

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, September 14, 2005

PRESENT: Daniel Belanger, Philip Fitandides, Mike Jolin (excused), Paul Loiselle, George Longfellow, Patricia Rueppel, Doug St. Pierre, Stuart Werksman, Chairman Michael DiBietto, David Jodoin (Town Administrator)

CALL TO ORDER: Chairman M. DiBietto called the meeting to order at 6:42 pm.

APPROVAL OF MINUTES:

August 24, 2005 – P. Rueppel moved to approve the August 24, 2005 minutes as presented. Motion seconded by S. Werksman. **Motion carried.** G. Longfellow and D. St. Pierre abstained, not present at the meeting.

PUBLIC INPUT:

Harold Murray, Emergency Management Deputy Director, informed the Council that the ATV Club has done their Annual Chester Turnpike clean up as they promised they would since they were granted permission to use the road.

NOMINATIONS/APPOINTMENTS:

Conservation Commission

P. Fitandides moved to nominate **James Walter** from an alternate member to a full member of **Conservation Commission**, term to expire 6/2008.

D. Belanger nominated **David Boutin** as a fill-in alternate member of **Zoning Board of Adjustment**, term to expire, 6/2008.

D. Belanger moved to waive the rules of waiting period between nominations and appointments on both nominations. Motion seconded by P. Loiselle. **Roll call vote carried with Chairman M. DiBietto opposed.**

D. Belanger moved to appoint the slate. P. Loiselle seconded. **Roll call vote carried unanimously.**

SCHEDULED APPOINTMENTS:

Public Hearing, Public Safety Impact Fee Amendment

Chairman M. DiBietto opened the public hearing at 7:18 pm.

At the Council's request, Bruce Mayberry was hired to do a study to amend the Public Safety Impact Fee (attached). He presented a plan, which changes the calculations for the Public Safety Impact Fees on industrial and commercial buildings.

The public hearing was recessed until later in the meeting.

The public hearing reconvened at 8:15 pm.

The Town currently charges \$1.14 per square foot for commercial and \$1.03 per square foot for industrial. The proposed impact fee schedule (Table 2 & 3, attached) uses the step rate method.

Chairman M. DiBietto closed the public hearing at 8:22 pm.

The Council discussed the proposed schedule.

The matter was scheduled for action at the next meeting.

HYAA Football Jamboree Police/Fire Detail

Jason Patch, 842 Smith Road, football coordinator for the Hooksett Pop Warner Program introduced himself to the Council. He gave a short background of the program. He stated that the jamboree they hosted at the Donati Field was the largest football jamboree in the nation. A total of 75 football teams and 18 cheerleading squads attended with 300 games played that day. He addressed the \$3,600.00 detail charges for Police and Fire. He stated that they were told in May to cancel Police & Fire detail because they had volunteers. 3 days prior to the event the Town Administrator informed them they needed Police & Fire detail.

G. Longfellow, speaking as a former president of HYAA, stated that the football program used to be separate from HYAA. He asked if that has changed.

Bill Gahara, Chairman of the HYAA, explained that HYAA, a non-profit organization is the mother ship. HYAA has different boards for different programs. Currently, they have 800 Hooksett children participating in soccer, 185 in football, 650 in basketball, 190 in lacrosse and about 125 in cheerleading. Most of the programs do their own fundraising. The football jamboree was meant to be a fundraiser event. After the detail costs, they came up with a net loss of \$29.00.

When asked how they were planning on covering the detail charges in the future, J. Patch stated they would increase the fees for teams and food.

S. Werksman moved to waive the total Police & Fire detail for this year only. Motion seconded by D. Belanger.

D. Belanger stated he considers HYAA as a Town department. In the future, the Council should think about paying overtime and not detail for Police & Fire. Detail charges are twice as much as overtime.

P. Fitanides asked, "Is HYAA running the Parks & Recreation, is that what you're saying?"

Roll Call:

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

Aesthetics & Beautification Committee

P. Rueppel had proposed forming an Aesthetics & Beautification Committee. Mr. Yervant Nahikian, an architect and a long time Hooksett resident was invited to speak on the matter.

Mr. Nahikian introduced himself to the Council and explained what aesthetics & beautification entails. He explained forming a committee would help raise the Town's real estate value. The committee, which would be under the Planning Board's jurisdiction, would decide which projects to undertake. The committee would also put together recommendations and guidelines on how to approach a project. He recommended having landscapers, architects and other professionals/residents with visual tastes as members.

D. St. Pierre stated he is in favor of forming the committee. The Town should get the residents' participation. He added that the committee should be cautious on how the Town's image would fit in for the future.

P. Rueppel moved to form the Aesthetics & Beautification Committee. Motion seconded by P. Loiselle. **Motion carried unanimously.**

P. Rueppel appointed Mr. Nahikian (as Chair), Doris Sorel and Kathy Northrup as members of the committee. Motion seconded by P. Loiselle. **Motion carried unanimously.**

The newly formed committee was asked to come up with the composition, charge and guidelines in 30 days.

OLD BUSINESS:

District Court Lease

D. Jodoin presented the updated and corrected District Court Lease for the Council's approval. The rent has not been paid since June 2005. Once the new lease is executed, rent would be paid retroactive for the last three months.

P. Loiselle moved to approve the District Court Lease and authorize the Town Administrator to sign. Motion seconded by S. Werksman. **Roll call vote carried unanimously.**

Town Owned Properties

D. Jodoin informed the Council that the Town took four parcels during the tax deeding process. Three of the properties are owner occupied. One property was sold back to the owner for the sum of \$13,637.52, which includes all back taxes, interest, costs and legal fees. He asked for a motion to authorize the release of the property back to the owner and for the Chairman to sign the quit claim deed.

D. Belanger moved to authorize the release of the property located at 2 Dart Street back to the owners, David & Nancy Coutu for the sum of \$13,637.52. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

D. Belanger moved to authorize the Chairman to sign the quit claim deed. Motion seconded by S. Werksman. **Roll call vote carried unanimously.**

D. Jodoin stated that a second property would be sold back to the owner. This matter would be discussed at the next meeting.

He also informed the Council that the Town Assessor and a realtor assessed the two 2-acres parcels on Corriveau Drive. The properties were assessed to be worth \$125,000.00 - \$150,000.00 each. No Town Department is interested in either of these parcels. He asked for a motion to sell or auction the properties. He also asked to set a minimum price.

The Council discussed which would be the better option for the Town, selling it through a realtor or by auction. The Town Administrator suggested using St. Jean's Auctioneer should the Council decide to auction the properties.

D. St. Pierre moved to sell both Corriveau Drive parcels. Motion seconded by P. Loiselle.

Further discussion ensued. Suggestions were made to leave the parcels as open space.

D. Belanger recused himself. He resides on Corriveau Drive, across the parcels in question.

Roll Call vote (on the motion to sell both parcels):

D. Belanger	Recused	P. Rueppel	Yes		
P. Fitanides	Yes	D. St. Pierre	Yes		
P. Loiselle	No	S. Werksman	Yes		
G. Longfellow	No	Chairman M. DiBitetto	Yes	5-2	<u>Motion carried.</u>

P. Rueppel moved to auction both parcels with a minimum price of \$140,000.00 each. Motion seconded by D. Belanger.

Roll Call:

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

D. Jodoin asked for the Council's action with regards to the development rights on By-pass 28 Industrial Condominium. The property has a value of about \$6.00 per square foot. The Town Administrator would get the exact square footage of the property.

D. St. Pierre moved to sell the development rights on By-pass 28 Industrial Condominium. The minimum price to be set at a non-public session. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

Fireworks Ordinance

At a previous meeting, Chairman M. DiBietto introduced a proposal to modify Section 3 of the Fireworks Ordinance for the purpose of clearly defining provisions for permissible fireworks. Any references to the discharge of permissible fireworks were stricken. The proposed change defers to the state law, which says people over 18 years of age can discharge permissible fireworks on their own properties or with permission from owners.

Discussion on the matter ensued. The Council agreed to hold a public hearing on the proposed amendment.

G. Longfellow moved to hold a public hearing to amend the fireworks ordinance. Motion seconded by P. Rueppel. **Roll call vote carried with D. Belanger opposed.**

Arleigh Green Agreement

P. Loiselle asked for the status on the Arleigh Green Agreement. The Town's lawyer, Bart Mayer is currently on sabbatical. The Council would be advised on the matter.

D. St. Pierre suggested for the next TIF District that land is purchased and public safety issues are addressed.

NEW BUSINESS:

Municipal Solid Waste Contract

D. Jodoin presented the new Solid Waste contract to the Council for their review and approval. If needed, the Solid Waste Department Superintendent, Diane Boyce would be invited to come to the next meeting to answer any questions.

Discussion on the matter ensued.

The Town Administrator was asked to check into all other options available to the Town.

Town Administrator's Schedule

P. Rueppel thanked the Town Administrator for providing the Council with records of his schedule.

TOWN ADMINISTRATOR'S REPORT:

D. Jodoin reported the following:

1. All town departments were notified about the state auction on October 15th, 2005 at the "White Farm" in Concord for any and all Town disposable properties.
2. He received a copy of the Conservation Commission 9/7/05 meeting minutes, which read: ***"R. Guay motioned for any proceeds from the auction of back tax lots should be deposited into a fund for Open Space/Conservation Commission budget and J. Walter seconded the motion; all in favor."***

He said he has done some research and did not see any provision for back taxes to be deposited into a special fund. Conservation Commission receives 100% of current use tax. A letter was sent to the Conservation Commission Chair stating that all back taxes were reserved as taxpayers dollars and any back taxes collected would be deposited in the General Fund to offset taxes.

Chairman M. DiBitetto added that only the Council or the voters could dictate where the collected back taxes goes.

3. The Town has received a grant in the amount of \$15,000.00 for the 2005 Local Source Water Well Head Protection. He asked for a motion to authorize to enter into the grant.

P. Loiselle moved to enter into and approve the grant agreement with the DES in the amount of \$15,000.00 to the Town of Hooksett, and to authorize the Town Administrator to sign paperwork associated with such grant on behalf of the Town of Hooksett. D. Belanger seconded. **Roll call vote carried unanimously.**

4. There will be a hearing on September 22nd, 2005, 3-4:30 pm, at the SNHPC office regarding the sale of the Manchester I-93 Highway upgrade project. He said he planned on attending the hearing and asked the Councilors to attend.

SUB-COMMITTEE REPORTS:

Union Negotiation

The Fire Union negotiations have reconvened.

Boat Ramp/Amoskeag Rowing Club

There was an initial meeting with the ARC sub-committee. They are waiting for answers to a list of questions given to ARC. It appears the issue would be resolved. Final recommendations should be presented to the Council within 60 days.

Employee Insurance/Wage

The Local Government Center would be setting new rates in October. A meeting would be set up with LGC after rates are set to review the Town's insurance rates.

NON-PUBLIC SESSION:

P. Rueppel moved at 9:05 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.**

P. Loiselle moved at 9:13 pm to exit non-public session. Motion seconded by P. Rueppel. **Roll call vote carried unanimously.**

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

ADJOURNMENT:

The meeting was adjourned at 9:15 pm.

Respectfully submitted:

Evelyn F. Horn
Administrative Assistant

Philip Fitanides
Town Council Secretary