

**TOWN COUNCIL MEETING MINUTES**  
**Wednesday, June 26, 2013**

**NON-PUBLIC SESSION**

**NH 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 affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

**NH 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.

**Present**

Chairman James Sullivan, Dr. Dean E. Shankle, Jr. (Town Administrator), Vincent Lembo, James Levesque, Todd Lizotte, Susan Lovas Orr, Robert Duhaime, Leslie Boswak, and Michael Downer.

**Entered Non-Public Session @ 6:00pm per RSA 91-A:3 II (a) & (c)**

***J. Levesque motioned to enter non-public session @ 6:00pm per NH RSA 91-A:3 II (a) & (c). Seconded by V. Lembo.***

**Roll Call**

**T. Lizotte – Yes**

**J Levesque – Yes**

**V. Lembo – Yes**

**J. Sullivan – Yes**

**S. Lovas Orr – Yes**

**R. Duhaime – Yes**

**L. Boswak – Yes**

**M. Downer - Yes**

***Vote unanimously in favor.***

**Exited Non-Public Session @ 6:20pm per RSA 91-A:3 II (a) & (c)**

***V. Lembo motioned to exit non-public session @ 6:20pm per NH RSA 91-A:3 II (a) & (c). Seconded by S. Lovas Orr.***

***Vote unanimously in favor.***

**CALL TO ORDER**

Councilor Sullivan called the meeting to order at 6:32pm.

**ROLL CALL - ATTENDANCE**

Chairman James Sullivan, Dr. Dean E. Shankle, Jr. (Town Administrator), Nancy Comai (via phone), Vincent Lembo, James Levesque, Todd Lizotte, Susan Lovas Orr, Robert Duhaime, Leslie Boswak, and Michael Downer

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES – June 12, 2013**

***R. Duhaime motioned to approve the original minutes of June 12, 2013. Seconded by J. Levesque. Vote unanimously in favor.***

***V. Lembo motioned to reconsider the minutes of June 12, 2013. Seconded by T. Lizotte. Vote unanimously in favor.***

***M. Downer motioned to approve the minutes of June 12, 2013 with edits. Seconded by T. Lizotte. Vote unanimously in favor.***

**AGENDA OVERVIEW**

Chairman Sullivan provided an overview of tonight's agenda.

### **CONSENT AGENDA**

- a. 13-57 Fire Dept. Homeland Security Grant: \$306.86
- b. 13-58 NH Fire Academy Training Grant: \$945.45
- c. 13-59 Equipment Donation from Mainstay: Approx. \$800.00

***M. Downer motioned to approve the Consent Agenda as detailed. Seconded by J. Levesque. Vote unanimously in favor.***

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

- Family Feud – Council won!
- Volunteer appreciation dinner – 50% of invitees attended
- Attended Economic Development committee meeting; to discuss more later
- Planning Board meeting canceled
- Town Survey – 1200 surveys will be sent out; return rate of 400 (+/-5% margin of error)
- Councilor Boswak has been working with town of Candia on perambulation; Councilors Comai and Boswak can't attend event Friday, June 28 at 10:00 am walk to the corner marker of Deerfield, Candia, Hooksett, and Allenstown; Councilor Duhaime volunteered to attend to represent Hooksett.
- Pinnacle Park – pedestrian walk switch installed
- Hooksett Fire Chief – press release on Hooksett changing emergency notification system from Code Red to State of NH Emergency Notification System effective 7/21/13. It will be the same as the current Code Red but will require residents to enter cell numbers. Visit [www.hooksett.org](http://www.hooksett.org) or [www.hooksettfire.org](http://www.hooksettfire.org), click emergency notification link and create a new account to enter information. Landlines will automatically be entered; this is for cell phone only. This service is free, unlike current Code Red system.
- Received note from Doris Sorel, President of the Hooksett Garden Club with an update on the Safety Sign project. Parks and Rec have been cooperative and helpful. They removed some bushes, weeded the planter, and surrounding area cleaned up. Garden Club brought new soil and planted perennials. There is still work to be done such as planting low profile shrubs, but the project is progressing.
- Thank you note from American Legion Post 37 for attending ribbon cutting
- Distributed next year's meeting dates; need to get copies to the incoming councilors
- Still working on town report; need to come up with a cover theme

S. Orr: A pregnant wild animal was hit across the street from my house. The babies were not well, and my daughter was very upset by it. I called Jodi Pinard with the DPW and she sent someone get them and try to save them. It was a kind and thoughtful gesture that meant the world to me and my daughter. I wanted to formally thank Jodi and the DPW for being so thoughtful and caring.

V. Lembo: At the last meeting when Mr. Baines and Mr. Kendrick talked about the pipe line coming from Wal-Mart; I asked if the rate payer would not pay for the pipe line. In reading the minutes, it appears on page 9, 4th paragraph that they are taking money from SNHU dorm hookups to apply toward pipeline on 3A?

Dr. Shankle: It's not just 3A; the reason this plan came together so well is once you cross the river from Wal-Mart, it comes to where SNHU is hooking in anyway. They were going to need to make that bigger for SNHU anyway. This just makes it possible to hook up Wal-Mart across the river.

V. Lembo: The pipeline is not coming down 3-A, it's going across the river at the Wal-Mart facility?

Dr. Shankle: It's not going along 3A; going from Wal-Mart cutting across Goonan Dr. and going down Kimball Lane. Wal-Mart bought a piece of land back there for a pump station which comes up on the other side where the ferry was.

R. Duhaime: I just wanted to clarify the sewer line follows the railroad track for 2-3 miles; SNHU is connecting to that line.

### **PUBLIC INPUT**

Mary Farwell, Matt Broderick - Reps from Library Trustees

We fully support a 2% raise for non-union employees with a focus on the library. Our town relies on library now more than ever. We have surpassed the 200,000 item mark! Programs are well attended, computer usage is up, and the meeting rooms are a great resource for the many groups in town. The library has stepped up to provide high quality resources and service. This success of the library is a result of dedicated and hardworking employees. The same is true of many other town employees as well. 2% is a relative small number, but it shows that we value their service and would like to show appreciation. It will go a long way to aid in their commitment to library and town and aid in retention efforts,

Michael Sorel, 54 Cross Rd, Hooksett

It's my understanding that two of the councilors (Councilor Downer and Councilor Lembo) this is their last meeting. I trust that one of you would sponsor a motion to recognize both of them for the services they have provided. Mr. Downer has endured long meetings at the Police Commission at the expense of his family. Mr. Lembo has been here for 3 years. They have provided their service to the community. I hope that you see to it that it would be done, in the minutes that they are recognized for their time, effort, and value they have provided to the community of Hooksett.

J. Sullivan: We certainly thank them for their service.

### **NOMINATIONS AND APPOINTMENTS**

a. Appointments: (See attached list)

***T. Lizotte motioned to appoint David Hess and Philip Fitanides as full members to the Conservation Committee with a term until June 30, 2016. Seconded by V. Lembo  
Vote unanimously in favor.***

***S. Orr motioned to appoint Thomas Prasol as a full member to the Planning Board with a term until June 30, 2016. Seconded by R. Duhaime.  
Vote unanimously in favor.***

***J. Levesque motioned to appoint Richard Bairam as a full member to the Recycling and Transfer Advisory Committee with a term until June 30, 2016. Seconded by T. Lizotte.  
Vote unanimously in favor.***

***T. Lizotte motioned to appoint Robert Schroeder as an alternate member to the Recycling and Transfer Advisory Committee with a term until June 30, 2016. Seconded by R. Duhaime.  
Vote unanimously in favor.***

***V. Lembo motioned to appoint Mike Jolin as a full member to the SNHPC with a term until June 30, 2017. Seconded by L. Boswak.  
Vote unanimously in favor.***

***J. Levesque motioned to appoint Gerald Hyde as a full member to the ZBA with a term until June 30, 2016. Seconded by M. Downer.  
Vote unanimously in favor.***

***T. Lizotte motioned to appoint Roger Duhaime as a full member to the ZBA with a term until June 30, 2016. Seconded by J. Levesque.  
Vote unanimously in favor.***

***J. Levesque motioned to appoint Jacqueline Roy as an alternate member to the ZBA with a term until June 30, 2016. Seconded by T. Lizotte.  
Voted unanimously in favor.***

Nominations: Jacqui McCartin, P&R Advisory Board, Alternate

***R. Duhaime motioned to nominate Jacqui McCartin as an alternate member to the Parks and Recreation Advisory Board with a term until June 30, 2016. Seconded by L. Boswak.***

***L. Boswak motioned to waive the rules and appoint Jacqui McCartin as an alternate member to the Parks and Recreation Advisory Board with a term until June 30, 2016. Seconded by T. Lizotte. Vote unanimously in favor.***

***L. Boswak motioned to appoint Jacqui McCartin as an alternate to the Parks and Recreation Advisory Board with a term until June 30, 2016. Seconded by R. Duhaime. Vote unanimously in favor.***

J. Sullivan: Welcome to those who have been appointed and those continuing to serve this year. We are going to ask the two leaving councilors to come back at our next meeting so we can thank them once they complete their term.

### **SCHEDULED APPOINTMENTS**

- a. Rusty McLear and Alex Ray, partners in Granite State Hospitality to discuss new I-93 Hospitality Centers
- 2 liquor stores, one on each side, will be 20,000 square feet vs. 8500 square feet currently; same size and look as Nashua. \$37 million in business between 2.
  - Visitor center is very small. Plan 3000 square foot food court/visitor center. Main part of everything: bank, shops, league of NH craftsman; place to showcase state (artisans, UNH reps, high tech industries, hospitality, number of different interactive things – buy tickets for skiing, NH Motor Speedway, Mt. Washington cruises, etc.
  - Food court will have no national brands - Common Man products (burgers, bakery, coffee, 50's diner). Building is representative of mill architecture (with original mill wheel) on the southbound side; northbound side will be a little more north country (waterfall)
  - Sites: Northbound side has 388 parking places; southbound has 402 parking spaces
  - Full service convenience store open 24/7; partnering with Irving for fuel with 16 pumps on each side
  - Welcome center is main entrance for whole facility with other sub entrances.
  - Food court 15,000 feet with a 3000 foot convenience store on the end
    - Northbound lane will have a full commissary kitchen in basement that will build food for both sides; 5 venues inside
  - All NH-based businesses (builders, engineers, architects, financing, etc.
  - Village bakery and café (Dunkin Donuts); 50's diner that needs to be enjoyed from inside (limited menu, no table service); Common Man Express- sandwiches, burgers
  - Convenience store will look like a village general store similar to Robies and will serve the needs of the traveling public.
  - Worked with DOT and turnpikes to work with flow and capacity; moving power lines to better facilitate more parking.
  - Access to liquor store from 3A will remain for local traffic; 2 levels of parking (most from 93) but lower level can be reached from 3A
  - Alliance between Meredith Village Savings Bank and Merrimack County will have a full service branch accessible from 3A or 93
  - Project will create 138 Full Time Equivalent jobs; a lot will come from this area
  - 35 year lease with state of NH
  - Welcome center is manned, interactive
  - Open food court has a high ceiling with individual venues around it, including the convenience store
  - Overflow gravel parking lot which was just purchased (south side of northbound lane); can accommodate 65 cars; will open for anticipated high volume weekends/events
  - Visitor center in main entrance will be managed by DRED (Dept. of Resources and Economic Development) - DOT and DRED have been working together
  - Start construction in mid-October 2013 and fully open for business in May 2015; one liquor store opening early as Nov 2014; all others will open in phases
  - Old liquor store will stay open until new store is finished

- 75 parking spaces for liquor store and temporary bathrooms during construction; once done (around fall 2014), the old liquor store will be torn down.
- Final leg is the fuel station
- Convenience store and bathrooms will be open 24 hours; no restaurants – they will open/close progressively.
  - Village bakery has a drive-thru and will stay open later.
  - Liquor store closes from welcome center at 9 pm, so front main door will stay open until the last store is closed. 24 hour access from outside (end of bldg.)
- Wi-Fi in entire area that is controlled by Granite State Hospitality
- Contractors:
  - Architect is Samyn-D'Elia out of Ashland who just finished a project for DRED at Hampton Beach
  - CCI is the primary construction company out of Laconia
  - Project manager is Tom Baudette
  - VHB local engineer
  - Various local banks
  - Team has been working for 18 months; got the final signature last week and soil testing has begun
- Onsite work begins July 16

b. 13-60 Public Hearing: FEMA reimbursement for snowstorm: \$54,625.59

J. Sullivan: Call a Public Hearing on Wednesday, June 26 at the Hooksett town council chambers; purpose of public hearing is the FEMA reimbursement for snowstorm in the amount of \$54,625.59 in accordance with RSA 31:95-b, III (a). The hearing is open. Are there any questions? If there are none, we will keep it open and revisit later.

### **OLD BUSINESS**

a. Town Goals: Community Building

L. Boswak: Those that know me know that this is a subject that is very dear to me. I truly believe that we are all here for the citizens. I attended a meeting today and there was a reference to the politics in a nearby community being a "blood sport". When I heard the phrase I immediately thought about the politics here in Hooksett. There are many that believe that participating in the politics here is like participating in a blood sport. Recently there was a headline in the Union Leader that caught my eye. It was that the Seabrook Middle School won the State's educational award of excellence. Their middle school is creating a community of peace builders. All of the students have taken a pledge to be a peace builder. I would like to see the Council take a pledge to build community. We are the leadership in this community and as such we need to be role models in this process. We need to walk the walk and talk the talk.

R. Duhaime: I attended the 8<sup>th</sup> grade graduation. There were lots of presentations but nothing from town. Our students are going to more different schools than ever before. There is no follow up, no chance to tie them in to community.

T. Lizotte: Before voting, we could come up with a policy analysis procedure to think about ideas – pros and cons. We could approach it generically first. People will be less nervous to express ideas. Then we can battle it out based on that discussion. If we thought about policy development more, evaluate step by step, and get steps set before we take positions.

S. Orr: If we thought what good community involvement on our own is, it would not cover the full spectrum. We want to hear from the community what we can do. Lots of things go on I don't know about...schools, sports, etc. Are there levels of community we can be involved in? Can we add a question to survey? We can't do it alone – we have to involve the community.

N. Comai: Community building includes cable access channel. To Mr. Duhaime's point regarding education, I wish we could figure out a way to get money for cable access channel to see what is going on in schools.

L. Boswak: I believe it starts with leadership. Community is built through continuous and conscious efforts to build trust and commitment among citizens and local government.

J. Sullivan: Each town group has a niche on what we do: the council are the leaders; police and fire do bike rodeo; heritage commission and historical society have family feud; individual town groups (old home days). Many public activities occurring murals, garden). We are all doing that. I believe the disconnect is lack of understanding of what each niche is doing. We should use public access to promote what is going on, if there are funds. We are close, there is room for improvement. We need to build on what we all need to do.

S. Orr: Did you have any thoughts on how to begin process?

L. Boswak: I was contacted by a citizen who is interested; Mark Miville has spoken to this several times. We need to stop thinking personally and talk about issues, not the people involved. Can the council make this a priority next fiscal year?

J. Sullivan: Let's set a date and come back with individual ideas and have a forum, similar to the village forum. We can schedule at the next meeting and decide on where to go.

S. Orr: The survey goes out when?

Dr. Shankle: I got timeline today and it can be adjusted. If councilors could bring to the July 10 meeting if you do want to submit a question, I can see if we can do something with those. Come to the next meeting prepared to talk about that.

S. Orr: Does council agree with this?

T. Lizotte: Yes, we are doing the survey for that reason, so I see no problem with that.

J. Sullivan: We will continue with the process. We can only get better.

### **NEW BUSINESS**

a. 13-61 Fire department vehicle

Chief Williams: Per the staff report from June 26, we are looking for approval to purchase a replacement vehicle. The current vehicle (Car 5, 1999 Chevy Tahoe) failed the state inspection for a cracked frame. This was approved by the voters. Will purchase a 2013 Chevy Tahoe for state use; MacMulkin Chevrolet in Nashua won the bid.

***J. Levesque motioned to accept the State of N.H. bid price of \$29,655.00 for the purchase of a new 2013 Chevy Tahoe SSV. Seconded by T. Lizotte.***

M. Downer: Did you take what you can for parts?

Chief Williams: We have stripped it for equipment and lights; there is no other benefit.

V. Lembo: I looked at the spec sheet – why black and not red?

Chief Williams: Everything is red over black with red on the bottom. It's easier to buy black and paint the bottom red to save money on labor.

### **Roll Call**

**T. Lizotte – Yes**

**J. Levesque - Yes**

**V. Lembo - Yes**

**M. Downer - Yes**

**J. Sullivan - Yes**

**N. Comai - Yes**

**S. Lovas Orr - Yes**

**R. Duhaime - Yes**

**L. Boswak – Yes**

***Vote unanimously in favor.***

- b. 13-62 Non-union pay increases

***V. Lembo motioned to approve the budget transfers so the 2% non-union pay raises can be given. Seconded by S. Orr.***

V. Lembo: It appears the department heads saw that folks were worthy of a 2% raise. They went out of their way to try to find the money. The employees deserve it.

S. Orr: I agree. We have great people working here. Staff is a huge part of our moving forward – the right thing to do is take care of your people.

**Roll Call**

**T. Lizotte – Yes**

**J. Levesque - Yes**

**V. Lembo - Yes**

**M. Downer - Yes**

**J. Sullivan - Yes**

**N. Comai - Yes**

**S. Lovas Orr - Yes**

**R. Duhaime - Yes**

**L. Boswak – Yes**

***Vote unanimously in favor.***

- c. 13-63 Budget Transfer Requests

***M. Downer motioned to accept transfer #2014-01 with \$25,000 taken from Legal Police Commission line and transferred to the town Legal Services line. Seconded by T. Lizotte. Vote unanimously in favor.***

Dr. Shankle: 2014-3 covers 2% raises for all departments but the library (on separate sheet).

***S. Orr motioned to accept transfer #2014-03 with \$7,698.00 taken from the Tipping Fee line in the Recycling and Transfer budget and transferred to the Library line. Seconded by T. Lizotte. Vote unanimously in favor.***

R. Duhaime: The voters voted for the budget through warrant articles; by rearranging the money is that telling the voters we can still find it elsewhere? Wouldn't you be conflicted as a budget member (Councilor Lizotte)?

T. Lizotte: As long as the budget passes and we can find it, it's in our power to make adjustments. At year end, if a department fell short, we can bring this up.

J. Sullivan: The operating budget comes from the bottom line; if this was a warrant article and the voters did not approve it, we would be prohibited from approving that.

***T. Lizotte motioned to accept the transfer #2014-02 in the amount of \$7,519.00 from Fire-Rescue budget to fund 2% raises for non-union, full time employees for Assessing, Finance, Tax, Town Clerk and Family Services. All other departments can cover the 2% raises within their budgets. Fire-Rescue's budget request for FY2013-2014 was lower than the default, therefore having the funds available for this transfer as outlined below. Seconded by J. Levesque. Vote unanimously in favor.***

Amounts transferred FROM Fire-Rescue line items:

- \$1,200 from EM Telephones
- \$2,478.00 from FD Equipment Maintenance
- \$3,841 from FD Medical Supplies

Amounts transferred TO other departments for 2% raises:

- \$749.00 to Full-Time Employees Assessing

- \$57.00 to FICA Taxes Assessing
- \$81.00 to NH Retirement Assessing
- \$2,122.00 to Full-Time Employees Finance
- \$162.00 to FICA Taxes Finance
- \$229.00 to NH Retirement Finance
- \$2,769.00 to Full-Time Employees Tax
- \$212.00 to FICA Taxes Tax
- \$298.00 to NH Retirement Tax
- \$60.00 to Full-Time Clerk
- \$5.00 to FICA Taxes Clerk
- \$7.00 to NH Retirement Clerk
- \$713.00 to Part-Time Employees
- \$55.00 to NH Retirement Family Services

### **SUB-COMMITTEE REPORTS**

T. Lizotte: I have nothing to report.

J. Levesque: The board of assessors met tonight; we had a visitor complaining he wants the elderly exemption but does not want to fill out the financial paperwork. He claims it is an illegal search and seizure per the 4<sup>th</sup> and 19<sup>th</sup> amendment of state constitution. This was sent to Dr. Shankle and town attorneys.

S. Orr He put in a right to know request, and council has 5 days to respond as of today.

J. Levesque: He wants to know who the bond holder for assessor dept. is. He wants to have proof of what bond there is to protect Todd from legal suit.

M. Downer: He asked for the bonding company.

T. Lizotte: We must have bond per statutes.

J. Levesque: Todd indicated he has personal insurance.

J. Sullivan: Is there something in the charter that employees are bonded?

Dr. Shankle: Todd is a contractor not technically an employee of town. He does this for many towns so there has to be some way he is covered. I will find out.

T. Lizotte: Through research, there was an indication that 2007 town council gave him some broad authority that is on record.

S. Orr: His main complaint is our process is not legal. It would behoove us to review the process of approving exemptions so we can show him we are following the law and the process is correct and we have done our due process.

Dr. Shankle: He doesn't consider state statutes to be law.

S. Orr: I will leave it up to your discretion on how you convince him of that.

J. Sullivan: As long as we are following process we have, that is all we can do.

V. Lembo: When did we start giving exemptions for elderly? Is there an RSA or procedure to follow of what you can/can't ask? I assume you have to show net worth; I think if you have more than \$300,000 in assets you can't get it. Or is it just town policy?

J. Sullivan: Why don't we ask the administrator to look into these issues to make sure assessing is doing their due process. If we need to get involved as a council, Dr. Shankle will let us know.



J. Levesque: Transfer committee - recycle up to 137 tons; up since last month and steadily going up since Feb. With the new contract that was voted on, we should start getting new transfer fee starting July 1.

V. Lembo: I have nothing to report.

M. Downer: I don't have a report per se, but wanted to thank the Parks & Rec department for maintaining fields. We are in full blown baseball tournament season and we have received compliments on our facilities from other communities. As the Parks & Rec liaison, I wanted to formally commend Parks & Rec on a job well done and the care given to our fields.

J. Sullivan:

- Parks & Rec is also working with the Heritage Commission on the Veteran's park project so kudos to them for helping us with that.
- Oct 6 2013 will be the dedication of Veterans Park at Jacobs square.
- The Family Feud fundraiser successful. Raised twice as much as the first year, and we will probably do it again.
- Old town hall meeting was canceled. Old town hall project has started. There is a new ramp going in that connects to the Prescott building. They are slowly going through the building and meeting requirements of the original deed while maintaining the historical integrity of the building.

Dr. Shankle: Tom Walsh (member of subcommittee) has been working with the highway department by helping coordinate volunteers to work on electricity so employees are safe as they remove walls.

J. Sullivan: When they put in the second floor they were very careful to maintain exterior walls.

S. Orr: No Planning Board meeting because of lack of agenda items.

R. Duhaime: I have nothing to report.

L. Boswak: The Economic Development Committee met yesterday. There are a lot of positive things happening such as Ritchie Bros, high speed tolling, Bass Pro Shops, and the welcome center. We are going to the July 9 ZBA meeting to offer support for Bass Pro Shops as they seek a variance for their sign. Business event last night was canceled; we were too optimistic with timing. Rescheduled for August when we are going to try to get the business community and the commercial brokers together to get input from them to see what is important to them from the town.

J. Levesque: I'd like to thank Councilor Downer and Councilor Lembo for their service the last 3 years. They have come up with good solutions at stalemates. Vinnie, I'd like to thank him for bringing me here in my wheelchair and taking me home.

J. Sullivan: Since there is no final comment on the public hearing regarding the FEMA reimbursement in the amount of \$54,625.59, on behalf of the Council, I declare the hearing closed. We will approve that money at the next meeting.

#### **PUBLIC INPUT**

None

***J. Levesque motioned to adjourn at 8:22pm. Seconded by T. Lizotte.  
Vote unanimously in favor.***

#### **ADJOURNMENT**

Chairman Sullivan declared the meeting adjourned at 8:22pm.

**Respectfully submitted,**

**Tiffany Verney  
Recording Clerk**