

**Approved**

**TOWN COUNCIL MINUTES  
Regular Meeting  
Wednesday, April 13, 2005**

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

**CALL TO ORDER:** Vice-Chair M. Ruel called the meeting to order at 6:32 pm.

**PUBLIC INPUT:**

Frank Gray, South Bow Road: "Good evening. I know sometimes it's difficult to recognize all the good things the Council is doing for this community. I do recognize and appreciate what all of you have done for the Town. I'm sorry Mr. Jolin is not here tonight because I am extremely upset about the Town Council report signed by the Chairman, which was printed on the Town Meeting Guide."

He read a portion of the report from the guide, which states, "Major initiatives for the year include the renovation of the former Village School for Municipal offices and a future Community Center space..." He said the taxpayers voted for a Community Center and that is what they should get.

He continued to read another portion of the report, "The Community Economic Development Corporation of Hooksett (CEDCOH) will be the primary entity in this endeavor..."

F. Gray: "To my knowledge, that has not happened. That is a misrepresentation of the facts. It's a biased statement intended to make people think that the Council has voted for this. It says, "...to apply and obtain certain funding, which is not available to the Town."

He went on to explain that the Town has done a similar venture in the past where an outsider was running the business. As a result, the Town lost a fortune. The Town Administrator does not make the policy, he enforces the policy. It is the Council's responsibility to make sure the Town Administrator is doing what the Council wants him to do. He added that the Chairman of the Council leads and sets the schedule. But he carries one vote and should not make a statement and sign it as Chairman of the Council.

He also mentioned an article he read on the newspaper written by Councilor M. DiBitetto. He said he disagrees with it and that the statement should have been made from a developer's point of view and not a Councilor's.

He ended by stating that the Council took an oath to work for their constituents and should be cognizant of the taxpayers needs.

**NON-PUBLIC SESSION:**

D. St. Pierre moved at 6:55 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. Loiselle. **Roll call vote carried unanimously.**

D. St. Pierre moved not to divulge the minutes of the non-public session. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

D. St. Pierre moved at 7:17 pm to exit non-public session. Motion seconded by G. Longfellow. **Roll call vote carried unanimously.**

The Council made a statement that they had voted not to divulge the minutes of the non-public session.

**APPROVAL OF MINUTES:**

March 23, 2005 – tabled

**NOMINATIONS/APPOINTMENTS:**

D. Belanger informed the Council that Randy Holt has resigned from the Zoning Board of Adjustment. One of the alternates, Chris Pearson will take his place. He nominated Chris Pearson as a fill-in, full member of the Zoning Board of Adjustment, term to expire 6/2005.

**SCHEDULED APPOINTMENTS:**

Public Hearing, Administrative Code Amendment (Section 5.4)

Vice-Chair M. Ruel opened the public hearing at 7:18 pm.

**Section 5.4 Payment of Monies**

All Monies belonging to the Town General Fund shall be paid out only as authorized by the Administrator and only by checks drawn by the Treasurer.

**Proposed Amendment to Section 5.4**

All monies withdrawn from the Town General Fund shall be authorized by the Town Administrator and/or his/her designee. Withdrawals may be in the form of a check, wire transfer, ACH transfer or other type of electronic banking format used by the Town Treasurer.

M. Sharma explained that the Town Treasurer has proposed the amendment to update the Town's Administrative Code with the present banking procedures.

Vice-Chair M. Ruel closed the public hearing at 7:19 pm.

P. Loiselle moved to accept the amendment as proposed. Motion seconded by G. Longfellow.

**Roll call vote carried unanimously.**

Public Hearing, Acceptance of New Roadway (Barberry Street) per RSA 674:40-a

Vice-Chair M. Ruel opened the public hearing at 7:21 pm.

M. Sharma explained the process of formally accepting new roads to coordinate what the Planning Board is recommending and the Town Council making its approval.

Vice-Chair M. Ruel suggested having the actual signatures of Department Heads signing off on new roadways in the future.

Vice-Chair M. Ruel closed the public hearing at 7:27 pm.

D. St. Pierre moved to accept the new roadway (Barberry Street) per RSA 674:40-a. Motion seconded by G. Longfellow. **Roll call vote carried unanimously.**

**Amoskeag Rowing Club**

Jean Larkin introduced herself to the Council as the newly elected president of the Amoskeag Rowing Club. With her at the meeting were two other members of the club, Jim Raymond and Ken Gifford.

D. St. Pierre stated that last year he received numerous complaints from his constituents regarding the Rowing Club's use of the public boat ramp. It is becoming a hindrance to public access parking and boat ramp. Last year, permanent structures were added and cement was poured. He added that boat trailers other than the Amoskeag Rowing Club trailers are in the parking lot at any given time. He is under the impression that the Rowing Club is sub-leasing to other rowing clubs. No permit has been pulled for the fencing or pouring of the concrete. He asked why was this allowed to happen.

G. Longfellow stated that years ago the Board of Selectmen had a verbal agreement with the Rowing Club to use the public boat ramp and in return the Rowing Club would clean up the area and offer rowing lessons to Hooksett kids.

Jim Raymond stated that the Rowing Club did not have a lease with the town. He believes they have permits but could not locate them at this time. The Building Department was notified when they put up a fence and the outdoor racks. They continue to offer summer programs to kids, including Hooksett kids who are given tuition discounts. It sounds like they are contracting out the space but their goal is to promote rowing. They recognize the problem with space. They purchased land in Pembroke to be used for some of their school programs. They get a tax bill on the building but never had a formal lease agreement with the Town.

D. St. Pierre said as the District Councilor he would like to see that the tenant be the tenant to use the facility and not the sub-lessees.

D. Belanger said there are Hooksett kids who participate in rowing clubs like the Central High School Rowing Club. To limit the use of the ramp and not to allow public access is wrong. Any student should have access to the river no matter where they are from or what club they belong to. He suggested for the Amoskeag Rowing Club to approach the Congregational Church and ask permission to use their parking area.

Ken Gifford introduced himself to the Council. He volunteered to act as a liaison between the club and the Town. He said he met with the Highway Manager, Dale Hemeon and Frank Gray of the Police Department. He asked the Council to contact him with any concerns. He added that they are trying to address the issues.

M. DiBitetto suggested having an agreement and to define the term "use" clearly.

Council consensus was to have the Code Enforcement Officer to inspect the building and to draft an agreement between the Amoskeag Rowing Club and the Town of Hooksett.

#### **PUBLIC INPUT:**

##### Old Home Day

Steve Korzynowski, CEDCOH stated that they would like to move this year's Old Home Day from 3<sup>rd</sup> Saturday of August to Saturday, September 17<sup>th</sup>, 2005.

D. Belanger made a motion to move this year's Old Home Day from the 3<sup>rd</sup> Saturday of August to Saturday, September 17<sup>th</sup>, 2005. Motion seconded by P. Loiselle. **Motion carried with D. St. Pierre opposed.**

##### CEDCOH

S. Korzynowski read a statement he prepared regarding Councilor P. Fitanides' communications with the members of the press and other Councilors expressing his concerns with CEDCOH's involvement with the proposed Community Center. He invited P. Fitanides and the rest of the Council to attend CEDCOH's next board meeting on April 21<sup>st</sup> at 6 pm and bring up any issues or concerns they may have.

##### Hooksett Public Library

Mary Farwell, Library Trustee introduced the new Librarian, Heather Shumway.

H. Shumway stated that there are cracks in the Library's foundation, which they believe was caused by blasting. She added that the whole building shakes with all the blasting going on.

Council consensus was to send the Code Enforcement Officer/Building Inspector to check into the matter immediately.

M. Farwell informed the Council that the access road to the Library is not adequate and it created a problem this winter. She said they are aware that nothing could be done right now but would like to bring the matter to the Council's attention.

**OLD BUSINESS:**

Highway Department Budget

M. Sharma stated that because of winter maintenance this year, there is a need to earmark \$100,000.00 out of Administration Department to be transferred to Highway Department for paving.

Council consensus was to add \$100,000.00 to the list of encumbrance at the end of the fiscal year to be transferred from Administration Department to Highway Department paving line.

TIF District Letter of Credit Reduction

P. Loiselle moved to reduce the TIF District Letter of Credit by \$482,950.00 from \$2,600,000.00 to \$2,117,050.00. Motion seconded by P. Rueppel.

M. DiBitetto stated that the Memorandum of Understanding with the developer was that the bond would be held at the amount of the principal plus six months interest. As we reduce the principal, the letter of credit is renewed annually to reflect the reduced principal amount.

Vice-Chair M. Ruel explained that the motion is to reduce the amount of the letter of credit to match the balance of the bond.

**Roll call vote carried unanimously.**

**NEW BUSINESS:**

Hiring of Town Engineer

D. St. Pierre stated that the Code Enforcement Officer suggested an alternative to hiring a full time Engineer. He said that a few developers have expressed interest on spending a certain amount of "goodwill money" to do business in town. The Town is losing some of this "goodwill money" because the Town does not have an in-house Engineer. The CEO suggested hiring a full time Engineer to do site plan review, on-site inspections as well as other code related inspections. The permit fee schedule could be structured to be able to pay for this position.

M. DiBitetto stated that he concurs with D. St. Pierre's concerns that the Town is not efficiently offering Engineering services. The Town is getting engineering services at high costs.

Richard Marshall, Planning Board Chair, added that there was a time when the Town did not need a full time Engineer. With the Town's growth over the years, the Town needs to hire a full time Engineer to review site plans and do on-site inspections to make sure what's being built is according to plans.

M. DiBitetto stated that the Planning Board would be involved in deciding what level of engineering services the Town needs.

Rescind the \$35,000.00 Impact Fee Cap

Last year, the council voted to add a \$35,000.00 cap to the impact fee schedule for new commercial developments. This was done to attract more commercial establishments in town. D. St. Pierre asked the Council to review the matter because the Town is anticipating 1 million to 1.1 million square feet of commercial buildings in the next five years.

When the cap was approved, M. DiBitetto had suggested additional language to be added to make the fee schedule more flexible. The matter would be discussed at the next meeting.

G. Longfellow stated that the Town should have an adjustable impact fee schedule or step rate relative to square footage of the building that the town and the developers could live with.

Discussion on the Road to the Public Library

D. St. Pierre stated that the Town needs to be diligent that the Library has an access road. The agreement on the current existing access road to the Library was for the Town to maintain the driveway during winter and the owners of Mt. St. Mary's Apartments would pay for half of the cost of road maintenance. The Town has never enforced the agreement. The lawyer for the owners claimed to have an agreement with then Town Administrator, Mike Farrell that they did not have to pay. The lawyer was unable to produce a copy of the agreement. D. St. Pierre said that the property would become a condominium when the sale is completed. The Town should ask the condominium association to pay for half of the road maintenance costs.

Reduction of Barberr Lane Bond

D. St. Pierre moved to reduce the bond from \$563,509.10 to \$56,350.91. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

Council Newsletter

M. Sharma presented the Council Newsletter for the Council's review and approval. The cost of printing and mailing would be approximately \$1,500.00.

M. Farwell commented that there are a lot of negative reactions towards approving the operating budget. She said that the Council Newsletter should be used to get the proposed operating budget approved. She also asked the Council to look at the budget as a marketing campaign.

Vice-Chair M. Ruel said that voters do not want more taxes and they do not get involved with the budget process. It is difficult to convince them to change their minds without a lengthy discussion. She added that the people voted for each Councilors to represent them and they should have faith that the Council is presenting something good.

D. St. Pierre stated that the Town should start looking into hiring full time professionals to run the Town.

D. Belanger moved to publish the Council Newsletter. Motion seconded by P. Rueppel. **Motion carried with D. St. Pierre opposed.**

**TOWN ADMINISTRATOR'S REPORT:**

M. Sharma reported on the following:

1. Computer training classes have been scheduled for the town employees.
2. The Planning Board is requesting additional funds in the amount of \$4,800.00 to complete the Master Plan.

D. St. Pierre moved to authorize additional \$4,800.00 expenditure from the Planning Department budget to be spent on the Master Plan. Motion seconded by P. Loiselle. **Motion carried unanimously.**

3. The cost to do a title search to resolve the easement description on Mt. St. Mary's Apartments and the Library deeds is approximately \$1,000.00. Amy Alexander of Dufresne & Henry would do the title search.

D. St. Pierre moved to authorize expenditure of \$1,000.00 out of Administration Department Legal Expenses line item for title search. Motion seconded by P. Rueppel. **Motion carried unanimously.**

4. Sandy Piper, Assessing Coordinator has given a proposal to do a census. Stamp pre-paid postcards will be inserted in the Council Newsletters and sent out to household owners, with instructions to mail them back with all the information. M. Sharma presented a draft of the postcard. Discussion ensued as to how the postcard should be worded and the age group.

G. Longfellow moved to authorize up to \$1,400.00 for printing and mailing to be taken out of Administration Department Budget Printing line item. Motion seconded by P. Loiselle.

**Motion carried with D. St. Pierre opposed.**

**PUBLIC INPUT:**

R. Marshall, Planning Board Chair stated that he had always avoided getting involved with voting on issues because of his position. If Article 4 (Village School renovation) passes the Council will have to make some major decisions on the matter. He cautioned the Council not to empower CEDCOH, a volunteer organization to do what the Council should be doing.

D. St. Pierre stated that the Council never anticipated for CEDCOH to be in charge of anything only by the Council's directions. He asked for the people to keep in mind that without an organization in charge of the funding mechanism, the Town would have to ask the taxpayers to fund the community center.

Vice-Chair M. Ruel stated that there is a lot of miscommunication. People thought the Council was giving more power to CEDCOH than they intend to. CEDCOH's involvement needs to be clarified and the Council is working on doing that.

**MOTION TO EXTEND:**

D. St. Pierre moved at 9:25 pm to extend the meeting as-long-as-needed to conclude the Council's business. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

**NON-PUBLIC SESSION:**

D. St. Pierre moved at 9:27 pm to enter into non-public session under RSA 91-A:3,II.(b) "The hiring of any person as a public employee.". Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

P. Loiselle moved not to divulge the minutes of the non-public session. Motion seconded by D. St. Pierre. **Roll call vote carried unanimously.**

P. Loiselle moved at 9:56 pm to exit non-public session. Motion seconded by G. Longfellow. **Roll call vote carried unanimously.**

**ADJOURNMENT:**

The meeting was adjourned at 9:57 pm.

Respectfully submitted,

Evelyn F. Horn  
Administrative Assistant

Michael J. DiBitetto  
Town Council Secretary