

APPROVED

**TOWN COUNCIL MINUTES
Regular Meeting
Wednesday, July 28, 2004**

PRESENT: D. Belanger, M. DiBitetto, P. Fitanides, Chairman Jolin (excused), P. Loiselle, G. Longfellow, M. Ruel, P. Rueppel (excused), D. St. Pierre, E. Dionne (Acting Town Administrator)

CALL TO ORDER: Vice-Chair M. Ruel called the meeting to order at 6:30 pm.

APPROVAL OF MINUTES:

July 6, 2004 – G. Longfellow moved to approve the July 6, 2004 minutes. Motion seconded by P. Loiselle. **Motion carried unanimously.**

July 14, 2004 – P. Loiselle moved to approve the July 14, 2004 minutes as amended. Motion seconded by D. St. Pierre. **Motion carried unanimously.**

SUB-COMMITTEE REPORTS:

Union Negotiations

E. Dionne stated that the committee hopes to have a meeting scheduled by the end of August.

Attorney Search

The sub-committee would like to recommend that the town stay with the current firm. P. Loiselle stated that due to the town's budget the committee had some difficulties considering other firms. He recommended to extend the contract with Upton & Hatfield for another year. P. Fitanides added that the committee actually voted for Boutin & Associates, but because of the budget they are unable to recommend them.

M. DiBitetto moved to continue the contract with Upton & Hatfield. Motion seconded by P. Loiselle. **Motion carried with P. Fitanides opposed.**

Board of Assessors

G. Longfellow informed the council that the appeal has been denied on the Weigler case and the next step would be to take it to the Supreme Court. Council consensus was to have a non-public meeting on August 4th at 6 pm to discuss the matter.

Police Commission

M. DiBitetto attended the meeting in P. Rueppel's absence. There will be a study to determine the feasibility of dispatching Fire Department communications out of Concord.

Budget Committee

The first meeting for the fiscal year will be held on July 29, 2004.

Heavy Equipment Purchases

The committee would like to be on the agenda in August to discuss the proposals on purchasing a tractor and a live bottom trailer for Solid Waste Department.

Planning Board

D. St. Pierre invited the council to attend the Planning Board meeting on August 2nd. He added that the plan on the 3A Connector Road project is close to being finalized.

Sewer Commission

D. St. Pierre stated that he is having problems attending the meeting as it is scheduled during the day and it conflicts with his work schedule.

Facilities

D. St. Pierre reported that the Committee would start looking into the possibilities of moving some town offices into the Village School before winter. A walk through/evaluation of the school would be scheduled to review the HVAC.

NOMINATIONS/APPOINTMENTS:

M. DiBitetto moved to appoint both Mort Blumenthal, as the appraiser and Tracy Murphy-Roche, as the realtor to the District Court Lease Sub-Committee. Motion seconded by D. St. Pierre.

Motion carried unanimously.

SCHEDULED APPOINTMENTS:

John Holm, John Holm Insurance Agency & Michael Bachand, Concepts in Benefits, Inc. - Employee Health Benefit Plan

John Holm Insurance Agency is an insurance broker that shops around for different products and makes sure that the client gets the most for their money. John Holm presented his proposal and explained the benefit plan. He stated that his agency and Concepts in Benefits, Inc. are separate companies. J. Holm added that they will need a signed broker of record form and a complete census of employees to have an idea what type of plan is needed. D. Belanger asked why a signed broker of record form is needed. J. Holm stated it is for the purpose of getting information from the insurance company and added that the Town's Trust is currently the Broker of Record and deals directly with Anthem. Michael Bachand presented his proposal and explained the benefits of having flexible spending accounts. He proceeded to explain that his company charges an initial set-up fee of \$500.00 in addition to \$5.00 per participant per month and an annual fee of \$400.00.

Public Hearing, Impact Fee Schedule

Vice Chair M. Ruel opened the public hearing at 7:30 pm.

Dawn Stanhope, CEDCOH Chair stated that she would like to encourage the council to implement the fee schedule. Charles Watson, Town Planner recommended to put the schedule in place. Mark Stebbins, Stebbins Properties stated he concurs with D. Stanhope and added that small and medium size businesses would demand just about the same amount of services from Police and Fire. He also stated that he has never seen commercial impact fees as large as Hooksett's. John Salmon added that some towns actually offer incentives to welcome large box users. Bob Simmons, representative of the owners of Huttig project, reiterated what others have stated and supported implementation of the new fee schedule.

Vice Chair M. Ruel closed the public hearing at 7:38 pm.

D. St. Pierre moved to approve the amendment on the fee schedule to add, *a cap of \$35,000.00 for industrial and commercial not exceeding 200,000 SF and anything over 200,000 SF must be reviewed by the Planning Board for additional impact fees.* P. Loiselle seconded the motion.

M. DiBitetto suggested alternative language: *"A project owner, believing his project to be one of special impact, may petition the Council. If the project is determined by the Council to be of special impact, the responsible party may be required to submit a site-specific impact analysis. If the Council finds that the project does not fit into the standard fee schedule, it may, in its sole discretion, adjust the fee schedule for the subject project."* E. Dionne explained that because this is a public hearing, additional amendments to the fee schedule should not be brought up and only the official legal proposal should be considered. She added that proposals to amend the fee schedule could be brought up at a later meeting, if the Council chooses to do so.

Roll call vote:

D. Belanger	Yes	M. Ruel	Yes	
P. Loiselle	Yes	D. St. Pierre	Yes	
M. DiBitetto	No	G. Longfellow	Yes	<u>Motion carried.</u>
P. Fitanides	No			

Library HVAC System

Mary Farwell, Library Trustee, informed the council that the Library Trustees are evaluating replacing the old heating/cooling system with a new roof-top HVAC system. D. St. Pierre acted as the Council representative for the HVAC System Study. He stated that replacing the heating/cooling system of the Library would have to be done in two phases. Phase one being the roof-top unit just discussed and a \$10,000.00 retro fit for the old compressor. Phase two would be a second roof top unit and elimination of the old system. M. Farwell added that they have enough money for phase one but will need additional funding for phase two.

Old Home Day

Steve Christou, Old Home Day Committee Chairman stated that they are having problems getting permission to use the Village School for Old Home Day, which is scheduled on August 21st. They would like to use the school for the elderly and the handicapped and a changing area for the young pageant contestants. He added that the school would be monitored at all times and would be used strictly for these purposes. He spoke to the SAU and they suggested for him to speak to the Council.

M. DiBitetto moved to send a letter to the School Board indicating that the Town is not prepared to accept the transfer of Village School until after Labor Day, at the earliest. Motion seconded by D. St. Pierre. **Motion carried unanimously.**

OLD BUSINESS:

Town Report Cover

There was a discussion regarding the town report cover, whether to use the Solid Waste Department or the school theme cover. M. DiBitetto suggested that in the future years, we should standardize the report cover with only the title and the town seal on plain white cover. D. St. Pierre asked if the Council was charged to decide on the matter and added that if the council was looking for a consensus, he would go with the school theme. Council consensus was to use the school theme for the cover and add the Solid Waste Department page as a part of the report.

Cable Sub-Committee

P. Loiselle informed the Council that Comcast is currently writing ten-year contracts for most towns but the sub-committee will request a five-year contract and a review after 3, 6 and 8 years. They would also request for payments to be made quarterly instead of annually. He added that the rates are not set in the contract and the Town of Hooksett will be receiving a franchise fee of 3%. He also stated that Comcast is willing to finance access TV, which was voted down by the Town but it comes back as a fee. Council consensus was to table the matter until next meeting.

NEW BUSINESS:

Disabled Veterans Property Tax Exemption

A letter was received from Mr. Gus Schunemann requesting to increase the tax exemption on disabled veterans property taxes. M. DiBitetto cited a change in the RSA, which allows up to a maximum of \$2,000.00 property taxes credit for disabled veterans and the surviving spouse. Council consensus was to defer the matter to the Board of Assessors and ask for their recommendation.

Town Employee Criminal Record

P. Fitanides moved to require all town employees to have an annual criminal record check at their own expense as a condition of continued employment. M. DiBitetto seconded the motion.

M. DiBitetto stated that some departments in town like the Police Department already require a criminal record background check every year due to the nature of their work. E. Dionne explained that there is already a policy in place that requires every town employee to do a criminal record at the time of hiring. She added that a yearly criminal record check could be a violation of some labor law.

P. Fitanides questioned the town's hiring and firing policies and practices and said that the current policies and practices should be reviewed and updated and inconsistencies in the rules need to be addressed by the Town Council and all department heads.

D. St. Pierre moved to table the matter to gather more information. Motion seconded by P. Loiselle.

Roll call vote:

D. Belanger	Yes	M. Ruel	Yes
P. Loiselle	Yes	D. St. Pierre	Yes
M. DiBitetto	Yes	G. Longfellow	No
P. Fitanides	Yes		

Motion carried.

Street Names Approval

E. Dionne stated that the new procedure for proposed road/street names requires the approval and sign-off of Police, Fire, and Highway Departments.

D. Belanger moved to approve the street names (See list of proposed names attached). Motion seconded by D. St. Pierre. **Motion carried unanimously.**

TIF District 10 % Retainage Fee Release

E. Dionne referred to a memo sent asking for a motion to release the 10% retainage fee of \$260,000.00 on the TIF District. She added that everything has been done. G. Longfellow asked about the interest on the \$2.6 million bond. He added that final payment should be \$243,930.33 not \$260,000.00. Council consensus was to have the Finance Director at the next meeting to be able to explain the bond interest.

D. St. Pierre moved to release the balance of \$243,930.33 deposit. M. DiBitetto seconded the motion.

P. Loiselle stated that there was an agreement between the TIF District, KGI, and the Planning Board. The agreement was for KGI to purchase two acres of land for the Fire Department.

E. Dionne stated that she had requested from legal Counsel some advice regarding Arleigh Green, not KGI. D. St. Pierre stated that there was never an agreement with KGI holding them responsible for the two acres of land. He believes Arleigh Green is responsible not KGI. P. Loiselle explained that Arleigh Green and KGI are both responsible. He also added that the Town needs some leverage to assure compliance on land commitment. He believes that the \$260,000.00 is the only leverage left.

M. DiBitetto moved to table the matter until the next meeting. D. St. Pierre seconded the motion.

Roll call vote:

D. Belanger	Yes	M. Ruel	Yes
P. Loiselle	Yes	M. DiBitetto	Yes
P. Fitanides	Yes	D. St. Pierre	Yes
G. Longfellow	Yes		

Motion carried.

TOWN ADMINISTRATOR'S REPORT:

E. Dionne stated that the Town, particularly Heritage Commission has been receiving a lot of donations and that, in order to accept and spend donated funds, public hearings are required. Publication costs for each public hearing run about \$150.00. She suggested doing a quarterly public hearing for all donations received. There were some questions as to the necessity of conducting a public hearing for donations less than \$500.00. E. Dionne stated that there are two different sections on the RSA; RSA 31:95-e refers to donated properties in the amount of \$500.00 or more requiring a public hearing and RSA 31:95-b, which refers to cash donations in any amount also requiring a public hearing. Council consensus was to start having public hearing every quarter as the Acting Town Administrator suggested.

ADJOURNMENT:

Meeting was adjourned at 9:30 pm.

Respectfully submitted,

Evelyn F. Horn
Administrative Assistant

Michael J. DiBitetto
Town Council Secretary