

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, May 25, 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:**

M. Ruel 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. Fitanides. **Roll call vote carried unanimously.**

M. Ruel moved at 6:49 pm to exit non-public session. Motion seconded by G. Longfellow. **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:**

May 11, 2005 – P. Loiselle moved to approve the May 11, 2005 minutes. Motion seconded by D. Belanger. **Motion carried.** D. St. Pierre abstained.

#### **Council Minutes Procedure**

M. Ruel stated that some Councilors have requested for the tapes of the minutes to be transcribed. The approved minutes are the official record of the meeting, the tapes of the meeting should not be transcribed unless the Council as a body decides to do otherwise. Any individual could request a copy of the tape after the minutes are approved. She suggested that Councilors could request for copies of the tapes, free of charge, for up to 5 tapes per year. Anything beyond that, the Councilors would be charged the cost of the tape.

P. Rueppel stated that because of previous incident where a tape was erased by accident, a procedure was placed to wait until the minutes are typed up and approved prior to making copies of the tape.

M. Ruel excused herself from the meeting.

#### **NOMINATIONS/APPOINTMENTS:**

##### **Board/Committee Nominations for fiscal year 2005-2006**

P. Rueppel nominated Richard Bairam for the Police Commission, term to expire 6/2008.

D. St. Pierre nominated Larry Abruzzesa for the Police Commission.

D. St. Pierre nominated Michael Stark for the Police Commission.

D. St. Pierre nominated Ronald A. Latouche as a full member of the Building Board of Appeals, term to expire 6/2010.

D. St. Pierre nominated Robert Sullivan as a full member of the Planning Board, term to expire 6/2008.

D. St. Pierre nominated Robert Duhaime as an alternate member of the Planning Board, term to expire 6/2007. The expiration date was changed to stagger the terms of the alternate positions.

D. Belanger nominated Harold Murray as a full member of the Building Board of Appeals, term to expire 6/2010.

D. Belanger nominated Tracy Murphy-Roche and Chris Pearson as full members of the Zoning Board of Adjustment, terms to expire 6/2008.

P. Rueppel nominated Chris Lally and Steve Couture as full members of the Conservation Commission, terms to expire 6/2008.

G. Longfellow nominated Robert Schroeder and John Danforth as full members of the Solid Waste Management Advisory Board, terms to expire 6/2008.

It was discussed whether the Solid Waste Management Advisory Board could have another Councilor as a member. G. Longfellow is currently the Council representative to the Solid Waste Management Advisory Board. The Town Administrator was asked look into the matter.

D. Belanger nominated Dagmar Arruda and Mike Horne as full members of the Parks & Recreation Advisory Board, terms to expire 6/2008.

Nominations would be left open until the application closing date on May 31<sup>st</sup>, 2005.

**OLD BUSINESS:**

**Impact Fees**

A public hearing was held at the last meeting to remove the public safety impact fee cap of \$35,000.00.

D. St. Pierre moved to rescind the cap on the public safety impact fee. Motion seconded by P. Rueppel. **Roll call vote carried unanimously.**

At the last meeting, it was suggested to form a sub-committee to look into a sliding rate impact fee schedule rather than hiring a consultant. M. Sharma asked for the Council to form a sub-committee.

P. Rueppel moved to form a sub-committee to look into a sliding rate impact fee schedule. Motion seconded by D. Belanger.

There was a discussion whether entrusting the task of developing the schedule to a sub-committee would be better for the Town than spending \$3,000.00 to hire a consultant.

P. Rueppel withdrew her motion. D. Belanger withdrew his second.

D. Belanger moved to hire Bruce Mayberry for a sliding scale impact fee study in the amount not to exceed \$3,000.00 to be charged to the Planning Department's General Operating expenses line item. Motion seconded by D. St. Pierre.

**Roll Call:**

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

**Former Village School Building –**

A letter was received via facsimile from Nick Dager of Mt. Zion Christian Schools expressing interest in pursuing information for a possible lease of the former Village School building.

Chairman M. Jolin read a portion of the Quit Claim Deed transferring the ownership of the Village School to the Town of Hooksett:

- 1) *That the land be used exclusively for government, civic, and public educational purposes, failing which the title to the property shall revert to the Hooksett School District; and*
- 2) *That the title to the land shall remain in the Town of Hooksett and if said Town wishes to transfer said title to another entity, it shall first give the Hooksett School District the right of first refusal to purchase upon the same terms and provisions on which it proposes to sell to said other entity, except that the School District shall be given time to seek the approval of the voters at the next following regular Hooksett School District Meeting and a reasonable time thereafter to consummate the purchase should the voters so direct.*

Chairman M. Jolin stated that the deed clearly states that the Council is unable to entertain any proposal for a Christian School to be at the Village School.

D. St. Pierre wondered if the presence of a Christian School in a public building could be construed as a violation of the State and Church separation. He added that for the record, he does not want a Christian School in a public building.

Discussion ensued regarding the covenant on the deed and the presence of a Christian School in a public building.

D. St. Pierre moved to inform Mt. Zion Christian School that the Council is unable to respond to their request due to deed restrictions. Motion seconded by G. Longfellow.

**Roll Call:**

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

P. Rueppel referred to CEDCOH's letter expressing their continued interest in pursuing a community center at the former Village School despite the defeat of the warrant article. She asked if CEDCOH could come up with the \$1.5 million needed to renovate the school. And if they could, she suggested authorizing CEDCOH to raise the \$1.5 million and to charge them rent.

D. St. Pierre suggested moving the Town Offices into one side of the building. As funds are appropriated to bring the other side up to code use portion of the operating expenses of the Town Hall to maintain that side of the building. He added that maintenance costs of a quarter or half of the school building should not be more than maintaining the Town Hall.

G. Longfellow stated he'd like to see the Town Offices moved into the school on a temporary basis until a new Town Offices building is built.

P. Fitanides informed the Council of a clause on the Town Hall deed stating that the building is to remain the Town Hall or it reverts back to the original owner. M. Sharma stated that it was his understanding that the building could not be sold or rented.

A lengthy discussion on the matter followed.

M. DiBitetto suggested disbanding the Village School Re-Use Advisory Committee and accepting their final report.

D. St. Pierre moved to disband the Village School Re-use Advisory Committee and accept their final report. Motion seconded by P. Fitanides.

**Roll Call:**

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

P. Loiselle      Yes      Chairman M. Jolin      Yes      7-1      **Motion carried.**

Council consensus was to form a sub-committee to coordinate moving the Town Offices into the former Village School.

D. St. Pierre suggested for the sub-committee to consist of the Building Inspector, Fire Inspector and electrical contractor. He added that he would donate his plumbing company's services to do the inspection. Chairman M. Jolin stated that the cost of transferring the telephone and computer system should also be included in the sub-committee's tasks.

The Council also agreed to respond to CEDCOH's letter and advise them that the Council is reviewing its options and would keep them informed.

**NEW BUSINESS:**

**Deaf Child Signs**

The Highway Department received a request from Debbie and John Plourde, 5 Hills Road to post two "Deaf Child" signs on each end of the road.

D. Belanger moved to approve the addition of two "Deaf Child" signs at Hills Road as recommended by the Highway Manager. Motion seconded by P. Loiselle.

Police Chief Stephen Agrafiotis stated that the Town should adopt a procedure on adding road signs. The matter would be discussed at a future meeting.

**Roll Call:**

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

**Mt. St. Mary's Apartments**

P. Fitanides brought up the issue of heat in the Mt. St. Mary's Apartments. Every year the heat in the apartment building is shut off on May 15<sup>th</sup>. Due to the unusually cold weather this season the building is too cold. The residents are requesting to turn the heat back on.

Stacy Ferguson, 1701 Hooksett Road, stated that general law requires for the building owner to maintain the temperature of the apartment at 65°.

Council consensus was to have the Code Enforcement Officer look into the matter and verify if the Town has jurisdiction over the above matter.

**TOWN ADMINISTRATOR'S REPORT:**

M. Sharma reported on the following:

1. The Building and Community Development Department's files were moved to the Village School to clear the hallway at the Town Hall second floor. A specific day of the week would be assigned for customers to access files.
2. Fun in the Sun program will be using the Village School. Access to the building will be limited using only two doors.
3. He requested for the Council to rescind the vote to award the Village School water damage repair bid to Russell Lee & Fencing. Chairman M. Jolin said there was no need to rescind the vote since the contractor did not meet the requirements.
4. The Council received a copy of the draft agreement with Arleigh Green regarding the piece of land for a Fire Station at Exit 10. Arleigh Green has reviewed the agreement and added a paragraph (#13).

**SUB-COMMITTEE REPORTS:**

**Solid Waste Management Advisory Board**

G. Longfellow informed the Council that someone from the Highway Department was interested in transferring to the Solid Waste Department. The warrant article, which was passed offers \$0.50 per hour less than what he is currently being paid at the Highway Department. He was told that the Solid Waste Department must adhere to the rate of pay that the warrant article stated.

G. Longfellow also reported that Merrill Johnson has come up with a plan to double the size of the transfer building to comply with the State's requirements.

**PUBLIC INPUT:**

Police Chief S. Agrafiotis asked when the Council would close nominations for Police Commission. He was informed that closing date for applications is May 31<sup>st</sup>, nominations would be closed on June 8<sup>th</sup> and appointments would be made on June 22<sup>nd</sup>.

**ADJOURNMENT:**

P. Rueppel moved to adjourn at 8:30 pm. Motion seconded by D. Belanger. **Motion carried unanimously.**

Respectfully submitted,

Evelyn F. Horn  
Administrative Assistant

Michael J. DiBitetto  
Town Council Secretary