet Maintenance line from Public Works Overtime line in the Road Maintenance Division.
4. Fund \$11,481.00 shortfall in Public Works Parks & Recreation New Equipment from Public Works Overtime line in the Road Maintenance Division.
5. Fund \$48.00 shortfall in Conservation Commission's Secretarial Service line from Administration's Part-Time line.

T. Lizotte moved to approve the budget transfer requests. Motion seconded by L. Boswak.

V. Lembo asked why the Parks & Rec New Equipment line only has \$1.

C. Soucie explained the budget was prepared in 2010 and at that time there was no need for new equipment. They put \$1 in it to keep the line open in case a need does come up during the year.

Motion carried unanimously.

Classification Pay Plan

L. Boswak asked about the raises for those personnel at a maximum level.

Dr. Shankle stated this is being looked at and information is still being gathered.

L. Boswak stated she does not want to see those employees at their maximum level not get their raises because the Council is still waiting for further information.

Liz Dionne, Human Resources Coordinator: The information is still being gathered.

Dr. Shankle will meet with the Human Resources Coordinator and the Council Chair and this item will be added to the next agenda.

Pinnacle Park / Ehlers Property

Dr. Shankle: What seem to be developing is to mark what are private properties and re-route the trail. If this gets done then there is no need for the fence.

John Turbyne, Conservation Commission: The Conservation Commission did meet tonight and we do have some recommendation for the rules. As far as the fence goes, we've been passing around a lot of different suggestions. The most recent suggestion is to mark the trail, "*Private Property Beyond this Point*" and provide an obvious alternate route to keep people away from the private properties. The trail has a legal right to exist on its own. Anyone who puts a fence up to block the trail has some risk of being sued, including the Town. If a trail is provided by the Town, it can't block the trail. I'm happy to see the Town provide a fence but not one that blocks the trail.

S. Lovas Orr: Where is the alternate path going to be?

J. Turbyne: Where the existing trail turns to the left where the downed trees are. You can cut that out and provide a pathway away from the property line.

Mike Horne, Parks & Rec Advisory Board: The committee did recommend using funds from the impact fees to put up some privacy fence for the abutters. We had (\$25,000) impact fees reserved for this purpose. The money is there. I'd like to see this resolved. I don't know how much is left after the parking lot.

V. Lembo: Is the Conservation Commission prepared to put up a fence for the Ehlers?

J. Turbyne: The trail has been used for hundreds of years. It didn't occur to any of us that there might be some risk of getting sued if we block that trail.

M. Downer: If you provide an alternate route and block the existing trail, you are still providing a trail. Put the fence as agreed along the Town's property line.

J. Turbyne: I don't know if that would resolve the possible legal action. Part of the restrictions on the deed was not to add improvements on the property.

M. Downer: There's nothing preventing the Ehlers from putting up a fence on their property.

J. Turbyne: Correct. It will have some risks of someone trying to enforce the right of passage but I think it's a pretty small risk.

S. Lovas Orr: My understanding is that the fence the Ehlers are asking for is not to block the trail but provide privacy. Is there a limit as to what they could do to their property?

David Hess, Conservation Commission: The Conservation Commission, at their meeting on January 3, 2012 voted to approve Pinnacle Park Planning Committee's (6) recommendations. (See copy of minutes attached) One of them was to put a *6' high stockade fence along abutters on Ardon Drive and Hummingbird Lane with some bushes in front to give a natural look*. We didn't talk about where the fence should go or whether the deed would allow it or not. That condition would be a matter only for Bear Paw to determine whether it complied or not. There was also a recommendation to *reroute the trail (at least temporarily) over the ledge with some signage*. We voted to recommend construction of a 6 foot visual barrier. We didn't go into details. This was a collaborative arrangement. Conservation Commission had money to purchase the property but did not have the money for improvements. That's when Parks & Rec stepped in to use the impact fees for the parking lot and construction of the fence.

L. Boswak: All the public meetings have said a fence was going to be put up. I can't imagine someone suing just because they can't step two feet on one side when they have two feet on the other side. It doesn't even make sense to me.

Dr. Shankle: I put a stop on putting up a fence. If we're going to put a fence along that entire property line, we're not talking 100 but maybe 500, 1,000 feet. What are we talking?

M. Horne: 220+ feet. It doesn't go to the chainlink fence. It goes to the telephone pole. We were just doing the Ehlers and the other property because it didn't come up on any of the public hearings.

Dr. Shankle: If we're going to put up a fence that the Town has to maintain, why not put it on all affected. I thought that should come to the Council. If you want me to get a legal opinion on whether there is a prescriptive easement or adverse possession, I think that's easy. Everybody says they've been walking that forever.

Eileen Ehlers, 14 Ardon Drive: Many people have put great thought and effort into this and I appreciate it. I think what I'm hearing is that you're still asking us to abandon some of our property rights. If we wanted a fence constructed, we would have done it. We never wanted it nor needed it. Opening it as a public trail is very invasive to our privacy. We have been waiting for the fulfillment of a promise for well over a year. And that's still what we're expecting. If the Town is going to put a fence, take our land, put it on our property and then make us responsible for it for upkeep and liability, I don't see that as a compromise.

Bob Ehlers, 14 Ardon Drive: I have the 1966 approved subdivision plan for Heather Hill. It shows the boundary lines, the Locke's property and our property. It was done in such detail it actually shows a 20' right of way off Heather Drive. This was approved by the Planning Board and the Town of Hooksett Selectmen. There is no trail on this. We're right back to where we started from. I appreciate the work everyone has put into it. I thought we were going forward with this fence. Evidently, it's not going to happen. If I could correct the records, the property is not the Stedman's, it's the Stetson's. Ellie Stetson is a person who has been teaching at school in this Town for many, many years. As far as moving the trail, there's plenty of room for the trail and to accommodate a fence on the Town property. As far as adverse possession, there have been several cases in this State that were overturned. Who is the possessor in this case?

Bear Paw will be consulted.

S. Lovas Orr moved to add this item to the next agenda. Motion seconded by T. Lizotte. Motion carried unanimously.

Annual Town Report - Dedication Page/In Memoriam

A proposed dedication / "In Memoriam" page was presented to the Council. The page included (3) former board members (Oscar Morin, Jr., Raymond Robb and Robert Steiner) that passed away during the year.

Discussion on who should be included in the report. A suggestion was made to add an "all-inclusive" footnote to the page. Dr. Shankle will come up with a footnote.

M. Downer moved to include the Dedication/In Memoriam page with an addition on the bottom. Motion seconded by T. Lizotte. Motion carried unanimously.

NEW BUSINESS

Town Council Annual Report

M. Downer moved for Councilors Boswak and Comai to proof read and re-write the report without changing the content. Motion seconded by T. Lizotte. Motion carried unanimously.

Council Rules, Committee Assignments, and Committee Reports

V. Lembo brought the matter to the Council's attention. Former Council Chair, William Sirak started a process where the Chair and the Vice-Chair meet with the Town Administrator to finalize the agenda, which goes against the Council Rules. According to the Council Rules, *the Chair and the Town Administrator shall post all meetings and set meeting agenda*. If this is how the Council would like to do it, the rules should be amended.

Acting Chair N. Comai explained Chair Sullivan was just following what Mr. Sirak has done and invited the Vice-Chair and the Secretary to those meetings.

L. Boswak stated she does not think it's appropriate to have that many Councilors at one time. The Council is not supposed to have any meetings outside of the legally posted meetings. Having the Chair and Vice-Chair is not a problem but including the Secretary to create an "Executive Board" is not appropriate. No one Councilor has authority except for the Chair to set the agenda or to call an emergency meeting.

T. Lizotte: When it was discussed, I specifically had an issue with the context of an "Executive Board" for that reason. I agree with Councilor Lembo, it should be reflected on the Council Rules, if we want to change the process.

S. Lovas Orr moved to amend Section 2.c.1.a. to read, "the Chair with the Town Administrator and the Vice-Chair, as needed shall post all meetings and set meeting agenda and add 2.c.2. b. that states, "the Vice-Chair assists the Chair and the Town Administrator in setting meeting agenda and posting meetings. Motion seconded by T. Lizotte.

Discussion on the matter ensued.

M. Downer moved to table the item. Motion seconded by T. Lizotte. Motion carried unanimously.

Acting Town Administrator

L. Boswak asked who served as the Acting Town Administrator while Dr. Shankle was on vacation. In the past, the Council Chair has served as the Acting Town Administrator, which is against the Charter.

Dr. Shankle stated no one was appointed Acting Town Administrator as it was not necessary. Everyone was able to reach him when needed.

Resignation Letter

With regards to the motion to attach the Town Clerk's letter of resignation to the minutes, L. Boswak commented this has never been done before. She has an issue with attaching the letter as it shows one brief side of the story. If the letter was to be made public, she requested attaching the other letter being referred to as well. The letter is defamatory and there are accusations being made, which is inappropriate. L. Boswak added she does not have any problem with the letter being public but no one will understand unless they have all related documents.

T. Lizotte moved to reconsider the vote to attach the resignation. Motion seconded by V. Lembo. Motion carried unanimously.

V. Lembo moved to not attach the resignation letter to the minutes. Motion seconded by S. Lovas Orr. Motion carried unanimously

Town Board Members' Attendance Rule

Acting Chair N. Comai suggested adding some verbiage to establish an attendance rule for all Town board members under the definition of administrative and judicial boards, and forfeiture of office for all Town boards and committees. The Council should instill some sense of accountability when appointing board members.

L. Boswak requested for the Town Administrator to check into what the standard practice is for board attendance.

S. Lovas Orr suggested adding this to the next agenda for further discussion.

This will be added to the next agenda.

SUB-COMMITTEE REPORTS

Conservation Commission – T. Lizotte

The board met to discuss the Pinnacle Park.

Perambulation Committee – N. Comai

Harold Murray and N. Comai walked the Manchester boundary. There has been some activity along the Manchester border. Survey lines were put up along the boundary. It could be another 10 years before an actual boundary sign is in place.

Cable Franchise Advisory Board – N. Comai

The board (N. Comai, Matt Mercier, Marc Miville and David Pearl) met with Comcast Representative, Bryan Christiansen. They came up with three different areas of concerns, (1) under-served areas, (2) fee percentage rate, (3) guarantee from Manchester for cable subscriber to get the free access cable channels. The contract is for 8 years. They may add some verbiage to evaluate the under-served areas every 2 years, not 8 years. The next meeting will be held on August 23, 2012 at 5:30 pm in the Town Hall Council Chambers. A Representative from Manchester will be attending the meeting.

Planning Board – S. Lovas Orr

1. Merchants Plaza – came up with an agreement on the larger size and consolidation of the 5 signs that are in place during road construction into 3 signs.
2. University Heights Apartments – putting up a temporary leasing trailer until the clubhouse is open.
3. SNHU Dormitory – approved for a 4-storey, 308-beds dormitory rooms.
4. Ritchie Brothers Auctioneers – There was a lengthy discussion with regards to whether they should be allowed to have gravel parking lot. According to regulations, because it is located on ground water protection area, it has to be paved. Ritchie Brothers believe it's not cost effective. There were numerous public input. The board held a non-binding straw vote which resulted in a tie. Because it was a tie and there wasn't a full board they agreed to table until August 20th. Ritchie Brothers stated if they have to pave, they are out. They have agreed to pretty much everything the engineers asked for. They are leasing and they would like to keep cost to a minimum. The sign waiver is back with the ZBA. The Planning Board is not against putting up a larger sign.

V. Lembo: Oil spills could go down 5-7 feet. That will take a lot of money to recover.

S. Lovas Orr: That is one of the arguments for having it paved. The other argument is that the water table is 130 feet down. Even a leak from a partially filled tank couldn't go down that low. It's still private property so when there's contamination in the soil, it's not a Town property.

V. Lembo: That's the same issue as Lambert's Auto Parts. That land will never be used for anything else again.

T. Lizotte: I went and looked up their facility in Utah where it's right next to a substantial environmental zone, the Great Salt Lake. They seem to be a very conscious steward of the environment.

S. Lovas Orr: I've done a lot of research. I am really pleased with the way they responded to every demand that we've made. We made quite a number of them, including continuous water monitoring, geological survey, etc. They've responded positively. Historically, I think this company has made an effort to focus on the environment. I voted to allow them to use gravel.

Public Works and Recycling & Transfer Union Negotiation– D. Shankle

The union presented a draft contract. Management came up with an alternate contract and the union came back with some recommendations. Negotiations are still on-going.

Police Commission

L. Boswak asked for an update on the audit.

M. Downer stated PSSG (the auditors) provides a monthly summarized update, which is posted on the website. Everything is provided, except for items that fall under 91-A.

L. Boswak stated it would be helpful to have PSSG to present a midway report for the public.

The Town Administrator was asked to relay the message to the Police Commission.

V. Lembo commented about the Police Department's new 4-wheel drive vehicle.

M. Downer stated the department traded a van for a vehicle that ended up being 100% trade with no cost. He is not sure if this is the vehicle that they acquired.

Town Hall Preservation Committee – S. Lovas-Orr

The committee received a proposal from an organization called "The Place" to use the building for a "Teen House Exchange Place" for teenagers aged 14-18. There has been no discussion on this.

Heritage Commission – T. Lizotte

Heritage Commission is sponsoring "Town Family Feud" to benefit the Veterans' Memorial Restoration project. This will be held on Thursday, September 13, 2012 at 6:30 pm at the Library. T. Lizotte would like to put a Council Team together with five members.

PUBLIC INPUT

The Public Hearing was closed at 9:45 pm.

V. Lembo moved to accept the \$30,000 grant and authorize the Town Administrator to sign the contract. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

B. Ehlers: It was stated that the Ehlers did not know where their property line is. The Ehlers do know where their property line is. The survey was done because the Town wanted to have it done.

M. Miville: I am in agreement with including the death memorial in the Town Report. Regarding resignations, typically resignations come to the Budget Committee through e-mails. The Budget Committee has never posted any resignation letter that I know of. The question was asked as to how you make it public. You make it public through a right to know requests. It is public information but they'll have to request for it. Regarding attendance, this year the Budget Committee had issues reaching a quorum. With the Town Administrator's advice, the Budget Committee created some by-laws whereby the representatives of both water departments, Town Council and School were no longer a part of the quorum. The water departments have never attended a Budget Committee meeting for as long as I've been on the board. It's in the Town Charter that they have to be there. They are aware of it and I was advised to ignore it. I mark them down as unexcused absence. We created a by-law independently. They can vote if they attend but if they don't attend, it does not affect our quorum. When someone cannot make it, how do you determine an excuse and unexcused absences. I've made them aware of it. We tried to take action but we can't.

Discussion regarding the water departments not attending the Budget Committee meetings.

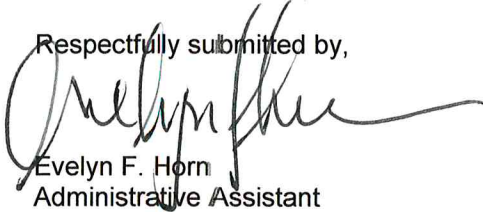
S. Lovas Orr: It's totally unacceptable that they are in direct violation of the Charter and the RSA. When we review the Charter maybe we need to change that.

Dr. Shankle: I think the logic is the Town is going to work together and try to do what's best for the taxpayers, everyone involved should be at the table to see what all departments are spending and be a part of the over-all Town process.

ADJOURNMENT

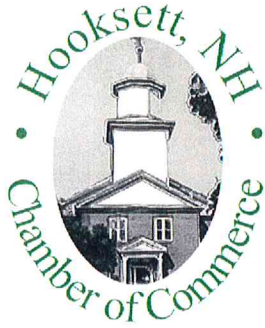
The meeting adjourned at 10:00 pm.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Evelyn F. Horn", written over the typed name and title.

Evelyn F. Horn
Administrative Assistant

John Danforth
Town Council Secretary



PO Box 16261
Hooksett, NH 03106
603-289-4016

To: The Hooksett NH Planning Board

Dear Mr. Chairman and board members,

You have before you an application from Ritchie Brothers Auctioneers to develop a site off of Exit 11 for use as an auction facility.

From a business standpoint, this new facility will serve to bring new jobs to the area and although the number of full time jobs will be minimal, the part time jobs during the weeks leading up to and following the auction will be substantial. Additionally, Ritchie Brothers is committed to using local Hooksett businesses for all of their needs including:

Auto parts and supplies, Catering, Cleaning Services, Electric Services, Flowers, Glass Repair, HVAC, Hotels / Restaurants, Printers, Signs / Banners and much more.

From a community standpoint, Ritchie Brothers has a track record of being actively involved in the community programs and groups, partnering with groups such as, the Boys and Girls Clubs, The Leukemia Research Foundation of Delaware and the Maryland State police.

This new facility has the potential for a huge positive impact to the economic development of Hooksett and combined with Ritchie Brothers' commitment to the community this project is a win / win for all of Hooksett.

The Hooksett NH Chamber of Commerce strongly supports the approval of this project and hopes that the Planning Board has the foresight to see the long term advantages of this project, to the entire town.

Respectfully,

A handwritten signature in black ink, appearing to read "Dan Bouchard". The signature is written in a cursive style and is positioned above the printed name.

Dan Bouchard
President, HCoC

John Turbyne – What type of anti-spill techniques do you have in place?

Jennifer – There are three different ways to stop the fuel from coming out of the truck along with speedy dry, booms, etc in case something were to happen. There are also no auto-locks on the handles so you cannot walk away from truck while it is fueling another truck.

Steve Couture – The only question I have is if the groundwater protection plan allows this to happen. I just want to make before we give any approval that this allowed. I would like to take the time to review our ordinance and make sure this is allowable. I would like to review and discuss at our next meeting in February.

Consensus of the commission is that we have no issues with this also along as it does not violate the groundwater ordinance.

Commission Reports:

1. **Quimby Mountain Easement** – The town acquired this parcel in two tax sales. There is no description on one of these sales. The second parcel has been surveyed. Mark Dunn tried to do the title search on the second parcel and he could not find any deed that resembles that parcel of land. So Mark has provided the commission with language that has the description and this will be clarified and the deed will be rerecorded once all of this is completed.
2. **Pinnacle Park Planning** – Jacqui McCanti presented the recommendation of the P&R Advisory Board:
 1. Gravel Drive and parking areas for 8-10 cars off Pinnacle St. Ensure a buffer of trees and bushes are left along Pinnacle St
 2. 6” high stockade fence along abutters on Ardon Drive and Hummingbird Lane with some bushes in front to give a natural look
 3. Signage for Pinnacle Park and signs on Rte 3A
 4. Carry in, Carry out policy – no trash containers
 5. Reroute trail (at least temporarily) over the ledge with some signage
 6. Memorial boulder with plaque

David Hess – I like all of these, the concerns of course would be cost and to ensure that we have enough money to complete all of these. Have you prioritized these?

Jacqui McCanti – We have not.

Steve Couture – If there is ledge I would say you may not be able to remove it as it is most likely stated that you can remove or disturb these things.

Jim Walter motioned to accept the recommendations made by the Parks & Advisory Board David Hess seconded voted unanimously.

David Hess – I do think that we should have someone from the Pinnacle Advisory Committee also be involved in the process of completing these items.

John Turbyne will be the representative from the conservation committee.