

**TOWN COUNCIL AGENDA
Regular Meeting
Wednesday, March 25, 2015**

1. 6:00 PM - CALL TO ORDER

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.

2. 6:30 PM - PUBLIC SESSION

ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SPECIAL RECOGNITIONS

5. APPROVAL OF MINUTES

- a. Public: 03/11/2015
- b. Non-public: 03/11/2015

6. AGENDA OVERVIEW

7. PUBLIC HEARINGS

8. CONSENT AGENDA

9. TOWN ADMINISTRATOR'S REPORT

10. PUBLIC INPUT: 15 Minutes

11. NOMINATIONS AND APPOINTMENTS

12. SCHEDULED APPOINTMENTS

- a. Don Riley – Moderator
- b. Jeff Larrabee – Lilac Bridge
- c. Bruce Kudrick – Sewer Superintendent

13. 15 MINUTE RECESS

14. OLD BUSINESS

- a. Lilac Bride Update

15. NEW BUSINESS

- a. 15-015 Discussion on Deliberative Session for Saturday, April 4th @ 9:00am at Cawley Middle School
- b. 15-016 Zone 2 Impact Fees (Lilac Bridge)
- c. 15-017 Allenstown Sewer Commission – Acceptance of Domestic Septage from Town of Hooksett
- d. 15-018 2012 Deedable Properties Process

16. SUB-COMMITTEE REPORTS

17. PUBLIC INPUT

18. ADJOURNMENT

**Anyone requesting auxiliary aids or services is asked to contact
the Administration Department five business days prior to the meeting.**

Public Input

1. Two 15-minute Public Input sessions will be allowed during each Council Meeting. Time will be divided equally among those wishing to speak, however, no person will be allowed to speak for more than 5 minutes.
2. No person may address the council more than twice on any issue in any meeting. Comments must be addressed to the Chair and must not be personal or derogatory about any other person.
3. Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Council and Town Administrator, will determine if the question can be answered at that time. Questions cannot be directed to an individual Councilor and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Administrator who will be responsible for researching and responding to the comment directly during normal work hours or by bringing to the Council for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.
4. Council members may request a comment be added to New Business at a subsequent meeting.
5. No one may speak during Public Input except the person acknowledged by the Chair. Direct questions or comments from the audience are not permitted during Public Input.

TOWN COUNCIL MEETING MINUTES
Wednesday, March 11, 2015

CALL TO ORDER

Chair Sullivan called the meeting to order at 6:33 pm.

ROLL CALL – ATTENDANCE

Donald Winterton, Nancy Comai, Todd Lizotte, James Levesque, Adam Jennings, Robert Duhaime (arrived at 6:41 pm), Susan Orr (arrived at 6:40 pm), Chairman James Sullivan,
Missed: David Ross, Dr. Dean E. Shankle, Jr. (Town Administrator) - travel

PLEDGE OF ALLEGIANCE

J. Sullivan: We have been advised that we may have some video difficulties. We apologize for that and hope it is working tonight.

SPECIAL RECOGNITIONS

a. Hooksett Youth Achiever of the Month

T. Lizotte: This month's recipient is Takoda Mandeville. He is part of the Boy Scouts and is with Troop 104 at St. Catherine's Church in Manchester. Takoda's father nominated him and talked about his achievements as a Boy Scout. He is also a student at Cawley Middle School. One of the things he has accomplished is receiving his merit badge in swimming. He is a good example of someone who perseveres and achieves great things.

Presentation of certificate and pin

T. Lizotte: The medallion has the town seal and as Dr. Shankle has previously pointed out, the town seal has a representation of a brick factory which represents how industrious our town is; there is a tower up above looking out which represents the youth of the town looking to the future and hopefully doing good things; the Town Hall which represents our government; and the stream which represents commerce and communication and the fact that we continue to do great things in Hooksett. Congratulations to Takoda on being chosen.

APPROVAL OF MINUTES

a. Public: February 20, 2015

T. Lizotte motioned to accept the public minutes of February 20, 2015. Seconded by N. Comai. Vote unanimously in favor; A. Jennings abstained due to prior absence.

b. Public: February 25, 2015

N. Comai motioned to accept the public minutes of February 25, 2015. Seconded by J. Levesque. Vote unanimously in favor; T. Lizotte and D. Winterton abstained due to prior absence.

c. Non-public: February 20, 2015

D. Winterton motioned to accept the non-public minutes of February 20, 2015. Seconded by T. Lizotte.

Vote unanimously in favor; S. Orr and A. Jennings abstained due to prior absence.

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

PUBLIC HEARINGS

None

CONSENT AGENDA

a. Donation of \$500 from HealthTrust to the Hooksett Fire-Rescue Dept. to support staff in workplace health and safety

T. Lizotte motioned to accept the consent agenda as written. Seconded by D. Winterton. Vote unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

J. Sullivan: Dr. Shankle is in Jordan so Christine Soucie, our Finance Director, is filling in for him.

C. Soucie: Unfortunately, I currently do not have the report to provide to you tonight.

PUBLIC INPUT: 15 Minutes

Marc Miville, 42 Main St: On the agenda is the Town Council is here to deliberate and vote on the operating budget. I just want to be sure everyone is aware that the Budget Committee has already recommended it, and we are in the process of signing the budgets. I'm not sure if we need to have another meeting subsequent to your deliberations tonight. We have already finished everything we are doing.

C. Soucie: We need to add Council's recommendations to the operating budget. The Budget Committee voted last Thursday to change the operating budget, and now we need the tally. In the past we have not had Council's recommended tally on the operating budget. Per DRA and the town attorney, if we are going to put recommendations they have to have both Town Council and Budget Committee recommendations on each of the money articles.

J. Sullivan: So when we went through the budgets before and approved the bottom line we missed a step?

C. Soucie: Not really because the number that is on the operating budget came from the Budget Committee and it was finalized last Thursday. This is first opportunity you have had to vote on what is going to be on the warrant regarding the operating budget.

M. Miville: The Budget Committee voted to put back in the \$18,686 that Council previously removed from the Sewer insurance line.

J. Sullivan: The number is different than what we recommended, so we are obligated to have a new vote with a tally?

C. Soucie: That is correct.

N. Comai: If the number has changed, then do we have to approve that number first before we recommend the budget and then it has to go back to the Budget Committee to approve or not?

M. Miville: Budget Committee was well in advance of the school and the Town Council work.

C. Soucie: No deliberation is needed. The number is what the Budget Committee proposed and what is going on the ballot. Council only needs to vote to recommend or not.

N. Comai: It's Council's budget, and it went to the Budget Committee for review. They decided to put \$18,000 back in and it is no longer the same number so it needs to come back to us to vote on, right?

C. Soucie: You are just recommending.

J. Sullivan: The number on the ballot is the Budget Committee number. If there is a change, we are still required per DRA to make a recommendation on the Budget Committee number appearing on the ballot.

M. Miville: The Finance Director says you do not have another opportunity to review it again.

N. Comai: We have done the correct steps then.

J. Sullivan: Now we go to the first session and there is an amendment from the floor to increase or decrease again then at that point both the Budget Committee and the Council would be obligated to make another recommendation on that number.

R. Duhaime: I thought he was going to sell us on why the change to add that amount back in the budget.

J. Sullivan: If you have that question when we get to that point in the agenda, we can ask if Council would allow comments from the audience.

NOMINATIONS AND APPOINTMENTS

None

SCHEDULED APPOINTMENTS

J. Sullivan: Even though the Sewer Commission is not here tonight, I would like to read a letter we received from them. *(Read letter into record.)*

D. Winterton motioned to accept the Sewer Commission letter and place on file. Seconded by T. Lizotte.

Vote unanimously in favor.

D. Winterton: May I give a Budget Committee report under the Subcommittee Reports? I think that's the appropriate place to do it.

N. Comai: That would be after the vote though.

J. Sullivan: Old Business is next which includes the budget, and the agenda item was prompted by a vote from the Budget Committee. If we want the Budget Committee Chair to participate in this discussion, we need a motion to allow someone from the public to participate.

D. Winterton motioned to invite the Budget Committee Chair to participate in the discussion. Seconded by S. Orr.

Vote unanimously in favor.

OLD BUSINESS

- a. 14-101 Budgets (operating and default) & Warrants – vote on operating budget, sign default budget and sign various warrants

D. Winterton: Can I speak to my motion? I feel it is my responsibility as Town Council rep to the Budget Committee to give a report to you, not the Budget Committee Chairman.

J. Sullivan: Please proceed.

D. Winterton: Town Council voted to remove \$18,000+ from the Sewer Commission salary/insurance line. There was some discussion as to whether or not we had the authority to do that. The Budget Committee originally agreed. At the final discussion last Thursday, there was a motion made to put \$18,686 back in, and it passed. One of my concerns is I would like to get the town attorney to give us a thorough, definite answer if Town Council has any control over the Sewer budget or if the Budget Committee has any control over the Sewer budget and if the Sewer Commission employees are employees of the Sewer Commission or employees of the town. In reference to the letter that was just placed on file, if they are employees of the town and if this occupation is so hazardous, should the town even offer them insurance? If that statement is true, they are affecting the rates of every other employee in this town. I'd ask the acting Town Administrator to get legal advice on these questions. We all do a lot of volunteering in this town. I sat through two 45-minute presentations on the Sewer Commission, and honestly, I have better things to do than listen to things I have no control over. The transparency doesn't matter.

T. Lizotte: I think we should hold off until Dr. Shankle gets back; I don't think it's that pressing.

D. Winterton motioned to direct the Town Administrator (on a non-emergency basis) to answer the questions above. Seconded by T. Lizotte.

R. Duhaime: Compensation is variable, but we pay the bill on health insurance. It isn't their negotiation. Health insurance is negotiated by us and what the town pays isn't up to them, so I believe we do have a right to raise or lower and decide what we are going to do with their health insurance. If they want to compensate them elsewhere, that is strictly up to them.

N. Comai: I agree the approach may not have been kosher, but I do believe that those employees are a high risk and they are in the town pool. If they are not paying for their portion and the Commission wants to kick in that \$18,000 to pay it for them, how it gets to the bottom line I don't really care. If they are in our

pool, it still affects our pool and we need to keep addressing it with the Commission. We are not asking them to change anything they are doing other than be fair amongst all town employees.

T. Lizotte: Since budgets are set and are on the warrant, there are a few things we could bring up. One of them is that a few years back with the sewer disks, the town was liable for the outcome of that. We need to talk about general liability. On the insurance side, I'd think some type of catastrophic package above the normal coverage could be offered that would take effect if there was an incident. If you throw it on their budget, it still hurts the taxpayers that are on the sewer system. Just something to think about going forward to find a happy medium.

D. Winterton: There is debate whether they are town employees. Sewer Commission claims they are Sewer Commission employees and I would just like a legal clarification on that. In terms of supplemental coverage, I think those are OSHA kinds of things. Once we know whose employees they are, we can go forward. Under the operation as it is today, we can't tell them what to charge or what contributions people have to make because they run autonomously. The only thing they can do is raise rates if they want to charge for insurance contributions. Most of my district is not on sewer although we are on the hook if it goes really bad.

S. Orr: I think we are having a conversation we can't have right now. It's a legal matter – you can't be a town employee about some things and not others. I don't think anybody here has the legal background to make that determination. This is a great conversation after we find out what the legal ramifications are. Once we know then we can determine whether or not they are town employees and then decisions can be made.

J. Sullivan: Somewhere in the Charter's history, reference to the Sewer Commission was removed. The review of the Sewer Commission will need to fall under the Municipal Budget Act. How that involves Council is the point we need clarification on. They mention in the letter that in the past 7 years they have been left out of the budget review. In the last 4 years since I have been here, we have invited them to come in and present their budget.

M. Miville: If I can clarify, I wouldn't say they were left off the Budget calendar. LeeAnn Moynihan posts it and the Budget Committee approves it. At that time the Sewer Commission is left off because it is regarded as municipal and is considered part of the municipal review. Typically the Superintendent of the Sewer Commission requests that he present at the same time as the water precincts. We have been doing that every year. We aren't leaving them out, we separate them from the municipal part.

J. Sullivan: If we have no authority to make cuts, why are we doing this?

T. Lizotte called the question.

J. Sullivan: Can Ms. Fitzpatrick make a comment?

T. Lizotte: That's fine.

D. Fitzpatrick: Once we have contacted the attorney, our Administrative Code may need to be updated because it currently states that Sewer is a department of the town.

J. Sullivan: So it is removed from the Charter but is covered under the Administrative Code which is referenced in the Charter. We certainly need clarification on that. Perhaps we have them look at the library too since that is a similar situation. Would you concur, Christine?

C. Sullivan: I would. Library and Sewer have diff RSA's that manage them and they are very similar to each other.

***Vote unanimously in favor of calling the question.
Vote unanimously in favor of the motion.***

J. Sullivan: Now we are going to the operating budget; we need to make a new recommendation on the new number from the Budget Committee.

N. Comai motion to recommend the operating budget of \$16,833,908.00. Seconded by T. Lizotte.

Roll Call

R. Duhaime – Yes

S. Orr – Yes

J. Levesque – Yes

A. Jennings – Yes

N. Comai – Yes

D. Winterton – Yes

T. Lizotte – Yes

J. Sullivan – Yes

Vote 8-0 in favor.

C. Soucie: The draft warrant has been reviewed by both the town attorney and DRA. There are a couple of items to review. In Article 3, it was suggested by both the attorney and the DRA that we add a note to the end of that. This note ties Article 15 to Article 3. Article 15 was the firefighter article that had 0 impact because if it passes, we would hire a new employee and reduce the overtime line. There is similar language in Article 15 saying that Article 3 would be reduced by that amount, and they wanted both articles to tie together. The next change is under non-union raises in Article 8. During the review at the public hearing, library personnel requested I bring this back to you. In the past, this warrant article said non-union full time and part time personnel; it didn't specifically say "Town and Library personnel" as it does today. They are looking for you to possibly remove that wording "and Library." Several years ago the question of does it include the library kept coming up so I put a template together and included this wording in that template. Since then we have stopped putting non-union raises into warrants and started putting them in the operating budget, so we haven't seen this warrant article in several years.

J. Sullivan: Do we need to re-vote on this to include the note under Article 3?

C. Soucie: I don't think so.

J. Sullivan: Since we are voting to remove that wording under Article 8 I think we should have a separate vote to include that wording under Article 3 just to be consistent.

C. Soucie: You could do one vote to approve the warrant as is with these two changes or one change.

T. Lizotte: DRA recommended these changes?

C. Soucie: DRA recommended the first change regarding adding the note to Article 3. The Library requested the second change to remove the words "and Library" from Article 8.

N. Comai: Article 8 states \$88,423 and includes full time, part time and Town & Library personnel. Is the Library part of the \$88,423 as well as the \$49,744 in Article 16?

C. Soucie: Yes. The \$88,423 is non-union raises; every year we include the library as well as the town and the non-union police employees. The Sewer Commission is not included because they are not raised through tax dollars, they are raised through user fees.

N. Comai: Do you have the number of employees included in the \$88,423?

C. Soucie: The \$88,423 is raises for 47 full time and 19 part time non-union employees. It does not include the Police Chief or Town Administrator.

S. Orr motioned to add the wording to Article 3 as recommended by DRA. Seconded by T. Lizotte.

A. Jennings: I see where Article 3 refers to Article 15, but I don't see where Article 15 refers to Article 3.

C. Soucie: It was written differently in Article 15. Both the DRA and the attorney said it's the same thing whether it's a note or not. The problem with Article 3 is that it's statutory and Charter language that you can't really change that is why it's a note at the end versus the other one.

D. Winterton: I'm confused. If we add another firefighter and it costs us \$71,000, and we move \$72,000 out of overtime and into full time how does it create a savings in daily operating costs? It sounds like a wash.

T. Lizotte: I think we had this debate when he was here. The concern I had was the money didn't get removed; it was part of the budget and in theory the \$72,000 at the end of the budget would still be there in the fund balance. Tax payers would still pay for another employee. I like this wording; it is a net effect of nothing. I didn't want to see a situation where we had \$140,000 sitting there and all of a sudden an emergency came up and some funds were taken out of that line and transferred somewhere else.

D. Winterton: Why would Article 15 read as a savings in daily operating costs?

T. Lizotte: Because it is a reduction in the budget that is being approved.

D. Winterton: It's the same amount moving.

S. Orr: We already voted on this; we are just trying to decide if we are changing the wording or not. With all due respect to Councilor Winterton, I think we are wasting our time re-explaining it. I'd suggest talking to Chief and he can explain it to you. We need to stay on track here.

T. Lizotte: I think an explanation is worthwhile if the Chair will let me. When a tax payer is voting for this budget (Article 3), it's for the fully loaded amount including the \$72,000. When they vote on Article 15, they are adding another \$72,000 but this is saying that you are voting on Article 3 but be aware that if Article 15 passes, this budget will be reduced by \$72,000.

J. Sullivan: I concur with Ms. Orr. We are voting on who is moving the articles so whoever is going to make the motion on Articles 3 & 15 we need to make sure we get the answers down as to how and why so we don't cause any confusion at the public hearing.

Vote unanimously in favor.

S. Orr motioned to remove "Library personnel" from Article 8. Seconded by T. Lizotte.

S. Orr: We have had this discussion before; library staff is town staff. If we are going to add Library, then we need to say Finance, Administration, etc. Either we say town employees or we say every single department in the town. It's calling out one department unequally with every other department in the town. We had a lengthy discussion and it was decided that they are town employees.

T. Lizotte: Because the library is governed by a Board of Trustees responsible for adding in costs in regards to personnel, I think it makes it a little different. We went through this debate when we talked about compensation. They are putting forward their warrant and the operating budget is where they put in the raises. I am a little unclear on that so I think it should stay that way. It doesn't differentiate, it clarifies.

R. Duhaime: I think it should be separated; we can maybe show what percent of this \$88,000 is going to the library. The rest is agreed on as staff raises at X% negotiated on by Council. Council has not negotiated on the library raises and the voter doesn't know that. It's being put in one lump sum with what the town has negotiated and what the library has negotiated.

S. Orr re-worded the motion to have all the departments listed individually as well as all the specific raises associated with each department listed separately as well.

T. Lizotte removed his second.

Seconded by N. Comai.

N. Comai: Article 8 is the first time I have seen Library separated out. When we voted on this, what was the wording?

C. Soucie: As it appears.

N. Comai: When we voted to recommend this, the words full time and part time town and library personnel were written there. Susan, you are now saying you either want that taken out or you want them all listed?

S. Orr: Correct; during prior discussions, we determined Library staff was town staff and it came up when discussing insurance and coverage. It was decided Library personnel were town employees. To me, calling them out as one department getting increases, we have to be very specific and call out every department getting increases and separate them out.

J. Sullivan: Of those 47 full time and 19 part time non-union, you want to list the departments they are in? Is that your intention?

S. Orr: I want to say town employees, but if we are going to call out one department, we need to call out all the departments.

N. Comai: Why are we attacking this one line item, and not allowing for any of the other verbiage to change. This was the vote with these words. Why are we changing this one and we weren't allowing other Councilors to change words others that we voted on?

S. Orr: The way it is worded now is not accurate.

N. Comai: It is accurate, we voted on it that way.

A. Jennings: Last year when we were talking about the Affordable Care Act, we learned the library has a separate EIN. I believe they need to be separated to make sure they do get their raises, otherwise we have a legal issue where they might not get their raises because they are a separate EIN.

R. Duhaime: If everyone is getting the same percentage raise, let's lump it all together. But they are not the same.

C. Soucie: \$88,423 is calculated using 3% for all employees including town and library.

J. Sullivan: I'd agree that if different departments were getting different percentages, that would be necessary. Since all employees are getting 3% I think leaving it this way would be good. I wouldn't want to add all the departments.

R. Duhaime: The \$88,423 in Article 8 - is that raise after Article 16 is passed?

C. Soucie: It wasn't calculated after Article 16. There are only funds available for a 3% raise on their current salaries. If Article 16 passes, the funding will not change.

Roll Call

N. Comai – No

A. Jennings – No

S. Orr – Yes

R. Duhaime – No

T. Lizotte – No

J. Levesque – No

D. Winterton – No

J. Sullivan – No

Motion fails 7-1.

S. Orr motioned to reword Article 8 to state "Town personnel" and remove "Library." Seconded by R. Duhaime.

D. Winterton: I agree with Councilor Comai. If we are going to change one, I would like to change others so I will not support the motion.

J. Sullivan: The only reason I would consider this is because it was a request from Administration.

N. Comai: I am and have always been a supporter of the library and I understand Mrs. Orr's thought in not calling out the library separately, but in this particular forum and everything going on with the pay scales I think it's prudent to keep it in there because a voter needs to see both articles (8 and 16) as is and have transparency. By taking it out, it doesn't show what it is. It's not calling anybody out, it's just factual and I'm adamant about consistency so I am not going to support this.

J. Sullivan: Do we want to allow the Budget Committee Chair to speak? In order for someone to participate from the audience I need to get approval from the Council.

Consensus not to allow audience participation.

T. Lizotte: Not only did we vote on it but the Budget Committee voted on it with those words.

J. Sullivan: Since Council did not allow audience participation, Christine can you clarify?

C. Soucie: The Budget Committee voted on the words in Article 8 as it is now, including Town and Library.

D. Winterton called the question.

Roll Call

A. Jennings – No
J. Levesque – No
R. Duhaime - No
S. Orr – Yes
D. Winterton – No
T. Lizotte – No
N. Comai – No
J. Sullivan – Yes
Motion fails 6-2.

C. Soucie: Before we get to the default, once you go into non-public I will make these changes and the Chair and Secretary will sign the warrant. I don't know if there needs to be a motion for that?

J. Sullivan motioned that Council authorizes the Chair and Secretary to sign the warrant. Seconded by D. Winterton. Vote unanimously in favor.

C. Soucie: We have already looked at the default and the total is \$16,779,749.00. We talked about the changes and you voted for the default. We are looking for a motion to sign the default.

T. Lizotte motioned to sign the fiscal year 2015-2016 default budget for \$16,779,749.00. Seconded by A. Jennings. Vote unanimously in favor.

J. Sullivan: You should have a draft of the Voter's Guide that I put together, which can be edited. I based it off of last year's with a change in meeting dates.

C. Soucie: I see the default number needs to be changed to \$16,779,749.00.

J. Sullivan: The third paragraph is the same. I included the decreases and the increases, and I broke down various aspects on the drivers. The second page is similar to last years; I highlighted warrant articles of note. The last 2 are verbatim.

J. Sullivan motioned to allow the Chair sign the Voter's Guide on behalf of Council. Seconded by N. Comai. Vote unanimously in favor.

J. Sullivan: We need to assign people to speak on these warrant articles.

Article 3 – D. Ross motion; D. Winterton second.
Article 4 – R. Duhaime motion; T. Lizotte second.
Article 5 – N. Comai motion; J. Sullivan second.
Article 6 – J. Levesque motion; S. Orr second.
Article 7 – T. Lizotte motion; A. Jennings second.
Article 8 – J. Sullivan motion; R. Duhaime second.
Article 9 – T. Lizotte motion; D. Winterton second.
Article 10 – S. Orr motion; N. Comai second.
Article 11 – D. Winterton motion; T. Lizotte second.
Article 12 – N. Comai motion; D. Winterton second.
Article 13 – D. Ross motion; T. Lizotte second.
Article 14 – A. Jennings motion; R. Duhaime second.
Article 15 – A. Jennings motion; J. Sullivan second.

J. Sullivan: Last year there was some explanation provided that covered every aspect, and that was very helpful so hopefully we can have that again.

b. 15-008 Health Insurance Review Committee 2015 Update

D. Fitzpatrick: We have been working on this while the Town Administrator is away so when he gets back we can get this going. We are looking to start in April 2015. I have all of our claims experience information to be reviewed. HealthTrust would like to come in as our current carrier and explain our claims experience. From there, I have reached out to several different carriers and they have submitted data to us. They know we have formed this committee and know we are looking at different carriers, and plan designs. We are also looking into consultants. I have reached out to retirees; we have 30 retirees on our insurance and they do contribute to our claims experience, so they should be part of this. All of this will filter through you to make that determination and we are looking to wrap this up by August. One of the determination factors for August was the Collective Bargaining Agreement. We wanted them to participate on this committee, and they wanted to as part of the commitment to their second year term should the voters pass the Collective Bargaining Agreement. The second year term is contingent on the outcome of this committee. We know who will be on the committee as far as the Town Administrator and myself, and I am soliciting other members by tomorrow. We are getting a lot of interest from employees, and we need to decide who we want to have on there. Maybe one rep from the first floor of Town Hall and one from the second.

J. Sullivan: Should we have a member of Council on the committee?

D. Winterton: I raised that with Dr. Shankle and he didn't want any Council members on this committee but I did volunteer.

J. Sullivan: Why don't we pick someone and then we can discuss with Dr. Shankle.

T. Lizotte: I think this should be driven by the employees. You have the Town Administrator and HR person involved. I think they need to be driving it and bring a solution to us.

S. Orr: I agree with Todd. This should be the employee's decision. If they want a Councilor to come in and consult that is fine. It is not our insurance plan and we are not on it.

J. Sullivan: Will Council have any authority approving the agreement?

D. Fitzpatrick: Yes, you are the ultimate approving authority.

J. Sullivan: Dr. Shankle will hear what we've talked about and we will get his opinion. If he agrees, Mr. Winterton has volunteered to be our representative.

NEW BUSINESS

a. 15-013 Street Name Approval

T. Lizotte motioned to approve Falcon Lane as the proposed street name for Merrimack Reserve (Edgewater Dr. Development). Seconded by R. Duhaime.
Vote unanimously in favor.

b. 15-014 Quarterly Financial Report

C. Soucie: This is the 12/31 quarterly report. Total operating budget is 48% spent; this is a little less than the 2 prior years. The budget of \$14,895,126 is higher than the prior year's budget. In the current budget, we had a 17% increase in health insurance premiums and an increase in property liability and worker's comp. We added \$100,000 for the town engineer position, along with the second year of the fire union and DPW union raises which are also in there. Revenue is 55% collected which is a little less than prior years. That also reflects \$100,000 for the town engineer; it has gone uncollected because the position is unfilled. The next is department budgets. Family Services budget is 40% spent as of 12/31. As of today, it is 20% below their target budget now and is doing very well. Finance and Fire-Rescue as of 12/1 were slightly higher than they should be. As of the end of February, they have corrected themselves. The Fire Department has a twice yearly large payout according to the contracts, and Finance pays the annual audit at the beginning of the year so that is what is driving that up.

J. Sullivan: I see Public Works at 42%. Has that changed due to the snowfall?

C. Soucie: I will cover that in the following pages. Administration budget (which includes health insurance, property liability and worker's comp); fortunately the costs came in better than we anticipated. Property liability came in 18% over last year's budget. Same with worker's comp, it was only a 9% increase. The legal line, which is in Administration is doing well at 36% spent and normally is around 50%. Fire department is true and steady at 51%. They don't have a lot of operating costs. Police is at 43%; their savings coming in is due to vacant positions. Next is Public Works. Historically, in the fall, they put out paving bids. They do ½ in fall and ½ in spring. This year they decided not to put the bid out in the fall and wait to see how the winter would be, and put the bid out in spring to do all the paving then. That is one of the reasons why the department looks underspent. The overtime line and salt line are running about 70% spent considering winter maintenance which is seasonal-sensitive. There will be additional invoices coming in. The issue for them is vehicle maintenance (which is overspent at this point) and town building maintenance (also overspent), but they will find cost savings in employee turnovers. Public Works director anticipates the budget to go over by \$100,000. We also had the Lilac Bridge engineering contract for \$100,000. We may do a budget transfer from the savings in the insurance lines to cover that. Recycle & Transfer is looking good. Vehicle maintenance and hazardous waste lines are a little overspent (70% vs. 50%). It is anticipated that the tipping fee line will cover those 2 lines. As of 12/1 we spent \$190,000 on tipping fees, and this year we spent \$194,000 so we are on track; last year's actual spent was \$330,000 and this year's budget is \$390,000. There does appear there will be some savings to help with vehicle maintenance and hazardous waste. The most expensive time for tipping fees is in the spring and summer. Motor Vehicle revenue is 51% collected. At the end of 2013-2014 we collected \$3M in Motor Vehicles. By the time this year ends, we will be close to that same \$3M. We have \$2.75M budgeted and anticipate going over that. Interest and penalties is a timing one; the Tax Collector liens and deeds in spring. I anticipate we will meet the \$300,000 estimate. Building permit fees are at 41%, and I think we will fall short in this area.

N. Comai: May I suggest the Town Administrator put in one of his articles a reminder to come in for building permits?

C. Soucie: State revenues are a little higher this year. The Meals & Rooms tax and Highway Block Grants have increased starting in FY 2014-2015; I think we will see more Meals & Rooms next year. Ambulance service fund – this is our 3rd full calendar year. Calls for service have pretty much stayed the same. Total collected is pretty much the same as well. Percent collected has dropped from 82% to 74% to 68%. I have asked Chief Williams about that. We have a call into Comstar to see if there are things we can do to bring these numbers back up. The Chief has an appointment with Comstar to discuss this. There is roughly \$180,000 per year in expenses with \$318,000 cash on hand as of 12/31. There \$400,000 in uncollected bills which are at the collection agency.

T. Lizotte: Are all the calls for service to the fire department?

C. Soucie: 911 and the fire department.

T. Lizotte: So all those calls ended up in transport? All the non-transport calls administer care on site and then they leave?

C. Soucie: That is my understanding.

T. Lizotte: We might want them to clarify that – if the ambulance arrives and you get charged for it but don't get transported.

D. Winterton: It is my understanding they only bill if they transport, so half the calls are on the house.

T. Lizotte: One other answer we need is collections are going down but is there any incentive on their end in regards to how aggressively they go after the uncollected debt?

C. Soucie: They follow the town's collection policy and get paid for only what they collect. Currently it is 7%, but in the new contract, it is 5% of what they collect. (As of July 1, they dropped 2%.)

SUB-COMMITTEE REPORTS

J. Levesque: ZBA met last night; there was one agenda item which was a lot line adjustment to make one conforming lot and one non-conforming lot. Because the non-conforming lot was originally a lot of record, they allowed it.

D. Winterton: Budget Committee met last week and we have already discussed that. Planning Board met Monday and with great regret, Chairman David Rogers resigned. He is moving to Hillsborough. He has been a wonderful Chairman and he resigned with mixed emotions. That leaves Dick Marshall as Vice Chair to take over. We will move one of the alternates to a full time member and will be looking for an alternate. David has done a great job.

D. Winterton motioned to accept letter of resignation from David Rogers with regret and appreciation for all the work he has done. Seconded by S. Orr. Vote unanimously in favor.

J. Sullivan: Tomorrow is the meeting with the state regarding the Lilac Bridge, and the Heritage Commission chairperson will attend. We continue to work on final wording for Council approval on the historical marker for Lincoln Park. I believe it will be placed where the old South Hooksett Village Fire Department was. The other 2 markers are for the Hooksett airport (currently looking for location) and the other will be funded through Southern NH to represent the old Elm House and that area. The wording for that is still TBD. Heritage Day is coming up and we will be looking for input on that.

T. Lizotte: Hooksett had an airport?

J. Sullivan: Yes, in the Bayview Terrace and Meadowcrest Drive area. The Heritage Commission has a lot of information on it. We got 2 bids for the tin ceiling repair and it is currently under the required Council review and will be handled by the Town Administrator. Hopefully we will start in the spring. We plan some type of open house and presentation.

N. Comai: The Retention Committee met today. Todd Rainier has a good cross-section of people. Next step is to unroll to the department heads at their next meeting to implement the policy and start the process of becoming compliant with purging docs, etc. We are meeting again in 3 months, then 6 months.

S. Orr: All Hooksett Youth Achiever emails and applications have been sent to the people on the list that was compiled by Tiffany.

R. Duhaime: I did not make it to the Sewer meeting but will bring our comments to them at the next meeting.

A. Jennings: Nothing to report.

T. Lizotte: Conservation had a meeting mainly for housekeeping and going over plans in terms of presenting the Merrimack Riverfront and the bigger project they are planning with trails and adding bridges, etc.

PUBLIC INPUT

Marc Miville, 42 Main St. At the public hearing regarding the Sewer Commission there was discussion about the hazardous nature of it. The point Budget Committee was concerned about was there was testimony by the Superintendent that he is old school and he and other employees have a habit of not changing clothes prior to going home and sit on the couch and have kids on their lap. It was my comment that perhaps they should review safety protocols. It was mentioned that we should be proactive to prevent any diseases requiring insurance claims. He agreed to do that and the Commissioner agreed to be part of health insurance committee. Regarding the sewer disks – I seem to remember a vote the Budget Committee made to approve a \$992,000 payment. They had to come to the Budget Committee for approval which indicates that they are subservient to the Budget Committee at least. The reason I was yelling "point of order" earlier is it's one thing for Council to be deliberating tonight and recommending the amount the Budget Committee approved earlier (on the budget), but I don't believe you should be reviewing the wording of the other articles since they were already approved by the Budget Committee as they were written. Library employees are governed by Trustees; other department employees report to the Town Administrator so that is the distinction there, along with the EIN. I also wanted to remind you that sign-ups are March 25-April 3 for town election candidacy.

J. Sullivan: We have 3 positions open: (1) 3-year term for At-Large; (1) 3-year term for District 4; (1) 3-year term for District 1.

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 8:40pm. Seconded by T. Lizotte.

Roll Call

T. Lizotte – Yes
R. Duhaime – Yes
A. Jennings – Yes
J. Levesque – Yes
D. Winterton – Yes
S. Orr – Yes
N. Comai – Yes
J. Sullivan - Yes

Vote unanimously in favor.

***J. Sullivan motioned to exit non-public at 9:05pm. Seconded by D. Winterton.
Vote unanimously in favor.***

***A. Jennings motioned to seal the non-public minutes of 3/11/15. Seconded by J. Levesque.
Vote unanimously in favor.***

***D. Winterton motioned to adjourn at 9:05pm. Seconded by T. Lizotte.
Vote unanimously in favor.***

NOTE: The Town website www.hooksett.org 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,

Tiffany Verney
Recording Clerk

Donna Fitzpatrick

From: Donna Fitzpatrick
Sent: Thursday, March 05, 2015 8:25 AM
To: 'David Ross'; 'Donald Winterton'; James A. Levesque; James Sullivan; 'Jennings'; Nancy Comai; 'Robert Duhaime'; 'Robert Duhaime'; Susan Lovas Orr; Todd Lizotte
Cc: Dean Shankle; 'Christine Soucie'
Subject: FW: lilac Bridge

Good morning all,

Please see below e-mail from Chair Sullivan with further e-mail from Jeff Larrabee for March 25, 2015 Town Council meeting.

Thanks,

Donna

Donna J. Fitzpatrick
Administrative Services Coordinator
Town of Hooksett
35 Main Street
Hooksett NH 03106
603-268-0060 - office
603-485-2439 - fax
dfitzpatrick@hooksett.org
www.hooksett.org

-----Original Message-----

From: James Sullivan
Sent: Wednesday, March 04, 2015 6:18 PM
To: Donna Fitzpatrick
Subject: FW: lilac Bridge

Donna, can you please send this to the other councilors-- Dear Councilors, I received this email from Mr. Larrabee and I sent this to the Administrator as well, but I wanted you to have this information for we have scheduled him for our second meeting in March
thanks Jim

DearFrom: Jeff Larrabee [jeff@statestreetrealty.netu]
Sent: Wednesday, February 25, 2015 11:32 AM
To: James Sullivan
Cc: Michael L. Bouchard; John Bentley
Subject: re: lilac Bridge

Jim,

I wanted to make you and the council aware of my interest in moving a section or more of the Lilac Bridge to my development site along the highway at Exit 11. As you know, we are planning on putting a world class lilac garden within the development... one that could actually become one of the largest (if not the largest) and nicest collections in North America. It is our state flower, of course, and there is a governor's commission on the same. The lilac propagator for the Arnold Arboretum, and the National Arboretum in DC, is now living next to the development with plans to begin this massive undertaking this year, along with John Bentley (the founder of the Katie Bentley Memorial Charity, and katiebentleylilacproject.com) We have actually had the head of the lilac department at the Beijing Botanical Gardens, along with her associate who is the International Registrar for Crabapples, visit the Hooksett site...with intentions of introducing several new cultivars in America right here!

Anyway, undoubtedly, having part of the Lilac Bridge here would make it extra special... and preserve an important part of Hooksett AND engineering history.

I understand that a budget has passed to tear it down... and I want to formally let you know of my interest to bring it to my site. Rather than scrap this historic piece of NH, and Americana, if we can somehow meet or beat the budget for taking away the bridge...and more importantly, retain the historic relevance of the bridge by keeping it in Hooksett... I would love to be a part of this, as I am sure the council would as well.

We've had the Navy take a look at this, and even though they expressed a willingness to help... coordinating such an effort would take a year (and I know the town has less time than that). I would like to be included, as well as my associate Michael Bouchard, to see if we can be given due consideration in attempting to save and relocate all or part of the bridge.

My plan would be to have the section(s) strategically and aesthetically placed within the development. It would look awesome surrounded and in the midst of the gardens and ponds, and I would place placards near the section(s) to give a history of the bridge, the architect, and how it became known as the Lilac bridge (and ultimately found its way into Lilac park!). I just think it could preserve some history, potentially save some money, and be a worthwhile aesthetic addition to the development (much like Meijer Gardens in Michigan with their sculptures and art that are intertwined with the botanicals that surround their festival park!)

Anyway, I just wanted to throw that out there...so that perhaps I could join in the discussions and considerations as to what to do, and where to take, this piece of Hooksett past.

Thanks,

jeff larrabee
603-496-4886

Staff Report
Impact Fees- Lilac Bridge
March 25, 2015

AGENDA NO. 15-016
DATE: 3-25-15

Background:

Existing three span tussle bridge, originally built in 1805 as a wooden cover bridge. The bridge burned in 1857 and rebuild in 1859. New steel bridge built in 1909 and rebuilt after the 1936 flood. The bridge was posted a restricted weight limit in 1969 from a 12.5 ton bridge to a 6 ton limit. In 1976 the new bridge was opened and the old bridge was closed. On March 26, 2014 I came to you with thoughts to rebuild the bridge as a walking bridge, and become part of the Heritage Trail of 230 plus or minus miles. This would be the river crossing for the trail. In 2000 thoughts were stopped for federal funds expired from the state. The purpose of the proposed project is to facilitate a safe, alternative pedestrian access route in the Town between the village area where there is a significant population, the town offices, dog park, Robie's Store (a local land mark) VFW, various historical buildings, and two Churches, Mount St. Mary Condo complex, and the University Heights multi-use residential and commercial development is located. This development is planned to have 4,400 residential units and over 150,00 SF of commercial development. The proposed Bridge repair wills two existing sidewalks, at either end of this bridge. The addition of the bridge will invite pedestrian use to the Village area by connecting the residential neighborhoods. It is anticipated that the proposed bridge work will reduce the number of local vehicle trips thus reducing congestion and emissions, by increasing the number of pedestrian trips while also promoting physical activity for all residents and employees in this area of town.

Issue:

A July 2014 routine NHDOT inspection of the bridge revealed structural deficiencies along the bottom chord. Upon further investigation by CMA Engineers it was determined that the bottom chord of the middle and north spans had completely fractured at several locations, and had significant (50-80%) fractures at others. Currently the bridge is gated off and the river is barricaded to preclude boat traffic under two spans. No persons, including State inspectors, are allowed on the structure. There are eight (8) identified critical locations along the north and middle spans. Four of the locations are along the downstream truss line with the other four along the upstream truss line and at identical locations. The middle span has two locations with 80% fracture along the upstream truss line and 80% and 50% fractures mirrored along the downstream truss line. The north span has two locations of 100% fracture along the upstream truss line and two locations of 50% fracture, mirrored along the downstream truss line.

It is presumed that the tension load carried by the fractured members under normal conditions has been resolved by both redistributing loads through existing truss members and shedding load through the deck system.

A gravity sewer main remains supported along the truss. The utility conveys 40,000 to 60,000 gallons per day.

Discussion:

The price to remove the superstructure and replace with a pedestrian bridge will be very expensive. Remove the Bridge and Secure Piers to be Left in Place: This alternate would address the issues of the existing superstructure by removal. The existing piers would be pointed as required, stone riprap or other scour countermeasures would be taken and the piers would be left in place. This would allow the Town to reuse the piers in the future for a pedestrian access bridge.

Conceptual Opinion of Cost: Demolition \$1,600,000.00 Substructure Rehabilitation \$300,000.00 Relocate Sewer Line \$700,000.00 Future Utility O&M (75 yr.) \$440,000.00 Total \$3,040,000.00. With this expense and were we have allocated \$87,831.34 recently in impact fees, I would like to put another \$190,421.00 from impact fees towards the cost to lessen the hard ship on the town. The impact fees have expiration dates from April to October of 2015. This will tie these fees up for the bridge only.

Fiscal Impact:

In using impact fees from zone 2 this will soften the amount that has to be paid by \$278,252.34 with both impact fees at this time.

Recommendation:

I would like to have Council put the impact fees of \$190,421.00 in zone 2 that are due to return if not used by this calendar year for this project. A total at this time of \$278,252.34 of impact fees towards the bridge project.

Prepared by: Leo Lessard, Public Works Director

Town Administrator Recommendation:

Dr. Dean E. Shankle, Ph. D
Town Administrator



Allenstown Sewer Commission

35 Canal Street
Allenstown, NH 03275
603-485-5600
F# 800-859-0081



October 10, 2014

AGENDA NO. 15-017
DATE: 3-25-15

Dean Shankle, Jr., Town Administrator
Town of Hooksett
35 Main Street
Hooksett, NH 03106

Dear Mr. Shankle:

In February of 2010, the Hooksett Town Council entered into a five year agreement expiring on January 1, 2015 with the Allenstown Sewer Commission regarding the acceptance of domestic Septage.

Enclosed is Amendment #1 to extend the agreement for another five year period. The Allenstown Sewer Commission approved and signed the amendment on October 8, 2014. Should the Town of Hooksett Town Council agree to continue this agreement please have the Hooksett Town Council sign and return an original copy to the Allenstown Sewer Commission for our records.

Any questions please call and I will be happy to assist you.

Sincerely,

Andrea Martel, Administrative Assistant
FOR THE ALLENSTOWN SEWER COMMISSION

Cc: ASC file
Superintendent



Allenstown Sewer Commission

35 Canal Street
Allenstown, NH 03275
603-485-5600
F# 800-859-0081



AGREEMENT-AMENDMENT #1

**Regarding the Acceptance of Domestic Septage from the
Town of Hooksett, New Hampshire.**

1. The **Allenstown Sewer Commission** and the Town of Hooksett agree to amend the agreement regarding the *Acceptance of Domestic Septage from the Town of Hooksett* signed February 2010 is scheduled to expire January 2015.
2. All terms and conditions of the original agreement shall remain in full force and effect.
3. The agreement shall be valid for a period of five (5) years beginning January 1, 2015. Extension of this agreement shall be preceded by a written request to the Allenstown Sewer Commission no later than six (6) months prior to the five-year expiration date.

SIGNED:

Town of Hooksett, NH

By: _____
Signature Date

Print Name

By: _____
Signature Date

Print Name

By: _____
Signature Date

Print Name

By: _____
Signature Date

Print Name

By: _____
Signature Date

Print Name

Allenstown Sewer Commission

By: _____ 10-8-14
Signature Date
Carl Caporale, Chairman

Print Name

By: _____ 10-8-14
Signature Date
Jeffrey McNamara

Print Name

By: _____ 10-8-14
Signature Date
Lawrence Anderson

Print Name

Town of Allenstown, New Hampshire

AGREEMENT

Regarding the Acceptance of Domestic Septage from the Town of Hooksett, New Hampshire

1. The Allenstown Sewer Commission will accept domestic septage originating in the Town of Hooksett at the Allenstown Wastewater Treatment Facility (AWTF)
2. Septage received at the AWTF is subject to all federal, state and local regulations concerning the proper disposal of septage wastes, and shall be delivered by appropriately licensed and registered septage haulers.
3. The receipt of septage shall be limited to Monday through Friday during the AWTF normal business hours excluding recognized town holidays.
4. The Allenstown Sewer Commission reserves the right to reject any and all septage that it deems objectionable, for any reason, including but not limited to interference with the wastewater treatment process.
5. The Allenstown Sewer Commission reserves the right to establish appropriate charges for septage disposal. These charges will be assessed directly to the septage hauler delivering the septage waste, and may change at any time during the period of this agreement.
6. Either party may terminate this agreement for any reason with written Thirty-day (30) notice to the other party.
7. This agreement shall be valid for a period of five (5) years beginning January 1, 2010. Extension of this agreement shall be preceded by a written request to the Allenstown Sewer Commission no later than six (6) months prior to the (5)-year expiration date.

SIGNED:

Town of Hooksett

Allenstown Sewer Commission

By: Nick Brines Chair 2-2-10
Date

By: _____
James A. Rodger, Chairman Date

By: Roger Bergeron 2/2/10
Date

By: _____
Jeffery R. McNamara, Commissioner Date

By: _____
Date

By: _____
Charles Martel, Commissioner Date

By: _____
Date

By: _____
Date

AGENDA NO. 15-018
DATE: 3-25-15

Staff Report

2012 Tax Deeding

March 25, 2015

Background:

This is an update to the Town Council to make them aware that the 2012 property tax liens are eligible for Tax deeding this year and to review the deeding process. The Tax Deeding date is May 27, 2015.

Fiscal Impact:

This depends on the amount of the outstating property taxes on the property that is eligible to be tax deeded.

Recommendation:

To allow the Town Administrator on the Town Councils behalf to make payment plans with residents. The Town Administrator will not be able to reduce interest or forgive back property taxes.

Prepared by:

Kimberly A Blichmann, Tax Collector

Town Administrator Recommendation:

Dr. Dean E. Shankle, Jr.
Town Administrator