

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, July 13, 2005**

**PRESENT:** D. Belanger (excused), M. DiBitto, P. Fitanides, P. Loiselle (arrived at 6:35 pm), G. Longfellow, P. Rueppel, D. St. Pierre, S. Werksman, Chairman M. Jolin, D. Jodoin (Town Administrator)

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

#### **NON-PUBLIC SESSION:**

D. St. Pierre moved to enter into non-public session at 6:34 pm under RSA 91-A:3, II, (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. Motion seconded by G. Longfellow. **Roll call vote carried unanimously.**

P. Loiselle arrived during the non-public session.

P. Rueppel moved at 7:10 pm to exit the non-public session. Motion seconded by D. St. Pierre. **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:**

June 22, 2005 – P. Loiselle moved to approve the June 22, 2005 minutes. Motion seconded by G. Longfellow. **Motion carried.** Chairman M. Jolin abstained, not present at the meeting.

#### **PUBLIC INPUT:**

Harold Murray, 311 Hackett Hill Road, stated that there was an article in the newspaper regarding the fireworks ordinance, which was discussed at the last meeting. He was misquoted as saying he was in favor of fireworks permits. He asked to set the records straight. He is not in favor of fireworks permits.

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

##### Appointments for 2005-2006 Board Membership

D. St. Pierre moved to appoint Dagmar Arruda as a full member of the Parks & Recreation Advisory Board, term to expire 6/2008. Motion seconded by P. Rueppel. **Motion carried unanimously.**

##### Solid Waste Management Advisory Committee

G. Longfellow suggested reducing the number of members of the Solid Waste Management Advisory Committee to five full members, one of which is a voting Councilor and two alternate members.

P. Loiselle moved to reduce the number of members of the Solid Waste Management Advisory Committee to five full members, one of which is a voting Councilor and two alternate members. Motion seconded by G. Longfellow. **Motion carried unanimously.**

M. DiBitto clarified that the committee will be an advisory board to the Council.

M. DiBitto moved to table appointments. Motion seconded by D. St. Pierre. **Motion carried unanimously.**

Appointments for Council Representatives

M. DiBitetto moved to suspend appointments for Council representatives until after the "New Business" matters are discussed. Motion seconded by P. Loiselle. **Motion carried unanimously.**

**SCHEDULED APPOINTMENTS:**

Hooksett Citizen/Taxpayer Volunteers (HCTV), re: Master Plan

Michael Sorel, 54 Cross Road, provided the Council with copies of his statement, written testimony by HCTV presented to the Planning Board on 2/5/05, and minutes of HCTV meetings. HCTV is very much against the contents of the Master Plan. M. Sorel stated they understand that the Planning Board is independent of the Town Council. The Planning Board has not provided any fact, data or evidence to support the proposed land use map. Some members of the Planning Board are reluctant to further address the issues. They are asking for better communications to resolve legitimate issues and requesting for the Council's support to conduct a study for the Master Plan.

D. St. Pierre stated that the major concern of the Planning Board is that they were charged to come up with a Master Plan but funding was not provided to do studies.

Highway Department, re: Acceptance of Bids for Street Sweeper & Plow Truck

Street Sweeper

Bid requests to lease a street sweeper were sent out to three vendors but only one vendor responded. Dale Hemeon, Highway Manager presented the bid, which came from HP Fairfield for \$38,406.37 per year. This is a 5-year lease. He stated that prices have gone up since the approval of the warrant article in the amount of \$35,198.00. He would have to modify the sweeper to get down to the warrant article amount. He recommended accepting the bid from HP Fairfield for \$35,198.00.

G. Longfellow moved to table the matter until the next meeting. Motion seconded by D. St. Pierre. **Motion carried unanimously.**

Plow Truck

For the 35,000 lb. cab and chassis 6-wheel truck, the bids came from:

NH Peterbilt	\$62,540.00
Liberty International	\$54,790.00
Yankee GMC Trucks	\$54,187.95
Freightliner	\$52,402.00

For the 10 ft. cubic yard multi-purpose dump body, the bids came from:

Donovan Equipment	\$56,974.00
EW Sleeper	\$49,603.00
HP Fairfield	\$50,820.00

D. Hemeon recommended accepting the bids from Freightliner for \$52,402.00 and EW Sleeper for \$49,603.00. The total amount would be \$99,005.00 with \$3,000.00 trade-in value for an old truck.

M. DiBitetto moved to authorize to purchase the truck from Freightliner for \$52,402.00 and the dump body from EW Sleeper for \$49,603.00 for a total of \$99,005.00 (with \$3,000.00 trade-in). Motion seconded by D. St. Pierre. **Roll call vote carried unanimously.**

**OLD BUSINESS:**

Fireworks Ordinance

At the last meeting, M. DiBitetto introduced a proposal to modify Section 3 of the Fireworks Ordinance to clearly define provisions for permissible fireworks.

D. St. Pierre asked for the Fire and Police Department's opinion on the matter.

Michael Williams, Chief of the Fire Department explained that the ordinance currently in place relates to the sale and display of all fireworks. The department currently issues one permit per year for Old Home Day fireworks. The State of NH has a list of permissible fireworks, which are allowed. He added that people do get hurt from using permissible fireworks. There were no incidents reported this past 4<sup>th</sup> of July.

Stephen Agrafiotis, Chief of the Police Department stated that Hooksett Officers are supposed to stop the fireworks when they see them or if complaints are received. Fireworks are confiscated and the matter is handed over to the Prosecution Department.

M. Williams suggested keeping the Fireworks Ordinance as it is written and adding a section for "Permissible Fireworks" to minimize confusion.

P. Loiselle moved to table the matter. Motion seconded by S. Werksman. **Motion carried with Chairman M. Jolin opposed.**

#### Amoskeag Rowing Club, Draft Memorandum of Understanding

At the Council's request, Amoskeag Rowing Club submitted a draft Memorandum of Understanding relating to the use of the town's boat ramp facilities.

Council consensus was to form a sub-committee.

D. St. Pierre moved to form a sub-committee to:

1. Review the MOU being presented to the Council.
2. Research the organization (Amoskeag Rowing Club) from its conception to present.
3. Address the terms of the agreement specifically, outreach to Hooksett residents.
4. Address what would happen to the building structure at the end of the final agreement, whether it becomes a property of the Town of Hooksett or whether it should be removed.
5. Address any other matters relating to the Amoskeag Rowing Club.
6. Report their findings to the Council in 60 days.

Motion seconded by P. Fitanides. **Roll call vote carried unanimously.**

D. St. Pierre, P. Loiselle, P. Fitanides and S. Werksman volunteered to be members of the sub-committee.

The Council requested that until the final report is given to the Council, Amoskeag Rowing Club should direct all questions to the Town Administrator or the Council Chairman.

#### Local Government Center (LGC) Seminar

P. Rueppel had attended the seminar, "Beginning your Municipal Building Project/Your Bond Failed", in Concord sponsored by the LGC. She found the seminar to be very informative. It was conducted by David Provan. Mr. Provan would be willing to give the Council a 2-hour seminar sponsored by the LGC.

Council consensus was to schedule the seminar. P. Rueppel will coordinate the details.

#### **NEW BUSINESS:**

##### 2005-2006 Town Council Meeting Schedule

P. Rueppel moved to adopt the 2005-2006 Town Council meeting schedule. Motion seconded by P. Loiselle. **Motion carried unanimously.**

##### Domestic Septage Agreement with the Town of Allenstown

M. DiBitto moved to accept the Domestic Septage Agreement with the Town of Allenstown and authorize the Chairman to sign. Motion seconded by D. St. Pierre. **Motion carried unanimously.**

Acceptance of Mountain View Road and Bond Reduction

**G. Longfellow moved to accept Mountain View Road and reduce the bond to \$28,286.16. Motion seconded by D. St. Pierre.**

D. St. Pierre informed the Council that as a part of the new procedure for accepting new roads, the Planning Board walked the road prior to recommending acceptance.

**Motion carried unanimously.**

Town Report Cover

P. Rueppel moved to accept the "Barns of Hooksett" theme for the Town Report cover. Motion seconded by P. Loiselle. **Motion carried unanimously.**

Editorial Cartoon/Anonymous Letter

D. St. Pierre addressed the editorial cartoon in the newspaper depicting the Police Commission and the Police Department. Anonymous letters were sent out to all Councilors. D. St. Pierre stated that the Council should make a public statement that the issue between the Police Commission and the Police Department is between the Police Commission and the Police Department. Public record should state that the Town Council does not have authority or jurisdiction over the Police Commission.

D. St. Pierre added, for the record, that he is aware of the Council's policy not to address unsigned correspondences. He said that any formal correspondences sent to him, as a Councilor would be brought before the Council, whether signed or not.

M. DiBitto explained that the problem with unsigned correspondences is that there is no indication whether it was sent by a taxpayer, someone from out of town or a disgruntled previous employee. He said he has full faith in the Police Commission and any appointed board members to do their job.

P. Rueppel said she does not intend to address the anonymous letter but she would bring the matter up to the next Police Commission meeting.

John Piaseczny Impact Fee

G. Longfellow informed the Council that John Piaseczny is requesting to waive impact fees on his new house. The old house was torn down and a new house is being built at a different lot.

Chairman M. Jolin explained that the new house is not being built on the same lot. They chose to tear down the old house and build a new house. Impact fees should not be waived.

Staff Vehicles' Damages from the Storm

During the last storm, a tree fell damaging two vehicles owned by Town Hall employees. The Town's insurance carrier will not cover the damages. The owners of the damaged vehicles went through their own insurance. They are requesting that the Town pay their deductible in the amounts of \$500.00 and \$100.00.

**P. Rueppel moved to pay the deductible in the amounts of \$500.00 and \$100.00. Motion seconded by D. St. Pierre.**

There was a discussion regarding the Town's liability insurance and the necessity to review the policy coverage.

**Roll Call (on the motion to pay the deductible):**

M. DiBitto	No	P. Rueppel	No		
P. Fitanides	No	D. St. Pierre	No		
P. Loiselle	No	S. Werksman	No		
G. Longfellow	No	Chairman M. Jolin	Yes	1-7	<b><u>Motion failed.</u></b>

**TOWN ADMINISTRATOR'S REPORT:**

D. Jodoin reported the following:

1. The bids for printing the Annual Town Report went out and only one bid was received. It came from Wharf Industries in the amount of \$6,209.00 for 1,000 copies. This is the same company that printed last year's Annual Town Report.
2. He asked the Council if they wish to re-establish the inventory form for taxable properties. The form would be used to collect census data. The council asked to see a sample of the form.
3. He asked for an update on the status of water damage repair at the Village School. The bid was awarded to Russell Lee Construction & Fencing but the company did not meet the liability insurance requirements to perform the job. The repair would be sent out for re-bids.
4. He asked if the Council would like to follow the same Budget Workshop schedule as last year's. Council consensus was to schedule the Budget Workshop on a Saturday, same as last year's.

Appointments for Council Representatives

The Council appointed its representatives for the following sub-committees:

Board of Assessors - M. DiBitetto, G. Longfellow, P. Loiselle, P. Rueppel and S. Werksman  
Budget Committee - M. DiBitetto  
Conservation Commission – P. Fitanides  
Council Rules – M. DiBitetto, G. Longfellow and M. Jolin  
District Court Lease Agreement Advisory Board – P. Fitanides  
Employee Insurance/Wage – all nine Councilors  
Facilities – P. Rueppel, M. Jolin and D. St. Pierre  
Heavy Equipment Purchases – G. Longfellow  
Heritage Commission – S. Werksman  
Parks & Recreation – M. Jolin  
Perambulation – M. DiBitetto and P. Fitanides  
Planning Board & CIP – M. DiBitetto  
Police Commission – P. Rueppel  
Solid Waste Management Advisory Committee – G. Longfellow  
Southern New Hampshire Planning Commission – M. Jolin  
(Note: This is a 4-year term. Councilor M. Jolin's term will expire on 6/30/2006.)  
Union Negotiations – M. Jolin, P. Fitanides and D. St. Pierre  
Zoning Board of Adjustment – D. Belanger

2005-2006 Town Council Officers

M. DiBitetto nominated M. Jolin for Chairman.

P. Fitanides nominated M. DiBitetto for Chairman.

P. Rueppel nominated P. Fitanides for Secretary.

D. St. Pierre nominated P. Loiselle for Vice-Chair.

P. Loiselle nominated M. DiBitetto for Vice-Chair.

For Chairman:

**Roll Call:**

M. DiBitetto	- M. Jolin	
P. Fitanides	- M. DiBitetto	
P. Loiselle	- M. Jolin	
G. Longfellow	- M. Jolin	
P. Rueppel	- M. DiBitetto	
D. St. Pierre	- M. Jolin	
S. Werksman	- M. DiBitetto	
Chairman M. Jolin	- M. DiBitetto	4-4 <b><u>Tie.</u></b>

**The vote was decided by a coin toss. Councilor M. DiBitetto was voted as Chairman.**

**Councilor P. Fitanides was voted unanimously as Secretary.**

**Councilor P. Loiselle was voted as Vice-Chair.**

**ADJOURNMENT:**

The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Evelyn F. Horn  
Administrative Assistant

Philip Fitanides  
Town Council Secretary