**TOWN COUNCIL MINUTES -- OFFICIAL**



**Regular Meeting**

**Wednesday, September 28, 2016**

**6:00 PM**

**Council Chambers**

**1. CALL TO ORDER**

Chairman Sullivan called the meeting to order at 6:05 p.m.

**2. ROLL CALL #1:**

In attendance: Councilors Donald Winterton, John Giotas, Timothy Tsantoulis, James Levesque (arrived at 6:11 p.m.), Adam Jennings, Marc Miville, David Ross (arrived at 6:12 p.m.), and Chairman James Sullivan. Absent: Councilor Robert Duhaime.

Chairman Sullivan called a moment of silence for Jillian Nelson, a Pinkerton Academy student, who was killed recently in a car crash in Hooksett.

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL RECOGNITIONS**

**5. APPROVAL OF MINUTES**

5.a Public: 09/07/2016

[TC Budget Meeting Minutes 090716-U.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/26552/TC_Budget_Meeting_Minutes_090716-U.pdf)

*Councilor Miville moved, second by Councilor Tsantoulis, to approve the September 7, 2016 public meeting minutes, as amended. Motion passed, 4-0-2 [Councilors Winterton and Tsantoulis abstained].* [Councilors Levesque and Ross had not yet arrived].

5.b Public: 09/14/2016

**6. AGENDA OVERVIEW**

**7. PUBLIC HEARINGS**

**8. CONSENT AGENDA**

8.a Accept donations to the Town of Hooksett for the 2016 Hooksett Employee Appreciation Picnic per RSA 31:95-b III (b) and RSA 31:95-e II

[2016 Employee Picnic Donations.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/26929/2016_Employee_Picnic_Donations.pdf)

8.b Donation of an air hockey game, various arts and craft items and tennis rackets and balls valued at $425.00 to the Town of Hooksett, for the Parks Recreation and Cemetery Division, Fun in the Sun Camp by David Dwyer of Hooksett, under RSA 31:95-e II, acceptance of gifts of less than $5,000.

[Staff Report - Donation of Various Materials for Town of Hooksett.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/24101/Staff_Report_-_Donation_of_Various_Materials_for_Town_of_Hooksett.pdf)

*Councilor Winterton moved, second by Councilor Jennings, to accept the consent agenda as presented. Motion passed, 8-0.*

**9. TOWN ADMINISTRATOR'S REPORT**

In Town Administrator, Dr. Dean Shankle’s absence, Donna Fitzpatrick said she learned this afternoon from Town Attorney, Matt Serge, that the mortgager of the junkyard property located at 18 Benton Road that the town cleaned up and placed a lien on for $8,500, intends to sell the property through a short sale and has negotiated with the Town Attorney to provide the town with a $6,000 purchase price. Attorney Serge doesn’t believe the price will go higher and the Council must act immediately, or by October 7th, or the offer will be retracted. If the offer is rejected, Nation Star, the mortgager, may foreclose on the property.

Councilor Ross said that was hard to accept and “we have a claim against the property”. He said the town has expended town funds to make the property compliant, short sale or no short sale, the town is first in line on a lien or foreclosure. He said he is aware of people who are interested in the property, and he feels the town should not forfeit taxpayer money on this.

Councilor Tsantoulis agreed with Councilor Ross, and understood the town would be first in line upon the sale of the property. He does not think it is a good idea to negotiate costs and feels the town should get everything it is owed.

Councilor Jennings asked how they can close on the property if there is a lien on it. Councilor Winterton concurred with the opinions expressed, and Councilor Miville asked if it was common to negotiate a lien. He said he never heard of a negotiation for a lien. He agrees with others. Chairman Sullivan asked if National Star forecloses, does the town lose the guaranteed $6,000. Councilor Miville thought that in foreclosure, the lien stayed active and they owe the town $8,500.

*Councilor Winterton moved, second by Councilor Jennings, to authorize the Town Attorney to accept $6,000 to satisfy the lien on the property located at 18 Benton Road and to sign all related documents on behalf of the Council. Motion failed, 0-8.*

Diane Boyce, Director of the Public Works Department joined Donna Fitzpatrick to go over the water ban imposed by the Hooksett Village Water Precinct (HVWP) effective September 27, 2016. The water use restriction includes any outdoor uses of hoses and sprinklers, including 1) irrigation of lawns, gardens, flowers, and plants (hand watering permitted); 2) washing of vehicles with a hose; 3) filling of pools; and 4) washing of exterior building surfaces, parking lots, driveways, and sidewalks. Director Boyce said fields, flowers, and trees are being hand watered. Councilor Ross said it was “about time” and the ban should be publicized. Administration will let the HYAA and the Garden Club know that the town will comply with the ban.

*Councilor Winterton moved, second by Councilor Levesque, to direct Dr. Shankle to adhere to the water ban issued by the Hooksett Village Water Precinct and comply with suggestions issued. It is expected that all HVWP users of Hooksett conserve water in this time of drought and at other times. Motion passed unanimously, 8-0*

Councilor Ross said that Manchester is asking for voluntary restrictions and it would be inequitable to not issue similar restrictions on the Central Hooksett Water Precinct (CHWP) customers as well. Chairman Sullivan thought that was a good point but noted that the Council has no authority over the CHWP. He suggested the Council send a letter encouraging CHWP users follow the lead of the HVWP.

*Councilor Ross moved, second by Councilor Jennings, to authorize Dr. Shankle to recommend to CHWP that they follow the lead of the HVWP regarding the water ban. Motion passed, 6-2 [Councilors Winterton and Tsantoulis opposed].*

Chairman Sullivan suggested that staff, too, be urged to conserve water. Donna Fitzpatrick stated that the CHWP on a yearly basis restricts water use on Mondays, Wednesdays, and Fridays from July 1 to September 15.

*Chairman Sullivan moved, second by Councilor Winterton, to direct Dr. Shankle to encourage staff to comply with the mandatory water use restriction as is recommended by the HVWP. Motion passed unanimously, 8-0.*

Councilor Miville said he attended the NH Municipal Association’s Legislative Policy Conference on September 23rd. In addition to the seven policies discussed with the Council prior to the conference, an additional 21 policies were discussed. Councilor Miville provided a breakdown of the policies and results of the discussion. If no notes were included, the policy was approved by consent.

**10. PUBLIC INPUT – 15 MINUTES**

**11. NOMINATIONS AND APPOINTMENTS**

**12. SCHEDULED APPOINTMENTS**

**13. 15-MINUTE RECESS**

**14. OLD BUSINESS**

14.a Budget Reviews

Library – Tab 15

Library Trustees, Mary Farwell and Mac Broderick, and Librarian, Heather Rainier, came forward to review their FY 2017-18 budget. They indicated that the increase in the wage request is due to the new FLSA regulation regarding exempt and non-exempt employees. The salary of one current full time exempt employee is very close to the threshold. In order to retain her as an exempt employee, her salary will need to be increased. The second area of growth in the wage request is to increase the salary of an employee that was not part of the pay equity study completed in 2014. The position was not included in the pay equity study because it was finalized after the pay equity study was submitted and based on the budget from the prior year. The third area of increase is needed to increase the coverage in the children’s room by 10 hours per week for a part time employee.

Councilor Winterton pointed out that this was the second meeting where they are faced with an item beyond “our control” as mandated by the federal government. Mary Farwell said the employee qualifies in every other way to be exempt, and one other employee will be affected and the trustees will have to manage that. Councilor Miville asked if another employee won’t get exempt status. Mary Farwell said the children’s librarian will no longer be salaried; she will be paid hourly.

Mac Broderick stated that additional coverage in the children’s room by 10 hours per week for a part time employee is necessary. He said attendance at library events this year increased 45% with more than 9,000 children and family member visits and attendance at early literacy and STEAM activities, Storytimes, and educational events. There is a lacking presence in the Youth Services Department covering all the hours the library is open. Mr. Broderick also indicated that the next big challenge is FTEs. The library continues to be one of the libraries in the state that has the lowest FTE count given the size of the town and all the library has to offer and it is a year to start addressing that.

Councilor Ross noted that the budget reflected only a five percent increase over last year’s budget which seems reasonable. Councilor Jennings asked about the Books and Materials line going up by $8,000 and was informed that circulation has doubled and to update their collection, they need to replace many older, worn-out books.

*Councilor Ross moved, second by Councilor Winterton, to accept the FY 2017-2018 Library Budget of $747,026. Motion passed unanimously, 8-0.*

Councilor Miville asked about the need for a part-time, ten-hour-a-week employee and was told they could use someone for more hours; this person will just be putting out fires. Chairman Sullivan said he was enthralled with the library programs and services and finds the increase since four or five years ago has doubled and is incredible. He complimented the library trustees and staff. Councilor Miville said the library is a huge treasure but some people are saying it may be too much. Heather Rainier said there is data indicating the per dollar investment turning into a 50 to 100 percent return on investment. Councilor Miville asked if two computer purchases was a need or a want. Heather Rainier said these have been postponed for a while and the current computers are a lot older than first thought.

Chairman Sullivan said the library budget presented is well thought out and pragmatic and a testament to everyone associated with the library.

Wastewater Tab16

Bruce Kudrick, Superintendent of the Sewer Commission, came forward and went over details of the FY2017-2018 Sewer Commission Budget. He said the budget is fully funded by User Fees. One employee is going for a higher grade and if it passes, the funds are included in the budget. They have no control over the health insurance increase. Electricity costs increased because of increased usage and stronger flow. There is a slight increase in fuel costs

*Councilor Winterton moved, second by Councilor Tsantoulis, to approve the 2017-2018 Sewer Commission budget of $2,075,593 as presented. Motion passed unanimously, 8-0.*

Councilor Winterton congratulated the commission and the superintendent for keeping the ratepayers in mind. Councilor Tsantoulis asked who provided the electricity. Mr. Kudrick said “Eversource” and they were approached by another supplier who wanted the commission to run generators more often so it wasn’t saving money. Councilor Tsantoulis said they may want to take a look at that again. In response to Councilor Miville, Mr. Kudrick said they are working with their accountant and they are trying to keep the rate in line “so that what we’re making is what we spend”. Councilor Ross brought up the heating expense and asked why there was such an increase. Other particulars of the budget were discussed to include, water, pump stations, sand, and gravel, to name a few.

*Chairman Sullivan moved, second by Councilor Tsantoulis, to recommend $15,184,556 together with those budgets approved tonight, for a total of $18,007,175 as the 2017-18 operating budget to be presented to the Budget Committee. Motion passed unanimously, 8-0.*

**15. NEW BUSINESS**

15.a Purchase of 100' steel walking floor trailer for Recycling and Transfer Division.

[Staff Report - purchase of 100 yard steel walking floor.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/23555/Staff_Report_-_purchase_of_100_yard_steel_walking_floor.pdf)

[M & T Solutions Trailer Bid.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/23556/M___T_Solutions_Trailer_Bid.pdf)

[Spector Trailer Bid.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/23557/Spector_Trailer_Bid.pdf)

At the May 10th Town Meeting, residents voted to approve the purchase of a 100 yard steel walking floor trailer for the Recycling and Transfer Division. The old trailer was used as a trade-in to reduce the price. $60,000 approved by the town for the new trailer is to come from the Solid Waste Disposal account. Any additional funds necessary will come from the 2016-17 budget.

*Councilor Jennings moved, second by Councilor Levesque, to accept the bid from M&T Solutions for the purchase of a 100 yard steel walking trailer in the amount of $60,685.75 (to include trade-in). Roll Call #2: Councilor Miville-yes, Councilor Ross-yes, Councilor Levesque-yes, Councilor Jennings-yes, Councilor Giotas-yes, Councilor Winterton-yes, Councilor Tsantoulis-yes, Chairman Sullivan-yes. Motion passed unanimously, 8-0*.

15.b 2016 Halloween Trick-or-Treat - date & time

*Councilor Ross moved, second by Councilor Winterton, to hold the Halloween trick-or-treat date and time to Monday, October 31st from 6:00 to 8:00 p.m. and direct the Police Chief to provide coverage as necessary. Motion passed unanimously, 8-0.*

15.c Employee Appreciation Letter

[2016 Letter - Employee Appreciation.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/26963/2016_Letter_-_Employee_Appreciation.pdf)

Donna Fitzpatrick indicated that annually the Council hosts an employee appreciation picnic which has been approved to take place on Friday, October 7th. Ms. Fitzpatrick said that local businesses donate food items for lunch and gift cards to be distributed to employees at the event via a raffle. Only one donation has been received so far. Council members were asked to reach out to business owners that they may know to get donations and to attend the luncheon if they are able.

*Councilor Jennings moved, second by Councilor Tsantoulis, to approve the 2016 Employee Appreciation Letter, as presented. Motion passed unanimously, 8-0.*

**16. SUB-COMMITTEE REPORTS**

Councilor Winterton said the TIF Committee met and was attended by Councilor Miville, representatives from the Central Village Water Precinct, the Sewer Commission, the town planner and engineer, the Chairman of the Planning Board. It was nice having all those people in the same room. Councilor Winterton said things are coming together and it is expected that the committee will make a presentation to the Council on October 26th. A warrant article will likely be necessary. He said he couldn’t be happier with what the committee has done so far. He said they are considering bringing on a PR firm to help with the discussion going forward. Councilor Winterton recommended reading an article in the Town and City publication on how Tax Increment Financing (TIF) can help development.

Councilor Levesque said the Transfer Committee met last night. The cost of recycling went down $2, from $26 to $24.

Councilor Ross said it was a big day for the Conservation Commission with the grand opening of the Merrimack Riverfront Trail which was well attended. People were very interested and excited. Councilor Ross said they had a board depicting how each trail was constructed. He will provide an electronic copy which gives people a better understanding of what it takes to build a trail. Kathie Northrup was there. Rowing Club members came over to ask questions. A warrant article will be brought forward by the Commission.

Councilor Miville attended an Economic Development Committee meeting on September 20th. The UNH Extension survey group will be coming to the Council at some point to go over their findings and strategies on how to proceed. There were three people at the presentation. He suggested Joan Duffy and Dr. Shankle determine who is on the committee and who is not. A copy of the Business Survey was distributed.

Councilor Giotas attended his first Heritage Commission meeting. He said it went well. They voted on t-shirts. Chairman Sullivan was unable to attend but said that a full set of activities kicking off History Month will get posted to the website.

Chairman Sullivan mentioned that he had spoken to the Hooksettites about the pavilion and they are happy to be involved when ready to make a presentation.

Councilor Tsantoulis commented that there have been no nominations for Youth Achievement Award lately.

**17. PUBLIC INPUT -- None**

**18. NON-PUBLIC SESSION**

18.a 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,

*D. Winterton motioned to enter non-public session at 8:25pm.  Seconded by T. Tsantoulis.***Roll Call**J. Giotas – yes

D. Ross – yes

A. Jennings – yes

M. Miville – yes

T. Tsantoulis – yes

J. Levesque – yes

D. Winterton – yes

J. Sullivan - yes

*Vote unanimously in favor.*

*J. Sullivan motioned to exit non-public at 8:42pm.  Seconded by T. Tsantoulis. Vote unanimously in favor.*

*J. Sullivan motioned to seal the non-public minutes of 09/28/16. Seconded by T. Tsantoulis.  Vote unanimously in favor.*

**19. ADJOURNMENT**

*T. Tsantoulis motioned to adjourn the public session at 8:43 pm.  Seconded by D. Ross. Vote unanimously in favor.*

**Note:**

The town website may have attachments to these Town Council minutes for documents referred to in the minutes, reading file material, and/or ancillary documents that the Town Council Chair has signed as agent to expend as a result of the Council’s prior approval of the documents.

Respectfully submitted,

Suzanne Beauchesne

Recording Clerk