

**Approved**

**TOWN COUNCIL MINUTES  
Regular Meeting  
Wednesday, December 1<sup>st</sup>, 2004**

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

**CALL TO ORDER:** Chairman Jolin called the meeting to order at 6:30 pm.

**APPROVAL OF MINUTES:**

November 17, 2004 - G. Longfellow moved to approve the November 17, 2004 minutes as amended. Motion seconded by D. St. Pierre. **Motion carried unanimously.**

**NOMINATIONS/APPOINTMENTS:**

G. Longfellow moved to appoint Roger P. Duhaime as fill-in, alternate member of the Solid Waste Management Advisory Board, exp. 6/2006. Motion seconded by D. St. Pierre.

**Roll call vote:**

G. Longfellow	Yes	M. Ruel	Yes	
P. Loiselle	Yes	P. Rueppel	Yes	
M. DiBitetto	Yes	D. St. Pierre	Yes	
P. Fitanides	Yes	Chairman Jolin	Yes	<b><u>Motion carried unanimously.</u></b>

G. Longfellow moved to appoint Robert Sullivan as fill-in, full member of the Planning Board, exp. 6/2005. Motion seconded by D. St. Pierre.

**Roll call vote:**

G. Longfellow	Yes	M. Ruel	Yes	
P. Loiselle	Yes	P. Rueppel	Yes	
M. DiBitetto	Yes	D. St. Pierre	Yes	
P. Fitanides	Yes	Chairman Jolin	Yes	<b><u>Motion carried unanimously.</u></b>

Sandy Oliver who was nominated at the last meeting to be an alternate, fill-in member of the Planning Board respectfully declined her nomination.

G. Longfellow moved to nominate Robert Duhaime as fill-in, alternate member of the Planning Board, exp. 6/2005.

P. Rueppel moved to nominate Cori Hillhouse as fill-in, full member of Parks & Recreation Advisory Board, exp. 6/2006.

M. DiBitetto volunteered to represent the Council at the meeting between the Hooksett Sewer Commission and the DES to discuss the sewer treatment plant issues.

**SCHEDULED APPOINTMENTS:**

Public Hearing, Comcast Cable Contract

Chairman Jolin opened the hearing at 7:00 pm.

P. Loiselle, Co-Chair of the Cable Committee stated they were able to negotiate an eight-year contract. The original contract was for ten years. Comcast Cable considered adding Access TV for the town but unfortunately, it was voted down at the town meeting. This option is still open and could again be presented in a warrant article next year. The franchise fee rate of 3%, which generates around \$40,000.00 a year, would stay the same.

Chairman Jolin closed the hearing at 7:05 pm.

**G. Longfellow moved to accept the new Comcast Cable Contract. Motion seconded by M. Ruel.**

The town received a monthly rate increase notice from Comcast Cable effective January 1, 2005. For the record, the town does not negotiate monthly rates. The contract is non-exclusive which means there are no restrictions for other cable companies to do business in town.

**Roll call vote:**

G. Longfellow	Yes	M. Ruel	Yes		
P. Loiselle	Yes	P. Rueppel	Yes		
M. DiBitetto	Yes	D. St. Pierre	No		
P. Fitanides	No	Chairman Jolin	No	5-3	<b><u>Motion carried.</u></b>

**UNHTTC Master Road Scholar Presentation to Carl Currier**

Carl Currier of the Highway Department was recognized for achieving a UNHTTC Master Road Scholar. This is the highest level of training and workshop for road maintenance. The Town Council stated they are proud of Mr. Currier and they are appreciative of what he does for the town.

**OLD BUSINESS:**

**Use of Easement / Council Resolution**

The Town Counsel, Bart Mayer has recommended a council resolution in order to authorize Mr. John Piaseczny to use the easement between Map 33, Lot 27 and Map 33, Lot 38. (See Attachment)

**G. Longfellow moved to accept the resolution. Motion seconded by P. Fitanides.**

D. St. Pierre stated there are abutters with concerns with the release of easement. He asked Mr. Piaseczny to be sensitive with those concerns as he uses the right of way.

Mr. Piaseczny asked if he could purchase the land from the town and pay taxes on it. He would like to be able to put up a stonewall or a fence and use it as a driveway and prevent other people from using it or parking their cars on it.

M. Sharma explained that the Town was only granted an easement by the developers and does not own the land, therefore, could not sell it. He added that with the easement, the value of Mr. Piaseczny's property has increased, which means the assessed value of his property would increase.

P. Loiselle questioned the legality of granting an easement on a piece property not owned by the Town. Chairman Jolin clarified that the resolution is only to authorize the use of easement.

**Roll call vote:**

G. Longfellow	Yes	M. Ruel	Yes		
P. Loiselle	Yes	P. Rueppel	Yes		
M. DiBitetto	No	D. St. Pierre	No		
P. Fitanides	Yes	Chairman Jolin	Yes	6-2	<b><u>Motion carried.</u></b>

**NEW BUSINESS:**

**Cawley Middle School**

D. St. Pierre informed the Council that part of the approval process for Cawley Middle School was the off-site improvement to be done at the intersection of 28 By-pass and Whitehall Road (Route 27). The Planning Board has tried unsuccessfully, to get the school to fulfill their commitment.

He added that the Council should get involved to get the site plan completed and make the intersection safer.

M. DiBitetto suggested sending a letter to the School Board asking for the status of the safety improvements at Whitehall Road and 28 By-pass. Chairman Jolin said a letter from the Town Planner addressing safety issues would be more appropriate.

#### Proposed Amendment to the Administrative Code

At a previous meeting, the Council approved the proposed re-organization of town departments. It was determined that any changes to the Administrative Code would have to be made in accord with the Town Charter.

M. Ruel moved to hold a public hearing to discuss the proposed amendment to the Administrative Code. Motion seconded by P. Rueppel. **Motion carried unanimously.**

The public hearing would be held on Wednesday, December 15<sup>th</sup>, 2004 at 7:10 pm.

#### Polling Place Issues

M. Ruel informed the council she received a call from a concerned citizen about voting being held at the Cawley Middle School. The school is closed every time there is voting. It creates traffic issues and problems with some people getting to the polling place. It was suggested to move the polling place where it could be easier to access and the school would not have to be closed.

While speaking on the subject of voting, the Council expressed their appreciation to all volunteers at the last election.

#### CIP Budget

D. St. Pierre presented the CIP budget for the fiscal year 2005-2006. The total requests from the departments came up to \$584,790.00. The CIP approved \$287,890.00. With the approval of the Planning Board, \$10,000.00 for Parks' Facilities Development Fund was added back. The total CIP budget being presented to the Budget Committee is \$297,890.00.

Parks & Recreation Advisory Board has a sub-committee to check into getting the new facilities credited to the deficit. The Board is certain they could get almost 90% of the cost taken cared of. D. St. Pierre added that there is a possibility of obtaining private financing for part of the vacuum sweeper lease on the Highway Department budget line.

Each line item was briefly explained and discussed.

#### Hilltop Acres Bond Reduction

The project is complete and ready for acceptance by the Council. The Highway Manager recommended reducing the bond from \$61,179.08 to \$16,854.35.

**D. St. Pierre moved to reduce the Hilltop Acres bond from \$61,179.08 to \$16,854.35, as recommended by the Highway Manager, Dale Hemeon. Motion seconded by G. Longfellow.**

M. DiBitetto stated that there was a dispute about a Central Water District charge to the developer. As the Central Water District liaison, M. DiBitetto was asked to bring the matter to the Council's attention for a possible leverage.

Council consensus was not to get the municipality involved with the matter.

**Motion carried.** M. DiBitetto abstained.

#### **TOWN ADMINISTRATOR'S REPORT:**

M. Sharma reported on the following:

1. The Planning Board is applying for a grant for approximately \$35,000.00 from the DES to update the water resource management study and the wellhead protection program.

There is no guarantee the town would get the grant. He asked for the Council to approve the grant application.

M. Ruel moved to approve the application. Motion seconded by P. Rueppel. **Motion carried unanimously.**

2. He asked for the Council to approve the purchase of new computers for \$10,128.75. This expense is in the budget under Computer Development Trust Fund.

M. Ruel moved to approve the purchase of new computers. Motion seconded by P. Rueppel.

**Roll call vote:**

G. Longfellow	Yes	M. Ruel	Yes	
P. Loiselle	Yes	P. Rueppel	Yes	
M. DiBitetto	Yes	D. St. Pierre	Yes	
P. Fitanides	Yes	Chairman Jolin	Yes	<b><u>Motion carried unanimously.</u></b>

3. The Village Re-Use Advisory Committee has retained the services of Arenco, Inc. in the amount of \$10,900.00 for the Village School Re-Use proposal. The whole proposal is broken into 3 phases, none of which amounted to more than \$7,500.00; therefore, there was no need for Council approval in order to proceed with the first phase. He asked for the Council to approve the contract. The money is coming from a \$20,000.00 Warrant Article.

P. Rueppel moved to approve the contract. Motion seconded by P. Loiselle. **Motion carried unanimously.**

4. He received a notice from Comcast Cable regarding the rate increase effective January 1, 2005.
5. He updated the Council on the status of hiring the following staff:
  - a) Code Enforcement Officer – two candidates have been interviewed for the position and another candidate would be interviewed. An offer would be made in a week. He is hoping for the new CEO to start by beginning of the year.
  - b) Assessor – the position has been advertised. He is in the process of reviewing applications.
  - c) Computer Technician – he has made arrangements with a Computer Company to take care of the town's computer issues. The company will serve as computer consultants to the town and will be paid an hourly rate of \$70.00.

**SUB-COMMITTEE REPORTS:**

**Budget Committee**

Budget Guidelines were addressed at the last meeting. M. Ruel questioned who sets the default budget for the school and what constitute a default budget. She added that last year the School Board added expenses in the default budget, which should not have been added in. D. Savoie, Finance Director said the Budget Committee sets default budget for the town and the School Board sets their own default budget. The School Board does not answer to DRA. M. DiBitetto stated that there is a petition to have the School and the town meeting at the same time. This issue could be added in the ballot at the town meeting.

**Heritage Commission**

They are doing a project on Hooksett Barns. They are in the process of getting releases from the owners to put together a calendar for a fundraiser for the Heritage Commission.

Perambulation Committee

A meeting should be scheduled in February for the purpose of preparing our position on the location of the boundary line.

Planning Board

The biggest obstacle the Planning Board is facing right now is the water treatment plant issue with the DES. A lot of projects would be put on hold until the problem is resolved. As for the Master Plan, they had an informational meeting on Monday and the public hearing is on Saturday, December 4, 2004. The Planning Board would be taking written comments input for up to 30 days after the December 4<sup>th</sup> public hearing.

Police Commission

There are three positions, which haven't been filled because of the default budget. The number of accidents is increasing. For the most part, they are just minor accidents but they still create traffic problems, which requires manpower.

Sewer Commission

They will meet with DES and Tony Marts next week to discuss the sewer problem.

Solid Waste Advisory Board

Trash pick-up is up from 3,500 tons in 2000 to 4,300 tons in 2004 and approaching 5,000 tons. They have the same number of trash collectors. They would like to place recycling bins on the east side of the river where people could throw their recyclable trash.

Southern New Hampshire Planning Commission

The sewer problem was addressed at the last meeting in the context of State Development Plan.

**PUBLIC INPUT:**

Harold Murray: "There is a problem with a sewer system. Hooksett gave Manchester the right to go across the road and put it in. They haven't done that. I have all the legal documents that were filed to get it done. They want to tie it in. Manchester will not allow them to tie in. They said the reason they can't tie it in is because Hooksett and Manchester are having a fight. This is what they told the owner. There is a problem with that sewer. You may want to talk to the developer about it."

M. DiBitetto would look into the matter.

H. Murray stated that his department budget was removed last year. He asked for the Council to consider including his department on the budget. D. Savoie explained that in a default budget, any item, which is not recurring would be removed or zeroed out. Council consensus was to keep the option open.

Chairman Jolin informed the council he received a letter from Ms. Lucille Brunelle about an incident when her vehicle had a blow out going up Hackett Hill. Mr. Harold Murray, who was traveling in the opposite direction, turned around and took the time to help her change the tires. She would like to thank Mr. Murray for his kindness.

**Non-Public Session:**

M. Ruel moved at 8:47 pm to enter into non-public session under RSA 91-A: 3, II, (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. Motion seconded by P. Rueppel. **Roll call vote carried unanimously.**

D. St. Pierre moved to exit non-public session at 9:23 pm. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

The council issued a statement that the non-public minutes would not be divulged at this time.

**ADJOURNMENT:**

D. St. Pierre moved to adjourn at 9:25 pm. Motion seconded by P. Loiselle. **Motion carried unanimously.**

Respectfully submitted,

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Evelyn F. Horn  
Administrative Assistant

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Michael J. DiBietto  
Town Council Secretary