

OFFICIAL

TOWN COUNCIL MINUTES Regular Meeting January 7, 2004

CALL TO ORDER:

M. DiBietto called the meeting to order at 6:30 PM.

ATTENDANCE:

Chairman, M. DiBietto, D. St. Pierre, P. Rueppel, P. Loiselle, P. Fitanides, M. Jolin, G. Longfellow, M. Ruel, D. Belanger, Town Administrator, Arthur Packard.

PUBLIC INPUT:

Jim Keenan 38 Garland Lane

Mr. Keenan addressed his concern over street name change to Barberry because we've been there so long. He suggested put up dual street signs. This would be the second name change. The residents as a result of this name change would incur considerable cost.

A letter received by the residents from Ken Andrews was presented to Council.

M. DiBietto took these concerns under advisement and requests the Town Administrator to investigate.

M. DiBietto, "We approved street names but we were unaware there would be new names designations."

Tae-Won Jin, Garland Lane

Mr. Jin expressed similar concern regarding the renaming of Garland Lane.

Mrs. Keenan, 38 Garland Lane

"I understood that this change was for 911 however, the Fire Department has had no problem finding our house. We think it would be more confusing to change our road now. It was stated that this change was for ease of the postal worker but that is not true because he will have to change his route."

By consensus, the Town Council will place this change from Garland to Barberry on hold.

MINUTES:

December 17th, 2003

G. Longfellow motioned to accept the minutes of December 17, 2004

No second, the motion failed because member did not have sufficient time to review.

Motion to table from M. Jolin.

All in favor.

OLD BUSINESS:

Village School

M. DiBietto stated that the School Board voted to offer the Town of Hooksett the Village School property pending approval by the voters.

D. Belanger asked if the results of the evaluation have been received.

P. Loiselle has not seen anything with regard to the Village School evaluation.

M. DiBietto, "We have a warrant which was passed for feasibility and we have yet to engage it."

P. Loiselle, "Do we want the result of the feasibility study before we approve?"

D. St. Pierre, "I thought we would do the two simultaneously."

P. Loiselle, "There are two issues, the feasibility and the acceptance of the building. We could accept the building pending approval of the feasibility study."

M. DiBietto, "I believe the school would like an answer prior to the school election which is in March. The last day to post warrants is January 26, 2004. I don't think we will have all the answers we need from the studies in 2 weeks."

G. Longfellow, "Personally, I hate to see them close the school, however, this is a great opportunity for the Town Council. The land alone is worth more than the building."

D. Belanger, "I don't think anyone feels we shouldn't accept it. We need the schools study that was already done and then we can do our own study so we know what we are getting into."

Motion by P. Loiselle to send an indication to the SB of our interest in acquiring the Village School property, which will include both the land and building for \$1.00. Seconded to G. Longfellow.
Voted unanimously in the affirmative.

Elderly exemption

P. Loiselle motioned to take issue of the elderly exemption off the table.

G. Longfellow seconded the motion.

Voted unanimously in the affirmative.

P. Rueppel stated that she originally made the motion because she became aware that approximately 50% of evaluations in town increased and so far 17million dollars has been abated.

D. St. Pierre, "Do we know statistically how many people could possibly request abatements? We need the potential pool."

P. Rueppel, "Sandy Piper feels this is about the end of it."

M. Ruel, "The timing was a concern. Can people still file for abatement on the bill they have already received?"

P. Rueppel, "The deadline is April 1st for 2003. I was going to make the motion retroactive, but Paul requested I not do that because it would be a nightmare."

M. DiBitetto, "There is some confusion with the numbers and what they represent."

M. Jolin, "I believe at the last meeting we were looking at the impact to pass this and we still do not have that."

D. Belanger, "What is the income threshold?"

P. Rueppel, "\$35,000 for singles and \$50,000 for couples which does not include a person's personal assets."

D. Belanger, "You could have substantial assets and still have income below guidelines and be living off dividends."

D. St. Pierre, motioned to assemble a subcommittee to study all exemptions, which include but are not limited to elderly, blind, and disabled.

G. Longfellow seconded the motion.

Voted unanimously in the affirmative.

P. Rueppel rescinded the original motion from Dec. 17th meeting. G. Longfellow rescinded his second.

The time frame established for the subcommittee's report to Council is the first meeting in March.

Committee members (3) include: P. Rueppel, D. St. Pierre, and P. Loiselle

M. DiBitetto. All in voted favor of the above slate of Councilors to be on the subcommittee.

APPOINTMENTS:

7:00 PM, M. Williams, Fire Chief

Vacancies

M. Williams presented the changes he is requesting in the organizational staff as a result of vacancies.

See attached documents

M. Ruel, "I believe the fire inspector is fee based, therefore it pays for itself."

P. Loiselle, "Lt. Covey is doing the inspections. The reclassification is to make a deputy chief an Assistant C2."

D. Belanger, "Are you looking to do this now or next year?"

M. Williams, "I would like to do this now to fill open position to reduce overtime and work more efficiently. We will post and if we hire from within, we will have vacant position. The floater and firefighter are vacant because Lt. Covey is inspecting and Joel is doing the Assistant's job.

P. Loiselle motioned to reclassify the Deputy Fire Chief, C2 to an Assistant Fire Chief at a pay grade of an S9. Seconded by G. Longfellow

M. Jolin amended the motion to add...to change the secretarial position from full time to part time. Seconded by D. St. Pierre.

D. Belanger, "I agree with it but we are still looking at \$23,000 and we need to get through that before we add positions."

M. Williams, "There is a third round of cuts coming to get the 23,000 reduced."

D. Belanger, "I'm giving you until July to live with what you have. You could reduce your budget by \$5,000."

M. Ruel, "Right now, the deputy chief position is filed temporally, and is from within. That position which is vacant is filed by an overtime."

D. Belanger, "Make him the deputy at the current salary for 9 months and then we can reclassify it when the budget crunch is over."

M. Williams, "If we promote from within, we have line officers that make more than that and we might not get the best candidate or anyone interested in this position."

Vote on the Amendment: D. Belanger- Y, P. Fitanides- Y, M. Jolin - Y, P. Loiselle -Y, G. Longfellow - Y, M. Ruel - Y, P. Rueppel - Y, M. D.- Y

Vote on motion

M. DiBitetto "Is there any staff that can be eliminated or that you can do without."

M. Williams, "No, there is so much to be done with inspections, etc. we cannot cut."

Roll Call vote on the amended motion.

Vote on the Amendment: D. Belanger- Y, P. Fitanides- Y, M. Jolin - Y, P. Loiselle -Y, G. Longfellow - Y, M. Ruel - Y, P. Rueppel - Y, M. D.- Y

Roll call all in favor.

D. Savoie, "There will be a revised salary sheet going out in reference to the Fire Department."

D. St. Pierre, "The Law Firm Search subcommittee should resume their meetings by the end of the month."

NEW BUSINESS:

A. Non-Public Minutes

M. DiBitetto, "Staff has questioned the Council practice of maintaining own non-public minutes."

D. St. Pierre, "One of my concerns is that we are in violation of the right-to-know law by not posting minutes by the deadline. I ask that we get the minutes to L. Dionne in a timely manner so that they can be posted in time. There is a legal issue with regard to the wording of non-public minutes. The Assistant Administrator has that knowledge."

P. Loiselle, "It is in the Council Secretary's job description to maintain these minutes."

D. St. Pierre, "The lack of communication between the Councilor (M. Ruel and L. Dionne) must be bridged."

M. Ruel, "We now have a form which I fill out and give to L. Dionne to be typed, formatted and posted."

P. Loiselle, "Historically, L. Dionne has always taken the non-public meeting and that has recently changed. We need to have her here if we plan to have non-public."

M. DiBitetto, "We typically get to the non-public portion at the end of the meeting. To have someone here for the entire meeting, in case we have a non-public, doesn't make sense."

M. Ruel, "I would not support this because there has been disagreement in statue. And I don't think staff opinion should override Council's opinion."

D. St. Pierre, "I'm only trying to streamline the process by getting more able bodied people to do the job. Whether you know the law or not, it's not getting done in a timely manner and I want it fixed."

P. Fitanides, "The Assistant Town Administrator is hired and not elected by the Council. If the Council wants to prevent leaks, they need to keep meetings to elected officials."

M. Jolin, "We use to have an employee taking the minutes or maintaining the minutes. It doesn't make sense to say an employee should take the minutes because they are the person that will end up with the minutes. The Administrative Assistant will see the minutes anyway in order to maintain them. If they divulge information, it is grounds for firing."

M. DiBitetto, "The procedure we are using is for convenience and not to circumvent anyone."

M. Jolin, "If there are leaks, it is grounds for dismissal. But what happens to the minutes now with computers. There should be procedure for destroying and maintaining these minutes."

M. DiBitetto, "Would it be appropriate to have the Town Administrator research this issue and come back to the Council with a recommendation on how to proceed."

The Council was in agreement.

B. Letter from NHDOT

M. DiBietto read the letter in reference to Rte 28-A (Mammoth Road) to the Town Council.

M. DiBietto, "We need clarification on the actual location and we will give it to the Town Administrator so that we may respond to it. Please forward to C. Watson and the Administrator for a response."

TOWN ADMINISTRATORS REPORT:

P. Loiselle, With regard to the financial position, the current year is headed for a short fall of \$89,000."

D. Savoie presented the current expenditure report.

The December numbers should be at 50% and we are at 53%.

There are three areas that will be over expended....

Administration's over expenditure of \$47,000 has been addressed.

Legal is projected to over expend \$18,000. \$28,000 has been expended to date of the \$41,500 budgeted which leaves \$13,000 to expend until June.

Anticipated Health expenditures decreased tremendously due to the non-hiring of 5 police and communication employees. It appears we will be over by \$10,000 now.

Finance and Assessing Departments need to be reviewed.

Finance is over expended because of a pay increase (D. Savoie).

M. DiBietto, "Should it have come from a merit pool which was in a warrant."

D. Savoie, "No that did not apply."

P. Loiselle, "There is still an outstanding issue with Visions which might impact the over expenditure in Assessing."

D. St. Pierre, "How are we doing relative to getting money in an not using the tax anticipation note?"

D. Savoie, "The tax anticipation note is still available if we need at the end of the year through June 30th. We have not used it."

D. Savoie, "With respect to Fire, I do a vacation accrual at the end of the year. If we have more than the previous year, we have a discrepancy. Fire is anticipated to be over expended in vacation accrual.

Potential areas to offset over expenditures total \$85,000.

D. St. Pierre motioned to allow the over expenditure of finance, assessing and fire and expend money from town building and fleet maintenance.

P. Loiselle seconded.

G. Longfellow questioned that this is premature since we are only 50% through the year.

D. Belanger stated his concern with the departments interpreting this to additional funds added to their budget.

P. Rueppel, "M. Williams is positive he will bring this to 0, but now he will be at \$20,000 due to vacation. He will chip away, but do you, Diane, truly feel that he will not succeed."

M. Ruel, "I would approve this sheet in totality rather that rewriting this plan. We support this plan. Also we need to plan now, so that the funds we may or may not need will be unspent when and if they are needed."

G. Longfellow, "Why don't we just freeze these funds if we are so concerned with this money being spent and table the motion.?"

D. St. Pierre, "Let's come up with a plan, but the last thing I want to hear one month before the end of the year is we are short funds. They are doing what we told them to do and making us aware."

M. Jolin, "I would rather freeze the funds, and not reallocate in anticipation of overspending these funds and not slide them over."

Motion withdrawn by D. St. Pierre and P. Loiselle

M. Jolin motion to freeze the funds in Fleet Maintenance for \$5000 and Town Building for \$15,000 for anticipated over expenditures in Finance, Assessing, and Fire.

D. St. Pierre seconded the motion.

All voted unanimously in favor.

M. Jolin recommended the Council write a letter to the individuals in expediting the process of setting the tax rate; issue the bills, and collecting the monies

M. Jolin motioned to commend the staff and send to the individuals involved a letter and place a copy in their personnel file. Letter to be drafted by the Chair.

Seconded by D. Belanger

All voted unanimously in favor.

PUBLIC SESSION:

Rick Lacourse, ATV Club

"At our recent ATV Club board of directors meeting, we discussed the issue on Chester Turnpike. We submitted and received grant for \$2000 for stone and 20-inch pipe to fill the hole. Talking to Chris Gamache and said we could put in for a grant. We got an estimate of \$2000. and \$335 for pipe to fill in that area. I need approval from the town to go ahead with this grant. I also need the town do a wetlands permit by March 15 to March 20th. We actually need the application for the permit by March 20th."

M. DiBitto, "Can you identify the location and have the club do the plans?"

R. Lacourse, "Yes, the club would be willing to do this"

M. Ruel, "I have an issue if there is any cost to the town."

D. Belanger, "Should the Council simply direct Mr. Lacourse to the Planner."

D. St. Pierre, "I don't want to circumvent Conservation Commission."

The Council directed the Town Administrator to coordinate this issue with Mr. Lacourse and the Town Planner.

The Council consensus is positive as long as there is no associated cost to the town.

H. Murray added that the fire department had to go down this road for 2 car fires recently.

SUBCOMMITTEE REPORTS:

Employee Subcommittee on Pay scales

M. Ruel reported:

"A Chair was appointed to the Committee (M. Ruel). Information on the duties of all chairs was distributed.

The Committee is reviewing the Pay scales and benefits as a package. We would like the time to thoroughly evaluate them.

I would like to use the State's template as a model where the steps relate to the experience and seniority. We are also using other towns to compare.

P. Loiselle, "Are the scales the priority or are we looking at the insurance. What are we going to do for the budget process.?"

D. Belanger, "It is a union issue for half of the town employees and we shouldn't require non-union employees to do what the union will not."

M. Ruel and G. Longfellow, "There should be no change at this time."

P. Loiselle, "If you changed the plan to a \$1000.00 deductible and could negotiate with the union and get agreement, it would result in a tremendous impact on the budget."

D. Belanger, "A \$10 co pay would also have a significant impact."

M. Ruel, "But then we need to renegotiate next year. I think the timing works out for negotiation in the fall with Fire. We really should wait."

Solid Waste Subcommittee

G. Longfellow reported that scales are planned to be put in place in January. I have an issue with pouring concrete in the middle of the winter.

Charter Review

P. Fitanides, "We met last night and continues to work to review the Charter. There is a possible plan to eliminate districting and let everyone run for Council at Large and change a 9 member Council 7."

D. St. Pierre, "I am in deep opposition of getting rid of districting. Are you reviewing putting budget members into districts?"

P. Rueppel, "Per a discussion with Bryan Williams, it can't be done."

D. St. Pierre, "I wanted someone from all 6 districts on the budget committee and some at large. I think you would get a more workable pool if everyone wasn't from one neighborhood."

G. Longfellow, "The State controls the type of government you can have and there are 5 options in the State so you should get input form the State before you go very far."

D. St. Pierre, "I don't believe that the Budget Committee can't be set up by districts."

M. Ruel, "What is the time frame for the Charter.?"

P. Rueppel, "The next meeting for Charter Commission Review meeting is January 27th at the Library."

M. Ruel, "Is they're going to be one charter amendment or separate ones?"

P. Fitanides, "We working to streamline the items so that is less confusing to the voters."

H. Murray came to the Council in October with a request to oversee the Fire and wants to thank the Council for all done in support.

NON-PUBLIC SESSION:

D. St. Pierre, motion at 9:27 pm to enter into non-public session per RSA 91A2(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. Seconded by G. Longfellow.

Roll call. All in favor.

D. St. Pierre moved at 9:38 pm to exit non-public session. Motion seconded by M. Jolin.

Roll call. All in favor.

The Council issued a statement that the non-public minutes would not be divulged at this time due to pending litigation and that at 9:30 pm a motion was made to extend the meeting.

ADJOURNMENT:

The chairman M. DiBitetto announced the meeting adjourned at 9:44 pm

Respectfully submitted,

Lee Ann B. Moynihan

Mary Ruel
Town Council Secretary