

TOWN COUNCIL MINUTES
Regular Meeting
Wednesday, March 10, 2004

CALL TO ORDER

Chairman, M. DiBitetto, called the meeting to order at 6:30 p.m.

ROLL CALL

M. DiBitetto (Chairman), D. Belanger, P. Fitanides, P. Rueppel, M. Ruel, P. Loiselle, M. Jolin, G. Longfellow, D. St. Pierre
A. Packard (Town Administrator)

APPROVAL OF MINUTES:

February 11, 2004: ***P. Loiselle motioned to approve the minutes. Seconded by P. Fitanides.*** Correction: page 5, change "motion passed" to "motion failed".
Unanimously in favor.

PUBLIC INPUT:

H., Murray raised the issue of purchasing the water franchise from Manchester.

D. St. Pierre, "It is true it is sold and the buyer is open to selling."

D. St. Pierre read a letter into the record received from the water commissioner, R. Hebert.

A. Packard, "Is this the project from Guy Chabot? " It is my recommendation that this be addressed at the next Council meeting and includes Manchester Water Works. I will give a report and an outline at that time."

M. Ruel, "So that we might resolve this issue, could we notify the residents in the area and let them know it is on the agenda. It will not be a public hearing, but I would like their input."

A. Packard, "Action Chuck"

M. DiBitetto, "I recall there was interest by a church in the area."

D. St. Pierre, "They were only going to pull the pipe to one house across the road."

M. DiBitetto, "Who are we suggesting be notified?"

M. Ruel, "The property owners that are in the franchise parcel request we received should be notified."

D. St. Pierre, "I would like to make a note to invite the Superintendent of the Village Water Precinct."

G. Cussin of Farmer Road, "Who has control over the Cable TV in Hooksett? I called the company and I asked about elderly exemptions. They said they didn't have any discounts unlike surrounding town."

P. Loiselle, "We are working on a new contract with Comcast and we are negotiating elderly exemptions. We have eight months to rap it up. Once we have the information from them, we will bring it to the public. We have had a contract with Comcast for ten years. (Same company with different names.)"

G. Cussin, "One day, while I was watching TV, I lost all my upper channels. The guy outside, working on the cable, said we never had it. I know we had it before. They want me to go expanded basic for \$30.00. I called by phone and got the same story. The bill then said \$40.00 because what was \$5.00 went to \$10.00 for basic. You must pay this basic before you can get the additional expanded service. What do you know about that?"

P. Loiselle, "Nothing, we are not involved in rate setting."

M. DiBitetto, "Ten years ago the Council granted a franchise but had no jurisdiction over the rate setting."

P. Loiselle, "The public has the right to come forward to the committee to express concerns and needs. They mailed out a brochure to all customers explaining the service. Rates and packages will be part of this negotiation."

M. DiBitetto requested the public be given notice regarding these meetings.

M. Ruel, "For clarification, the sub-committee negotiating with the cable company will bring the proposal to the Council and the public will have an opportunity to give input at that time."

J. Bailey, 6 West Bank Road, representing Citizens Against Composting Odor (CACO). There is an article up for vote that deals with rescinding the funds to do the composting at the treatment plant. The Council had placed **Do Not Recommend** on the article. After last night's vote, I would like the Council to reconsider their recommendation.

M. DiBitetto, "There are two warrant articles that do not require endorsement by the board. (See hand out). I would, therefore suggest, no recommendation on Article 25 or Article 34 to be in order."

D. St. Pierre, "So am I to understand that we should not have entertained either of these articles?"

M. DiBitetto, "This should be on the ballot with no recommendation."

D. Belanger, "If this is to rescind an appropriation, then it involves an appropriation?"

M. DiBitetto, "It is not logical, but we should not make a recommendation."

D. St. Pierre, "I would like legal counsel on this."

M. Ruel, "Point of clarification, even if it passes, it does not stop the composing but just rescinds the bond."

M. DiBitetto, "Our counsel states that you can't rescind the bond, but it limits the ability to expend."

M. Ruel, "It does not stop the sewer from doing composting."

D. St. Pierre, "I would like the attorney to say that we cannot leave our recommendation on there."

M. DiBitetto, "I would like a consensus of the board on this point."

P. Fitanides, "How will it read?"

M. DiBitetto, "It will be blank to that matter. The article will have no comment."

M. Jolin, "It still has to do with rescinding appropriations. If we could put it on before, we should be able to put it on now."

M. DiBitetto, "The advice given was that it is because it was a bonding issue."

G. Longfellow, "We are crossing over to another elected body and we shouldn't have anything to do with it. It should be up to voters."

M. DiBitetto, "The matter is not if we are for or against, it is if we should put our comments."

M. Bourque, "I didn't think the vote yesterday had anything to do with composting but rather to do with land acquisition."

M. Ruel, "Since this is rescinding something we initially recommended, I don't know why we can't leave our recommendation on."

M. Ruel motioned to leave recommendations as they stand (DO NOT RECOMMEND). D. St. Pierre seconded.

Roll call vote:

D. Belanger	Y	G. Longfellow	N
P. Fitanides	Y	M. Ruel	Y
M. Jolin	Y	P. Rueppel	N
P. Loiselle	N	D. St. Pierre	Y
		M. DiBitetto	N

Motion carried (5-4)

NOMINATIONS/APPOINTMENTS:

Bob Sullivan, nominated 2/11/04 to full Planning Board position thru 6/200?

There is no full Planning Board position open therefore D. St. Pierre withdrew his nomination.

Mark Bourque, nominated for open fill-in Planning Board position thru 6/2006

D. St. Pierre nominates M. Bourque for the open fill-in Planning Board position.

M. Ruel motioned to wave the rules on voting. Seconded by D. St. Pierre.

Roll call vote:

D. Belanger	Y	G. Longfellow	Y
P. Fitanides	Y	M. Ruel	Y
M. Jolin	N	P. Rueppel	N
P. Loiselle	Y	D. St. Pierre	Y
		M. DiBitetto	Y

Motion carries (7 – 2)

***Motion to appoint by D. St. Pierre, Seconded by P. Loiselle.
Unanimously in favor.***

SCHEDULED APPOINTMENTS:

Mr. Steven Korzynowski, re: Scientific Survey Results

S. Korzynowski, presented and distributed the results of the survey initiated last summer for the master plan. These results will also be divulged to the public and the press.

D. Belanger, "I think you have done a great job and will be a great tool to determine spending. I think this would be valuable information for all department heads."

M. DiBitetto thanked Mr. Korzynowski for the excellent work done.

Christina Katsikas, re: Fireworks Permit Fee

P. Fitanides and M. DiBitetto recused themselves from this issue.

C. Katsikas of Hooksett Firework and Company raised the issue of inspection fees. P. Fitanides is the landlord for this business. Ms. Katsikas requested an explanation for the \$5000 fee being imposed by the Fire Department originally established by past Fire Inspector, Corey Landry.

M. Jolin, acting chair, stated that the current fee structure is for a \$2500 deposit to be returned minus inspection cost per the 2003 minutes.

The fee from the Chief still shows the \$5000.

C. Katsikas, "That relates to the settlement with NH Fireworks and not my company which is Hooksett Fireworks."

M. Ruel, "The fee structure is not company specific. On June 11th, it was \$2500 deposit and if it was not put into action administratively is another issue."

M. Jolin, "I don't want to debate a \$5000 fee when that is not what is in effect."

C. Katsikas, "I would like to clarify the events."

D. St. Pierre, "I would like to find out where it went wrong."

M. Jolin, "I don't want to discuss \$5000 that doesn't exist."

C. Katsikas read from a letter written by Chief Jeff Brown of Seabrook in reference to fees.

D. St. Pierre, "You are actually opening a new business. Do you expect to pay a fee to open?"

C. Katsikas, "I don't because this is existing location. That location paid its dues."

D. St. Pierre, "You are a new business. Is it your position that you are exempt and fee free?"

C. Katsikas, "Compared to what. Every other business in town is fee free."

D. St. Pierre, "Like you said, the firework laws are confusing. Are there state fees for permits?"

G. Longfellow, "I thoughts we settled this and they were only suppose to pay the inspection fees."

M. Jolin, "I don't know if there is any need to discuss this. There should be a \$2500 deposit, not a fee in place that needs to be place. The current Council policy is that the \$5000 fee was to be rescinded and replaced by a \$2500 deposit to be returned to the applicant minus actual inspection cost. There is no \$5000 fee in place."

P. Loiselle, "As a new business, is there a fee to inspect?"

M. Jolin, "That would be the fireworks ordinance, we need to clarify this \$5000 fee."

D. St. Pierre, "I understand the town had problems with the original business. The building has met all the requirement. In the agreement of the settlement of the problem with the past owner, was it every said that there was an inspection fee?"

M. Jolin, "We can't discuss how we reached the settlement agreement."

M. Ruel, "The settlement agreement is public and the agreement was a \$2500 deposit for a firework sales permit on June 11, 2003. You subtract the actual cost and return the balance. There is no reason to act on it. If you want us to act on that, we cannot act on that tonight."

M. Jolin, "The costs are only what is done. It is not based on a chart."

P. Rueppel, "She is to deposit \$2500 to the fire department, be charge what is necessary and be returned the balance."

M. Ruel, "I thought it was not the Fire Department but an independent company that conducted the inspection."

A. Packard, "Our Fire Department will do the work and charge appropriately"

D. St. Pierre, "I want to state the money will be return in a timely fashion."

C. Katsikias, "It states on the application that all applications will expire by May 1st. I would like to apply before May 1st when everyone is on vacation. We would fall so close to the deadline. I would like to apply sooner."

M. Jolin, "That is part of the ordinance and therefore would need to be changed. It states it must be filed 30 days prior."

C. Katsikias, "I would like to requests a special exception to waive the two months remaining from now to May 1st."

M. Jolin, "The permit which you could apply now would say May 1st, 2004 to 2005. If you want it now you would need two inspections."

A. Packard, "This is something you can address with me and the Police and Fire."

P. Fitanides and M. DiBitetto returned to the table.

Public Hearing, Acceptance of a gift from the Hooksett-ites Happy Helpers to Hooksett Fire Department in the form of Thermal Imaging Camera

B. Chevrette, presented a gift of \$12,500 raised from the proceeds from the clothing to be used to purchase a Thermal Imaging Camera.

G. Lambert, Fire Department thank the Happy Helpers and recommended that the Council accept this gift for the Fire Department.

Public:

M. Ruel, "This was in the operating budget but was cut."

G. Lambert, "We put one in the budget knowing we would get this one and have the one from Wal- Mart. We will have one at each station. We also will always have one when one is out for repair. We used the knowledge and data generated by Manchester to determine the type of equipment we use."

P. Fitanides, "Can you sell the camera that's not as good and maybe Bernadette could get you another one?"

G. Lambert, "There is no market for that camera."

P. Loïselle motioned to accept. M. Ruel seconded the motion. Unanimously in favor.

The Fire Department wants to public thank the Happy Helpers for their generous donation and allowing the Fire Department to choose the unit they wished.

OLD BUSINESS:

SNHPC – Resource Inventory

Kathy Northrup – from Conservation presented the Inventory and some history surrounding the data

D. St. Pierre, "Were some prime wetlands taken out of the Heads pond area for MSG project?"

C. Watson, "The town voted to take some of the wetlands and delist them."

D. St. Pierre, "The voters took these out therefore they need to be taken them out of your inventory list."

M. DiBitetto, "We need authorization to submit this and Council signature."

K. Northrup, "They will produce a map as a result of this."

M. Ruel, "There is a statue for barn preservation and hopeful that could eventually become part of this."

M. Jolin motioned to accept the list minus those removed by vote and forward to SNH planning. Seconded by P. Loiselle. Unanimously in favor.

D. St. Pierre motioned to give chair authority to sign once it is corrected. Seconded by P. Loiselle. Unanimously in favor.

Sub-Committee Report on Tax Exemptions

P. Loiselle reviewed the handout, which outline the percentage of elderly exemption and the tax impact. It would be a 25% increase over the current elderly exemption. It is 2.2% of the overall tax base.

It will translate into about .04/1000 increase

G. Longfellow motioned to adopt. Seconded by P. Rueppel

M. DiBitetto "We asked for elderly and veterans exemptions."

D. St. Pierre, "I think with the current tax burden, we should keep the veterans exemption at \$100.00 as it is currently."

P. Loiselle, "No, the veterans exemption was not addressed."

A. Packard, "The sub-committee was charged to review tax exemptions and not specifically elderly."

P. Rueppel, "We only did the elderly."

M. Ruel, "In order to get this exemption, you must have lived in the town for 5 years?"

P. Loiselle, "And no change in the means. \$35,000 for single and \$50000 for a couple and assets are not considered."

D. St. Pierre, "I would like to readdress this next year and address the assets."

M. DiBitetto, "This will be for the 2004-2005 tax year and will not be retroactive."

Roll call vote:

D. Belanger	N	G. Longfellow	Y
P. Fitanides	Y	M. Ruel	Y
M. Jolin	N	P. Rueppel	Y
P. Loiselle	Y	D. St. Pierre	Y
		M. DiBitetto	Y

7 to 2 in favor – carries

Discussion on Report of Charter Review Sub-Committee

M. Ruel requested the Charter commission reconvene."

M. DiBitetto, "We could have a special ballot with a Charter amendment in August without expending additional funds."

D. St. Pierre, "I have approached the supervisor of the check list to contact my constituents to possible take away the districts in this town. I would be willing to go forward with a new form of census but I would not be willing to go forward if is to demolish the district representation."

P. Rueppel, "I don't want to sit on the committee this time because I am bias and I think we should do away with districting."

P. Fitanides, "I think the sub-committee should be in operation. That is how we get input. The one thing we need to be careful of is the boundaries of the sub-committee in working on the charter. I don't know what the threshold is, D. Duford did. Maybe someone who takes his place will. If you do too much work to the document, then Charter Review Committee should be established."

G. Longfellow, "They came in with these proposals and threw them on the ballot without presenting them to Council for approval."

P. Loiselle, "I think districting should stay."

G. Longfellow, "I am in favor of districting."

- M. Ruel, "I m torn on the issue of districting because someone can get into a district with three votes and someone else needs most of the town. I think it needs to be revamped."
M. DiBitetto, "I am in favor of districts."
D. Belanger, "I am in favor of districts."
P. Fitanides, "I agree with Pat and doing everything at large because it is difficult to get good people to run. You could put in restrictions at large by limiting mileage apart to run. Then you get back into districting."
M.Jolin, "Favor of districts with variation of number in districts and limiting."
M. DiBitetto, "It seems districting is favored therefore I am directing the committee to disregard the issue of districting."
D. St. Pierre would like to be on the committee.

Table the formation of the committee and address at next meeting.

NEW BUSINESS:

Finance Director Report on TIF District Revenues. Tabled.

TOWN ADMINISTRATOR'S REPORT:

Taxing Councilors. Tabled.

Computer Server RFD

- A. Packard stated that the Town has an old server, which is constant need of repair. Leslie Nepveu received 10 bids and it is her recommendation that we accept the bid from the White Mountain Company.
P. Rueppel motioned to accept the bid for \$11,129 from White Mountain Co.
M. Ruel, "Where is the money coming from?"
A. Packard, "The money is in reserve and already set aside."
G. Longfellow seconded the motion.
M. DiBitetto, "Why are we discounting PC Authority which was lower?"
A. Packard, "Leslie feels her work with these folks will give her the support she needs."
M. Ruel, "The support given from PC is approximate and White Mountain is specific and will refund any unused item."
M. Jolin, "The basic reason not to go with PC Authority is because they have an unusually low estimate for the installation."

Roll call vote:

D. Belanger	Y	G. Longfellow	Y
P. Fitanides	Y	M. Ruel	Y
M. Jolin	Y	P. Rueppel	Y
P. Loiselle	Y	D. St. Pierre	Y
		M. DiBitetto	Y

Unanimously in favor.

Street Names Approval

- A. Packard presented an approval form for naming of new streets. This form will only come forward when all department approvals have been given.
P. Loiselle requested a section for signature of viable departments.
D. Belanger motioned to accept and authorize the chair to sign. Seconded by D. St. Pierre. Unanimously in favor.

Town Report

- The new administrative secretary suggested putting an ad in the paper to solicit pictures for the front and back cover of the town report.
M. DiBitetto suggested the report be dedication to Mr. Duford.

M. Ruel, "The thought was to memorialize Mr. Duford's work over the years. Just having a sentence doesn't capture the intent. I would like something that captures the history."

M. Ruel, "Maybe we could do a collage and combine the two thoughts."

M. Ruel, "I think if we can pull a town report together in time, it would be good to know what goes in before it goes to print."

G. Longfellow, "The vote should be in the front of the book where the warrants are rather than later in the town meeting."

SUB-COMMITTEE REPORTS

D. St. Pierre reported that the composting project in Nova Scotia is successful.

Mr. St. Pierre shadowed K. Andrews last Friday as he went on his inspections. In Mr. St. Pierre's district there are a number of abandoned cars or cars without registration being stored for the winter in the lot. After discussions with our attorney, the consensus was that the town should tow any unauthorized vehicle after first notifying the owner.

This will be handled by the Town Administrator.

A. Packard, "I have spoken with the Chief of Police. Currently, K. Andrews spends most of his time inspecting. I want him to do some code enforcement. I've noticed people leave cars anywhere with for sale signs. I plan to get Mr. Andrews more involved in code enforcement. I don't know if it is legal to slap a ticket on a car or tow. We need to understand the legal issues and then go forward."

M. Jolin, "Don't you need to put a notice on the car prior to towing?"

D. St. Pierre, "Yes, but we are working on the legalities."

DISCUSSION/WORKSHOP

G. Longfellow asked if we could add an article to accept the Village School or is it too late. We don't vote on this until May. If article 10 fails there is no way we can accept the Village School.

M. DiBitetto, "It is too late to change anything."

D. St. Pierre, "I agree with George, this would be nice but it is up to the voters if they want this or not."

Question regarding taxing telephone polls – Council consensus was to take no action.

Workshop meeting requested by M. Ruel to discuss a procedure for establishing resolution. Scheduled for Saturday, May 15th at 9:00 a.m.

PUBLIC INPUT

H. Murray, "Census money – town report says 12,000 residents. It looks erroneous. Someone must know the number, 12,280.

The Hackett Hill Boundary – Perambulation -they were suppose to contact me last fall. We need to write a letter to D. Duval for finality of this matter.

ADJOURNMENT

D. St. Pierre motioned to adjourn at 9:30 p.m. Seconded by G. Longfellow.

Respectfully Submitted,

Lee Ann Moynihan

Mary Ruel
Town Council Secretary