

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, May 11, 2005

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

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

APPROVAL OF MINUTES:

April 27, 2005 – G. Longfellow moved to approve the April 27, 2005 minutes as amended. Motion seconded by P. Loiselle. **Motion carried unanimously.**

PUBLIC INPUT:

Dave Ross, 56 Sherwood Drive, asked if the Council would entertain negotiations to lease or sell the former Village School building since the warrant article did not pass. He is a member of the Building Search Committee for the Mt. Zion Christian School. He said that the former Village School would be an ideal building for Mt. Zion Christian School. They currently have 154 students enrolled in the school and is expecting about 200 student if they could lease the building. He added that he would like to know if the Council is even willing to consider a lease proposal.

Chairman M. Jolin stated that there were stipulations on the warrant article as to what could be done with the building. The Town would have to give the building back to the school if stipulations could not be met.

M. Ruel added that Mr. Ross could submit a conceptual proposal for the Council to review but could not guaranty whether it would be accepted or not.

M. DiBitetto stated that the Council has to have a discussion on what needs to be done regarding the former Village School building. D. Ross would be advised if the Council would consider leasing the building. There is a viable situation to move the town offices in the Village School with minimal renovation.

Council consensus was to have Mr. Ross submit a letter of interest for the Council to consider.

NOMINATIONS/APPOINTMENTS:

On behalf of Councilor St. Pierre, D. Belanger nominated Larry Abruzzesa as Police Commissioner.

M. DiBitetto reminded the Council that when the position for Police Commissioner is advertised, applicants should be advised there would be a criminal background check prior to appointment because of the sensitive nature of information available to Police Commissioners.

Chairman M. Jolin questioned if nominating on behalf of another councilor who is not present at the meeting is in order.

D. Belanger withdrew the nomination.

Council consensus was to advertise for board membership positions, which would be available for fiscal year 2005-2006, have nominations on June 8th and appointments on June 22nd.

SCHEDULED APPOINTMENTS:

Public Hearing, Removal of Safety Impact Fee Cap

Chairman M. Jolin opened the public hearing at 7:00 pm.

D. Ross stated he is in favor of removing the cap.

Chairman M. Jolin closed the public hearing at 7:06 pm.

M. DiBitto previously 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.”*

M. Sharma explained that the additional language M. DiBitto was proposing, in some sense, is already on the current schedule. Last year, the Council voted to add a cap of \$35,000.00 for industrial and commercial building not exceeding 200,000 SF and anything over 200,000 SF must be reviewed by the Planning Board for additional impact fees.

In response to Mr. Sharma’s comments, M. DiBitto stated that the question is not with over 200,000 SF buildings. He was referring to any buildings between 35,000 and 199,000 SF. He added that it is not equitable to charge a 35,000 SF building the same amount of impact fee as a 199,000 SF building. Removing the cap of \$35,000.00 would allow the Town to return to the original formula if it so chose.

The issue of the removal of impact fee cap would be acted upon at the next meeting.

Emergency Management Radio Purchase

Al Dionne, Emergency Management Director presented the three bids for APO-25 Compliant Interoperability Motorola Radio.

Ossipee Mountain Electronic	\$3,487.40
R&R Communication	\$3,171.75
Cen Com Communication	\$3,446.65

He recommended accepting the bid from Ossipee Mountain Electronic who is currently servicing the Fire Department. He asked for authorization to expend funds from the Homeland Security grant monies previously accepted.

Bids details were discussed. Ossipee Mountain and Cen Com bids were itemized, but not R&R.

M. DiBitto questioned the need to have bids itemized. All the Council needs to know is the bottom line bids on the same specifications.

D. Belanger moved to accept the bid from Ossipee Mountain Electronic in the amount of \$3,487.40. Motion seconded by G. Longfellow.

Roll Call:

D. Belanger	Yes	M. Ruel	No		
M. DiBitto	No	P. Rueppel	Yes		
P. Fitanides	Yes	G. Longfellow	Yes		
P. Loiselle	Yes	Chairman M. Jolin	No	5-3	<u>Motion carried.</u>

D. Belanger moved to expend the funds from the Homeland Security grant monies under RSA 31:95-b. Motion seconded P. Loiselle.

Roll Call:

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

P. Fitanides	Yes	G. Longfellow	Yes		
P. Loiselle	Yes	Chairman M. Jolin	No	7-1	<u>Motion carried.</u>

OLD BUSINESS:

Preserve America Resolution

Kathie Northrup, Heritage Commission Chair asked the Council to approve the resolution indicating the commitment to the preservation of heritage assets and to authorize the Town Council Chairman to sign the resolution.

D. Belanger moved to adopt the resolution and to authorize the chairman to sign. Motion seconded by P. Loiselle. **Motion carried unanimously.**

Draft Agreement with Arleigh Green

M. Sharma presented the draft agreement with Arleigh Green (attached) for a parcel of land, which would provide a site for a Fire Station at the Exit 10 development. The agreement would be recorded as soon as it is signed. He would keep the council advised.

Village School Water Damage Repair

At the last meeting, the Council awarded the bid to Russell Lee Fencing & Building Construction. M. Sharma informed the Council that the contractor did not sign the contract because he cannot provide workman's comp and liability insurance. Russell Pelletier Construction would be able to do the repair for the original bid of \$15,241.00, which included carpeting. It would be an additional \$1,400.00 should the Council decide to install tiles instead of carpeting.

Council consensus was to re-bid the repair work.

Piaseczny Matter

P. Loiselle moved to rescind the former resolution and replace it with the current resolution (attached). Motion seconded by D. Belanger. **Motion carried unanimously.**

NEW BUSINESS:

Impact Fee Study

M. Sharma presented a proposal from Bruce Mayberry for a new sliding scale impact fee study. He asked the Council to decide on the matter soon.

P. Loiselle asked if the type of facility is also being considered and not just the square footage of the building.

There was a suggestion to form a sub-committee to provide some guidance to develop a sliding scale.

P. Loiselle suggested checking into what other towns were charging for impact fees.

M. Sharma said he already checked into the matter and the data is available with the Community Development Department office.

Council consensus was to table the matter until the next meeting.

Hooksett Traffic

P. Fitanides informed the Council he spoke with Mike Burlage, NHDOT Chief Engineer regarding traffic at the intersection of Route 3 and Route 28 By-pass. M. Burlage would send a team of engineers to check into the traffic problem and work with the Hooksett Police Department.

Amoskeag Rowing Club

M. DiBitetto informed the Council that Ed Hebert of 28 Merrimack Street claims he owns the land being used by the Amoskeag Rowing Club. Mr. Hebert has the 1937 tax map and a deed to the property.

M. Sharma stated that the Town also has a deed to the property. D. Belanger stated that the only way to resolve the problem is to have a title search.

There is a concern that the Rowing Club is prohibiting Mr. Hebert from using his own land. M. DiBietto commented that the Rowing Club has taken exclusive use of the property. The Council should take action to make sure the public is allowed the use of the boat ramp and that Mr. Hebert does not lose his right to his property, if it is indeed his property.

Council consensus was to have a title search done to verify the ownership of the property and to inform the Amoskeag Rowing Club of the problem.

TOWN ADMINISTRATOR'S REPORT:

M. Sharma reported on the following:

1. End of month expenditures. He asked the Council to address encumbrances at the first meeting in June (June 8th).
2. Plourde Sand & Gravel would like to use the town's communications tower for their computers. The tower is currently being used by the Allenstown Highway Department. Subject to the approval of the Town Council, Plourde Sand & Gravel may be charged a rental fee of \$150.00 per month for the use of the tower.

M. DiBietto stated that Pembroke Water Works would have to be a part of the agreement as they are the owners of the property. A 20-year lease agreement was signed on September 21st, 1998 between the Town of Hooksett and Pembroke Water Works to waive property taxes for the right to erect, maintain and operate a communications tower. In November, 2003, the lease agreement was amended to allow the Town of Allenstown sole use and maintenance of the tower.

The Town Counsel would draw up an agreement for the Council to review, if Plourde Sand & Gravels agrees to pay attorney's fees and comply with other conditions.

3. The City of Manchester has sent notification regarding a plan to build 52 town houses on Hackett Hill Road abutting Route 3A. The Hooksett Planning Board has authorized the Town Planner to write comments to the Manchester Planning Board.

SUB-COMMITTEE REPORTS:

Supervisors of the Checklist

M. DiBietto reported that there would be a meeting in July to discuss redistricting. The town would have completely different districts. Four of the Councilors may end up in the same district. The Council would have to address how to resolve the issue. He suggested that all affected Councilors resign effective at the end of the term and have their constituents vote for their district representative. Chairman M. Jolin suggested consulting with the Town Counsel.

M. DiBietto added that it was suggested to submit a charter amendment that allows for three councilors to be in the same district.

District Court Lease Agreement Advisory Board

M. Sharma suggested that the Council consider utility costs and the square footage being used by the Clothing bank in renegotiating the lease agreement with the District Court. Council consensus was to discuss the details of the lease agreement in a closed session.

PUBLIC INPUT:

Harold Murray, Emergency Management Deputy Director thanked the Council for all its help and cooperation with the Fire Department. Fire Chief Michael Williams has sent an e-mail to all councilors to thank them for all their support and help in passing the warrant articles for the two new fire engines.

D. Ross asked the Council if there is a way to access the former Village School building. Chairman M. Jolin said no because the Council have not made a decision on what to do with the building. The Council needs a letter of intent to even consider an offer to lease the building.

Bryan Williams, Budget Chair commented on the way the Council voted to approve the bid to repair water damage at the Village School. He said that the rule is to act on bids at the next meeting, unless there is a motion to waive the rule. He asked the Council if there is a standard checklist for bids and if the list includes insurance. Chairman M. Jolin said it is not unusual not to get a certificate of insurance until after the bid is awarded. B. Williams also added he thought the Town is being overcharged for domain and computer consulting. He offered to put something in writing for the Council to review.

ADJOURNMENT:

The meeting was adjourned at 8:59 pm.

Respectfully submitted,

Evelyn F. Horn
Administrative Assistant

Michael J. DiBitetto
Town Council Secretary