

TOWN COUNCIL MEETING MINUTES
Wednesday, July 9, 2014

CALL TO ORDER

Town Administrator, Dr. Dean E. Shankle, Jr. called the meeting to order at 6:30pm.

ROLL CALL – ATTENDANCE

Nancy Comai, Robert Duhaime, Donald Winterton, J. Levesque (arrived at 6:37 pm), David Ross, James Sullivan, Susan Orr, Adam Jennings, Dr. Dean E. Shankle, Jr. (Town Administrator)

Missed: Todd Lizotte

PLEDGE OF ALLEGIANCE

SPECIAL ITEMS

Town Council Reorganization

a. Chair

N. Comai motioned to nominate J. Sullivan as Chairman. Seconded by S. Orr. Vote unanimously in favor.

b. Vice Chair

R. Duhaime motioned to nominate N. Comai as Vice Chair. Seconded by D. Winterton. Vote unanimously in favor.

c. Secretary

D. Ross motioned to nominate T. Lizotte as Secretary with the disclaimer that if he cannot serve he can make that known at the next meeting of the Town Council. Seconded by A. Jennings. Vote unanimously in favor.

Town Council Sub-Committees

Disclaimer – It was noted from the Chair that if anyone who was not present, but listed on a Board or Committee, they can contact Council if they wish to be removed.

Board of Assessors: (Per RSA 41:2-g)

J. Sullivan asked if all who are present and currently serve on the Board of Assessors would like to serve again and all stated "yes."

There was a discussion regarding a possible conflict of interest with T. Lizotte serving on the Board of Assessors as well as the School Board. It was suggested by J. Sullivan to have the Administrator place a call to the local government center to obtain clarification on a possible conflict of interest, if there needs to be five members, and also clarification on a super minority of the Council approving assessment if there is a 3-2 vote at an assessors meeting. S. Orr asked if there would be a full quorum of the Board of Assessors if there are only three people serving. D. Shankle suggested continuing with the five listed and stated that the Board of Assessors is a creation of the Council and the Council can put whatever rules they want on them, but ultimately if someone wants to appeal their decision they should come to the Council. The Council, according to the Charter, are the Board of Assessors. It was agreed that the Council was comfortable with how it exists and with Mr. Lizotte serving on the Board of Assessors.

Board of Assessors - N. Comai J. Levesque T. Lizotte S. Orr D. Ross

Budget Committee Liaison: (Per RSA 32:15, Voting Member)

N. Comai: I would like to serve if absolutely necessary but would like to offer it to someone else.

J. Sullivan: T. Lizotte cannot serve on the Budget Committee, nor can I. We need a Budget Committee Rep. Mr. Winterton, are you interested?

D. Winterton: Sure.

D. Ross: I will volunteer for the alternate position.

Budget Committee Town Council Reps. - D. Winterton D. Ross (alternate)

Cable Franchise Advisory Board: (formed 5/23/12)

J. Sullivan: We approved the new contract but I think we should keep that because there are some funds that could be used.

D. Shankle: It would not hurt to keep it. If an issue came up you would have a place to send it to.

J. Sullivan: Would Mrs. Comai like to serve as the Council Rep.?

N. Comai: Sure.

J. Sullivan: Could we ask the others if they would like to serve again.

N. Comai: I would ask the Council to give us a scope of work first because we don't have direction and then we will reach out the community to get members.

J. Sullivan: We can schedule a discussion of the Cable Franchise Advisory Board charge on a future agenda?

Cable Franchise Advisory Board Town Council Rep. - N. Comai

Capital Improvement Projects (CIP): (Per Town Charter Section 5.7)

R. Duhaime nominated himself as the Town Council Rep. The Board unanimously accepted his nomination.

Capital Improvement Projects Committee Town Council Rep. - R. Duhaime

Conservation Commission Liaison: (Per RSA 36-A:3, Voting Member)

J. Sullivan: Mr. Ross would you like to continue?

D. Ross: I would, however, Mr. Lizotte expressed an interest in serving on the Conservation Commission as a Council Rep. Formerly he was listed as the alternate. I would be willing to switch positions with Councilor Lizotte.

Conservation Commission Town Council Rep. - T. Lizotte D. Ross (alternate).

Economic Development Committee: (formed 3/28/07) – to explore future economic development opportunities.

J. Sullivan: We need a Council Rep. and I think they are looking for direction.

D. Winterton: They are looking for direction and I would prefer not to be on Economic Development.

J. Sullivan: Is anyone else interested? They have a change in the Chair and where are they are looking for direction, perhaps we should have a discussion on what we believe the Economic Development Committee should be doing, give them guidance, and then we can appoint.

R. Duhaime: That is a good idea.

Economic Development Committee – TBD

Heritage Commission: (Per RSA 673:4-a, Voting Member)

J. Sullivan stated he would like to serve again.

Heritage Commission Town Council Rep. - J. Sullivan

Parks and Recreation Liaison: (Per RSA 35:B:4, Nonvoting Member)

A. Jennings stated he would like to serve again.

Parks and Recreation Town Council Rep. - A. Jennings

Perambulation: (Charge 7/22/92 – pg. 6) – to walk bounds of Hooksett with the bordering town/cities.

J. Sullivan: Are there towns that we still need to perambulate?

D. Shankle: You need to do one every 10 years but you never do all of them in the same year. It rotates each year.

Perambulation Town Council Rep. - R. Duhaime

Planning Board Rep: (Per RSA 673:2,6, Voting Member)

D. Winterton and R. Duhaime both expressed they would like to serve again with R. Duhaime stating that he would like the full time position and have D. Winterton be the alternate.

J. Sullivan: We have two interested people.

D. Ross nominated Robert Duhaime to Planning Board Rep.

J. Levesque nominated D. Winterton.

D. Winterton: I would hope to be reappointed to the Planning Board. I have served for two years and have missed only one meeting when I was out of the country which I listened to on the internet. I have been a part of a Planning Board that has changed cultures. We have a fantastic Chairman in Mr. Rogers who has brought a tremendous new flavor to the Planning Board and I think it has become a different culture that is examining, demanding but welcoming, and encourages people to come to Hooksett. I think I have done a good job.

R. Duhaime: I had served for ten years until this Board relieved me of my duties. I wanted to stay on the Planning Board. I served three years as alternate, became a full member, and then became Vice Chair. I was not reappointed, and was disappointed, and that is how I ended up serving on the Council. I enjoy Planning, it fits my trade, it keeps me active in the town. My memory goes back to my youth and I have known a lot of the builders and worked with some of them, but have always tried to keep the agenda to what can benefit the Town of Hooksett. I was second in seniority and was hoping to stay on that Board.

N. Comai: Who else is on the Planning Board?

D. Winterton: The voting members are: F. Kotowski, T. Walsh, D. Marshall, Chairman Rogers, myself, Tom Prasol, and Paul Scarpetti. The alternates are: Muamer Durakovic and Michael DiBitetto.

S. Orr: Mr. Winterton, how long have you been on the Board?

D. Winterton: I was an alternate, became a full member, and then when I moved to the Town Council I became the Council Rep. I have been a full member for two years.

S. Orr: Since you have been a Town Councilor you have been Council Rep. for one?

D. Winterton: Yes.

D. Ross: How long have each of you lived in Hooksett?

D. Winterton: Since September of 2011. My roots are in Hooksett. They go back to the Prescott's and the Robies. I have lived in Hooksett, was born and brought up in Manchester, lived in Manchester, Portsmouth and Atkinson, Manchester again, Auburn and Hooksett. I have also lived in Florida.

R. Duhaime: I moved here in the early 1970's, went through the Hooksett school system, moved to Manchester for a year and then moved back. For a couple of years I lived elsewhere besides Hooksett, but have been at the same residence now for the last 17 or 18 years.

Roll Call

S. Orr: D. Winterton

A. Jennings: D. Winterton

N. Comai: D. Winterton

R. Duhaime: R. Duhaime

D. Winterton: D. Winterton

D. Ross: R. Duhaime

J. Levesque: D. Winterton

J. Sullivan: D. Winterton

Vote in favor of D. Winterton, 6-2

**Recycling & Transfer Advisory Committee Liaison: (Per 1986 Warrant Article #30, voting member)
(Name changed from Solid Waste Advisory Board, 10/25/06)**

J. Levesque stated that he will continue serving if no one else is interested.

Recycling & Transfer Advisory Committee Town Council Rep. - J. Levesque

Sewer Commission Rep: (Appointed 8/22/07)

R. Duhaime stated that he will continue serving if no one else is interested.

Sewer Commission Town Council Rep. - R. Duhaime

Town Hall Preservation Committee (formed 6/10/09)

J. Sullivan mentioned that he would serve if no one else is interested and then said that he didn't think there would be a problem with having two Reps.

Town Hall Preservation Committee Town Council Rep. - J. Sullivan

**Fire Union Negotiations: (Charge 7/22/92 – pg. 6) – to handle negotiations with the Fire Union.
Inactive**

**Public Works/Recycling & Transfer Union Negotiations: - (Appointed 12/14/11) to handle negotiations with the Public Works/Recycling & Transfer Union
Police Union Negotiations**

J. Sullivan asked for thoughts on if the Fire Union Negotiations Committee, Public Works/Recycling & Transfer Union Negotiation Committee, and Police Union Negotiation Committee should all have the same people serving or if it should be broken up. He stated that if they are broken up he believes they should all be in sync with their approach.

D. Ross: Are the negotiation processes happening at the same time?

D. Shankle: Yes because we have to have the warrant articles done at the same time.

J. Sullivan: So the new contract would be up for the vote in May, 2015?

D.Shankle: Yes for all three. I would suggest that if it is not the same people, it is important that everyone is like minded, especially if there are things regarding insurance and such. If one team is giving things away and another one is not that will create issues. They should be willing to coordinate closely.

D. Winterton: I would suggest that we have one negotiating team. I know it will be a commitment of time. Todd and I were on the Police Union Negotiating team and fortunately Todd and I were able to attend. They were during the day and many days we were there for 4-5 hours. I am willing to make the commitment to be on all three committees and I believe Todd's communication today was the same.

N. Comai: Were you inferring that the group should be the people who were on it in the past?

D. Shankle: Not necessarily.

N. Comai: I would like to do the Fire. I did it for Fire last time and feel I contributed quite a bit to that program given I have an education in negotiations.

J. Sullivan: Is anything preventing us from having three Council Reps?

D. Shankle: No.

N. Comai: There were three last time on Fire, but I would suggest that the three be the same for all three committees, but one lead each and alternate the others and that will lighten the load a little. Everything is documented so it is simple to catch up if you miss a meeting.

J. Sullivan: It looks like there are three individuals willing to serve on all three for co-adhesiveness and there is nothing preventing us from having three.

J. Sullivan appointed T. Lizotte, D. Winterton, and N. Comai to Fire Union Negotiations, Public Works/Recycling & Transfer Union Negotiations, and Police Union Negotiations. Seconded by R. Duhaime.

Zoning Board of Adjustment (Per RSA 673:3, Non-Voting Member)

J. Levesque stated that he would like to continue serving.

Zoning Board of Adjustment Town Council Rep. - J. Levesque

Record Retention Committee

J. Sullivan: Is the Record Retention Committee still active?

D. Shankle: I think their job is done.

N. Comai: So far, so good. It is on a hiatus due to the departments needing to do the work.

D. Shankle: The committee ended up putting together a policy that we are going to put into the administrative code which you will be getting at the workshop. The policy is the end of their work.

Record Retention Committee Town Council Rep. - N. Comai T. Lizotte (alternate).

Town Department Performance Studies

The Town Department Performance Studies sub-committee was newly created a couple of meetings ago and A. Jennings, T. Lizotte, and S. Orr (alternate) were appointed.

Southern New Hampshire Planning Commission

R. Duhaime: Since I am not going to be on the Planning Board, Mr. Winterton this is open to you. Would you like the appointment?

D. Winterton: I do, unless you want it.

R. Duhaime: It makes more sense for you to have it, as you will know what is going on with the Planning Board.

D. Winterton volunteered to be the Town Council Rep. for the Southern New Hampshire Planning Commission.

J. Sullivan: We will get an official copy that indicates the full membership, councilors, citizens, and the dates they meet.

R. Duhaime nominated D. Winterton to the Southern New Hampshire Planning Commission. Seconded by S. Orr. Vote unanimously in favor.

R. Duhaime motioned to waive the rules of sub-committee appointments to nominate and appoint at the same meeting. Seconded by J. Levesque. Vote unanimously in favor.

J. Sullivan motioned to appoint D. Winterton to the Southern New Hampshire Planning Commission. Seconded by R. Duhaime. Vote unanimously in favor.

Community Profile Steering Committee

J. Sullivan: Counselor Lizotte stated in an email that he was willing to be appointed as the Town Council Rep. to the Community Profile Steering Committee. Is there anyone else interested?

R. Duhaime: I will serve as an alternate.

J. Sullivan: Is there any restriction on having two?

R. Duhaime: They need all the hands they can get.

Community Profile Steering Committee Town Council Rep. - T. Lizotte R. Duhaime (alternate)

Hooksett Youth Achiever of the Month

D. Winterton: With my other duties, I would like to step down from that.

J. Sullivan: Who else serves on that?

D. Winterton: Mr. Lizotte and Mr. Duhaime. The meetings are quick and we try to schedule them before a regular Town Council meeting.

S. Orr: I would like to do it as long as it is understood that I cannot meet during the day.

D. Winterton: There is no need to meet during the day.

Hooksett Youth Achiever of the Month – S. Orr R. Duhaime T. Lizotte

J. Sullivan motioned that the Town Council confirms by a roll call vote, that the Town of Hooksett will adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Town Councilors, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the town of Hooksett; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification for costs of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106. Seconded by D. Ross.

Roll Call

S. Orr – Yes

A. Jennings – Yes

N. Comai – Yes

R. Duhaime - Yes

D. Winterton – Yes

D. Ross – Yes

J. Levesque – Yes

J. Sullivan – Yes

Vote unanimously in favor.

J. Sullivan motioned to have the Town Council Chair sign ancillary documents as agent to expend as a result of Town Council prior approval of the documents. Seconded by S. Orr. Vote unanimously in favor.

D. Ross requested that an addendum be added of any documents that get signed. (This item will be discussed at the July 30, 2014 Town Council Workshop.)

a. Youth Achiever of the Month
Postponed to the next meeting.

APPROVAL OF MINUTES

a. Public: June 25, 2014

R. Duhaime motioned to accept the public minutes of June 25, 2014, with edits. Seconded by S. Orr. Vote unanimously in favor.

b. Non-public: June 25, 2014

A. Jennings motioned to accept the non-public minutes of June 25, 2014. Seconded by J. Levesque. Vote unanimously in favor. N. Comai and S. Orr abstained due to prior absence.

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

CONSENT AGENDA

- Donation to Fun in Sun program from the Cawley Middle School Builders Club: \$150.
- Donation to Fire Department from Health Trust: \$ 100.
- Reimbursement from Allenstown Police Grant to Hooksett Police: \$ 666.

S. Orr motioned to accept the Consent Agenda items. Seconded by R. Duhaime. Vote unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

- I would like to apologize to the Board and Mr. Marple. Mr. Marple and I had gone back and forth on what date he was going to be on the agenda and I failed to send him a final email stating that today was the day. He probably will not be here and will reschedule.
- I told Sue Wiley from Hooksett Kiwanis that she could come and speak, although she is not on the agenda.

S. Wiley: I would like permission to use the town land to hold our 4th annual 5K trail race. It will be on Sept. 20 and coincides with Old Home Day. We have asked for approval from certain property owners. Greenview Management, the Hooksett Library Trustees, Cigna Healthcare, and Manchester Sand and Gravel have granted their permission. We have not heard from Mount St. Mary's condos but I don't anticipate a problem. We are asking permission from the town of Hooksett. Nothing on the trail is going to change this year. It starts at Heads Pond and ends at the Hooksett Library. The request to the Town Council is for police traffic control, emergency response, the use of town roads, porta potties and waste receptacles. We asked Public Works for traffic cones and barricades and the use of the Heads Pond trail and the conservation easement.

J. Sullivan: This is the fourth year?

S. Wiley: Yes.

S. Orr: I am assuming the town has budgeted amounts for this?

D. Shankle: Yes. We have done this for four years and have not had a problem. Staff is familiar.

S. Orr: Has there been any discussion for a second accessible trail for people with a disability?

S. Wiley: We have talked about it. This particular trail we don't feel is handicapped accessible as it is. We talked about doing something down on the track, but with Old Home Day going on it is a difficult situation because they are using that for other things. We keep it in mind but with this trail we cannot do that at this point.

J. Sullivan: But there are access points for people with physical challenges where can can view the runners?

S. Wiley: On the other end of the trail, yes.

S. Orr: So there are viewing areas but not an ability to participate?

S. Wiley: People with a disability can access the trail from the other end, it is just not where the race starts.

S. Orr: People with a disability can participate in the race somewhere mid-way and continue the rest of the way?

S. Wiley: No.

N. Comai: Is there an estimate of how much this costs the town?

D. Shankle: I don't have one right now, but I can get that for you. If it is part of Old Home Day it comes out of the regular budget, but I will come up with a number.

J. Sullivan motioned to approve the request for town contributions for the Hooksett Kiwanis 5K Old Home Day race. Seconded by R. Duhaime.

D. Winterton: How many participants do you typically have?

S. Wiley: Around 150.

Vote unanimously in favor.

- The police department purchased a new piece of equipment to put on a pole and get the speed and number of cars that go by. One of our police officers is going to go talk to a neighborhood group to explain what the data means and where we go from here. We are going to be continuously using it throughout the town. It shows how many cars go by, the speeds of every car that goes by, and then it does a statistical analysis and breaks it down with speed limits, etc. It has been very useful with collecting data and trying to determine what to do in specific areas.

J. Sullivan: That will help give us information on whether we should post additional signage?

D. Shankle: Yes or additional patrol for speeding. It also shows if speeding is going on at certain times of the day and they will be able to target their patrols.

N. Comai: I received a letter from a constituent about Silver Ave. so thank you for following up on that. I will follow up with this person.

D. Shankle: There are places that are residential streets that are now being used as cut-throughs and have speeding.

- There are problems with the Sign Ordinance at the political sign level. When the Sign Ordinance was redone the political sign piece was not changed. We put in our ordinance what state law says and there have been court decisions that said there are violations of free speech. Political speech is a protected class of speech. We cannot change the Sign Ordinance, however, going forward

we will not be enforcing those parts of our Sign Ordinance because they contradict the law. This is with regard to private property, not public property.

- Carolyn Cronin, Assistant Planner provided me with statistics on the Community Development facebook page; 91 people look at it on a regular basis, 73% are women, 27% are men, 55 are from Hooksett, 14 are from Manchester, the rest are from elsewhere and the furthest is Seattle, Washington. There were 452 individual hits.
- The Fun in the Sun staff went through a summer safety course that we required and gave them.
- We received an email from Steve Couture from the Conservation Commission regarding a memorial service for James Walter that will be held September 30 at 3:30 pm. at Robert Frost Hall, Walker Auditorium. The Hooksett Kiwanis will be funding a scholarship in his name and that will be presented at the service.

Donna Fitzpatrick: Governor Hasson will be touring our rest area at Exit 11 northbound from 10:30 to 11:30 on July 17.

J. Sullivan: If you plan on attending please let Donna know and RSVP.

PUBLIC INPUT

Marc Miville (42 Main Street): Regarding the ordinance for the political signs, we seem to question positioning of signs. Is there any map of legitimate spots to put signs that lists state or town property and places that is appropriate to put them? The ordinance says they can only be put on state property not town property. I am not referring to private property.

D. Shankle: If you only put them on private property you should not have a problem. It is a hit or miss if you put them in the public right-of-way.

NOMINATIONS AND APPOINTMENTS

C. Pearson and Donald Pare were present. C. Pearson stated that he would be happy to be reappointed, and believes the town has a great Zoning Board.

- a. Nominated: Donald Pare – ZBA full member reappointment

D. Ross motioned to appoint Donald Pare to ZBA as a full member reappointment for a three-year term ending June 30, 2017. Seconded by J. Levesque. Vote unanimously in favor.

- b. Nominated: Chris Pearson – ZBA full member reappointment

D. Ross motioned to appoint Chris Pearson to ZBA as a full member reappointment for a three-year term ending June 30, 2017. Seconded by J. Levesque. Vote unanimously in favor.

- c. Nominated: Robert Worrell – Recycling & Transfer AC full member reappointment

J. Levesque motioned to appoint Robert Worrell to Recycling & Transfer AC as a full member reappointment for a three-year term ending June 30, 2017. Seconded by D. Winterton. Vote unanimously in favor.

- d. Nominated: Michael Young – Parks & Rec AB full member reappointment

N. Comai motioned to appoint Michael Young to Parks & Rec AB as a full member reappointment for a three-year term ending June 30, 2017. Seconded by A. Jennings. Vote unanimously in favor.

- e. Nominated: David Elliott – Parks & Rec AB full member reappointment

R. Duhaime motioned to appoint David Elliott to Parks & Rec AB as a full member reappointment for a three-year term ending June 30, 2017. Seconded by D. Winterton. Vote unanimously in favor.

SCHEDULED APPOINTMENTS

- a. Richard Marple
Rescheduled to a later meeting.

OLD BUSINESS

- a. 14 – 052 Discussion of District Court Lease

R. Duhaime stated that the District Court lease was tabled at a prior meeting, and motioned to remove it from the table. Seconded by D. Winterton. Vote unanimously in favor.

J. Sullivan: The discussion was tabled because we wanted clarification. Dr. Shankle, has that clarification been received?

D. Shankle: Yes. The issue was whether or not the town was responsible for the fire alarm system and it is.

D. Ross: I believe the risk is far less than I was worried about.

J. Sullivan: So your concerns have been addressed?

D. Ross: Yes.

R. Duhaime motioned to approve the District Court lease of the State of New Hampshire Court House and give Dr. Shankle the authority, as our agent, to sign the four-year lease. Seconded by D Ross. Vote unanimously in favor.

NEW BUSINESS

a. 14 – 055 Town Reports

J. Sullivan: We have two items. There is a suggested front and back cover for the 2013-2014 town and school report.

S. Orr motioned to approve the 2013-2014 annual town and school report cover with Veterans Park, as it stands, and to authorize the Chair to draft the Council's annual report. Seconded by A. Jennings.

D. Ross expressed some concerns regarding the layout of the photos on the front page. Katie Rosengren explained that Kathy Northrup designed the covers and offered options for the layout. S. Orr stated that she prefers the photos to be unbalanced because that makes it more eye-catching and made a suggestion on sizing. D. Winterton stated that the pictures seem to be before and after and suggested switching the photos around. Katie said that she would speak to Kathy about incorporating changes and having it ready for discussion at the same time as the discussion of the final report.

Vote unanimously in favor.

b. 14 – 056 Street Name Approval

D. Shankle: SNHU would like a name for a road that connects E. Side Dr. to Donati Dr. They want to call it Victory Lane. The Planning Board approved it but you are the ones who name roads.

D. Winterton: The Planning Board approved the connector road. They did not approve anything about the name of the road. My concern is this is a private road tht does not connect to Donati Drive until it passes other things through the Planning Board. There is a barrier that is going to be there.

J. Sullivan: By approving this, would it require the town to maintain it?

D. Shankle: It is an on-campus connector road.

D. Winterton: I would prefer it not to say that it connects E. Side Dr. and Donati Dr. That was not the intent of the Planning Board approval. It is a bridge to nowhere right now. If this were to become a back entrance to the school, they need a traffic study and a lot of other things to approve it. Right now, this will only be open to fire/rescue. It is a gated road.

J. Sullivan: It seems as though there are questions so we could table this, but if we table it we cannot discuss it anymore.

D. Winterton motioned to ask the Town Administrator to ensure that this wording does not go beyond the intent of what the Planning Board and the application for the connector road was for, the street name approval of Victory Lane. No second.

D. Ross motioned to approve the street name Victory Lane for Southern New Hampshire University. Seconded by D. Winterton.

D. Ross: I think it is inappropriate for the town to be naming private roads. Another person building a town road may want to use the same name and it takes that name off of the list of available names. A private road is just that and they should be able to call it what they want.

J. Sullivan: We have authority to name streets, but I am concerned because it isn't really connecting and is gated at both ends.

R. Duhaime: This was supposed to be part of the southern by-pass roads. What I thought would be leading into this was giving the college N. River Rd. and they would have Manchester access across the bridge to their property, it would be a walking campus, and it would be a chance to divert the town local traffic that comes from W. Alice and Bicentennial, come through the back of their property, join up again just below Benton Rd. and Reeds Ferry and eliminate a lot of traffic going through the college campus. They have a master plan and they have been adding buildings a lot faster than we thought they were going to. They are a non-profit that has made big money with their on-line programming and the whole idea was they were looking for the town to do something on road improvements. We have the sidewalk and people passing, and they are doing this back entrance, but it is kind of circumventing a plan the town wanted, I thought, years ago.

D. Shankle: I don't think the main issue is whether we should name the road or not. There are going to be a lot of kids living on that road. We are probably going to need those buildings numbered for safety reasons. The bigger issue is you don't want to say what it connects to. We need to get the correct wording and we need to be able to tell the Fire Department where to go.

R. Duhaime: Is this road being built to Town specs.?

D. Winterton: It is not being built to Town specs.

J. Sullivan motioned to move the question. Board consensus unanimously in favor.

Vote to name Victory Lane at Southern New Hampshire University = All opposed. Motion fails.

SUB-COMMITTEE REPORTS

A. Jennings: I have nothing to report.

R. Duahime: I have nothing to report.

N. Comai: I have nothing to report.

S. Orr: I have nothing to report.

D. Winterton: I have nothing to report.

D. Ross: I have nothing to report.

J. Levesque: The ZBA met last night. One item was Severino trucking. They have a pit on Pine St. They asked to have an extension for one more year. They are going do a site walk. In Councilor Comai's district somebody put an office over a garage on their property and the office became an apartment. They connected their sewerage from the garage into their home. This started back when they did the Performance Zone. At that time it was believed that no one could get a variance against the Performance Zone because that is what people were told. It was discussed and it was decided that if they had all the facts back then they would have granted the variance. They agreed to grant the variance but the building

would have to be brought up to code. The Sewerage Department got involved and they want \$3,000 for past uses of sewerage. They have been paying their sewerage. One of the conditions of the variance is to satisfy the Sewer Department. He cannot afford to take this to court because it would cost as much as the Sewer Department wants, but I think he would win if he took it to court.

N. Comai: My understanding was the sewer line was to the right side of the house so they were told by Mr. Andrews to tie into their house because there was no sewerage to tie into. They also want to purchase a 50x100 piece of property to make the lot lines correct. There a lot to this and I want to thank the people from the ZBA for how they handled it. These people have gone through a lot of angst. The Sewer Department approved what they did and Mr. Levesque's point is they have paid their bills and did not get something they did not pay for. Thankfully the Zoning Board approved their appeal.

J. Levesque: He was in a position last night were he could not disagree with the sewerage because they probably would deny it and they wanted to get it approved. However, I don't agree with this \$3,000 to the Sewer Department. They did not connect to the street. There house was already connected to the street and they ran a line and connected to existing sewerage in the house.

J. Sullivan: Is it still going through the meter?

J. Levesque: Yes. The water going to the building is still supplied through the water meter. Whatever goes into those two buildings he pays sewerage for.

N. Comai: He had plans that showed the sewerage part.

S. Orr: What is the \$3000 supposed to cover?

D. Shankle: My understanding is that any time another unit is added, even if it is in the same building, they get this \$3,000 charge. That is why they want to be notified of any accessory apartments. Even if you are not adding a connection, just a unit, they want the money.

R. Duhaime: Even if you have available units, whether or not you are using water you are still going to pay sewer.

S. Orr: If I added a second bathroom to my home I would have to pay that?

D. Shankle: It would have to be a separate apartment divided from the rest of the house in some way.

A. Jennings: Going forward it will still be one water bill and one sewer bill? So, basically it is \$3,000 just because?

J. Levesques: That is why I don't think it is right.

J. Sullivan: That requirement would be under the pervy of the Sewer Commission and we would not have the ability to address that on his behalf.

R. Duhaime: I can make your comments known at the next meeting.

J. Levesque: The building inspector brought the sewer superintendent to the property and that is how they saw this.

J. Sullivan: With that variance, will that apartment now require a Certificate of Occupancy and have to go though the Code Enforcement Officer?

J. Levesque: Yes, it will be done property.

PUBLIC INPUT

None.

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 8:10 pm. Seconded by J. Levesque.

Roll Call

J. Levesque – Yes

S. Orr – Yes

A. Jennings – Yes

N. Comai - Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross – Yes

J. Sullivan – Yes

Vote unanimously in favor.

***D. Ross motioned to extend the meeting from 9:30pm to 9:35pm. Seconded by D. Winterton.
Vote unanimously in favor.***

***D. Ross motioned to exit non-public at 9:35pm. Seconded by A. Jennings.
Vote unanimously in favor.***

***A. Jennings motioned to seal the non-public minutes of 7/9/14. Seconded by D. Ross.
Vote unanimously in favor.***

***D. Ross motioned to adjourn at 9:35pm. Seconded by J. Levesque.
Vote unanimously in favor.***

Respectfully Submitted,

AnnMarie White