



**TOWN COUNCIL MINUTES - OFFICIAL  
Regular Meeting  
Wednesday, June 27, 2018  
6:00 PM  
Council Chambers**

**1. CALL TO ORDER**

Chairman Sullivan called the meeting to order at 6:50 p.m.

**2. PROOF OF POSTING**

Dr. Dean Shankle, Town Administrator, reported that Donna Fitzpatrick posted the meeting notice on June 22, 2018.

**3. ROLL CALL #1**

**In Attendance:** Councilor Donald Winterton, Councilor John Giotas, Councilor Timothy Tsantoulis, Councilor James Levesque, Councilor Alex Walczyk, Councilor Robert Duhaime, Councilor John Durand, Councilor David Ross, Chairman James Sullivan.

**4. PLEDGE OF ALLEGIANCE**

**5. SPECIAL RECOGNITIONS**

5.a Hooksett Municipal Employees

Dr. Shankle reported that there were no new hires; one retirement from Lt. John Drew.

**6. SCHEDULED APPOINTMENTS**

6.a Chris Pierson, Chair - Delivering an Activity Update on Behalf of the Zoning Board of Adjustment

Chris Pierson and Roger Duhaime, Chair and Vice Chair respectively of the Zoning Board of Adjustments, came forward to provide an annual report to the Council on the Board's activities. Mr. Pierson and Mr. Duhaime commented that it was nice to have at least one new fresh member of the Board and mentioned the length of service of other members. Everyone was happy to finally have a full complement of members on the Zoning Board.

Mr. Pierson said 2017 was a light year with only 19 applications having been received. With the economy picking up, 2018 has already proven to be busier with 14 applications received to date. Mr. Duhaime thanked the Council for giving the Board an opportunity to provide input on the SNHU sign.

The two Board members indicated that they are seeing a lot more activity with in-law apartments, or accessory dwellings, as they are sometimes called. Chairman Sullivan asked if this might require zoning ordinances to address the matter. Mr. Pierson said the zoning regulations were solid. He also said they have shortened the length of approval time on festival grounds. When asked how many times they visit pits by Councilor Duhaime, Mr. Pierson said they monitor pits very closely and welcomed any Council member to join them

on future site walks. Councilor Ross asked if assessing was notified about accessory apartments. Dr. Shankle said the Code Enforcement Officer would notify assessing and sewer after signing off but he will check on that.

## **7. APPROVAL OF MINUTES**

7.a Public: 06/13/18

[TC Minutes 061318-U.docx](#)

7.b Non-Public: 06/13/18

*Councilor Tsantoulis moved, second by Councilor Winterton, to approve the Town Council meeting minutes of June 13, 2018, as amended. Motion passed 7-0-2 [Councilors Levesque and Ross abstained].*

*Councilor Levesque moved, second by Councilor Winterton, to approve the non-public Town Council meeting minutes of June 13, 2018, as presented. Motion passed 7-0-2 [Councilors Levesque and Ross abstained].*

## **8. AGENDA OVERVIEW**

## **9. PUBLIC HEARINGS**

## **10. CONSENT AGENDA**

## **11. TOWN ADMINISTRATOR'S REPORT**

Dr. Shankle reported the following:

- The last three weeks, with a Council meeting every week, has been busy. Earlier in the week, SNHU held a groundbreaking for their new Engineering building.
- There was an auction on Friday for the Mount St. Mary's property – hope to make money on that.
- Attended the Economic Development Committee meeting last night. A representative on the committee is to be appointed at the July Council meeting.
- A bid went out on Monday for the Old Town Hall structural repairs. It will come up later under discussion of encumbrances.

Diane Boyce, DPW Director, came forward to state that an RFP was quickly put together for the Old Town Hall repairs. Two bids were received – from Target and Broadview -- at a higher cost than anticipated. TF Moran went over the bids and it is administration's recommendation to hold off on making the repairs and place the matter on the ballot as a warrant article in February at which time the Council can decide to fund the project with tax dollars or from the Fund Balance.

Councilor Giotas asked why Target did not address reinforcing underneath the stage that was outlined in the bid. Dr. Shankle suggested that perhaps in their mind anything on the plan they would do but "we don't know that since we don't have it in writing". Chairman Sullivan said looking at the project as a whole the goal of the Council was to complete the restoration by the time the building turns 200 years old. He said he would prefer to use surplus funds rather than additional funds. A lot of funds have already been committed to the project and, if done now, funds can be encumbered. Chairman Sullivan said "do we commit to funds or

hold off and if we hold off until next year, nothing can be done; then we have an empty building that we've committed funds to".

Councilor Ross said he loves the building and fought to not have the building sold but a lot has been done, town employees have worked on it, but this is a \$100,000 question which is way too much to jump into quickly. He said "we shouldn't be in a big hurry to spend \$100,000 and voters deserve an opportunity to weigh in". He suggested an architectural person review the plan and provide advice. In response to Councilor Giotas, Dr. Shankle said the bidders were informed they could wait until next year to do the work. Chairman Sullivan said this covers three projects and perhaps it would make sense to take it in smaller steps and do the work in portions. Councilor Duhaime said this is winter work and contractors would be glad to be inside. Dr. Shankle said that is why they were given a year to do the work. He said a lot of money went into studies and at the start the engineer didn't think the work was a big deal so it was put off. He continued saying "if we would have known it was this extensive, we wouldn't have put in that much money into it; now, all this work needs to be done and if not done, the building could have a problem". He said "we've been spending money out of building repair because that's a building the town is trying to keep up...we had no idea it would be this much". Chairman Sullivan said the Council needed to make a commitment on how to approach this. Dr. Shankle said "if we don't do this now then there's no use for it; we're on notice that this building has structural problems and have created a liability for ourselves".

Councilor Ross asked if there were structural problems in terms of being occupied or that the building will fall down. Dr. Shankle said he did not know but they were not trying to bring it to 20<sup>th</sup> century standards. Councilor Ross said most of the money spent was received through fundraising and he did not feel comfortable spending \$100,000. Councilor Winterton echoed what Councilor Ross said and feels it is the Council's responsibility to the taxpayers to tell them how much this will cost and let them decide". He is reluctant to spend more not knowing what else will go into the project. Councilor Tsantoulis said it was not the right time to spend another \$100,000 and since "construction is very expensive right now, [he] can't support this at this time".

Chairman Sullivan said he didn't know how much was spent already and he/the Council should have told the voters what the cost will be. Councilor Giotas said "wait and see what the voters want to do". Councilor Levesque said given what was in that building long ago, if it was going to cave in, it would have then. *Councilor Winterton moved, second by Councilor Ross, to reject all bids received for the structural repairs to the Old Town Hall. Motion passed 8-1 [Chairman Sullivan opposed].*

## **12. PUBLIC INPUT - 15 MINUTES**

Mr. Dan Belanger of 13 Corriveau Drive came forward to express his objection to the town's new procedure on registration of dogs. He said there was no prior notice of the increase to \$25 as an administrative fee to have the police come to his home. He said his wife went online to register the dog which cost \$6.50 plus an online fee of \$4.00 which he finds too extravagant. He suggested the Council look at this and think about the time and effort of having the town clerk call (as he did again tonight) to let him know that the police will be coming. He said the expense of taking him to court will be a lot more than it is to collect \$25. He asked that the Council look into this and thanked the Councilors for their time.

### **13. NOMINATIONS AND APPOINTMENTS**

#### 13.a June 2018 Nominations and Appointments

Nick Gerrmain said a last minute application for an Alternate to the Zoning Board was received from Sasha DeYoung of 34 Sterling Drive. Not all forms have been completed. Councilor Winterton said he'd prefer going through the standard process and make the nomination when all necessary information/forms are provided. He thanked the citizen for being willing to serve. The matter will be addressed at the next Council meeting.

### **14. 15 MINUTE RECESS**

### **15. OLD BUSINESS**

#### 15.a New Pedestrian Bridge Update (Change Order #2 tabled from 6/13/18 Town Council Meeting)

[Staff Report - Lilac Pedestrian Bridge Discussion 6-13-18.docx](#)

*Councilor Ross moved, second by Councilor Giotas, to remove the matter from the table. Motion passed unanimously, 9-0.*

*Councilor Winterton moved, second by Councilor Ross, to escrow funds in the amount of \$210,936.52 for invoice numbers 9, 10, and 11. These funds are withheld pursuant to the towns claim set off against payments due to potential litigation by the NH Department of Environmental Services. Motion passed 8-0-1 [Councilor Tsantoulis abstained due to a conflict of interest].*

*Councilor Winterton moved, second by Councilor Ross, to escrow funds in the amount of \$208,615.08 for invoice numbers 12 and 13 to be held in escrow until the town examines verification of said invoices. Motion passed 8-0-1 [Councilor Tsantoulis abstained due to a conflict of interest].*

Dr. Shankle indicated that his office has received requests about when the bridge will open. He wanted to make sure everyone understood that the bridge will not be open until legal issues have been taken care of. Chairman Sullivan asked that this information be placed on the town website.

#### 15.b FY 2017-18 Budget Encumbrances and Budget Transfers

Christine Soucie, Finance Director, went over the list of encumbrances which are attached to these minutes. Director Soucie pointed out the Council's earlier vote to contract with Block 5 for IT services and that a portion of needed funds will be rolled over.

*Councilor Winterton moved, second by Councilor Duhaime, to encumber \$1,700 for the Old Town Hall alarm panel. Motion passed 7-1-1 [Chairman Sullivan opposed; Councilor Ross abstained].*

Chairman Sullivan asked what the difference was between the list of encumbrances and the list of purchase orders. Director Soucie said the list of purchase orders were obligations outside of the operating budget.

*Councilor Winterton moved, second by Councilor Levesque, to approve all encumbrances as presented, except for #12, the Old Town Hall alarm panel, in the amount of \$888,768.65. Roll Call #2: Councilor Duhaime-yes, Councilor Durand-yes, Councilor Ross-yes, Councilor Levesque-yes, Councilor Walczyk-yes, Councilor Giotas-yes, Councilor Winterton-yes, Councilor Tsantoulis-yes, Chairman Sullivan-yes. Motion passed unanimously, 9-0.*

Dr. Shankle referred to the purchase order listed for the library door and stated that the library staff was aware that they don't technically need to do this but wanted to be as transparent as possible and have it be on record.

15.c Comcast Renewal  
[Comcast Letter 041018.pdf](#)

Dr. Shankle indicated that the main issue with the Comcast renewal is eliminating the franchise fees and whether to extend the Comcast contract that Dr. Shankle is opposed to. *Councilor Ross moved, second by Councilor Winterton, to instruct the Town Administrator to advise Comcast that the town will no longer receive franchise fees and that the town will sign a first amendment to the 12/16/12 contract.* Councilor Tsantoulis asked what benefit this was for individuals in town and was informed by Councilor Winterton "three percent of their bill". Councilor Ross added that cable customers are being charged a fee for something they don't use. Chairman Sullivan said it adds up to about \$36.00 a year per customer. Dr. Shankle said that according to Finance Director Soucie getting rid of the revenue will add about ten cents to the tax bill. Motion passed 8-1 [Councilor Tsantoulis opposed].

15.d Town of Hooksett Municipal Reorganization (tabled from 06/20/18 Town Council Meeting)  
[Reorganization proposal 2018.docx](#)

Dr. Shankle proposed separating out a Community Development Division since it will relieve the Public Works Director and will allow the Town Planner to focus on planning rather than on budgets and other administrative matters. Chairman Sullivan said it makes sense to have the Town Administrator serve as the Community Development Director. *Councilor Tsantoulis moved, second by Councilor Winterton, to accept the reorganization proposal as presented.*

Councilor Ross said he is not against this proposal but is concerned as to the blurring of the lines. He said "we need to be cautious about making changes". Councilor Tsantoulis said nothing is cast in stone. Dr. Shankle said the reorganization could be temporary but would provide stability now. *The motion passed unanimously, 9-0.*

## **16. NEW BUSINESS**

16.a Town Administrator Contract for effective date 07/01/2018

Chairman Sullivan stated that Dr. Shankle's three-year contract expires on June 30<sup>th</sup>. *Councilor Winterton moved, second by Councilor Tsantoulis, to offer Dr. Shankle a one-year contract as presented, a copy of which is to be included on the town website and as part of these meeting minutes, and to approve the Chairman sign the contract on behalf of the Council.* The benefits included in the current contract are similar to those in the Town Administrator's last contract and includes an increase of about 2.5 percent which is in line with other employees increases. Dr. Shankle said he'd been with the town for seven years and he has enjoyed his time here. He said he appreciates the Council's willingness to give him another contract and he looks forward to the next year and what "we'll do well together".

Dr. Shankle suggested putting copies of his previous contract and current contract on the web so that people could compare.

*Roll Call #3: Councilor Giotas-yes, Councilor Ross-yes, Councilor Walczyk-yes, Councilor Durand-yes, Councilor Duhaime-yes, Councilor Tsantoulis-yes, Councilor Levesque-yes, Councilor Winterton-yes, Chairman Sullivan-yes. Motion passed unanimously, 9-0.*

## **17. SUB-COMMITTEE REPORTS**

Councilor Levesque said Recycling Committee met last night. Diane Boyce will be putting a letter out suspending recycling because of cost: \$114.85/ton versus \$72/ton for trash and suggesting residents bring cardboard and aluminum cans to the station. Councilor Winterton commended the committee for taking this hard step given what their goals have been. Councilor Levesque said the committee will be thankful to be backed by the Council. Chairman Sullivan questioned whether this required a Council vote. Dr. Shankle said at an earlier meeting Council told Administration that they could use their own judgment on getting rid of trash/recycling. *Councilor Winterton moved, second by Councilor Giotas, to support the Administration's and Recycling Committee's action. Motion passed unanimously, 9-0.*

Councilor Giotas attended a preservation alliance workshop; budget is being prepared for the Heritage Commission. Chairman Sullivan said there have been suggestion that the "lilac pedestrian bridge" continue with that moniker. Councilor Ross said that deserves some discussion.

Councilor Ross said two trucks from Maine have been using fire hydrants and he wasn't sure it was legitimate. Dr. Shankle said they do get keys from the village district who moves the meters around.

## **18. PUBLIC INPUT**

Marc Miville came forward stating that as Councilor he worked on the Comcast fee matter for six years. He thanked the Council for their actions saying the citizens will be thrilled. Dr. Shankle told Mr. Miville that Comcast will handle the matter as quickly as they can. Mr. Miville said he was surprised the Council gave the Town Administrator just a one year contract. Mr. Miville was also informed that all recycling is metal, aluminum cans, and cardboard; everything else is trash.

Donna Fitzpatrick announced that the Council only has one meeting in July on July 11<sup>th</sup> that will start with a non-public session at 5:30 p.m.

## **19. NON-PUBLIC SESSION**

19.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.

19.b NH RSA 91-A:3 II (b) The hiring of any person as a public employee.

19.c 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.

19.d NH RSA 91-A:3 II (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those in the general community.

*J. Sullivan motioned to enter non-public session of 06/27/18 at 8:55pm. Seconded by R. Duhaime.*

**Roll Call #4**

A. Walczyk – yes  
J. Levesque – yes  
D. Ross – yes  
R. Duhaime – yes  
J. Durand – yes  
D. Winterton – yes  
T. Tsantoulis – yes  
J. Giotas - yes  
J. Sullivan - yes  
*Vote in favor (9-0).*

*D. Winterton motioned to exit non-public session of 06/27/18 at 9:20pm. Seconded by R. Duhaime. Vote unanimously in favor (9-0).*

*J. Sullivan motioned to seal the non-public session minutes of 06/27/18. Seconded by R. Duhaime. Vote unanimously in favor (9-0).*

**20. ADJOURNMENT**

*J. Sullivan motioned to adjourn the public session of 06/27/18 at 9:20pm. Seconded by D. Ross. Vote unanimously in favor (9-0).*

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

Respectfully submitted,

Suzanne Beauchesne  
Recording Clerk