

**TOWN COUNCIL MEETING MINUTES**  
**Wednesday, April 9, 2014**

**CALL TO ORDER**

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

**ROLL CALL – ATTENDANCE**

Chairman James Sullivan, Donald Winterton, David Ross, Todd Lizotte, Adam Jennings, Susan Orr (arrived at 6:32 pm), James Levesque, Dr. Dean E. Shankle, Jr. (Town Administrator)  
Missed: Nancy Comai, Robert Duhaime

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

a. Public: March 26, 2014

***T. Lizotte motioned to accept the public minutes of March 26, 2014. Seconded by J. Levesque. Vote unanimously in favor. S. Orr abstained due to prior absence.***

b. Non-public: March 26, 2014

***T. Lizotte motioned to accept the public minutes of March 26, 2014. Seconded by A. Jennings. Vote unanimously in favor. S. Orr abstained due to prior absence.***

**AGENDA OVERVIEW**

Chair Sullivan provided an overview of tonight's agenda.

**CONSENT AGENDA**

a. Acceptance of \$100 donation to Police Department

***T. Lizotte motioned to accept the consent agenda. Seconded by J. Levesque. Vote unanimously in favor.***

**TOWN ADMINISTRATOR'S REPORT**

- Busy preparing for deliberative session
- Videos for large departments/small depts. still out there on the town website
- Continuing to work on bid for liability insurance due to large increase
- Working on interviewing candidates for Fun In The Sun director position
- Hooksettites have an annual over 80's banquet; Council Chair traditionally attends (Thursday, May 15 at 12:00pm)
- Staff is going Friday to town of Amherst to look at Community Development software to see if it's something we want to consider
- This Friday afternoon at 4:15 at the State House, Governor will sign the sewer bill (helping the Walmart project move forward); Councilors invited by Sen. Boutin
- Wednesday, 4/16 at 4:00 pm there will be a site walk on the Scarpetti property along the river; Leo Lessard will be present and any Town Councilors that wish may attend also.
- Senator Forrester has sponsored legislation this session which names the scenic overlook on Route 302, across from the entrance to the Mount Washington hotel in the town of Carroll the "Raymond S. Burton Scenic Overlook." Additionally, the bill names the visitor center on the northbound side of I-93 in Hooksett in honor of the late Executive Councilor. The bill received unanimous support in the Senate and is now being heard in the House. The Public Works committee is requesting an endorsement letter from the town in order to pass the bill.

***D. Ross motioned to instruct Town Administrator to compose a letter to the Public Works committee endorsing the plan to name the Northbound I-93 rest area in honor of Councilman Ray Burton. Seconded by T. Lizotte. Vote unanimously in favor.***

- Save the date: Hooksett Earth Day clean up organized by community Development department to be held at Lambert Park on April 26 from 10 am to 1 pm
- Regionalization study came out with a guide; can be found on the Regional Planning Commission's website; there is a hard copy in Dr. Shankle's office.

- LeeAnn Moynihan has been in the Assessing Department for 18 months and just finished the IAAO-400 Administration Certification

Dr. Shankle: There was a mix-up with the posting of the positions available and after working with the Secretary of State's office and the town attorney, the Town Clerk has a solution.

Todd Rainier, Town Clerk: At the close of the filing period for open Town seats for the 2014 Hooksett Town election, an error was discovered in the listing for available "At-Large" Town Council seats. The listing of available "At-Large" was stated as the following: "(2) Councilor At-Large= three yr. term. (Must reside in Districts 1, 2, 3, 5 or 6) No DIST. 4 filings." Due to the resignation of Councilor Leslie Boswak in 2014, her At-Large seat became filled by the appointment of Adam Jennings to complete the 2014 year. However, Mrs. Boswak was elected in 2012 to a three year At-Large position, ending in 2015. Consequently, it was realized that the two At-Large seats for which candidates were filing were actually a single one year term and a single 3 year term, NOT two (3) year terms, as the filing forms had indicated. After consulting with the NH Secretary of State and Hooksett Legal Counsel about the error, it was decided the most fair and equitable means of resolution would be to re-open the filing period for the At-Large Town Council seats ONLY. Existing candidates for At-Large seats will be given the opportunity to re-file, or to notify the Town Clerk, in writing or via email, if they intend to be listed on the ballot as they are currently. Candidates wishing to file for a different term length must appear in person and file a new declaration of candidacy form with the Town Clerk. A public notice will appear in the *Union Leader* on Friday, April 11, 2014 reflecting the new filing period. The notice reads as follows:

TOWN OF HOOKSETT  
HOOKSETT, NEW HAMPSHIRE

#### NOTICE OF REOPENED FILING PERIOD FOR AT LARGE TOWN COUNCIL POSITIONS

THE FILING PERIOD FOR THE TWO (2) OPEN AT LARGE TOWN COUNCIL SEATS IN THE 2014 TOWN ELECTION IS BEING REOPENED BY THE HOOKSETT TOWN CLERK. THERE ARE 2 OPEN POSITIONS AT LARGE, ONE SEAT IS FOR A THREE (3) YEAR TERM AND ONE SEAT IS FOR A ONE (1) YEAR TERM. THE FILING PERIOD FOR THESE TWO (2) TOWN COUNCIL SEATS ONLY WILL BE FROM APRIL 11, 2014 THROUGH APRIL 17, 2014

THE TOWN CLERKS OFFICE WILL BE OPEN UNTIL 5PM ON APRIL 17TH FOR FILINGS ONLY. NO MOTOR VEHICLE TRANSACTIONS WILL BE PROCESSED AFTER 4:30PM

The three existing At-Large candidates have been notified verbally and in writing of the previously stated details.

J. Sullivan: One of the individuals interested in serving is in the audience. Will the Council let him address?

Clark Karolian: For clarification, which one can be done by email and which in writing?

T. Rainier: If any of the 3 (Mr. Sullivan, Mr. Jennings and Mr. Karolian) of you wish to retain what you have already filed for, you can notify me either in writing or via email by the close of the filing period. If you want to make a change, you need to appear in person and you will need to refile.

C. Karolian: Is this a departure from the way it was previously done?

T. Rainier: If you are staying with what you originally filed for, there is no need to appear in person. This is also open to the public again as of Friday until April 17 at 5:00 pm.

C. Karolian: Are special provisions being made for the 3 of us to come back in and refile, and the ones currently on file will be null and void? It appears that special provision is made because one of the candidates will be out of town.

T. Rainier: After hearing from the town attorney, they stated it would be logical to allow those that wish to retain the declaration they have already filed for not to appear in person; they don't need to re-file since that is already correct.

Dr. Shankle: We are trying to do something fair and equitable for all involved. Nobody would think it's fair for those who filed during the regular period to have to re-file. We are making it possible for other people to file or for those who already filed to change their filing. This is an extension of the original filing.

T. Rainier: It's being re-opened. To retain what is currently on file, the candidates can inform me via email or in writing.

T. Lizotte: If everyone has filed in the first period, why do they have to reconfirm?

Dr. Shankle: It's what the attorneys suggested to make sure it's clear and there are no misunderstandings.

T. Rainier: And with input from the Secretary of State.

### **PUBLIC INPUT: 15 Minutes**

Mary Farwell, 24 Grant Dr.: I'm here on behalf of the Library Trustees. We are intending to have a forum on May 7 at the library for Town Council candidates if there are any contested races. The other thing is I want to talk about voting day. At the deliberative session, I offered to help do anything we can to inform voters about the warrant articles. I think the explanations in the town guide were wonderful. I'd be willing to stand outside at the polls to help people understand what the warrant articles mean and I can see if I can get a couple other people as well. I can't imagine going to year 3 of a default budget.

J. Sullivan: We will be discussing that later on in the agenda, and it was my intention to discuss this at that time.

T. Lizotte: We talked about several insertions for publications and we want to revisit that under that subject matter in terms of making a document that could be handed out at the polls.

### **NOMINATIONS AND APPOINTMENTS**

a. Economic Development Committee: Daryl Dreffs

***D. Winterton motioned to appoint Daryl Dreffs to the Economic Development Committee. Seconded by T. Lizotte.***

J. Sullivan: There are currently no specified terms for those on the Economic Development Committee.

***D. Ross motioned to amend the motion to include "a term commencing now until July 1, 2017." Seconded by T. Lizotte.***

D. Ross: Any committee/board should have terms. This doesn't because it's fairly young but if we see something like this, we should fix it.

T. Lizotte: I think that since everyone has been appointed without a term but this guy, maybe we should handle this as all-encompassing instead of one at a time.

S. Orr: I think term limits are appropriate but I think putting a term limit on someone we are appointing now does not seem equitable to those already on the committee and to the new person. I think we should just appoint this person and make a movement later to start setting term limits for that particular board.

J. Sullivan: We should appoint and when we reappoint boards as of July 1 that might be the appropriate time to establish term limits.

D. Ross: The problem is we can't dis-appoint anyone on that board. They were appointed under the rules at the time they were appointed. We should start now; we can't remove anybody arbitrarily.

J. Sullivan: There are only guidelines for Town Council (Town Charter 3.2). There are methods of removing people from committees. Term limits only refer to Councilors; it's something we should ask the Town Administrator to look into that and suggest how we do that when we start appointing people.

S. Orr: I'm not suggesting we remove anyone from an existing position. The people on that committee are reasonable and fair and if we say we want to establish term limits, maybe we have them discuss what the limits are. Economic Development might need a longer term; you can't follow a business from start to finish in one year. I agree that I would ask the Town Administrator to research and see how legally we can phase in term limits for this board in a proper and respectful and legal way.

D. Ross: This would be the fairest thing to do. This is how we would phase it in with this appointment and then in the future we would ask them to step down and be re-appointed. Any public position is inherent that there are term limits.

J. Sullivan: How many members on that board?

K. Rosengren: It's 7, but there are currently 5.

***Motion fails.***

***Vote unanimously in favor of appointing Daryl Dreffs to Economic Development Committee.***

***Consensus to instruct Town Administrator to research establishing term limits for the Economic Development Committee.***

J. Levesque: Would it be a good idea to give the Economic Development Committee the charge of how to deal with the term limits and we vote on it?

J. Sullivan: I think Dr. Shankle would make overtures to that and get their ideas.

D. Winterton: I'm on that committee and I don't think the next meeting has been set. I would be in favor of having the Town Administrator move forward since there is no meeting set to discuss Councilor Levesque's suggestion.

T. Lizotte: Can we get history on the committee? I thought it was the Town Council advisory committee. I'd like to get some clarity on where the authority comes from.

J. Sullivan: We are still looking for other volunteers for the Economic Development committee.

### **SCHEDULED APPOINTMENTS**

- a. Tom Walsh for Sign Committee to discuss sign ordinance

J. Sullivan: I don't see Mr. Walsh here at this time.

D. Winterton: Mr. Walsh is opening Robie's tomorrow morning at 6:00 a.m. so he might be busy with that.

J. Sullivan: If he does show up, we can come back to this.

### **OLD BUSINESS**

- a. 14 – 028 Discussion of NH Highway Safety Agency Grant, overtime enforcement; \$7,436

J. Sullivan: We had the hearing at the last meeting.

***T. Lizotte motioned to accept the NH Highway Safety Agency Grant, overtime enforcement, in the amount of \$7,436. Seconded by S. Orr.***

S. Orr: Discussion states this is to specifically target motor vehicle violations. I understood it to assist during all the construction on Route 3 but this is not for that, this is for specific moving violations/traffic violations. Is that correct?

J. Sullivan: Police Chief is indicating yes.

***Vote unanimously in favor.***

b. 14 – 029 Discussion of NH Highway Safety Agency Grant, DUI patrols, \$10,003.50

***A. Jennings motioned to accept the NH Highway Safety Agency Grant, DUI patrols, in the amount of \$10,003.50. Seconded by S. Orr.***

S. Orr: Are we planning to do road blocks or is this standard traffic stops? How do you target that?

Chief Bartlett: This is not a road block situation, which requires a warrant. This will allow us to have officers out at times when bars are closing or during peak accident times when we can put extra patrols on the street to look for impairment. This is extra, OT time to look for indicators of impairment. We are limited to 18 shifts, at 6 hours per shift.

D. Ross: Are there any strings attached to this grant money?

Chief Bartlett: Yes, we have to put officers out in patrol cars. Afterwards, we have some paperwork to submit to make sure the funds are being supported during the times we have allotted for this program. This is a pretty liberal program. I view it as a great augmentation to the shift and provide extra coverage for impaired driving.

***Vote unanimously in favor.***

c. 14 – 031 Discussion of Main Street Bridge Project

David Scott: Prior to us coming in on March 12 we presented everything. Jason and I had recommended a traffic control option of either northbound only or southbound only. Someone voiced that the town would want alternating one-way traffic so let's consider that as an option. You were open to that option and we also heard that you wanted us to reconsider 2-way traffic with narrow lanes signed passenger cars and pick-up trucks only. We also heard you didn't want the protective screening. We took that back to the front office and they reiterated the 2-way option is not a good idea. Also, the protective screening (even with a letter absolving DOT from any issues) we will still have to put it up. It's 32' on railroad side and 64' on Riverside St. Our commissioner was present and asked why we weren't closing the bridge. Financially, we are strapped. I told him we would look at the time factor and cost in closing the bridge vs. a lane configuration. At that same meeting, there were second thoughts about the alternating lane option. The big concern is every time the light is red for those south on 3-A, the last person on the bridge needs to get across before the next person can start. The cue lights are going to cross 3-A. We need at least 25% of motorists to choose an alternate route before we don't gum up 3-A. That is not considered viable by DOT. We looked at northbound only and southbound only and compared that to bridge closure. We went back to the front office and presented those options. They said we could present both of those to you for consideration. The closure option will cost \$1.1M; the through traffic, exclusive one-way is \$1.45M. There is a \$350,000 savings that DOT is looking at. The selling point on the closure option is that it will take 7½ weeks to complete if they work 7 days a week. The other selling point is that those most affected by the detour will experience the lowest user cost if we condense that construction season to 7½ weeks. The other option would take 13 weeks, working 6 days a week. We would make provisions for school buses and emergency vehicles. We are anticipating the people most affected by the closure would cost \$430 (per driver) for bridge closure option; user cost jumps to \$600 for the alternating lane option.

T. Lizotte: Do you have any experience in a 6-day build vs. 7-day build in cutting the time almost in half? Can you define the user fee and how it is calculated on a per driver basis?

D. Scott: The way we save weeks is that everything we do accommodating the bridge in the 2-phase scenario, we have to do twice. That is how we get the savings in time. Regarding the user costs, Jason can advise.

Jason Tremblay: I had to make some assumptions on the number of vehicles going through the area. It was based off of federal design of calculating costs. The Federal Highway has a document dedicated to this. I was assuming only passengers cars, one person per car and median income of \$68,000. That

was about 27 cents/minute/vehicle that would cost. A 12-mile detour at 50 mph and assuming people regionally coming through wouldn't affect all the vehicles as some of them would pick up 93 or stay on 3, but the locals that use that bridge on a daily basis, it was affecting a certain percentage of vehicles that we have out there. That came out to \$6,500 for travel time cost. The operating cost (2013 AAA driving cost) and the average was 20 cents/mile/vehicle and that came out to \$4,000 if we still had one lane open. When I looked at the bridge closure, taking the same amount of vehicles, but assuming people heading north would take a 19 mile detour, which came up to a travel time cost of \$17,000 and operating cost of \$10,000. I got a total user cost per day times the amount of weeks/days. That was an estimated user cost of a little over \$950,000; bridge closure was \$1.4M and divided by the amount of cars came out to \$600 for one-way traffic and \$450 for bridge closure.

S. Orr: Did we do a traffic study to determine the number of cars that pass over per day?

D. Scott: About 13,000/day.

S. Orr: Is that separated by north and south?

D. Scott: We assumed half and half.

J. Tremblay: We got info from SNHPC that confirmed that it was approximately 6,500 in each direction.

S. Orr: 7 ½ weeks – what are the exact dates?

D. Scott: Based on the school calendar, we were starting on June 30, 2015. The school has not given us a first day of school yet.

J. Tremblay: The closure of the bridge would affect the traffic. There is some other work that can be done without closing the bridge.

D. Scott: For northbound only option, that would begin as soon as snow is off the ground.

S. Orr: There is potential that work can start earlier and go later for the bridge closure scenario?

D. Scott: We are keeping it within the time frame that school buses will not be traveling.

S. Orr: I just want to make sure it does not affect the Old Home Days event.

J. Tremblay: The intent was to not impact bus traffic.

D. Winterton: I would really like to hear from our fire and police chiefs in terms of total closure and what that does to the safety. While a total bridge closure might be beneficial for a number of other reasons that might not be the best in terms of safety. If this happens and we are saving DOT over \$300,000, we may impact significant OT costs for public safety. Could the town get that back from whoever sits in the front office?

D. Scott: DOT has no way of splitting the costs.

D. Winterton: I abhor the name "front office" as they are people that have names and positions. If they are making decisions on the safety of our town, I'd like to know their names and positions.

Chief Bartlett: I want to make you aware of my concerns that I sent to DOT regarding total closure. Response times – based on their assessments, you have a 12 mile detour (12 miles from west side of the bridge to the highway) and 19 miles from east side of bridge to the highway. If I have 2 officers working on Merrimack St. and they have to go over to West Side Dr. that is a 30+ mile response. I ran some statistical data relative to calls on the west side of town: in 2011 there were 90 alarms; 36 arrests; 8-10 domestic violence calls. 2012 – Relatively the same figures: 70 alarms; 28 arrests; 5 domestic disturbance; 5 residential burglaries. In 2013: 60 alarms; 51 arrests; 9 disturbance calls; 9 residential burglaries; 44 thefts/willful concealment calls from retail sector at exit 10. Our response time is going to grow significantly if I don't place a dedicated unit on the west side of town. With current staffing levels,

that is OT for me. It will be 24 hours a day because if I reduce my staffing levels, even for the midnight shift, then I'm only going to have one or two officers that will be able to respond for the entire town. With the bridge closure, it's something that Council needs to consider. Either option will prove to be difficult but a total closure means I would have to make operational changes to make sure we had adequate coverage for emergency calls on that side of the bridge.

D. Scott: It's 12 miles from one end and back up, so 6 miles each way. It's still significant, but I wanted to clarify.

A. Jennings: For Exit 10 shops, do they go down Hooksett Rd?

Chief Bartlett: South sector (covers from Legends Drive to the highway) is all one sector; the north sector will cover south side when I have 2 officers working. If that unit is tied up, the south car, depending on location and what the call is, the dispatcher will ask that unit for assistance. Usually the north sector car will go to the west side calls.

J. Sullivan: Would you create an east/west sector?

Chief Bartlett: I'd like to have a dedicated unit for the west side. They would take care of calls relative to emergency response. Now that we have the new computer systems the cruisers are self-contained offices. I would like to have a dedicated unit to that side of the river if the bridge closure were to happen.

J. Sullivan: Exclusive one-way traffic, most likely northbound?

D. Scott: They will drive 6 miles up and 6 miles back to 93, but up to Concord that is 19 miles.

J. Sullivan: On the full closure, that's a 7-day work week?

D. Scott: We need to confirm that town ordinances allow Sunday work.

J. Sullivan: Your supervisor will support whatever option we agree on?

D. Scott: He preferred the bridge closure option. The second meeting we went to, the Director and Asst. Commissioner said to present both options to you.

S. Orr: Chief, I want to get a better understanding of assigning patrols. You say you have a north and south patrol. You were talking about wanting to implement a west side patrol. When you gave us those statistics, those were for the west side only for a 3-month period? What is the percentage for each side?

Chief Bartlett: Because of the retail sector, we spend a lot of time dealing with shoplifting, willful concealment and strong arm robbery calls more on the west side.

S. Orr: What would the impact be to have an east and west instead of north and south patrol?

Chief Bartlett: With current staffing levels, I'm not guaranteed that 2 patrol officers are working. I have to work within the OT constraints in my budget.

S. Orr: The response time is shorter because you have the option of going over the Main St. Bridge or the highway at exit 9. With the elimination of one of those, you'd still have the same situation where you would have a patrol going to the west side from the east side, but it would just take longer correct?

Chief Bartlett: Yes, if I don't have a dedicated unit on the west side that is correct.

S. Orr: There is usually one patrol car on the road, sometimes 2 depending on the time of day, on the road in Hooksett.

Chief Bartlett: We have a minimum of one officer with a supervisor.

S. Orr: If we have to close this bridge, you would feel more comfortable having a patrol car on the west side at all times?

Chief Bartlett: I would. Because of response times, if the officer on the east side is tied up, the added distance is going to add to that as well.

D. Ross: I am strongly opposed to total closure for the safety reasons as well as the economic strain on the people that do business in the town. It seems like we would only do that to save time and money for DOT and they don't seem to want to compensate the town for any savings. I'd say what we are charged with is safety of the citizens.

D. Scott: My best pitch for full closure is it minimizes the construction window and you are saving \$150/motorist; about 1,650 vehicles per day. (3,200 drivers \$150/construction period.)

D. Ross: I'd contend most of those drivers are not Hooksett residents.

***Consensus to allow Mrs. Farwell to address Council.***

M. Farwell: Mr. Scott said if there was a total closure option, there is a savings of \$350,000. What if you work 7 days/week, 16 hours/day - would that shorten the amount of time? How can we compress the amount of time the bridge is actually closed? The chief is short staffed and this would put a burden on his budget. Based on when this starts, that is the beginning of a fiscal year so you might be able to add that into his budget. I don't know if that is an option, but I don't know why it wouldn't be.

D. Scott: I don't think we can confidently say we could shorten the time. They will already be there for 12 hours a day at the 7 ½ weeks.

M. Farwell: If you could shrink the amount of time the bridge is closed, you might find more support from the Council.

S. Orr: I have to say that even if you shorten the closure to fewer than 7 ½ weeks, and if someone has a fire and the truck can't get to the home, I don't want to be the one to face the homeowner and say we authorized this closure and you lost your home.

J. Sullivan: If a fire occurs on 3-A, Village Station responds first. Clearly there would be an impact but I think it would affect police more.

Dr. Shankle: Before you decide, one thing you might want to think about is we are talking about the difference on no impact on schools/bussing and a significant impact on schools/bussing. We just went through something where people said there kids were on the bus too long. Maybe this is something the school board should look at in terms of what impact this is going to have on them.

D. Scott: Our intention, if we go with the 13-week option, is to have temporary signals so fire and police/busses can get through.

A. Jennings: How much of that \$350,000 savings would go toward shoring up the old Lilac Bridge?

D. Scott: Is it in the state bridge program? I will ask, if you are serious.

T. Lizotte: Listening to everything, it would be nice to know is to match the chief's statistics to the time of day so we know when peak times are. We have all witnessed Hackett Hill and the cueing there. I don't care what you do with the lights; the fire truck is not going to make it through easily with all the traffic there. You have to consider the school piece and take all this into consideration. The short time frame just might be viable. Not everyone is going to be happy no matter what we decide.

D. Scott: We will start in April if you choose the 13-week option. We'd be fine if you had a consensus within 4 weeks from tonight.

D. Winterton: If we do the total closure, is there still foot and bike traffic available on the bridge?



D. Scott: No.

D. Ross: I prefer to hold off and see the rest of the Council here.

***S. Orr motioned to table this item and address at the next meeting; Town Administrator to approach school board for input on bussing and any other issues brought up as a result. Seconded by T. Lizotte. Vote unanimously in favor.***

### **5 MINUTE RECESS**

d. 14 – 026 Discussion re: Deliberative session results

J. Sullivan: We had full staff, full Council and about 45 residents. One of the questions was how will we explain what is going on the ballot? Dr. Shankle referred to videos that appear on the website on the home page. There is information from each department. What else can we do?

S. Orr: A thought – I know the voting guide is there. If you are going in to vote, that book can be daunting. The sheets handed out at the deliberative session, if we copy those pages and have somebody handing those to voters so they only have to look at a few pages, might make it as simple and quick as possible.

J. Sullivan: How many would we produce and the moderator is a little concerned about campaign items being left in the voting booth. I think it's a good idea but maybe we can enlarge them and put them on the walls and maybe have Councilors outside to answer questions.

T. Lizotte: We tasked the Town Administrator with the info graphic which I think was somewhat effective. You can put an insert in the *Union Leader* and maybe Dr. Shankle has some thoughts on this. It's 8 ½ x 11 and is under \$400. That might be effective. I think we should allow Dr. Shankle to look at a couple different ways to do this. It could serve as a handout as well as diverting from several inserts to one in the *Union Leader*.

Dr. Shankle: If we were going to do an insert, we could do what Councilor Orr said and use it as a handout.

D. Ross: I have a problem with us doing things as a body that could be construed as campaigning. We have discussed the articles and moved them on to the ballot. We have had the deliberative session and answered questions. It shouldn't be this Council's function to appoint someone to campaign; they are free to do that on their own. I think we are treading in an area we shouldn't be. As an individual for our own seats, we can campaign, but as a body I don't think so.

S. Orr: We are trying to inform. There is nothing in that book, in my opinion, leading voters in any direction. I'm hoping we can make it simpler for voters to make informed decisions. I see it as providing information, not swaying voters in either direction. The charts might be a gray area, but the sheets that were created are good information. I see your point and I don't want us to appear as a body that we are influencing voters but I think it's our role to educate and inform.

Dr. Shankle: We created this to inform the public. If you tell me to inform the public, I will move ahead with that and you don't have to do anything else.

J. Sullivan: In the past, Council created a newsletter. We have to be careful about using public money to campaign. Individually we can stump, but not as a body. Providing information I think would be fine.

D. Ross: We have done what is traditionally done and printed this book; videos are on the web for those that want to be informed. Spending money and the concern about flyers being left in the booth has been a concern. We have offered the information so I don't think it's up to us to spend money to inform the public any more than we already have. The only confusing item I saw is the way the tax impact is displayed for each article. It is not an equitable representation and I find it to be confusing. That is one fault that I saw and hopefully next year we can make it clearer.

A. Jennings: Any warrants passed last year, people have already seen that impact on taxes. There was no delineation between which warrant articles were on last year and which weren't.

S. Orr: We've had somebody offer to hand out flyers at the polls. What if we had a designated person to collect these items at the door before they walk in? We have volunteers who have offered to help. Is it feasible? Is it not feasible? At the point of sale, that is where it has the most impact. I don't want to spoon feed people but I want them to have all the information they need to make informed decisions. Can we come to an agreement on how we want to handle that?

J. Sullivan: I would prefer not to hand things out, but if we create a big sheet for each article and post them and have people look at them instead of handing them out, we could ask a Councilor to stand there to answer any questions, which is allowed.

J. Levesque: Along the same lines, why don't we post it here and at the library, post on the glass so people can read it through the glass? We need to make it known that these are out here. I think the poster idea is a good one.

J. Sullivan: What do we want to do to educate and inform within our guidelines?

S. Orr: I agree the poster is a great compromise.

J. Sullivan: Whatever we decide, Administration will provide. We will make posters and find the best location for posting.

***Consensus to allow Town Clerk to address Council.***

T. Rainier: I think it behooves us to educate voters by as many avenues as possible. Dr. Shankle requested I poll the Secretary of State on the poster idea. I have not received confirmation one way or the other yet. I will get the information to you as soon as I receive it. I would not advise making any decisions yet. Based on the school vote, with any flyers/brochures, if it's something that someone can walk with, it can be left at the polls. It would cause the already taxed volunteers to police the booths at the same time.

Dr. Shankle: How do you distribute the sample ballot?

T. Rainier: It's on the website and can be picked up at the office.

Dr. Shankle: Presumably they could walk into the polls with this sample ballot filled out how they are going to vote.

T. Rainier: Based on my limited experience with Election Day procedure, I guess they could.

***Consensus to create and post large posters as appropriate.***

J. Sullivan: We can put something in the Banner, as individuals, highlighting what we spoke on and providing information – that might be an option. We can urge them to view the videos on the website and post information in other public areas.

T. Lizotte: Although each of us can voice our opinion, in terms of the Board, I'd rather it come from the Board. A statement from the Board in general I'd be willing to entertain.

J. Sullivan: I was thinking we would just reiterate what was in the voters' guide, as individuals, on behalf of the Town Council.

T. Lizotte: In some cases, there were dissenting votes so coming from the Board, we can grant you authority to put something in the paper. It would be better speaking as a Board than individuals.

J. Sullivan: Then I would do what I stated, breaking it into 2 sections and using the exact information in the voters' guide.

S. Orr: I'm not sure I agree with that. Because then we are speaking as a Board to try to influence the voters. That allows for the fact that not everyone agreed with that. If you're going to write a letter, identify yourself as a Councilor and state that the Council recommended it by this vote.

T. Lizotte: If there are no changes, other than here is the information, I think that is the most transparent. It's public knowledge. We can say we allowed the Chair to work with Dr. Shankle and the Town Clerk so we get the blessing of the Dept. of State.

A. Jennings: Voters' guide, is it online? Can we just have an article stating it's online or you can get a copy at these locations? We are still putting information out there without leading people.

Dr. Shankle: If you want to put something together that Council supports, in the voters' guide there is a Town Council report. If the Chair wants, he can pull information out of this and make a letter to the editor using information you have already approved.

D. Winterton: I think if we passionately or enthusiastically are worried about a couple of the warrant articles that is where the point of sale is. If you need to develop a team, we do it on our own

***Consensus for Chair to work with Town Administrator to draft generic information to put in the Banner.***

Dr. Shankle: When we put the information in before, I told them we would put it in again so we will before the election.

J. Sullivan: We will have poster boards with the information from the voters' guide. I will work with Dr. Shankle and create a letter for the *Banner*.

T. Lizotte: If we could request from the Administrative staff, a sheet that indicates what the tax impact would be to someone with a median household income, what it was prior to last year, so that if anyone references that, we are all referencing the same thing. It would be nice to have that information, and a breakdown on what the tax rate is based on county, school, state, town and the tally from valuations from last year and this year. Only the Councilors will have that information.

J. Sullivan: Once we ask them to get that information and put it in a format, it becomes public information so it should be posted somewhere as information we are talking about.

e. 14 – 030 Discussion of Mandatory Recycling Ordinance

J. Sullivan: We had a public hearing at our last meeting. According to Town Charter 3.6, "*Final action on said ordinance shall not be taken by the Town Council until at least seven (7) days after said public hearing.*" It has been 7 days since the public hearing.

***S. Orr motioned to accept the proposed Mandatory Recycling Ordinance. Seconded by J. Levesque.***

D. Ross: I'd like to know if the Town Administrator has come up with any numbers since our last meeting. How much money came out of the reserve fund to purchase vehicles and how much remains there, some kind of metric that tells us if it's working or not. My concern is I haven't seen anything put in front of me showing where we would be vs. where we are and how much money we have saved. We've heard nothing but anecdotal evidence since day 1. To pass an ordinance without any hard numbers or statistical data to support it, I think is totally out of order.

T. Lizotte: The tax payers pay for this service. I wasn't moved on the aspect of getting any large gains from this. My research indicates that if we are truly at 30% we are doing very well. As a community, this shows there is a response. Maybe we can pilot this by creating constraints on the town property (Transfer Station) to understand how this is going to be enforced. I think it's premature and the wrong thing to do so I won't be supporting it.

J. Sullivan: This Council does know what its authority is. As the poll last year indicated, regardless of the outcome, we need to look to that for guidance. We got a good survey and the voters said yes they were

interested in mandatory recycling. If it was the other way, I would not consider that. We have the reflection of the voters that we should pursue that. Once you put it in place, taking it back can be difficult. We can ask for a trial basis and after 6 months, if it's not working, we can always repeal it. The town provides barrels for trash and recycling. We have requirements of what we can accept at the transfer station. There are options since we provide the barrels. I'm not sure how we moved from taking away the barrels to fines, maybe we should look at that again. I think there are things the Superintendent and administration can do. If we really want to save money, we can say no more curbside recycling or pick up. We don't want to go that far, so we have to be careful. The voters did say to proceed and I am leaning that way.

D. Ross: It was sold as an advisory only issue which would indicate to people that it's coming back again, and this means it's not coming back again.

J. Sullivan: Since they gave an indication, advisory only, then what is the point of placing it on the ballot before? Under the Charter, it states Council is responsible for the ordinances.

D. Winterton: I think the recycling program has worked incredibly well. One of the things that bothers me is the 1%. Creating legislation for 99% to deal with the 1%, I don't like. I think education is the proper way to increase recycling. I hate the word mandatory. I will continue to recycle no matter what the legislation is. The voters asked us to investigate mandatory recycling and we have. I would support Councilor Lizotte's proposal to institute fines on town property where it could be monitored via video. I will not be supporting this motion. It troubles me to vote this way because my heart is in recycling but not in mandatory.

S. Orr: As much as I hate to do this because we are short 2 Councilors tonight, I think we have had enough discussion; I'd like to call the vote.

#### **Roll Call**

S. Orr – Yes  
A. Jennings – No  
D. Winterton – No  
D. Ross – No  
J. Levesque – Yes  
T. Lizotte – No  
J. Sullivan – Yes

***Does not pass the requirement and fails 3-4.***

A. Jennings: A mandatory ordinance seems like a whole lot for 50-100 violators; I heard that the standard operating procedure in place was to send out letters. I think that is the right step – educate people with letters. We heard the article in the *Banner* increased recycling.

T. Lizotte: I was at the deliberative session and I offered a motion to add in "with fines." Now we come to this point and we have an ordinance with fines in it. The voters looked at it and saw mandatory. The reason I made that motion was not for a scare tactic but transparency. Do you want to have a program that you pay for with your taxes, and if you don't do something the way that we tell you to do it 100% of the time, you are going to be fined? This should be brought back to the voters so they understand that it is mandatory and there are penalties and they can vote based on that. If we piloted this program in areas we control, we would give authority to the town from that standpoint, in terms of a system of collection of materials in which the town pays for.

J. Sullivan: We own the barrels; who owns what is put in that barrel? An extension of that is we can apply fines to the barrels because people are not using town property correctly.

J. Levesque: I've been for this for a long time. The things that they pick up in the trash, they have to have some kind of authority.

D. Ross: It still sounds anecdotal to me. It's heavy handed and unnecessary. I personally think it's going to backfire.

**Roll Call**

T. Lizotte – No  
S. Orr – Yes  
A. Jennings – No  
D. Winterton – No  
D. Ross – No  
J. Levesque – Yes  
J. Sullivan – Yes

***Adoption of the Mandatory Recycling Ordinance defeated 3-4.***

**NEW BUSINESS**

a. 14 – 032 Discussion of use of transfer station by a private business

D. Boyce: We were approached by Pinard Waste to work with the town to use our transfer station. They need a transfer station to bring trash to Bethlehem. It would be very hard for them to get a permit. At first he wanted a 10-year contract, and wanted to use our equipment and personnel. We have nothing to bring to the Council so we asked them for a proposal. It has an impact for us and against us. We wanted you to see the proposal. It is something we should figure out if we want to go forward with.

Dr. Shankle: We'd like you to authorize us to sit with them.

***T. Lizotte motioned to give authority to Town Administrator and Superintendent of Recycling & Transfer to engage in a discussion to get finer details on this proposal. Seconded by S. Orr.***

D. Ross: How do you feel about this?

D. Boyce: I'd love to see the town make money but I see a lot of negative too. Before our curbside recycling I would have said we couldn't deal with the traffic. With the weather getting nicer, the traffic will pick up. We will have to have waivers for our building protecting us from any damage done to our buildings. There is a lot we would have to put into this to make sure we are covered. I would never agree to our equipment or personnel.

D. Ross: We are creating more work for our people to deal with other vehicles coming and going, making sure their trash isn't mixing with our trash and other potential problems. Another item is they are using this as a way to compete. I don't think it's proper for a town to partner with a private industry for the purpose of competition. Hooksett needs to take care of Hooksett. I get a bad feeling about this.

J. Levesque: He is offering a minimum of \$5/ton and using our equipment to load his trailers. 4 truckloads/day will have to go out to get 500 tons/week. How are you going to keep this stuff separate? I see this as a nightmare. Even if it was \$10/ton I don't see how it would work logistically.

J. Sullivan: We need to have a contract that would be reviewed but it's worth getting more details before we proceed. We will make sure these questions are addressed.

S. Orr: When you do this research, maybe one of the options could be renting them some land in the back. This could not be feasible, but this is what I think you need.

D. Boyce: They would actually need the building too. They are going to make out more than we are.

D. Winterton: I'd be in favor of the motion to continue talks with Pinard Waste. Part of the negotiations would be to make sure we got a better deal.

***Vote unanimously in favor.***

b. 14 – 033 Discussion of Amendment to alarm ordinance

Dr. Shankle: If any of you decide you want this to go forward, we go through the process of posting so this is very preliminary.

Capt. Daigle: Chief Bartlett had to leave and asked me to request that these 2 items be tabled for a future meeting when he is able to be in attendance.

***D. Ross motioned to table this item. Seconded by T. Lizotte.***

c. 14 – 034 Discussion of pawn shop ordinance

***D. Ross motioned to table this item. Seconded by D. Winterton.***

**SUB-COMMITTEE REPORTS**

A. Jennings: Nothing to report.

S. Orr: Nothing to report.

J. Sullivan: Old Town Hall had a good meeting – We have a new chairperson that has more time and flexibility so I stepped down to allow Kathie Northrup to become chair. We reviewed the hazmat report – there are 2 areas where there is asbestos – small bathroom upstairs and landing going downstairs. Also there is an indication of lead paint but we are painting over that. Based on that and engineering report, Tom Walsh and Superintendent of Highway will proceed with taking down some partitions to expose the opening and will maintain that because we are seeking a Moose Plate Grant to restore the tin ceiling. By keeping the second floor we will be able to fix that without requiring additional scaffolding. Asbestos abatement will start next year when we get more money. We are looking at fundraising ideas – Family Feud and additional souvenirs. It was decided that the Heritage Commission will take over merchandising so any funds raised will go toward Old Town Hall renovation. We are meeting with the architect to discuss plans.

D. Winterton: Hooksett Youth Achiever Committee met and we have chosen a recipient and I will confirm they can make it to our next meeting. Planning Board met Monday – SNHU was in talking about access road that is gated where W. Alice meets Donati. There were a number of abutters that attended, mostly expressing displeasure with traffic on Donati Dr. and concern about if that road comes through, would dorms be built close to their house and questions about why the road was being built. Engineer addressed most issues and we went forward with the road because it's a private road. The other issue is 99 Mammoth Rd with a 21-unit apartment building – pretty curvy road and there are some steep grades. Stantec and Leo weighed in on having some supporting walls built. They needed approval to move forward, and we came to a compromise – they have conditional approval to get a contractor to see if they can build this wall to the town's satisfaction. They have 180 days to come back with conditional approval for the town to approve the walls they want to build. I think it's positive that we came to a compromise that satisfied everybody's needs.

***D. Ross motioned to extend the meeting by 5 minutes. Seconded by T. Lizotte.***

D. Ross: Conservation did not meet but an issue came forward to sign off on a bio-solids application permit. This is needed to be signed off by the town since the town is now the owner of the property. This permit expires on August 14 and will need to be reapplied for. The person needs to have it signed off in order to get the growing season this year. I believe the Chair can sign these - it's the town signing off on its agreement that it's OK for the state to allow this permitted use to continue until Aug 14 when there is a new application procedure.

***D. Ross motioned to allow Chair to sign off the bio-solids application permit on behalf of Council. Seconded by T. Lizotte.***

***Vote unanimously in favor.***

D. Ross: David Hess can advise on any questions.

J. Levesque: ZBA – Jeff Larrabee has a sign he wants to put on the highway off of Hackett Hill Road; since there were only 4 board members they asked for a continuance until 5 members were present. SNHU spoke regarding the access road – they had a 40' setback buffer and they reduced the amount of wetlands by 10,000 sq. ft. so that passed. There was a new hearing - Kevin Mascone rents a building from John Kelly on Rt. 3 to sell motor vehicles. He wants to get a motor vehicle inspection station license, but he couldn't because it's a groundwater resource district. He didn't call or show up for the meeting so the Board granted a continuance but he would have to re-notify the abutters.

T. Lizotte: Nothing to report.

**PUBLIC INPUT**

Todd Rainier, 1 Veterans Drive: I'm here on behalf of my wife Heather and our son Nathaniel. Many of you are familiar with Veterans Drive. It's us, the Congregational church, Jacobs Memorial, Veterans Park, the new monument planter and sign, the Lilac Bridge and the sewer pumping station. Over the years there has been a considerable issue with excess traffic speeding up and down our road, parking in the grass area below the Main St. Bridge. There is a substantial amount of land and people have been parking there, walking over the railroad bridge and using the sandbar for river access which is trespassing. The traffic is typically driving by with excessive speed, even drag racing. Last year, a group of teenage boys drove by and were cursing and yelling at me out their door. I'm asking the Council to reconsider something that was brought up before, which is putting up posted signs to notify people that do not know that they are trespassing that they are trespassing. Some of the property immediately adjacent to the road is town property, some is state property and some is railroad property but the railroad doesn't police their property very much.

***D. Ross motioned to extend the meeting by 5 minutes. Seconded by D. Winterton.***

T. Rainier: If we call the police, a crime has to be in progress. They don't know they are trespassing on town property. There have been a number of calls for injured persons. I know putting signs up isn't going to put a stop to things, but if someone sees a no trespassing sign, they will think twice before they return and it will give the police something to enforce.

J. Sullivan: I'd ask Dr. Shankle to look at that to see what we can do to address your concerns.

D. Ross: I saw adults dropping their kids off at the railroad bridge to swim and going back to pick them up.

Marc Miville, 42 Main St: I'd suggest addressing Mr. Ross' concern that it's important for citizens to be informed. There is only so much we can do. Between the Council and Budget Committee, we have been working on this for 8 months, and if they are not educated on their own there is just so much we can do. Even at this point we should still reach out to them. I wrote 3 letters to the editor last year in preparation for the election, and I'm considering doing that again. I had written a letter to the editor where they see a total of \$6.71, and I had addressed in that letter explaining the difference between a tax share and a tax rate. Perhaps the Finance Director could write a letter to address that. There is a lot of confusion for people that don't understand. I'd also suggest an information table as the voters approach the school staffed by Councilors and Budget Committee members indicating budget/warrant questions information tables. If you had an info table, maybe we would get more citizens to stop and ask questions. I wrote a letter in the voters' guide as part of the Budget Committee Chairman's letter, and I was considering posting that as a letter to the editor but I'm not sure if I would need Budget Committee approval to do that.

***D. Ross motioned to adjourn at 9:41 pm. Seconded by T. Lizotte.  
Vote unanimously in favor.***

**NON-PUBLIC SESSION**

None

Respectfully Submitted,

Tiffany Verney