

TOWN COUNCIL MINUTES
REGULAR MEETING
WEDNESDAY, OCTOBER 10, 2001

The meeting was called to order at 6:32pm by Vice Chairman Dion.

PRESENT: Chairman T. Young present at 7:30pm, D. Pichette-Volk, P. Rueppel, M. DiBitetto, R. Dion, R. Holley, M. Jolin, P. Ganley, D. Duford, M. Farrell-Town Administrator.

MINUTES: September 26, 2001: P. Ganley moved to approve as amended. Motion seconded by M. DiBitetto. **Motion carried.** P. Rueppel and R. Holley abstained.

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

MRI REPORT UPDATE:

1. In a conversation with MRI they indicated that the Assessing Department report would be here by today and it has not shown up.
2. A meeting was held on terrorism and all Town departments, water precincts, Superintendent and Assistant Superintendent of Schools and three school principals were in attendance. Potential effects on Hooksett were discussed and in the Councils packets are two items preparing for terrorism. M. Farrell continued the topic with a review of how the Town officials, Police, Fire and water departments, are preparing for any possible terrorist attacks. The Town is looking into scheduling a town-wide mass casualty drill through Police and Fire standards as soon as possible.
3. Sandy Piper, Director of Assessing, and M. Farrell attended a Department of Revenue Administration (DRA) briefing on certification. M. Farrell would like to have a special session with the Board of Assessors to review the rules and guidelines of the DRA to be less than two hours long. Because these rules/laws have always been in effect it is not an un-funded mandate, therefore, no State funding is available for the work that needs to be done. Hooksett is scheduled for 2003 and each town will be assigned an assessor and a contact point (person). M. Farrell would like to get a Request for Proposal (RFP) for revaluations as soon as possible to put into the Capital Reserve Fund for July 1, 2002.
4. Of legal note is the court's decision, of Town of Hooksett vs. Baines, the Court has decided in favor of Mr. Baines. It effectively has overturned the Town Charter in regards to elected term limits. The Town's option is to appeal the decision, to the Supreme Court, within 30 days. The Town doesn't have authority by law to limit the terms; it is the State Legislature that has maintained the authority.

R. Dion stated that since this court decision is date sensitive, that discussing this at the next Council meeting may be to late to file an appeal, that a special meeting could be scheduled.

M. Farrell stated he would look into the time issue and if need would schedule a special Council meeting.

5. The Supreme Court has agreed to hear the Town's appeal of the Conservation Commission vs. the ZBA. At the same time, the Supreme Court has rejected a motion by the Conservation Commission's motion to object to the Town's appeal. The need to have briefs in by October 31, 2001, counter briefs in by November 30, 2001. Then oral arguments expected to be heard in the spring/summer and a decision in the fall of 2002. The Town is appealing the decision of the Judge not the decision of the ZBA, who decided that the Conservation Commission has standing before the Superior Court. That is the only issue. NHMA's attorney may file a Friend of the Court, on our behalf??
6. The County tax bill has been received with a 20.7% increase. Payment is due to the County by December 15, 2001.
7. Manchester Chamber of Commerce is involved in a Democracy 101 project with University of N.H. and the US Army. The US Army is bringing over a delegation from Armenia and Azerbaijan. NH has been chose because of our size and type of government to have this delegation attend our Town Meeting. M. Farrell has agreed to host this delegation of 10-12 minister level officials from Armenia. They will attend our First Session of Town Meeting 2002.
8. The Connector Road Subcommittee met with some of the original 1996 participants, Southern NH University and Manchester Sand & Gravel. A traffic study needs to be done, meeting set with D.O.T. to work out scope of study. The General Contractor, Ron

Corriveau, of Manchester Sand & Gravel and M. Farrell met with division 5 and Assistant Chief Engineer to review plans and details for the cost of the road. In reviewing the plans and making some adjustments the Town should be able to save about \$500,000. The next step is to meet with Public Service to lower costs further and then to meet with other invited guests to see how they would like to save dollars on this project.

9. A meeting was held with Legal Counsel to discuss Exit 10 development agreement and based on information discussed Attorney Mayer would like to review the agreement with Town Council. The developers would prefer not to go out for a bond until June 2002.
10. Budget development has begun. The budget worksheets have been distributed to the Department Heads. The budget will be ready for Council review after December 25, 2001. The Capital Improvement Program (CIP) has been submitted to the Planning Board for CIP review.

M. DiBitetto stated that the Budget Committee met and discussed an agenda and they are waiting for some feedback from the schools.

M. Farrell stated he would see that the Committee receives a proposed budget calendar. This should be available for the Council at our next meeting.

11. Charles Watson, Town Planner, met with approximately 25 citizens to discuss the entire traffic situation in Town. M. Farrell would like Mr. Watson to make a presentation to Council at the next meeting.
12. A letter was received from D.O.T. in response to the request at Holleyberry to have included in the plan the construction of sidewalks and a cross walk. The letter indicated that including sidewalks to the plan would delay the project by two years. However, the Town could apply for a D.O.T. grant and get the sidewalks and crossings installed sooner. The Planning Department will augment the project via grant application.
13. Fire Department's Union Contract is still under negotiations and moving along nicely.
14. Town Engineer is still being discussed in the Administrative Code Committee.
15. An All Boards Chairmen's meeting is scheduled for tomorrow night.
16. There was a joint meeting with the Conservation Commission and the Planning Board and they agreed to work together on the Heads Pond Development.
17. M. Farrell attended a very informative IMCA conference in Salt Lake City, Utah last week.

Chairman Young present at 7:30.

SCHEDULED APPOINTMENTS:

JIM SULLIVAN – CITIZEN OF THE YEAR PLAQUE.

Jim Sullivan and George Longfellow represented the Men's Club that was founded in 1951 and dissolved in 2001. Their mission was to make Hooksett a better place to live. As a final tribute from the Club, they presented to the Town of Hooksett a plaque with every name and year of each person honored as Citizen of the Year. The Hooksett Lions Club will continue with the tradition of honoring Citizen of the year and will work with the Boy Scouts just as the Men's Club did. They also thanked the Council for having the Men's Club as the dedication of this year's Annual Town Report.

OLD BUSINESS:

ADOPT-A-HIGHWAY, STATE PROGRAM

WORKERS COMPENSATION LIABILITY FOR VOLUNTEERS

M. Farrell stated that volunteers are covered under the medical coverage of our general liability policy for a max of \$5,000. There is no workers compensation coverage.

M. DiBitetto moved to have Hooksett Town Council be responsible for Main St. from Route 3 to Route 3A for a two year commitment on the Adopt-A-Highway State Program.

Roll call vote.

R. Holley	yes	P. Rueppel	yes
M. Jolin	no	M. DiBietto	yes
P. Ganley	no	R. Dion	yes
D. Duford	no	T. Young	yes
D. Pichette-Volk	yes	<u>Motion carried.</u>	

STATE SURPLUS LAND MAP 18, LOT 38.

M. Farrell stated that the 1.5 acres has a net total appraisal of \$317,000.

M. DiBietto stated that the Zoning Board is not interested.

M. DiBietto moved to postpone further discussion, to see if there is any interest from other departments on the 1.5 acre parcel. Seconded by P. Rueppel. **Motion carried.**

Chairman Young stated this would be discussed at next Town Council meeting at the end of October.

ICMA/RC 457 PLAN.

D. Duford asked is this different than State Retirement Plan and is it open to all employees?

M. Farrell stated he is contracted and doesn't have to participate in the State plan. The Town has a 457 Plan in place available to employees at their choosing, this is in addition to the State Plan that the employee must contribute to.

M. DiBietto asked that this is not a matching fund situation, it is contractual and can one put a certain percent of salary into the plan.

D. Duford stated that 10% of the salary could go into the plan.

D. Savoie, Finance Director, will oversee the administrative procedures and will give an annual report to the plan that will be administered by ICMA. At this time, this plan is open only for the Town Administrator. If additional employees would like to contribute to the plan, new accounts would have to be opened and it would consist of employee contributions only.

M. DiBietto moved to adopt ICMA Corp. retirement plan for the Town Administrator to meet his contractual agreement. Motion seconded by M. Jolin.

Roll call vote.

M. Jolin	no	M. DiBietto	yes
P. Ganely	yes	R. Dion	yes
D. Duford	no	R. Holley	yes
D. Pichette-Volk	yes	T. Young	yes
P. Rueppel	yes	<u>Motion carried.</u>	

QUARRY ROAD.

R. Dion stated that we move forward and have Legal Counsel discuss with them.

M. DiBietto stated that it should be requested of the bonding company that they complete the work on the subdivision.

M. Farrell stated that the project could still be done in this construction season.

M. DiBietto stated that we need to generate bids and bid requests, specific to that site only because as it stands now, it's our word against their word. Administration is still negotiating. Bond company may not be aware of the \$21,800 vs. 15,000.

Manter Corp. has gone out of business, we are dealing with surety company offering \$15, 000.

M. DiBitetto moved that we continue to negotiate with the bonding company and develop a set of specifications to go out to bid in Spring 2002 for completion of the project by July 31, 2002.

Motion seconded by R. Dion. **Motion carried unanimously.**

SOCCER FIELD STATUS ROUTE 3A.

D. Pichette-Volk requested status on the Jarnutowksi lease agreement.

M. Jolin stated the lease was never signed.

M. Farrell stated that the fields are being done by HYAA and there has been some town assistance in removing dirt.

M. Jolin stated that the Town assisted because they were allowed to strip the loam and the benefit was the Town could keep the loam.

TOWN WEB PAGE.

D. Duford inquired on the status of obtaining a Town web page.

M. Farrell reported that there is no change.

M. DiBitetto stated that Granite Hill Association is negotiating to do a DSL service and that web hosting would be offered.

QUINT FIRE TRUCK BIDS.

D. Duford asked if there were any updates on the Quint Fire Truck bids.

M. Farrell stated that he would report back at the next meeting on the status.

PURCHASING AGENT:

D. Duford stated he would like the Council to entertain the thought of the Town hiring a purchasing agent. The agent would act for all departments including Police, Fire and Automotive transactions to save the Town a great amount of money.

OLD BUSINESS:

HALLOWEEN TRICK OR TREAT.

R. Dion moved to rescind his motion for the hours of the Halloween Trick or Treat. Motion seconded by D. Pichette-Volk.

Roll call vote:

D. Duford	yes	R. Holley	yes
D. Pichette-Volk	yes	M. Jolin	yes
P. Rueppel	yes	P. Ganley	no
M. DiBitetto	no	T. Young	no
R. Dion	yes		<u>Motion carried.</u>

R. Dion moved to establish Halloween Trick or Treat hours to be Sunday, October 28, 2001 from 3pm – 7pm. Seconded by D. Pichette-Volk.

Roll call vote:

D. Pichette-Volk	yes	M. Jolin	no
P. Rueppel	yes	P. Ganley	no
M. DiBitetto	no	D. Duford	yes
R. Dion	yes	T. Young	no
R. Holley	yes		<u>Motion carried.</u>

NEW BUSINESS:

TOWN ADMINISTRATOR'S CONTRACT.

D. Duford stated that the date in the Town Administrator's contract on the section of the bi-annual review has a typographical error and should read 2003 not 2004.

ROUTE 3A TRAFFIC.

D. Duford asked what has been done in reference to Route 3A /Joseph Berardi situation.

M. Farrell stated that he sent a letter to the D.O. T. Commissioner Murray and one of the topics was the 3A traffic situation and Mr. Berardi has been sent a copy.

NOMINATIONS/APPOINTMENTS.

BUILDING BOARD OF APPEALS.

Mike Jolin nominated Lee Belanger to be Building Board of Appeals, Alternate member, exp. 6/2006.

EMS.

Chairman Young nominated Fred Bishop to the EMS Commission.

D. Duford moved to appoint John Proctor, Don Riley, Steve L'Heureux and M. DiBitetto to the Emergency Medical Services Committee. Seconded by R. Dion.

Chairman Young questioned page 26 of the Ambulance Survey on "to provide leadership and guidance and implementation of EMS services"; is this for Council Guidance

D. Duford responded yes for Council's Guidance.

Chairman Young stated what he is looking for is it the intent of this committee to have and oversee the actions of the EMS Committee.

D. Duford stated to provide leadership guidance in the implementation of EMS services.

P. Rueppel stated that her view of what she is hearing is that a Committee is going to be set up to work and make recommendations and then come back to the Council, they are not going to overstep in getting involved in any of the administrative work.

R.Dion and D. Duford agreed with P. Rueppel.

M. Farrell didn't feel this Committee was necessary to begin with, he feels it is walking a very fine line in interfering with Administration. It's the Town Administrator's job to provide leadership.

R. Dion stated that he thought they would just investigate and come back to the Council and give recommendations about what they thought the Council should do to help Council make decisions. He did not think they would be administering anything.

Chairman Young stated this is a Committee, a Committee is long term, a subcommittee is a short term. This committee will be there forever, there is no term limit.

T. Young referred to the August 22nd minutes, bottom of page 2, to advise Council to provide leadership guidance in the implementation of EMS or to provide leadership and guidance in the implementation of EMS.

Remove motion and Second to the motion:

D. Duford moved to appoint John Proctor, Don Riley, Steve L'Heureux and M. DiBitetto to the Emergency Medical Services Committee. Seconded by R. Dion.

M. Jolin moved to clarify the EMS Committee to be an **Advisory Committee** to the Council. Seconded by P. Ganley.

Roll call vote on the Advisory Committee.

P. Rueppel	yes	P. Ganley	yes
M. DiBitetto	yes	D. Duford	yes
R. Dion	yes	D. Pichette-Volk	no
R. Holley	no	T. Young	yes
M. Jolin	yes	<u>Motion carried.</u>	

D. Duford moved to appoint John Proctor, Don Riley, Steve L'Heureux and M. DiBietto to the Emergency Medical **Advisory** Committee. Seconded by R. Dion.

D. Duford moved to appoint John Proctor, Don Riley, Steve L'Heureux and M. DiBietto to the Emergency Medical Services Advisory Committee. Seconded by P. Rueppel.

Roll call vote,

M. DiBietto	abstained	D. Duford	yes
R. Dion	yes	D. Pichette-Volk	no
R. Holley	no	P. Rueppel	yes
M. Jolin	yes	T. Young	no
P. Ganley	yes		

Motion carried.

R. Dion moved to extend the meeting until 9:45pm to discuss only the Council Newsletter.

Roll call vote.

R. Dion	yes	D. Pichette-Volk	yes
R. Holley	yes	P. Rueppel	yes
M. Jolin	yes	M. DiBietto	yes
P. Ganley	yes	T. Young	yes
D. Duford	no		

Motion carried.

SUBCOMITTEE REPORT.

D. Pichette-Volk stated that she and R. Dion have worked up a Council Newsletter draft for Council's review. It will include one page article and one page on the schedule on the Community Profile meeting. It is hoped to have it in the mail by October 19th so that it reaches the community in a timely manner. The reason for the rush on this is that the Community Profile meeting is set for November 2nd & 3rd and for the community to have time to make plans on attending

M. DiBietto, representing the Community Profile effort, stated he did not want to put pressure on the Council or anyone else to get this out in a hurried manner. Community Profile would find another way to get the initial information out in the mail.

Council felt that the Community Profile items should be omitted, obtain other topics and at the next Council meeting a draft would be discussed.

Chairman Young adjourned the meeting at 9:50pm

Respectfully submitted,

Tina M. Paquette
Administrative Assistant

Michel N. Jolin
Town Council Secretary