

**TOWN COUNCIL MINUTES**  
**REGULAR MEETING**  
**WEDNESDAY, June 13, 2001**

The meeting was called to order at 6:30pm.

**PRESENT:** Chairman R. Dion, S. Sheidow, T. Young, D. Pichette-Volk, P. Rueppel, R. Holley, M. Jolin, P. Ganley, D. Duford, M. Farrell-Town Administrator.

**MINUTES:** May 23, 2001: P. Rueppel moved to approve as amended. Motion seconded by S. Sheidow. **Motioned carried unanimously.** P. Rueppel and P. Ganley abstained.

**MINUTES:** May 30, 2001: M. Jolin moved to approve. Motion seconded by D. Pichette-Volk. **Motion carried unanimously.** T. Young abstained.

**TOWN ADMINISTRATOR'S REPORT:** M. Farrell reported on the following:

1. The Town has received over \$20,000 from FEMA for the blizzard last March. My thanks to the departments for their accurate and quick tracking of data, during the storm and reporting it to Finance. Although it doesn't affect the bottom line of the budget we do get to offset those revenues with the expenditures. I would like to commend the department heads and the Finance Department for their hard work and quick action on this situation.
2. Tri-Town is doing well at the Safety Center.
3. It is time to make the necessary encumbrances. Our present situation, during this very tight budget, is that we have \$116,000 or 1 ½% unspent from a \$7.7 Million appropriation. We have held off on most equipment purchases and paving. **(Attachment #1)**
4. The lease for the soccer field on J. Jarnutowski's land, Lot 17-13-2, Tax Map17-Lot 13, NH Rts. 3A, 31 West River Road, Hooksett, is still in negotiations. Once the new configurations have been decided upon the Council will be notified.
5. The Town went to Merrimack Superior Court to seek a temporary restraining order against NH Fireworks company for operating without a permit. The temporary restraining order was granted. NH Fireworks has 48 hours to secure a permit. Failure to do that will authorize the Town to seize and remove the fireworks from the property, at the expense of NH Fireworks, and they are also ordered to post a bond of \$10,000 to cover the cost thereof.
6. The bids for three pick-up trucks, which were approved by the Town Meeting, were put together by D. Hemeon for review. His recommendation is Bank's Chevrolet. D. Hemeon has the comparisons of other dealerships if anyone would like to review them.  
**(Attachment #2)**

M. Jolin asked if any state bids were sought.

D. Hemeon responded that he did check the state bids and that 9 times out of ten he finds a better deal.

T. Young moved to approve the recommendation of Bank's Chevrolet. Seconded by D. Duford.  
**Roll call vote carried unanimously.**

**PUBLIC INPUT:**

Fred Bishop, 16 Ridgeview Dr., Police Commissioner will be ending his second term shortly, after serving for the past 6 years. Fred gave compliments to Ron Dion, the Council, Police Chief M. Agrafiotis, and D. Pichette-Volk for her informative budget presentation.

Chairman Dion stated Fred Bishop has served the Town very well over the years and we thanked him for his dedication, time and service.

**NOMINATIONS/APPOINTMENTS:**

Don Galloway, 1465 Hooksett Rd.#133., expressed his interest in the Police Commission position. He reviewed some of his past professional experiences in law enforcement. D. Galloway stated that he has lived in town four and a half years.

Chief Agrafiotis stated that he spoke to legal counsel recently and it was determined that the Police Commission position is under the guidelines of Chapter 412, established in 1975, which established a police commission which states - to hold office, one of the requirements is to have lived in town for 5 years. We are not under RSA 105:c that states 3 years for residency.

Don Boisvert, 15 Reggie Ave., Hooksett, expressed his interest in the Police Commission position. He is currently employed at the Union Leader for over 15 years as circulation manager. He has been involved with the HYAA and is a 10 year resident of Hooksett.

Lee R. Belanger, Sr. of 2 Wedgewood Circle, Hooksett expressed his interest in the Planning Board Alternate member. His qualifications include 40 years experience in building design/construction projects as indicated on his previously submitted resume and letter. L. Belanger has some interest in the Zoning Board and this would be his second choice.

M. Jolin asked Mr. Boisvert if there is another position that is available that he might be interested in.

D. Boisvert said he would look at the list and if he is interested he would let the Council know.

**OLD BUSINESS:**

D. Duford stated that the boat launch area is still not being kept clean.

M. Farrell stated the he and Dale spoke on keeping the state area clean.

D. Hemeon stated he contacted the State and that the State did provide the trash can by the cement pad.

The Council agreed that the trash can and picnic table be put in storage and to notify that State this has been done.

D. Duford inquired on the status of obtaining prices for a sound system, a balance on air conditioning, and solid doors for Chambers.

M. Farrell stated obtaining prices, on those items, are in process.

D. Duford asked if the wage information would be distributed to the employees for the new fiscal year.

Mike Farrell stated the employees would be notified of the changes, which is part of the personnel plan.

**NEW BUSINESS:**

**ENCUMBRANCES:**

Diane Savoie, Finance Department, explained how the information was gathered on the five items **(Attachment #3)**. A memo was sent to each department and they responded accordingly on what projects had not been done or what projects are still in process.

D. Hemeon stated that Brox price is 5,000 – 10,000 tons for \$34 a ton, Continental is \$36 a ton, Pike is willing to hold to \$29 thru the new fiscal year which is a substantial savings to the town. Dale went over plans today with Pike and he will have further information next week on each street and each section. Pike will do the structure raising and therefore it will not be necessary to have police officers present during paving as we will have trucks with lights at the site.

The Council asked to see the three bids.

D. Hemeon stated he would get those prices from Brox, Continental and Pike in writing.

D. Pichette-Volk asked if the paving money had to be encumbered.

D. Savoie stated once the contract is honored, it is automatically encumbered. We do not technically need to take action but it makes everything formal when the auditors come in.

D. Savoie stated the Opti-Com Traffic Light System is still in limbo as we are waiting for the State to respond.

M. Farrell stated the light is located at Route 3 and Mammoth Rd. There is crushed conduit under the intersection and we cannot snake the Opti-com under the road. D.O.T. has no plans to work in that area for many years.

D. Savoie stated that this item was encumbered last year and is sitting in the unspent side of our encumbrances.

D. Savoie stated that article #44 Athletic Fields has a five-year life term.

M. Farrell stated the soccer fields on Industrial Park Drive across from Cummings Press, is land donated by Manchester Sand & Gravel as part of the Glencrest subdivision, it will be developed at the same time as the proposed roller skating rink.

D. Duford asked if the article was just for playing fields and specific to location.

D. Savoie stated it is to provide athletic fields, access roads and parking facilities on town owned or school district land. This is money that has been held over and it doesn't effect this years operating budget.

D. Savoie stated the next item is the lightning protection project that is 95% completed and the amount represents what is left. It was encumbered last year; therefore the money is already there.

D. Savoie stated that the emergency dispatch radio system of \$454,607 is everything updated to today.

Chief Agrafiotis stated that they are looking to purchase a dual mode console radio that is analogue and digital to interface with new radios. If the State's third phase of grant money does come to us then we can plan on making further enhancements.

D. Savoie stated that attached is the formal request from Chief Agrafiotis for the dispatch system. The last page is what has been spent on the warrant article so far. **(Attachment #3)**

M. Jolin asked if the Council saw these paving bids previously.

M. Farrell stated the Council saw the three bids last year.

T. Young moved to approve the encumbrances as presented. Motion seconded by S. Sheidow.

**Roll call vote carried unanimously.**

P. Rueppel moved to have the Council honor Councilor Sandy Sheidow at the next Council meeting on June 27<sup>th</sup> after scheduled appointments at 7:30 and before old business for 10 minutes. Motion seconded by P. Ganley. **Motion carried unanimously.**

P. Rueppel stated there would be a gathering at Applebee's the same night at 9:30 all are invited to attend.

S. Sheidow asked where is it written that to be on Board of Appeals a member needs to have an engineering degree.

M. Jolin said that it's dictated in the building code. Different positions require different qualifications on the Board of Appeals.

T. Young would like to see details in the BOCA Codes. Administrative codes should state to refer to BOCA codes.

**STATE LEGISLATIVE BUSINESS:**

M. Farrell stated that there are two bills in the legislature, SB188 & SB199, which will substantially change the way we do assessing. You will not need to have a re-evaluation every 5 years. The DRA will certify values every 5 yrs. DRA is working on program on how to do it. It will require the towns to do a lot of extra work. The Municipal Association has brought this up as a 28a issue, unfunded mandate. In order to pass this legislation they will have to attach revenue for the towns. The actual law will not begin till 2003.

**PUBLIC INPUT**

Marion Jacobi, 3 Alderwood Court, Hooksett, spoke representing Mary Ruel who was not able to make it to the meeting. She is here to make sure the Council has received Mary Ruel's letter.

R. Dion stated that we understand that she is more interested in being on the planning board even though she is interested in the other positions as well. She would really like planning board.

D. Pichette-Volk called M. Ruel to ask what would be her position as an alternate on the Planning Board as opposed to a full member and would she consider being an alternate member on the Planning Board.

M. Jacobi stated that if she didn't get full member she would be interested in Alternate, but she would prefer full member.

M. Jolin stated then this would be M. Ruel's order of preference, 1<sup>st</sup> Planning Board – Full Member, 2nd Choice Planning Board – Alternate Member, 3<sup>rd</sup> choice Zoning Board of Adjustment.

**NOMINATIONS/APPOINTMENTS:**

R. Dion stated that tonight will be nominations and the next meeting will be appointments. He also stated that nominations would be taken for full term, once all the full term slots are appointed then the council will appoint the alternate terms.

**CONSERVATION COMMISSION:**

T. Young nominated Ron Lucci, Marcel LaBonville and Tim Johnson, full member, exp. 6/2004.

**HERITAGE COMMISSION:**

P. Ganley nominated John Peroni, full member, exp. 6/2004.

D. Pichette-Volk nominated Tracy Roche, full member exp. 2/2004

PARKS AND RECREATION ADVISORY BOARD:

M. Jolin nominated Don Boisvert, full member, exp. 6/2004.

PLANNING BOARD:

P. Rueppel nominated Lee R. Belanger, Sr., alternate member, exp. 6/2004.

D. Pichette-Volk nominated Joanne Penerima for alternate member, exp. 6/2004.

T. Young nominated Mary Ruel, alternate member, exp. 6/2004.

POLICE COMMISSION:

M. Jolin nominated Don Boisvert, full member, exp. 6/2004.

T. Young nominated Randy Holt, full member, exp. 6/2004.

ZONING BOARD OF ADJUSTMENT:

R. Dion stated that it's the Council's choice on who will represent the Council on the Zoning Board of Adjustment.

D. Duford nominated Mary Ruel, exp. 6/2004

T. Young asked if the Council is allowed to nominate the night of the appointments.

R. Dion stated yes.

**T.I.F. ADVISORY BOARD:**

D. Duford read the requirements. The T.I.F. Advisory Board must consist of such members as appointed or elected as determined by the legislative body, majority of members shall be owners or occupants of real property within or adjacent to the development district; in a substantially residential development district however the boards shall consist solely of owners or occupants of real property within or adjacent to the district.

M. Farrell stated that of the five members three would be owners or occupants of property within or adjacent to the district and two would be outside that area. This process should be completed in July. The development agreement is drawn up by the attorneys and Council has the final approval.

**SUBCOMMITTEE REPORTS:**

ADMINISTRATIVE CODE: P. Ganley reported that there are two more departments to complete, and also the new recommendations to Town Council.

AMBULANCE: D. Pichette-Volk reported that their public meeting was last week and attendance was low. The committee will be ready to report to the Council very soon, it will be at least an hour to report all the information.

BOARD OF ASSESSORS: P. Ganley reported that they abated \$82,000. Next meeting, on July 10<sup>th</sup>, will include a meeting with the residents around the Moore Center because the town has rescinded their abatement. Two settlements were reached between Gerry Handley and John Temchack. G. Handley took back his case, of detail A, based on the settlement. The Board advised Sandy Piper that J. Temchack doesn't have any authority to settle cases on his own.

CONSERVATION: P. Rueppel reported that the Court ruled in favor of the Conservation Commission on their suit against the Zoning Board of Adjustment.

HEAVY EQUIPMENT: D. Duford reported that they had a meeting and looked at tractors. There was some misunderstanding on the bid specs therefore, they want more time and will report back at next meeting.

POLICE COMMISSION: Chief Agrafiotis reported there would be a meeting next week in reference to citizens and the speed trailer. Working with this year's default budget we were not in the position to buy a speed trailer. Next week we will be discussing items we have been putting of for this year's budget and the trailer is one of the most expensive items. They would also like to purchase a statistical package to give the town other vital information that could be used in town planning for the future.

SEWER COMMISSION: P. Rueppel reported that there has been no settlement as of last week. A company was in to discuss composting and Scott Bussier and Dennis Demers were there. There's some questions on Dufresne - Henry's billing.

T. Young moved at 8:55pm to enter into nonpublic session under RSA 91-A:3,II,e – Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Motion seconded by S. Sheidow. **Roll call vote carried unanimously.**

D. Duford moved at 9:33pm to exit nonpublic session. Motion seconded by R. Holley. **Roll call vote carried unanimously.**

The following statement was issued: The Council decided not to divulge any decisions reached on Item #2. Item #1 was released.

Chairman Dion asked the Council to think about changing the July 11, 2001 Council Meeting to July 18, 2001 in order that all Councilors be present for the annual organization of the board.

Chairman Dion adjourned the meeting at 9:36pm.

Respectfully submitted,

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Tina M. Paquette  
Administrative Assistant

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Denise E. Pichette-Volk  
Town Council Secretary