

Official
TOWN COUNCIL MINUTES
Regular Meeting
Wednesday, April 27, 2005

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

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

NON-PUBLIC SESSION:

D. St. Pierre moved at 6:31 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.**

G. Longfellow moved at 6:58 pm to exit non-public session. Motion seconded by P. Loiselle.
Roll call vote carried unanimously.

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

APPROVAL OF MINUTES:

March 23, 2005 – D. St. Pierre moved to approve the March 23, 2005 minutes. Motion seconded by P. Rueppel. **Motion carried unanimously.**

April 9, 2005 – D. St. Pierre moved to approve the April 9, 2005 minutes. Motion seconded by G. Longfellow. **Motion carried.** M. Ruel and D. Belanger abstained, not present at the meeting.

April 13, 2005 – P. Loiselle moved to approve the April 13, 2005 minutes as amended. Motion seconded by G. Longfellow. **Motion carried.** Chairman M. Jolin abstained, not present at the meeting.

PUBLIC INPUT:

Steve Korzyniowski, CEDCOH introduced Cindy Harrington of NH Department of Resources and Economic Development (NHDRED) and Chris Williams of Greater Manchester Chamber of Commerce (GMCC).

S. Korsyniowski stated they have been working together to develop regional economic development strategies. They have collaborated with some of Hooksett's neighboring communities and businesses in the area. As a group, they have developed a plan, which they would like to present at the first Municipal Leadership Forum.

C. Harrington and C. Williams invited the Council to attend the forum to be held on Thursday, May 12, 2005 at St. Anselm's College.

NOMINATIONS/APPOINTMENTS:

Appointment of Chris Pearson to ZBA

D. Belanger moved to appoint Chris Pearson to Zoning Board of Adjustment, term to expire 6/2005. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

SCHEDULED APPOINTMENTS:

Fire Department New Forestry Truck

Harold Murray, Emergency Management Deputy Director presented the state bid for a new Forestry Truck.

Ford F550 4X4	\$36,699.00
Utility Body	\$7,436.00
Vehicle Lettering	\$1,000.00
(Not an actual bid. Amount is based on the cost of the last vehicle lettering.)	
Emergency Accessories	\$9,793.95
Winch, Back Plate & Hitch	\$1,465.00
Soft Skid & Pump	<u>\$2,551.00</u>
Total	\$58,944.95

He asked for approval to expend funds appropriated from the 2002-2003 Warrant Article.

P. Loiselle moved to approve the purchase of a new Ford F550 4X4 Forestry Truck, not to exceed \$58,944.95. Motion seconded by M. Ruel.

Roll Call:

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

OLD BUSINESS:

Impact Fee Cap

Last year, the Council voted to amend the public safety impact fee schedule and added a \$35,000.00 cap for commercial and industrial not exceeding 200,000 SF and anything over 200,000 SF must be reviewed by the Planning Board for additional impact fees. The Town currently charges \$1.14 per SF for commercial and \$1.03 per SF for industrial buildings.

D. St. Pierre stated that the impact fee schedule should be reviewed again. The Town is expecting about 1.1 million SF of commercial development within the next five years and 500,000 SF is expected within the next year. He stated that the Council should consider going back to the original impact fee schedule with exception for developers who could prove they should not be charged the base rate. He said he does not want to stifle commercial growth in town but the original impact fee formula was a proven methodology derived from a study, which the Town paid for.

M. DiBitetto suggested additional 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.”* He said that the added language would give the Council an opportunity to hear testimony as to why the project is of a special impact.

Discussion ensued regarding the suggested additional language.

G. Longfellow stated that a step rate method is a better idea. M. Sharma agreed with G. Longfellow. He added that to consider commercial developments on a case-by-case basis could create a legal and enforcement problem for the Town.

Further discussion ensued. Council consensus was to remove the cap. M. Sharma was asked to get a price for developing a step rate impact fee schedule.

M. DiBitetto moved to schedule a public hearing to remove the cap on impact fees for public safety. Motion seconded by D. St. Pierre.

Roll Call:

D. Belanger	Yes	M. Ruel	Yes
M. DiBitetto	Yes	P. Rueppel	Yes

P. Fitanides	Yes	D. St. Pierre	Yes		
P. Loiselle	Yes	Chairman M. Jolin	Yes	8-1	<u>Motion carried.</u>
G. Longfellow	No				

NEW BUSINESS:

Lions Club Citizen of the Year Resolution

D. St. Pierre moved to approve the resolution and authorize the Chairman to sign. Motion seconded by G. Longfellow. **Motion carried unanimously.**

Preservation Month Resolution

P. Loiselle moved to approve the resolution and authorize the Chairman to sign. Motion seconded by M. Ruel. **Motion carried unanimously.**

Town Council Resolution in Support of Preserve America Application

Kathie Northrup, Heritage Commission Chair asked for the Council to support the application requesting that Hooksett be designated as a "Preserve America" community by approving and signing the resolution.

D. St. Pierre, speaking as a citizen, asked for more time to review the resolution.

M. DiBitetto requested to schedule the matter for action at the next meeting.

Council consensus was to table the matter. The Council had indicated that K. Northrup should continue collecting letters of support for the project.

Former Village School Water Damage Bids

M. Sharma presented the bids to repair the former Village School water damage.

Russell Lee Fencing & Building Construction	\$14,500.00
RDK's Carpentry	\$14,895.00
Russell Pelletier Construction Services	\$15,241.00

He asked for the Council to accept the bid from Russell Lee Fencing & Building Construction. He added that the Town has received a check from the insurance company for the water damage.

P. Loiselle moved to authorize the Town Administrator to accept the bid from Russell Lee Fencing & Building Construction in the amount of \$14,500.00 to repair the water damage in the former Village School. Motion seconded by G. Longfellow.

There was a discussion regarding the bids and if the Council was required to take the lowest bid.

P. Fitanides moved to table. There was no second to the motion. Motion died.

Roll Call (on the original motion to accept the bid):

D. Belanger	No	M. Ruel	Yes		
M. DiBitetto	Yes	P. Rueppel	Yes		
P. Fitanides	No	D. St. Pierre	No		
P. Loiselle	Yes	Chairman M. Jolin	Yes	6-3	<u>Motion carried.</u>
G. Longfellow	Yes				

John Piaseczny Resolution

John Piaseczny requested for the Council to amend the resolution approved on December 1, 2004, which allows him the use of easement. The amendment is necessary for him to obtain financing.

P. Loiselle moved to amend the resolution and add a phrase to paragraph 3, which states: "Piaseczny, his heirs and successors...", contingent upon the Town Counsel's approval. Motion seconded by G. Longfellow.

Roll Call:

D. Belanger	*Abstained	M. Ruel	Yes	
M. DiBitetto	Yes	P. Rueppel	Yes	
P. Fitanides	Yes	D. St. Pierre	No	
P. Loiselle	Yes	Chairman M. Jolin	Yes	7-1-1 <u>Motion carried.</u>
G. Longfellow	Yes			

(*Did not vote on the original resolution.)

Memos from Councilor Phil Fitanides

M. Sharma: "This is very difficult for me. All nine of you are my employers. It is very unfortunate to bring this matter before you. I received an e-mail from Councilor Fitanides requesting for Village School documents, copies of drawings, who authorized the contract, how much was paid to the architects, etc.. These are all in the sub-committee minutes and approved by the Council. According to the Town Charter, councilors should act as a group. He was told as a citizen, he has a right to request for the information but he would be charged for copying fees." M. Sharma asked for the Council's intervention in the matter.

There was a discussion regarding other correspondences and incidents involving Councilor Fitanides.

M. Ruel stated that as a Council, all nine Councilors should act as one. She added that the Council is not supposed to have anything to do with the day-to-day operation of the Town. The Council needs to focus on what they need to do as the Town Council.

Councilor Fitanides has also communicated issues discussed during a non-public session to the press. This is a direct violation of the Council rules and regulations.

Chairman M. Jolin reiterated that all requests should be done as a Council body. He added that all members of the Council should be mindful of what is being divulged to the press.

M. Ruel reminded every member of the Council to make sure they understand the rules and they follow the rules. Future issues should be included in the agenda through the Council and not directly to the Administrator.

TOWN ADMINISTRATOR'S REPORT:

M. Sharma reported on the following:

1. FEMA has accepted one of the grant applications for the snowstorm. The Town is being reimbursed for approximately \$18,000.00. There is a possibility of a second grant being accepted.
2. Several months ago, the Town hired a title search company to help the Town with tax liens collection. In February, the Town collected \$41,500.00 in principal and \$59,000.00 in interest. As of today, the Town has collected \$95,759.00 in principal and \$124,528.00 in interest. With an investment of \$2,000.00, the Town has collected more than \$200,000.00 and is expected to collect more.

SUB-COMMITTEE REPORTS:

Police Commission

P. Rueppel informed the Council that the Police Chief has been exonerated from all the charges and the Police Commission has found no wrongdoing.

Solid Waste Advisory Committee

G. Longfellow said the Committee has learned that the projected \$100,000.00 for building containment sheds is not even enough for half of what is needed. The State is asking the Town to dig up the 1,000-gallon waste oil tank and re-pipe it. The tank does not leak but the EPA changed the rules and gave the Town 30 days to correct the problem.

There was a discussion to use mechanical arms for trash collection in order to minimize workers' injuries. Other options were suggested. G. Longfellow would bring the matter to the committee's attention.

ZBA

D. Belanger informed the Council that ZBA is doing well. He commended the new Code Enforcement Officer, Michelle Bonsteel for doing a great job. ZBA has improved as a board with her help and guidance.

Heritage Commission

M. Ruel informed the Council that on May 21st, there will be an open house for Robie's Store, Arah Prescott Library and the Head Chapel.

PUBLIC INPUT:

Bryan Williams, Budget Committee Chair asked if there was money paid for the Police Chief case settlement. P. Rueppel said the settlement was done in a non-public session, therefore she cannot divulge any details.

B. Williams inquired if the Town is still planning on doing a study on medical savings account. He urged the Council to move forward with the study no matter which way the vote goes. He added that there is a concern on how cash is handled in the Town Hall, or in Town, in general. He cited a case in Ashland. Speaking as a citizen, he suggested changing the Town's auditors every three years and not every six years, as is currently being done.

B. Williams expressed his concerns with the Memorandum of Understanding with CEDCOH regarding the proposed community center. The Council stated that the only reason for the MOU is to enable CEDCOH to acquire funding.

Judy Casey, Supervisor of the Checklist, stated she was upset that the Council did not consult the Supervisors of the Checklist regarding the census postcards being mailed out with the Council Newsletters. She said that they have spent a lot of hours coming up with a plan to change the district.

D. St. Pierre asked for a template of the form they worked on.

J. Casey handed out a template of census form formally endorsed by the Supervisors of the Checklists.

B. Williams stated that after re-districting, some of the Councilors would end up in the same district. A plan should be in place as to how and which Councilors should serve out their term.

P. Rueppel expressed her concerns about how the district is distributed. She asked why the SNHU students were included in the count. J. Casey said the SNHU students were included in the census and they are eligible to vote. B. Williams said the Town should get an inventory of the students to have an accurate count.

ADJOURNMENT:

D. Belanger moved to adjourn at 9:25 pm. Motion seconded by G. Longfellow. **Motion carried unanimously.**

Respectfully submitted,

Evelyn F. Horn
Administrative Assistant

Michael J. DiBitetto
Town Council Secretary