

**TOWN COUNCIL MEETING MINUTES**  
**Wednesday, March 26, 2014**

**CALL TO ORDER**

Chair Sullivan called the meeting to order at 6:35 pm.

**ROLL CALL – ATTENDANCE**

Chairman James Sullivan, Donald Winterton, David Ross, Todd Lizotte, Adam Jennings (arrived at 7:47 pm), Robert Duhaime, James Levesque, Nancy Comai (left at 8:20 pm) , Dr. Dean E. Shankle, Jr. (Town Administrator)

Missed: Susan Orr

**PLEDGE OF ALLEGIANCE**

a. Youth Achiever of the Month

D. Winterton: This is a real pleasure for me to do this. As the months go by the number of nominations we receive continues to grow and I'm impressed with the names of the people I'm not going to read today. I spent my work career working in the field of cancer. A lot of those stories end sadly. Tonight we give this award to someone whose story ended happily and he beat cancer. But that's not why he is receiving the award. This is given to Matt Lemire because he had courage to identify that something was wrong with his body and to bring it up to his parents and have it treated right away. His courage can be spread to other people, boys and girls, men and women. Follow his lead and tell someone when something is wrong so it can be treated.

*Presentation of certificate and pin.*

**APPROVAL OF MINUTES**

a. Public: March 12, 2014

***T. Lizotte motioned to approve the public minutes. Seconded by J. Levesque. Vote unanimously in favor.***

b. Non-public: March 12, 2014

***T. Lizotte motioned to approve the public minutes. Seconded by J. Levesque. Vote unanimously in favor.***

**AGENDA OVERVIEW**

Chair Sullivan provided an overview of tonight's agenda.

**CONSENT AGENDA**

**TOWN ADMINISTRATOR'S REPORT**

- A lot of time has been spent preparing for the deliberative session, voters' guide; worked on newspaper graphic (in *The Banner* tomorrow); it turned out well and has been a collaborative process.
- Working on making sure audio/visual works for this deliberative session.
- Started doing videos w/department heads. First one is with finance director giving an overview of the budget as a whole.
- Working with Paul Scarpetti; met with him, his engineer and lawyer, and we are putting together a packet for Town Council to review.
- Improving social media – community development department now has a Facebook page
- I received a letter from the state regarding the Main St bridge project from last meeting; we will put that on next meeting's agenda.
- I also received letter that work has restarted on Route 3; Continental Paving started 3/24.
- Local officials' workshops coming up in Concord on a Saturday; need to preregister.
- I talked to Sid Baines from the sewer commission; they went to mediation and things look good for them to get some money back for the disk issue.
- Sen. Boutin and several other people have been working on Walmart participating in sewer. Legislation passed both houses and is going to the governor for signature. She is doing a public signing on April 21 (Monday), time TBA.
- Jo Ann Duffy was on a panel discussing TIFT districts, and Exit 10 is one of the most successful in the state.

- Jo Ann Duffy and Carolyn Cronin from Community Development are going to be talking to Girl Scouts about town planning.
- Boy scouts had a tour of the fire department last week.
- NH Magazine.com did an article on Diane Boyce called "Turning Trash into Treasure."

N. Comai: I want to recognize you for the wonderful job you are doing with the weekly article in *The Banner*. It shows a wonderful avenue for us to make a weekly statement of what is going on.

J. Sullivan: Council voted to extend the Town Administrator's contract for another year. Details can be found on the website. Deliberative session is April 5 at 9 am at Cawley Middle School. 13 warrant articles to be discussed. Voting is May 13; filing of positions started today and will run through next Friday at 5 pm. Check the website under Town Clerk to find out what positions are open.

Dr. Shankle: Town Clerks office will close auto registrations at 4:30 pm on that Friday, but will be open until 5 pm for people to register for open positions.

**PUBLIC INPUT: 15 Minutes**

None

**NOMINATIONS AND APPOINTMENTS**

- a. Health Officer Nomination: Matthew Lavoie

Dr. Shankle: Town Council has to nominate someone to the state and the state will appoint. Matt Lavoie is our Code Enforcement Officer and it's traditional for the Code Enforcement Officer to be the health officer.

***J. Levesque motioned to nominate Matthew Lavoie to the state as Health Officer. Seconded by J. Sullivan.***

***Vote unanimously in favor.***

- b. Economic Development Committee: Daryl Dreffs

D. Winterton: At the Economic Development meeting yesterday, it was decided we would hold Ivan Gult for another meeting. Economic Development will invite him to a meeting to become more familiar with him before we recommend him to the Council.

R. Duhaime: I was on the Planning Board with Daryl, and I'm and I'm glad to see him on another board.

***R. Duhaime motioned to nominate Daryl Dreffs to the Economic Development Committee. Seconded by D. Winterton.***

D. Dreffs: I have lived here 28 years and was on the Planning Board for one term. It was quite an eye opener as to how town government is run. I've attended many Town Council meetings, zoning board meetings, SNHPC and capital budget planning meetings. I was impressed by the amount of time people put in to running the town and I'd like to get back into it.

J. Sullivan: Thank you. We will be appointing at our next meeting.

- c. Economic Development Committee: Ivan Gult

J. Sullivan: We will put this on the agenda for the next meeting, second Wednesday in April. His name is not being considered for nomination to Heritage Commission at this point.

**SCHEDULED APPOINTMENTS**

- a. Public Hearing: NH Highway Safety Agency Grant, overtime enforcement; \$7,436

J. Sullivan: *The purpose of the public hearing is to accept a New Hampshire Highway Safety Agency grant in the awarded amount of \$7,436.00 to allow for 22 overtime enforcement patrols (traffic) per RSA 31:95-b, III (a). Questions should be directed to the Hooksett Police Department 603-624-1560. The public hearing is now open. Hearing nothing, we will keep this open until our next public input.*

b. Public Hearing: NH Highway Safety Agency Grant, DUI overtime patrols, \$10,003.50

J. Sullivan: *The purpose of the public hearing is to accept a New Hampshire Highway Safety Agency grant in the awarded amount of \$10,003.50 to allow for 18 DWI/DUI overtime patrols per RSA 31:95-b, III (a). Questions should be directed to the Hooksett Police Department 603-624-1560. The public hearing is now open. Hearing nothing, we will keep this open until our next public input.*

c. Public Hearing: Pole License Amendment

J. Sullivan: *Pursuant to RSA 231:161-163, the Town Council of the Town of Hooksett shall hold a public hearing in conjunction with their regularly scheduled meeting on March 26, 2014 which starts at 6:30PM in the Town Council Chambers at the Town Office Building, 35 Main Street., Hooksett, New Hampshire relative to the amending of all presently issued and outstanding pole licenses. This amendment shall seek to add the provisions of RSA 72:23 I, (b), providing for payment of properly assessed real and personal property taxes on Town owned property used by or under the license agreements and/or pole licenses issued to public utilities and other entities servicing the Town of Hooksett. The full text of the proposed pole license change is on file with Assessing Office and via [www.hooksett.org](http://www.hooksett.org) for your inspection. Questions should be directed to the Assessing Office at 603-268-0003. The public hearing is now open.*

Dr. Shankle: PSNH sent something to read into record: *Re: Public Hearing- Public Notice to Amend Pole Licenses Hearing Date: March 26, 2014*

*Dear Town Council:*

*The undersigned is legal counsel to Public Service Company of New Hampshire ("PSNH"). PSNH has received your notice of a public hearing at which the Town of Hooksett will take up the matter of the amendment of existing pole licenses in the Town to include language regarding taxation pursuant to RSA 72:23. This is to advise that, to the extent the proposed amendment seeks to make language changes to the pole licenses of PSNH consistent with the rulings of the New Hampshire Supreme Court in N.E. Tel. & Tel. Co. v. City of Rochester, 144 N.H. H8 (1999) and Verizon New England v. City of Rochester, 151 N.H. 263 (2004), PSNH does not intend to raise a legal objection to the amendment. However, this should not be construed as a waiver of PSNH's rights to protest, seek an abatement of, or otherwise legally challenge as excessive or disproportionate the assessment by the Town of Hooksett of any incremental property tax upon PSNH's use or occupancy of the public right of ways in Hooksett, and PSNH fully reserves all such rights. As PSNH is unable to send a representative to your hearing, PSNH respectfully requests that this letter be included in and made a part of the record of the minutes of the hearing of this matter on March 26, 2014. Thank you. Very Truly Yours, Christopher Allwarden, Senior Counsel. Legal Department.*

T. Lizotte: Can you poll the audience for PSNH representatives?

*Audience was polled and there were no PSNH representatives present.*

Jay Hodes, attorney with Hage Hodes and Todd Haywood, contract assessor

J. Hodes: I am here representing the town of Hooksett. We are proposing an amendment to the pole licenses issued by the town. Could someone make a motion to discuss this newest version of the document because a date got changed and for the record I want to make sure we consider and discuss this amended version?

***T. Lizotte motioned to consider the updated document for the official record. Seconded by N. Comai.***

T. Lizotte: In the future, any document submitted for consideration should have a date and rev number. There is nothing here to say this is the document; if we do accept this document, I think the Town Administrator should note this is the document for document control.

J. Hodes: The last date in the next to last paragraph is now April 1, 2014.

Dr. Shankle: We have that one, so we are all on the same page.

J. Hodes: The purpose is to make it clear that utilities using the towns' right of way are obligated to pay duly assessed taxes for their use of the right of way. A few years ago there were some Supreme Court cases with Rochester that determined municipalities were authorized to tax utilities when inside the right of way. According to RSA 72:23 the pole license must specify to the utilities that they will be taxed. Our prior version doesn't specify that. You must put them on notice in their pole license if you intend to tax them. Any future pole license will include this language. The Assessing department will determine what the proper amount of taxes is for these companies. PSNH and FairPoint Communications are the 2 primary users. They allow some other companies to attach to their poles. If you tax one entity, you need to tax them all in fairness. Those owners of the poles must give the town notice of who the subtenants of the poles are within 90 days of adoption and update annually so we can provide them with notice of tax bills. This also includes any improvements made to the property.

D. Ross: This is authorizing the town to tax the poles based on what's on them?

J. Hodes: Not the poles. The poles are taxable by state law. This is taxation on the use of the right of way and highways where they have placed their improvements.

D. Ross: Do we have any authority as to what can and cannot be placed on the right of way?

J. Hodes: Utilities need to apply for a license with your DPW and they can analyze the placement of those poles.

D. Ross: What about current poles?

J. Hodes: If it affects public safety, or if you need to repair a road, you can ask them to temporarily move their pole. There are other circumstances where you can make requests and they have to concur.

D. Ross: There have been some cameras installed at intersections around town and no one knows who authorized their placement. That looks like valuable equipment. Who owns it and what is its purpose?

J. Sullivan: DW Highway construction – that is a state road; does the state have a role in that compared to a town right of way?

J. Hodes: Your jurisdiction is over town roads; state controlled roads issue permits by DOT. If there are changes they need to let you know and the Assessing department determines if they can or cannot be taxed.

T. Haywood: These assessments are as of April 1. What exists as of that date is what gets taxed for 2014 so it's important to make a decision quickly because time is of the essence.

T. Lizotte: I think we should keep the hearing open until the end and close it after the second public input.

J. Sullivan: We will conclude this public hearing at the end of the next public input section.

d. Public Hearing: Mandatory Recycling Ordinance

J. Sullivan: *The purpose of the public hearing is to adopt proposed Town Ordinance 2014-1 Recycling and Transfer Department Ordinance. This notice is per Chapter 231:132-a of the NH Revised Statutes annotated, and section 3.6 of the Hooksett Town Charter. The full text of the proposed ordinance is on file with the Town Clerk and via [www.hooksett.org](http://www.hooksett.org) for your inspection. Questions should be directed to the Office of the Town Clerk at 485-9534. The public hearing is now open. Hearing nothing, we will keep this open until our next public input. The charter indicates that when a Town Councilor proposes we adopt an ordinance, a public hearing is scheduled, and that is how we got here.*

Diane Boyce, Recycle & Transfer superintendent: The disposal of recyclables costs a lot less than disposal of trash. The disposal fee coming up will be a lot less and the cost for trash will be going up in June. The ease of recycling has increased due to single stream. Every bit of savings adds up to the community. Based on 2012-2013, 3164 tons of trash at our present rates, at an increase of 2% recycling rate per household per week is .62lbs/week/household and we would save \$3200/year. We can run both trash and recycling trucks and save cost of fuel; 4% at 126 tons/year/household/week is 1.24 pounds

(junk mail, magazine, cardboard) and we would save \$6500/year. We could run both trucks for 6 weeks. At 6% (these are very low expectations of people), 1.87 lbs/week we would save \$9600/year which is 2.5 months of running the trash and recycling trucks. Every little bit does add up. Recycling saves energy, water and creates less pollution and more jobs. This ordinance is designed to increase recycling. We would be working with residents beginning with a courtesy letter. If it goes further than that the resident will have the chance to address Council. I believe this is what is best for the town.

Sean McDonald, Solid Waste Committee: To echo Diane, the focus of this argument should be on saving money. We look to Town Council to run the leanest operation in town. We are offering an easy way to save money for a slight inconvenience. I would urge you to support this to save me money.

T. Lizotte: The issue at hand is when we've talked about this in the past, we've been reassured its only 50-100 people and 99% were compliant. National stats – the national average is 34% and we are told we hit 30%. Is there a self-limitation since recyclables are lighter than solid waste? Cities that have great ratios based on tonnage also have composting. As a taxpayer, I'm paying for the service and when we put an ordinance in place for such a broad opportunity for a mistake, I'm concerned people will say they are being targeted. I'm concerned from a compliance standpoint and I still think education is key.

S. McDonald: If you have a furnace with an efficiency setting, wouldn't you want to set it at the highest? It seems like such a minor inconvenience. Do you think that is a reality with the number of people we have in town?

T. Lizotte: The committee doesn't understand that a person could be targeted that does something different than someone else. They might not create much waste or go to the transfer station.

S. McDonald: Can we address it in the future if it becomes a problem and in the meantime, save money?

N. Comai: Diane, if we put this in effect, what is the % you would gain from it? 2%, 4%, 6%...what costs will it impact?

D. Boyce: None. We currently send courtesy letters. If you are worried about being targeted, there would have to be ongoing monitoring. People know that they can be recycling more. We are just looking for a little bit more effort. There are some that can be doing a better job. I don't think there is going to be a cost. The state has a regulation in place that we should be doing 40% and that is attainable if we make the effort.

N. Comai: I'm not sure where the additional 10% is going to come from.

D. Boyce: If we see the trash barrel and never see the recycling barrel, you are going to get a letter and we will work with you. Next step is a warning. We aren't going to rush to judgment, but after a while we are going to send a courtesy letter. We do that now.

J. Sullivan: When you see the recycle barrel not out, that might trigger something. If they have both out, how do you monitor someone using the recycling barrel and comingling in there? How can you tell that trash is not in the recycling barrel?

D. Boyce: There are cameras on the trucks.

J. Sullivan: When that happens, what do they do? Do they make a notation?

D. Boyce: If it's constant, yes.

J. Sullivan: Can you take us through the process of the drivers? If they go to an area where there is a perpetual violator, do they look before emptying?

D. Boyce: We don't have mandatory recycling now so they don't do that but we have stops we are watching.

J. Sullivan: Would you have the authority to not pick up their trash or recycling if you saw something in the wrong barrel?

D. Boyce: The Council thought we should lean toward fines instead of discontinuing trash collection. We do have a lot of people that prefer coming to the facility. If my guy says they never see a barrel out, I send a letter and hopefully they contact us and let us know they are coming to the facility.

J. Sullivan: During your committee discussions, did you come up with ways to promote this?

S. McDonald: Concerns about big brother watching trash were brought up. There are not the resources for that. We aren't going to cancel your trash collection if you do this a couple of times. The board felt that if it was reasonable, we were agreeable to it.

D. Winterton: If someone comingles trash with recycling in the recycling barrel, what's the cost to separate that at the next stop when the truck returns?

D. Boyce: The trucks go directly to Allenstown. They allow a certain percentage of contamination. They aren't penalizing us right now; we have not gotten any notices. We identify it when they see it go in the hopper, they get a courtesy letter and hopefully it doesn't happen again. We're not looking for things, it's just the known stops that we have. On Mondays, we deliver the recycling trailer to Cawley. While he is out there, he will check some of the barrels that we have identified as known violators.

D. Winterton: On Monday you take the big bin to Cawley and he stops and checks garbage of identifiable offenders?

D. Boyce: Correct.

N. Comai: At some point I'd like to ask you to come back to see if we are saving money on our route plans. We've done this for about a year and we can evaluate the routing for more cost savings. This may or may not be the end of this.

D. Boyce: We have looked at that a little bit. We've checked other communities and there are some that have to have them on one side of the road.

N. Comai: Odd days, odd side of the street; even days, even numbered side of the street. It's a matter of advocating and educating.

D. Ross: I haven't seen any hard data since the beginning of recycling, on the amount of money spent on the purchase and maintenance of trucks. Has there been any identifiable savings at this point? Have we saved more than we spent so far?

D. Boyce: We saved one employee by not having 2 people hanging off the back of the truck.

D. Ross: Are there any stats out there to say we are going to save X% by how much more than what we are already doing?

D. Boyce: I don't think there are any stats out there. Our budget is \$100,000, less than a few years ago so we are saving. Having the men on the back of the truck was an enormous cost.

D. Ross: You had money in the reserve fund to spend on vehicles. What is that total amount expended to date compared to what would have happened if we hadn't gone to recycling?

D. Boyce: We would have needed a new truck anyway. If we add in the truck and the fact that we gave barrels guaranteed for 10 years, it has been cost effective.

D. Ross: There is no statistical evidence as far as making it mandatory. How much better will it get?

Dr. Shankle: I can get together with the Finance Director and lay out what the fixed and variable costs have been for the last couple of years.

D. Ross: I'm still awaiting this comparison. Another thing is that this ordinance is so restrictive. If there are any infractions in any section, it puts all this authority in the hands of the director. There is no mechanism for issuing fines. How can you validate evidence? If someone feels they have been unreasonably fined, we could end up with a lawsuit and that would outweigh all the savings we could think about having. The job is to remove the stuff, not micromanaging what people put in the barrels. One attorney showing up at a Council meeting would outweigh any potential savings. When you have certain offenders, do you think this is going to cause them to comply? I don't think so. Some people are belligerent, and in my opinion, when pushed, they will push right back. I think it's unnecessarily heavy handed, intrusive and I think it's a horrible idea.

R. Duhaime: My nature tells me to save and as far as this board is concerned, should entrust her guidance to save and let her handle this. She is only really looking for some teeth to enforce this. She no longer has 2 employees in the back of the trucks. Just the savings in health insurance is huge. The other thing is condo associations – they don't have to recycle now. Instead of giving them a refund on their trash we could save even more money. We should trust Diane with her experience. She is looking to move this along and I think this is something we can move forward on.

T. Lizotte: I agree with you 100% about Diane Boyce. I'm not concerned about that, it's about this becoming a law. We need to make good policy. Regarding the changing the repayment of trash pick-up for condos, if we open that can and find out there are some legal obligations from past Council, we are going to be in a difficult situation. I just want to make a smart policy. On sewer commission, they were talking about composting. I'd rather look at composting and try to work with sewer or be a little more creative. I would rather have a trial period with this penalty. I brought up the evidentiary issue. They come in here to appeal and if there is no physical evidence, I would vote in favor of the resident. We should treat it like you are being written up as a summons.

R. Duhaime: Sustainability. You are supposed to be creating a better town – better environment, better tax base but this falls under that. This is something we have to do whether people like it or not.

T. Lizotte: Regarding the written summons, on average, monthly, how many get sent out?

D. Boyce: I send about 10-15 courtesy letters per month. Once it is in the barrel, we couldn't prove anything but would it flag us to look at that person in the future.

J. Levesque: At the recycle center, we need rules there. There are posted signs and people still ignore that. You have to have some rules down there. If you can't do what you are supposed to do, don't come there.

D. Boyce: I have an ordinance for the facility. If we had a drop off only we could control everything. We do not have a mandatory recycling ordinance at the facility either. If we go away from curbside, we could amend that ordinance at another time.

J. Levesque: I have had barrels since they came out, I've never put them out in front of my house and I haven't gotten a letter yet.

Jodi Pinard, 11 Morningside Dr.: I support this ordinance wholeheartedly. I have to say kudos to Diane. It was a million dollar project and 99% was completed without any complaint. She wants to save money and move the town forward. I don't know why you are debating this. It was voted on by the people that they wanted this to be investigated. I'm sitting before you for those 376 people; do it! I will be told what to do to put money back into the fund balance so you can have money to offset our tax rate because transfer did a mandatory recycling ordinance. You just proposed increasing the budget and rightfully so. How are you going to fund it? Our tax rate is going up and I'm sitting here asking you to help tax payers save money.

Todd Rainier, 1 Veterans Drive: I've been listening to all your arguments tonight and on previous nights. I appreciated everyone's efforts. We all know it will save the town money and I appreciate that this board is very fiscally driven. We haven't gotten into a discussion about what we are doing to the planet for our kids. I watch things more carefully now that I am a parent. What is the legacy we want to leave for our

kids? I've heard concern about a resident coming before this body or a future body when they have been issued a fine. You will know pretty quickly without any evidence if they have or have not been recycling. The resident will give you the evidence. This is an educational thing, not a malicious thing. There was a time when there were no public dumps. This is a rightful progression and I think you are a very progressive board. It will come up again if it does not pass, we have the benefit now of creating a culture of recycling by passing this ordinance. You all agree Diane and her team do a great job and you trust her. All the hard work will be done and the community will have a culture and will be smooth sailing. Composting that I believe you were referring to from sewer commission, is composting solids that come out of the treatment process. The national average at 34%, I'd rather be on the side swinging it toward 100% than 0. The barrels belong to the town. Some towns make residents purchase barrels and have mandatory recycling. They have a third party company come in. The responsibility of the barrels is on the recycling center. They are one in the same; once the barrels are on the curb, they are the responsibility of the transfer station. I wanted to thank you for the progressive job you are doing. I think we are moving in the right direction.

e. Tom Walsh for Sign Committee to discuss sign ordinance

J. Sullivan: Tom Walsh has been called away on an emergency and will be rescheduled to a future meeting date.

### **5 MINUTE RECESS**

#### **OLD BUSINESS**

a. 14 – 004 Fire Station 1: Phase two of living space expansion project

Chief Williams: We got the approval to have the architect draw up some plans to increase living quarters to accommodate both male and female firefighters. The rough estimate is around \$400,000. The project has not been put out to bid. It makes 3 bedrooms, moves the weight room into a climate controlled area, and makes a training room where the bunk room is now. It meets all of our needs. I'm here to move on to phase 2 to put this project out to bid. These plans would be more building plans, get a proposal, get bids and come back to you for approval to begin construction. Phase 2 would cost \$23,000 (architectural, structural, mechanical drawings, get out to bid and get it back).

***T. Lizotte motioned to approve \$23,000 from Public Safety impact fees to pay for phase 2 of the architect proposal. Seconded by A. Jennings.***

D. Ross: Is there an additional \$10,000 for construction?

Chief: That will be put into construction as fees for the manager of the project. That will be in the proposal when we put it out to bid.

T. Lizotte: Do we have \$400,000 in impact fees that can be applied?

Chief: We have \$420,000 as of right now. I anticipate it coming in under \$400,000, but won't know for sure until we put it out to bid.

Dr. Shankle: We have asked the attorney if it qualifies for impact fees, and it does.

***T. Lizotte motioned to amend the prior motion to read Fire Rescue impact fees instead of Public Safety impact fees. Seconded by A. Jennings.***

#### **Roll Call –**

A. Jennings – Yes

N. Comai – Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross – Yes

J. Levesque – Yes

T. Lizotte – Yes

J. Sullivan - Yes

***Vote unanimously in favor.***



**NEW BUSINESS**

a. 14 – 026 Discussion re: Deliberative session on Saturday April 5 at 9:00 am.  
Don Riley, Moderator, 25 Harvest Dr: I'm here to get a sense of whether or not you feel there is any real issue that is not apparent.

J. Sullivan: Do we perceive any issues the moderator should be aware of?

R. Duhaime: Just selling the budget.

D. Riley: I think you've done an outstanding job of keeping the number of warrant articles down.

J. Sullivan: I think we need to anticipate all possible questions and have clear and concise answers that won't catch us in the headlights.

T. Lizotte: We have open seats, if Town Councilors are running for seats, they won't be able to help out at the election since they are on the ballot.

D. Riley: It's advisable not to, but the RSA only deals with touching the ballot. I think it's a safe option to stay outside the rails.

J. Sullivan: There are 2 district seats and 2 at large seats.

Donna Fitzpatrick, Administration: At large (A. Jennings) is up on 6/30/14; District 3 (J. Levesque) is up on 6/30/14; at large (J. Sullivan) is up on 6/30/14; District 2 (R. Duhaime) is up on 6/30/14.

T. Lizotte: Are you intending on running for your seats?

J. Sullivan: I am.

R. Duhaime: I am.

A. Jennings: I'm waiting to see if my work situation changes.

D. Riley: There are some standard words to make the motion as we are only passing it to the ballot. That will be in your binders at the deliberative session.

J. Sullivan: We have the warrant in front of us.

**Article 3 – T. Lizotte motion; D. Winterton second.**

**Article 4 – R. Duhaime motion; J. Levesque second.**

**Article 5 – J. Sullivan motion; R. Duhaime second.**

**Article 6 – D. Ross motion; T. Lizotte second.**

**Article 7 – D. Winterton motion; T. Lizotte second.**

**Article 8 – D. Winterton motion; T. Lizotte second.**

**Article 9 – T. Lizotte motion**

**Article 10 – S. Orr motion; N. Comai second.**

**Article 11 – N. Comai motion; T. Lizotte second.**

**Article 12 – A. Jennings motion; D. Winterton second.**

**Article 13 – D. Ross motion; J. Sullivan second.**

**Article 14 – A. Jennings motion; J. Sullivan second.**

**Article 15 – N. Comai motion; T. Lizotte second.**

**Article 16 – R. Duhaime motion; J. Levesque second.**

D. Riley: I'll be addressing this more prior to the election but there were some electioneering issues at the school district election and we need to stop that head on. It involved material left in the voting booths. That is a violation of state statute subject to a fine of \$1000 if the individual is identified. They swept the booths every 30 minutes. We can do that in May but I prefer to get the word out. When I come back prior to the May election, we'll talk about meeting you at the polls. The more the merrier, but I recognize that

you have full time jobs and need to work. We just need coverage the whole day. I'm going to need to do some research on what has to be on any signage.

D. Winterton: Would it be possible to put it on the town website once you research it?

D. Riley: Yes as well as talking to the electioneering issue as well.

J. Sullivan: For the Council's report and voters' guide, I crafted a letter that somewhat mimics last year's. It talks about reasons for the impact increases, budget process and highlights some new items (police contract, town engineering) and mentions reoccurring money articles that have traditionally appeared. We are trying to present a clear picture of the budget.

D. Winterton: I would remove the words "health insurance" and just say costs.

R. Duhaime: I think it's very transparent and nothing has been left out.

***T. Lizotte motioned to accept the Town Council's Report as drafted by Chairman Sullivan and as amended. Seconded by J. Levesque.***

J. Sullivan: The numbers have been officially approved.

***Vote unanimously in favor.***

b. 14 – 027 Use of impact fees on old village bridge (aka Lilac Bridge)

Leo Lessard, Director DPW: My intention is to take roadway impact fees from zone 2 to get transferred to phase 1 of the engineering cost of rebuilding Lilac Bridge as a sidewalk to tie in from Veterans Dr to the other side of Riverside Dr by Robie's. I contacted the attorney and he said it was OK to use impact fees because it would be a decrease in traffic to be used as a sidewalk. It also indicates that it ties in the sidewalk from Massachusetts to the other side of Concord (~230 miles of heritage trails). If this goes through, I would have a small committee including Kathie Northrup, myself, Dr. Shankle and CMA Engineering to start the process of putting this out to bid for a structural engineer of the bridge. We will include the state historical group to see if we can get some state funded money. We have about \$700,000 in impact fees in zone 2. We have \$83,000 that has to be given back by June 2014 to contractors if we don't allocate it to something. I'd like to allocate it to this bridge.

***T. Lizotte motioned to put impact fees of \$87,831.34 in zone 2 for Phase 1 of this project for engineering and study of the Lilac Bridge. Seconded by J. Sullivan.***

R. Duhaime: I think this bridge should tie us into the river and the nice area we live in instead of being an eyesore.

D. Winterton: Are we hopeful we are getting state funds?

L. Lessard: We are hopeful. Once the engineering study is done, I'll know for sure how much it will cost to get across the bridge. I'd like to go full width 18+ feet. If not the case due to structure, but they say we can do it with an 8' path to safely cross, then we will. I want to do it the most cost effective way.

T. Lizotte: I just want to echo the comment about the sewer line under there. The structural analysis would be good to know how much time we have before something drastic happens.

D. Ross: I love antique structures but my concern is it's \$80,000 for just engineering. Is that the complete fee?

L. Lessard: I can't say that for sure but this is impact money that will have to be given back if we don't use it. I'd like to do this with all impact money so there is no impact to tax payers.

D. Ross: You feel there aren't more important things to spend this money on?

Dr. Shankle: There are various zones in town that impact fees can be used for. We looked for things to do in this zone. I do think this is an important project. We are looking at what can be done, not what we want to have done. It's going to be a useable sidewalk. This is a great project and we're glad the attorney said it made sense to use impact fees for this.

D. Ross: I just wanted to make sure there weren't any other projects in that zone more beneficial to the town.

L. Lessard: I'd like to save some money in case something comes up. Impact fees can only be used for specific things.

J. Sullivan: It is eligible for the national registry; it's on the state registry now. It will open up and connect both sides of the river. If it gets to the point the bridge affects the sewer line, it might be like the disk situation. What is the cost to move the pipe?

L. Lessard: To move it under the water, I'd say over a million dollars. It's the only 3-tressle bridge in NH.

Dr. Shankle: We've had an engineer look at it and it's structurally sound. If it wasn't we wouldn't be doing this.

A. Jennings: What is the timeline? We are closing the other bridge next year.

L. Lessard: If we get impact money, I can call the firm and we can have a result within 30-45 days hopefully. I don't want to lose momentum.

***T. Lizotte motioned to amend prior motion to add Roadway Impact Fees for Zone 2. Seconded by J. Sullivan.***

D. Winterton: I'm in favor of this project; pictures and video of the whole project might be nice to have.

**Roll Call –**

T. Lizotte – Yes  
A. Jennings – Yes  
R. Duhaime – Yes  
D. Winterton – Yes  
D. Ross – Yes  
J. Levesque – Yes  
J. Sullivan - Yes

***Vote unanimously in favor.***

**SUB-COMMITTEE REPORTS**

A. Jennings: Parks and Rec met – HYAA president came in and talked about things they are looking to do at Donati Field; Dave Hess talked about the conservation project on the east side of the river past the courthouse.

T. Lizotte: If something needs to be done on a baseball or softball field and we have a volunteer that will facilitate that, is there a way to do that so it doesn't impact Parks & Rec budget?

Dr. Shankle: I think so but I'll talk to Leo about that.

R. Duhaime: SNHPC went over broadband mapping. State spent \$30M-40M to put in fiber optic lines. The only area without cable or broadband is Deerfield. The rest of us have great broadband. There are so many benefits from it. Each town is getting recommendations about back up for internet; having all infrastructures on separate cable lines, you'd still be able to talk to every infrastructure in town. I didn't make the sewer meeting but I know they were looking forward to the legislation passing as well.

J. Sullivan: Heritage Commission - things are progressing; delay was waiting for official asbestos report but I believe it02's good news. We are looking at doing grant work - Kathie Northrup is working on getting support for the Moose Grant to restore the tin ceiling. There is a petition circulating online asking people

to sign in support. Information will be going out in early April. There was a donation for the Heritage Commission and we are looking into fundraising activities. Heritage day is on May 18, and we will be promoting that.

D. Winterton: We had a successful HYAM this month. Nominations are coming in regularly and they are fantastic. Probably have another meeting in 2 weeks. Economic Development meeting, we still are fighting for a quorum which we got. Discussion was to change the time and make sure members are still committed to attend. We moved Economic Development to get behind budget and warrant articles so that work done to benefit them would be supported by the committee. We are drafting letters to *The Union Leader* and *The Banner* showing support. Planning Board met and Sterling Homes (Summit View development off S. Bow Rd) was approved, but with much discussion. Direction was given to staff to see if conservation developments are doing what we would hope they would do regarding size of lots. According to staff, we can set lot size boundaries, so they are going to examine that to see if it is still doing what we want it to do.

D. Ross: Nothing to report.

J. Levesque: Transfer Committee – On April 7 “Chronicle”= will be there to highlight the department; April 26 is Planet Earth Day – contact Diane to volunteer. The cap on the old dump - methane levels are at 0 for last several years. They still do groundwater tests but there is not much hazard anymore. Pinard Waste wants to get involved in Hooksett.

Dr. Shankle: Pinard Waste wants to use part of the landfill for them to dump waste.

J. Levesque: It wasn't well received by the rest of the committee.

T. Lizotte: If Pinard Waste does that, is there a cost benefit to us?

Dr. Shankle: They would pay some amount the issue is giving up some control of part of our resources.

T. Lizotte: There was no budget meeting; next meeting at deliberative session.

J. Sullivan: Do we need someone to serve in your capacity for any additional budget committee meetings? We need the alternate, Nan Comai, to fill in from here on in.

T. Lizotte: There is no conflict in terms of the deliberative session.

#### **PUBLIC INPUT**

J. Sullivan: Are there any additional comments on public hearings? Seeing none, I'd like to close the following public hearings: Highway Grant for Overtime Enforcement, NH Safety Grant for DUI Overtime Patrols.

J. Levesque: Regarding the mandatory recycling, we've discussed this for how many months. We are never going to find anything out unless we vote on this. The more affirmative votes means we can bring it up again for reconsideration in the future if it doesn't work. We are never going to find out if we don't vote.

Dr. Shankle: You have to wait at least 7 days to vote according to the charter.

J. Sullivan: I will close the mandatory recycling ordinance public hearing. That will be scheduled for a vote at our next meeting. I'd like to close the pole license public hearing.

***R. Duhaime motioned to waive the rules to amend the pole license. Seconded by J. Levesque. Vote in favor 6-1.***

***J. Levesque motioned to amend the pole license to add the provisions of RSA 72:23 I, (b), providing for payment of properly assessed real and personal property taxes on Town owned property used by or under the license agreements and/or pole licenses issued to public utilities and other entities servicing the Town of Hooksett. Seconded by D. Winterton.***

***Vote unanimously in favor.***

**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,

**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.

***J. Sullivan motioned to enter non-public session at 9:30pm. Seconded by T. Lizotte.***

**Roll call**

J. Levesque – Yes

T. Lizotte – Yes

A. Jennings – Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross - Yes

J. Sullivan - Yes

***Vote unanimously in favor.***

***D. Ross motioned to extend the meeting at 9:30pm to 9:40pm. Seconded by T. Lizotte.  
Vote unanimously in favor.***

***J. Sullivan motioned to exit non-public at 9:40pm. Seconded by R. Duhaime.  
Vote unanimously in favor.***

***R. Duhaime motioned to seal the non-public minutes of 3/26/14. Seconded by T.Lizotte.  
Vote unanimously in favor.***

***D. Ross motioned to adjourn at 9:40pm. Seconded by A. Jennings.  
Vote unanimously in favor.***

Respectfully Submitted,

Tiffany Verney