

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, August 22, 2012

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

NON-PUBLIC SESSION

V. Lembo moved at 6:01 pm to enter into non-public session Per 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."

Motion seconded by M. Downer. Roll call vote carried unanimously.

L. Boswak moved at 6:26 pm to exit 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.

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

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

August 8, 2012 Minutes – ***T. Lizotte moved to approve the August 8, 2012 minutes as amended. Motion seconded by N. Comai. Motion carried.*** Chair J. Sullivan and J. Danforth abstained, not present at the meeting.

CONSENT AGENDA

Acceptance of Donation to Heritage Commission for Veterans' Memorial Fund per RSA 674:44-b - \$50

V. Lembo moved to approve the Consent Agenda. Motion seconded by J. Danforth. Motion carried unanimously.

TOWN ADMINISTRATOR'S REPORT

Dr. Shankle updated the Council on the following:

1. He received a "thank you" letter from Underhill School Principal, J. Andrew Bairstow for holding this year's Summer Reading Program at the Town Hall.
2. Old Home Day will be held on Saturday, September 22nd.
3. Town Family Feud will be held at the Library on Thursday, September 13th at 6:30 pm. Teams (Hooksett-ites, Kiwanis, Library, Lions Club, Sewer Department, Town Council, Town Employees and Webster Woods) will be competing against each other.
4. Fresh Hair Salon is doing a Cut-a-thon on Saturday, September 15th, 9 am to 1 pm. Proceeds to be used to purchase Fire Department rescue equipment.
5. State of NH Department of Cultural Resources Division of the Arts has awarded the Town/Heritage Commission a \$6,300 grant to restore the Indian murals.

6. Councilor Comai has inquired about the money spent on the Benton Road culvert. The total cost for the project was \$462,758.10. The Town's share was \$172,769.58. The rest came from federal, state and Central Water Precinct.
7. Manchester is getting ready to put a Fire Station on Hackett Hill very close to the Town line. The Council was provided with copies of the Fire Station Study.

T. Lizotte attended the presentation of the study. They used ARC GIS to collect data. They should be able to populate and look at where the majority of calls are coming from. That's the way it should be done to see where the hot spots are. The Town would be best served to have data that represents all the calls especially at Hackett Hill, to see if there's a need in that area.

V. Lembo stated a couple of years ago Mayor Gatsas came before the Council to present a proposal for a joint Manchester and Hooksett Fire Station. Hooksett will be leasing half of the building and they were asking for a substantial amount of money upfront. The Council at that time voted against it. Would the Council be interested in re-visiting the proposal?

N. Comai added there was a federal grant at that time and there were too many gray areas.

V. Lembo also asked for an update on the piece of land the Town should be getting from Arleigh Green to be used for a Fire Station at Exit 10.

This will be scheduled for the next meeting.

8. Community Development – SNHPC is looking into putting together a Regional Economic Development Plan. He met with Ritchie Bros to discuss possible resolution to the paving issue. The PSNH building next to the Safety Center is almost done.
9. The Library is looking to put up a new sign.
10. The air conditioner system was installed in the Food Pantry. The Council will have to accept this donation at the next meeting.

V. Lembo asked what caused the delay in installing the air conditioner.

Dr. Shankle stated permits needed to be obtained. The contractor thought it was unnecessary since it was being installed at the Town Hall.

11. Fun in the Sun ended last Friday.

L. Boswak brought up that the deadline for NHMA Policy recommendation process is coming up. This item will be added to the next agenda.

V. Lembo asked Dr. Shankle if he was aware who is currently running the Police Department.

Note: The Council received a copy of Captain Jon Daigle's letter to the Police Commission requesting to be relieved of his position as Acting Police Chief and to be returned to his former position of Captain.

Dr. Shankle stated he is not aware of anyone being appointed as Acting Police Chief. He assumed the highest ranking officer would be running the department until an Acting Chief is appointed and Captain Daigle wouldn't step aside until a new Acting Chief is appointed.

PUBLIC INPUT

Don Riley, Town Moderator: The State Primary Election is September 11th. I am here to make sure that at least one Councilor is at the polls all day. The requirement is to have at least 3 Councilors to sign the paperwork at the end of the evening. The paperwork is much more significant at a State Primary than a Town or General election in November. Ballots will be counted on Friday, August 24th at 2:30 pm. The requirement is, it has to be public and the counters have to be registered voters. Confirmation and validation of the ballot machines will be done on August 31st. This also has to be done in public.

Thomas R. Prasol, 27 Crawford Lane: I'm interested in becoming a member of the Parks and Recreation Advisory Board. I recently moved to Hooksett last September. I've work for the State of NH Senate. I am currently a lobbyist in Concord. I would bring knowledge in seeking federal and state grants. I graduated from St Anselm's College in 2007 where I played baseball. I grew up playing sports and I recognize the importance of having well-maintained athletic fields and having access to local parks. I just want to give back to the Town.

NOMINATIONS AND APPOINTMENTS

Appointment

Conservation Commission

T. Lizotte moved to appoint Steve Couture as full member of Conservation Commission, exp. 6/2014. Motion seconded by N. Comai. Motion carried unanimously.

Parks & Recreation Advisory Board

T. Lizotte nominated Thomas R. Prasol as full member of the Parks & Recreation Advisory Board, exp. 6/2015.

L. Boswak nominated JoCarol Gau as full member of the Parks & Recreation Advisory Board, exp. 6/2015.

Planning Board

V. Lembo nominated Thomas R. Prasol as an alternate member of the Planning Board, exp. 6/2013.

Conservation Commission

T. Lizotte nominated JoCarol Gau as alternate member of the Conservation Commission, exp. 6/2014.

Town Clerk

Dr. Shankle informed the Council that the current Deputy Town Clerk is not interested in taking the position of Town Clerk but is willing to be the Acting Town Clerk until such time as the new Town Clerk is appointed or elected.

He recommended hiring a full time employee as Town Clerk to better serve the community. The Town Clerk is an elected position and has to be a resident of the Town. The Department currently has four staff, a Tax Collector, Deputy Tax Collector, Deputy Town Clerk/Tax Clerk and a Tax Clerk. The current Tax Collector is not a Town resident.

L. Boswak stated she is in agreement with the Town Administrator's recommendation. She added every other Town has a full time employee serving as Town Clerk with the exception of the Town of Derry. The Council has to decide whether to hire a full-time or part-time employee for this position.

The Council discussed possible options.

This item will be added to the next agenda.

SCHEDULED APPOINTMENTS

Public Hearing re: Acceptance of Donation from Salvation Army in the amount of (up to) \$12,000 for Fun in the Sun per RSA 31:95-b.

Dr. Shankle explained the Salvation Army offered scholarships to a number of under-privileged children to attend the Fun in the Sun program.

The Public Hearing was opened at 7:35 pm.

The hearing was kept open until after the 2nd "Public Input".

Election Workers' Pay Rate

D. Riley stated the Town pays election clerks \$10 per hour. One of the Election Board members brought up that election clerks in surrounding towns are paid \$7-8 per hour. At a recent Board of Election meeting a motion to pay not less than \$7.50 per hour but not more than a similar town position's rate was defeated. The board decided to bring it before the Council for a decision.

N. Comai moved to pay election clerks \$10 per hour. Motion seconded by T. Lizotte.

S. Lovas Orr stated she supports paying \$10 per hour to show that the Town values the position and respects the importance of elections..

N. Comai: Does that mean you matrix your schedule based on your budget?

D. Riley stated he will do whatever needs to be done to run an efficient election. He has an obligation to conduct the election. He does not know if they'll need 4 or 6 clerks at the election. Voters cannot wait in line for longer than 15 minutes. In September, one thing is added to what Clerks do, asking whether or not the voter has an ID. If they don't have an ID, the Clerks have to hand them written instructions prepared by the Secretary on how to obtain ID's. After September 2013, voters have to present an ID. If they do not have an ID, the polling place has to provide ID's. The whole process is gradually getting more complicated and it's up to those front line Clerks to keep things moving.

Roll call vote carried unanimously.

Councilor James Levesque Update

James Gorton, 150 W. River Road gave an update on Councilor James Levesque's condition. He's been transferred back to CMC, having some breathing problems. Initially, they thought it was congestive heart failure. Today, they did a test and it came out okay. They are treating him for excess fluids around the lung and the heart. Two weeks ago, he watched the meeting on-line with Councilor Levesque. Anyone talking through this microphone cannot be heard on the video. He's looking forward to going back home.

The Council thanked Mr. Gorton for the update.

Regarding the microphones, additional microphones have been ordered.

OLD BUSINESS

Hackett Hill Intersection Project Update

Jo Ann Duffy, Town Planner updated the Council on the improvement projects on Route 3A. The improvement involves the hourglass project and the Hackett Hill intersection. The Planning Board suggested doing the Hackett Hill intersection as Phase 1. When this was presented to the Council, there was a consensus to do the Hackett Hill as Phase 1 but the Council requested further information before giving the go ahead to move forward. The State had put together plans for the Hackett Hill intersection based on the Cabela's project. When the Cabela's project fell through, the moneys (\$3.2 million) for that project remained in the 10-year plan. The State would like to do the improvement in 2 phases. The cost is estimated at \$1.2 million. Due to the recent legislation, the Town can now use impact fees towards State roads. The Town's portion (\$400,000) for Hackett Hill Road project will come from impact fees collected.

At the last meeting, Councilor Lizotte asked what types of studies were done related to this project. J. Duffy stated the following studies are available and copies can be made upon request:

1. Traffic Report done by TF Moran for the Cabela's project.
2. Town-wide Traffic Study
3. State Feasibility Study
4. SNHPC Access Management Study
5. 1995-2010 Crash Data

J. Duffy added that according to reports, Hackett Hill is a failed intersection at this time. After the Hackett Hill (Phase 1) is done, the Town Planner will come back before the Council for an update on how much money is left and obtain approval for the hourglass project (Phase 2).

N. Comai asked about the timeline on the Hackett Hill improvement.

J. Duffy stated the timeline has not been determined. The State is requiring for the Town Administrator to send a letter confirming the Town's share of the cost. As soon as the Council gives permission to send the letter, the department will proceed with the project. This will be a municipally-managed project.

T. Lizotte expressed his concerned with the traffic stacking up.

S. Lovas Orr moved to authorize the Town Administrator to proceed with authorizing the improvements to the Route 3A/Hackett Hill Road intersection to include a signal, NB left turning lane, NH through lane, SB right turning lane and SB through and right turning lane, and Hackett Hill right and left turning lanes utilizing \$400,000 from impact fees. Motion seconded by T. Lizotte.

S Lovas Orr stated she supports this project and added that the back-up will be resolved by timing the lights. Any back-up caused by the lights would be much better that the back-up being experienced right now.

T. Lizotte asked about the bidding process and who will manage the project.

Dr. Shankle stated this will be a municipally-managed project. The former Town Administrator specifically asked to state if it would be okay to use Stantec. I think bidding out the engineering would make sense.

J. Duffy stated Stantec requested for the former Town Administrator to ask the State if they would allow Stantec to monitor the project as they have done the conceptual work.

T. Lizotte moved to amend the motion to authorize the Town Administrator to proceed with authorizing the improvements to the Route 3A/Hackett Hill Road intersection to include a signal, NB left turning lane, NH through lane, SB right turning lane and SB through and right turning lane, and Hackett Hill right and left turning lanes utilizing \$400,000 from impact fees following a procedure to seek bids from 3 engineering firms and supervised by the Town's Public Works Department. Motion seconded by L. Boswak. Motion carried unanimously.

Roll call vote on the original motion carried unanimously.

Chair Sullivan requested to attach the map to the minutes.

Auditors' Financial Procedure Questionnaire

T. Lizotte moved to approve the questionnaire. Motion seconded by N. Comai. Motion carried. S. Lovas Orr requested to review the questionnaire prior to her signing the document as she was not present during discussion.

L. Boswak moved to authorize Councilor Lovas Orr to bring the questionnaire outside of the meeting and sign it after it's been reviewed. Motion seconded by T. Lizotte. Motion carried unanimously.

Classification Pay Plan Update

Liz Dionne, Human Resources updated the Council on the Classification Pay Plan. She stated research is on-going. She will be back before the Council to make a presentation when the research is completed.

Pinnacle Park Rules and Regulation (attached)

The Conservation Commission put together a proposed set of rules for the Pinnacle Park for the Council's approval.

The Council discussed the rules and suggested a few changes and additions.

This item was tabled until the next meeting.

Ehlers' Property

At the last meeting, the Town Administrator was asked to meet with the Conservation Commission and Bear Paw to come up with the best solution to this issue.

Dr. Shankle met with the Conservation Commission and Bear Paw. The idea they came up with is to leave the trail where it is now, create a completely separate trail as far away from the Ehlers' and all other properties. Moving the trail onto Town property away from the abutters, put up a sign directing people to the new trail and between the trails, create a "living fence" in areas that need screening. Bear Paw suggested some plant species that would be appropriate and should work. "Private Property" signs will be placed at both ends of the trails. This is what they are proposing.

T. Lizotte stated this is a nice solution. The "living fence" will eventually cover the old trail and there will be no maintenance involved.

V. Lembo disagreed with this recommendation. Signs will not keep people off the trail. The Ehlers were promised a fence. The Town should provide a fence.

S. Lovas Orr: As a property owner, I think I would rather look at the evergreens than a wooden fence that would rot.

Bob Ehlers, 14 Ardon Drive: We are amazed that this proposed solution would take away our opportunity to have a fence. A fence is what's stated and what's needed to block the sight of our property which is very close. I don't think the proposal is going to be as easy as folks say. To get on that trail, you're going to be very close to the Stetson's property, which is all ledge. We were told you can't touch a tree. Now, all of sudden, we're going to have a two-lane highway in there. We're for a fence and would like to see a fence on our property line.

Eileen Ehlers, 14 Ardon Drive: This is the first I've heard of the living fence. Just by chance, I encountered someone on the trail and mentioned it. We have not been updated or given any information on it. I would like to see definitive plans on what is being planted, how long, how dense, is it high enough to block the line of sight? Frankly, I'm losing faith. We were told we'll have a fence. Now the fence is not up for discussion. I'm having a hard time taking any plans to heart. I'm feeling ignored and betrayed. Not once did we suggest blocking the trail. When you bought the land, you did not buy our land. If that boundary is honored with a fence, on the boundary, we would be gracious enough to put the posts on our property but the fence goes on the property line. I'm bewildered on how complex this has become.

B. Ehlers: I just want to note. The deed does not say anything about a trail. On any of the plans, there is no trail. I don't know why the trail has become so embedded in everyone's mind. There's plenty of room for people to navigate behind there. If you want us to consider something, at some point, come up with some plans. We want to know what type of species, how far apart, etc.

V. Lembo asked Councilor Lizotte (Conservation Commission Council Rep) if the board has reconsidered their decision with regards to the fence.

T. Lizotte: No, there hasn't been a vote to reconsider the fence. The Conservation Commission has no authority. The vote was to make a recommendation. Ultimately, it's the Town Council that has to make that decision. We can't do certain things on the property. A lot of these took place before Bear Paw took the easements. What we need to do is to remember we're a policy board. Things have changed and there are some conditions we need to understand before we make a decision as to what goes where.

L. Boswak: We are a policy board but also the leaders of this Town. I am actually appalled that the Ehlers' did not know anything about this. I assumed they were involved in this conversation. If you look at this situation, this is why people do not like the government and they do not trust the government. We have just been terrible to the Pinnacle Road residents. We promised them that we will leave a buffer at this parking lot. We went in and bulldozed it. And when they came here screaming, we worked with them, we talked to them. We sat down at the same table. I cannot believe we haven't had a conversation with the Ehlers. All residents deserve to be treated respectfully and professionally. I believe we've handled this very poorly. The staff needs to sit with the Ehlers and try to come up with a solution then come back to us. We need to raise our standards. The citizens deserve better than this.

Dr. Shankle: My understanding is that Mr. Turbyne and Mr. Horne spoke to the Ehlers.

B. Ehlers: I saw them out on the property and I went out and talked to them. They didn't initiate a discussion.

Dr. Shankle: Every time I've gone out there, we've had a discussion. Whether I knock on your door or you're out there and we start talking, the result is the same.

Chair Sullivan: One good thing about Hooksett is that we have all these interested groups trying to collectively solve the problems of this Town. Part of the disconnect is, there was a committee to look at the Pinnacle to discuss that. At this point, the Council is brought in to come up with a solution and Dr. Shankle did that. We're going to try to come up with a solution.

E. Ehlers: I never intended this to be adversarial. I'm sorry if it appears to be. I think we need to keep it simple. This is the first time I've heard about the living fence. I am not rejecting that idea. It's just too vague for me. I want to know if it would do the same thing as a fence.

B. Ehlers: I apologize to Dr. Shankle. If Bear Paw is looking at the deed, maybe we can amend the deed. We're more than happy to work with you.

V. Lembo move to put the fence on the property line. Motion seconded by N. Comai.

The Council discussed the motion.

L. Boswak moved to table this issue pending the Ehlers and the Town staff to come up with a solution. Motion seconded by T. Lizotte. Roll call vote carried. V. Lembo opposed.

This issue will be resolved by next meeting on September 12, 2012.

Veterans' Memorial Park

This item was tabled until the next meeting.

Council Rules

T. Lizotte moved to remove from the table. Motion seconded by J. Danforth. Motion carried unanimously.

At the last meeting, Councilor S. Lovas Orr made a motion 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." The motion was seconded by T. Lizotte.

L. Boswak: It's really important that whenever we consider a policy, procure or regulation, we need to apply the best practice and principle. I'd like everyone to think about this, if it was not the same persons involved, would we be considering this issue? Right now, this is a fantastic team and it's working very well. The Chair is the only person who has authority outside of this meeting and it's limited to setting the agenda and calling an emergency meeting. The Chair has an intimate knowledge of the agenda because

agenda and calling an emergency meeting. The Chair has an intimate knowledge of the agenda because he does not participate in the discussion. To have someone else participate in the process gives that person an unfair advantage.

N. Comai: Perfectly said, except if the Chair was not there to run the meeting, I'd have to Chair the meeting. I'd rather not go to the agenda meeting if it's going to cause this much angst.

Chair Sullivan: I run the meeting at the pleasure of how the Council wants it to run. If a Councilor requests for an item to be on the agenda and the Town Administrator has ample information to provide to the Council, it should be on the agenda. I'll be more than happy to do the agenda with Dean. If you want me to continue to have the Vice-Chair come to these meetings, I'll have no problem with it. I'll do whatever you want me to do.

S. Lovas Orr: I've always felt the more people participate, the better. After hearing Councilor Boswak's objections maybe it is better just to have the Chair do it.

V. Lembo: This Council has modified the Council Rules more than any other Council.

The Council decided not to change the rules.

Ambulance Collection Policy Amendment

Dr. Shankle explained the change would allow all accounts to go to collection, if a waiver has not been requested.

S. Lovas Orr moved to accept the amendment as proposed. Motion seconded by T. Lizotte. Motion carried unanimously.

NEW BUSINESS

Annual Vote on Town Council Immunity and Indemnity

T. Lizotte moved that the Town Council confirms by a roll call vote, that the Town of Hooksett will provide immunity and indemnify all Town Councilors; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification for costs of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106. Motion seconded by S. Lovas Orr. Roll call vote carried unanimously.

Town Council Goals

T. Lizotte suggested setting some goals for the year.

SUB-COMMITTEE REPORTS

Police Commission – L. Boswak

Barry Cox, LGC attended the last meeting to discuss providing professional recruitment services to the Police Commission to search for a new Chief. They have to go out to bid and obtain at least 3 quotes for this process.

V. Lembo commented it was inconsiderate of the Police Commission not to attend the meeting with the Town Counsel when the meeting was set two weeks in advance. The Chair should have been here at the very least.

Town Hall Preservation Committee – J. Danforth

There are 2 potential candidates for the board.

Planning Board – S. Lovas Orr

1. A proposal for a 9-bed facility for people with brain injury was presented. They asked for a waiver because they are currently in a medium density residential district. The Planning Board denied the waiver.

2. Ritchie Bros presented an alternate solution to the paving issue. After speaking with the Town Administrator, they came up with an alternative solution to use recycled asphalt. It was unanimously approved.

Cable Franchise Advisory Board – N. Comai

A meeting is scheduled for tomorrow, Thursday at 5:30 pm.

Heritage Commission – Chair J. Sullivan

1. Town Family Feud will be held on Thursday, September 13th at 6:30 pm.
2. The Veterans' Memorial plaque has been redone.

Board of Assessors – T. Lizotte

The revaluation RPF's will be issued on the 28th. The Town Assessor indicated assessment would drop by 10%.

PUBLIC INPUT

Public Hearing cont.

The public hearing was closed at 10:13 pm.

V. Lembo moved to accept the \$12,000 donation. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

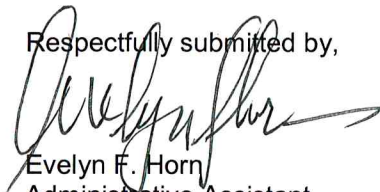
NON-PUBLIC SESSION

No need for non-public session.

ADJOURNMENT

The meeting adjourned at 10:15 pm.

Respectfully submitted by,



Evelyn F. Horn
Administrative Assistant

John Danforth
Town Council Secretary

HACKETT HILL ROAD



PROPOSED RAISED CONCRETE ISLAND

NH ROUTE 3A - WEST RIVER ROAD

PROPOSED SIGNALIZED INTERSECTION

MERRIMACK RIVER

PROPOSED 4x4' BOX CULVERT - 95.1 E.



WEST RIVER ROAD, ROUTE 3A
& HACKETT HILL INTERSECTION
CONCEPTUAL IMPROVEMENTS PLAN
HOOKSETT, NEW HAMPSHIRE

PREPARED FOR: TOWN OF HOOKSETT

FEBRUARY 14, 2018

1. LAYOUT DATE: 02/14/18
2. CHECKED BY: JAMES W. HARRIS
3. DATE: 02/14/18
4. DRAWN BY: JAMES W. HARRIS



SHEET 1 OF 1

Draft Rule and Regulations for Pinnacle Park

Absolutely no alcohol.

No smoking.

No profane language.

Pets must remain on a leash.

No glass bottles.

Children under the age of 13 must be supervised by an adult.

No littering.

No motorized vehicles except for wheelchairs and/or scooters utilized by those who need them.

Park hours are from 9:00 AM until dusk.

No person shall discharge firearms in any park

Picnics only in designated areas

Carry in Carry out Trash Policy