

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, October 12, 2005**

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

**CALL TO ORDER:** Chairman M. DiBitetto called the meeting to order at 6:12 pm.

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

P. Loiselle moved at 6:13 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 G. Longfellow. **Roll call vote carried unanimously.**

P. Loiselle moved at 7:00 pm to exit non-public session. Motion seconded by G. Longfellow. **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:**

September 14, 2005 – D. St. Pierre moved to remove the September 14, 2005 minutes from the table. Motion seconded by P. Fitanides. **Motion carried unanimously.**

D. St. Pierre moved to approve the September 14, 2005 minutes as presented. Motion seconded by G. Longfellow. **Motion carried.** M. Jolin abstained, not present at the meeting.

September 28, 2005 – G. Longfellow moved to approve the September 28, 2005 minutes as amended. Motion seconded by P. Loiselle. **Motion carried unanimously.**

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

P. Fitanides moved to appoint Sara Farrell to the Aesthetics & Beautification Study Committee. Motion seconded by D. St. Pierre. **Motion carried unanimously.**

D. St. Pierre suggested for the Town to be pro-active in getting a diverse group of people for the Aesthetics & Beautification Study Committee.

#### **SCHEDULED APPOINTMENTS:**

##### Employee Health Insurance

Melisa Briggs, Local Government Center's Health Trust account representative for the Town of Hooksett presented the proposed optional benefit plans available through Health Trust. She explained the different plans being offered in order to decrease medical costs. There will be a 9.3% monthly increase in the current blue choice plan for 2006 effective January 1, 2006. The rate increase is based on at least 75% participation of eligible employees. Health Trust does not offer separate plans for prescription drugs or medical coverage only. Because of the size of the Town, Health Trust would allow the Town to offer 3 to 4 coverage choices. Ms. Briggs also presented the dental plan options. She noted that because the Town is offering more than one dental options, the rate is 20-25% higher.

The Council would review the plans presented.

Public Hearing, Acceptance of State Homeland Security Exercise & Evaluation Program Grant for \$31,000.00 under RSA 31:95(b).

Chairman M. DiBietto opened the public hearing at 7:31 pm.

Harold Murray, Emergency Management Deputy Director stated that the grant is a standard grant and not a matching grant. The money would be used for all emergency services under the Incident Command System (ICS) State and Federal, including all overtime hours for any services and training sessions.

Chairman M. DiBietto closed the public hearing at 7:36 pm.

D. St. Pierre moved to accept the State Homeland Security Exercise & Evaluation Program grant for \$31,000.00 under RSA 31:95(b). Motion seconded by M. Jolin. **Roll call vote carried unanimously.**

Public Hearing, Acceptance of Local Source Water Well Head Protection Grant for \$15,000.00 under RSA 31:95(b).

Chairman M. DiBietto opened the public hearing at 7:39 pm.

Charles Watson, Town Planner explained that the grant was obtained through NHDES. The purpose of the grant is to evaluate and protect all existing and potential municipal wells. The grant has nothing to do with private wells.

Chairman M. DiBietto closed the public hearing at 7:42 pm.

M. Jolin moved to accept the Local Source Water Well Head Protection grant for \$15,000.00 under RSA 31:95(b). Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

Public Hearing (Continuation) – Fireworks Ordinance Amendment

This is a continuation of the public hearing scheduled on September 28, 2005.

D. St. Pierre moved to waive the reading of the amended fireworks ordinance (attached). Motion seconded by P. Loiselle. **Motion carried unanimously.**

The major change on the ordinance was to eliminate the permitting requirement for permissible fireworks. The ordinance defers to the State Law regarding permissible fireworks.

H. Murray, Forest Fire Warden stated that he has no objection to amend the Fireworks Ordinance.

Discussion on the matter ensued.

Chairman M. DiBietto closed the public hearing at 7:48 pm.

The matter was scheduled for action on Oct. 26<sup>th</sup> 2005.

**OLD BUSINESS:**

Roadway Impact Fees

C. Watson, Town Planner submitted a report for the proposed roadway impact fees. Fees collected would be used to expand the roadway system to accommodate new commercial and industrial development projects. At the last meeting, the Council discussed if a sliding scale similar to the public safety impact fees would be possible.

C. Watson explained that the Town would be divided into zones. Fees collected would have to be spent within 6 years. The Town would have to have a plan which shows what development would be done. The roadway impact fees would be used for new roadway systems resulting from new developments and not for maintenance of already existing roadways.

D. St. Pierre stated that the additional impact fees would discourage commercial and industrial developers from setting up business in Town.

Discussion on the matter ensued.

Council consensus was to hold a public hearing on October 26<sup>th</sup> 2005.

**NEW BUSINESS:**

Investment Policy Amendment

Diane Savoie, Finance Director, informed the Council that the town would comply with the RSA's from now on. The Town's Investment Policy, which has been in place since 1999, would have to be changed to comply with new banking procedures. The policy applies to all assets in the custody of the Town Treasurer. It does not apply to assets controlled by the Trustees of the Trust Funds.

M. Jolin moved to adopt the investment policy amendment. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

TIF District Fund

D. Savoie informed the Council that at last year's report, an incorrect assessed value was disclosed, thus creating an excess of \$190,000.00 in the TIF District fund. She asked for the Council to authorize the transfer of \$190,000.00 from the TIF District fund to the general fund to be applied to this year's tax rate.

P. Loiselle moved to transfer \$190,000.00 from TIF District fund to the general fund. Motion seconded by M. Jolin. **Roll call vote carried unanimously.**

Vincent Lembo Correspondence, re: HYAA Police & Fire Detail Charges

The Council addressed a letter received from Mr. Vincent Lembo, 56 Main Street. Mr. Lembo expressed in his letter his disagreement with the Council's decision to waive the fees for the HYAA Police and Fire detail. He also suggested for the Town to adopt a permitting process for events similar to the HYAA Football Jamboree. He asked for the Council to reconsider their decision to waive the fees.

D. St. Pierre was in agreement with Mr. Lembo that the Town should have a permitting process. He suggested for the Parks & Recreation Department to be in charge of all recreational events held in Town. He added that there should be a procedure for all organizations to follow when holding a major event.

The Council accepted D. St. Pierre's suggestions.

M. Jolin stated for the record that he would have voted against waiving the fees had he been present to vote on the matter.

Discussion on the matter ensued.

Chairman M. DiBitetto asked if anyone would like to make a motion to reconsider the vote to waive the fees. There was no motion.

**TOWN ADMINISTRATOR'S REPORT:**

D. Jodoin reported on the following:

1. He received the agreement from St. Jean Auctioneers to auction the two Corriveau Drive properties and the rights for condominiums on Route 28 By-pass. He asked for authorization to sign the agreement. He also informed the Council that he was approached by a broker, with two potential buyers for the Corriveau Drive properties.

Council consensus was to have the two potential buyers submit their bids at the auction.

D. St. Pierre moved to authorize the chairman to sign the agreement with St. Jean Auctioneers to auction the two Corriveau Drive properties and the rights for condominiums on Route 28 By-pass. Motion seconded by P. Loiselle.

**Roll Call:**

|              |     |                       |     |     |                               |
|--------------|-----|-----------------------|-----|-----|-------------------------------|
| P. Fitanides | Yes | G. Longfellow         | No  |     |                               |
| M. Jolin     | Yes | D. St. Pierre         | Yes |     |                               |
| P. Loiselle  | Yes | Chairman M. DiBitetto | Yes | 5-1 | <b><u>Motion carried.</u></b> |

2. The Town Administrator asked for authorization to sell and convey 9 Jacob Avenue back to the taxpayer, Cora Moul for \$63,000.00 in taxes, interests and costs and to authorize the Chairman to execute the necessary documents.

P. Loiselle moved to authorize the Town Administrator to sell and convey 9 Jacob Avenue to Cora Moul for \$63,000.00 and to authorize the Chairman to sign the necessary documents. Motion seconded by G. Longfellow. **Roll call vote carried unanimously.**

3. The Council decided at the last meeting to move forward with the fixed asset project in order to comply with GASB 34. The fixed asset software would cost \$2,400.00, which includes training. Building permit software would cost \$5,500.00 plus \$2,000.00 for installation costs for a total of \$7,500.00, which includes training and travel expenses.

P. Loiselle moved to authorize the Town Administrator to purchase the fixed asset software for \$2,400.00 and the building permit software for a total of \$7,500.00. Motion seconded by G. Longfellow. **Roll call vote carried unanimously.**

Funds to come out of the Town Hall Computer Trust Fund.

4. He received a letter from the Chief of Police asking to donate an old cruiser to Police Standards & Training. A salvage company offered to pay \$5,000.00 to clean out the entire lot. If the Town would donate one cruiser, the company would pay \$4,000.00.

D. St. Pierre moved to sell the 7 old police cruisers for \$5,000.00 to the salvage company. Motion seconded by P. Loiselle. **Motion carried unanimously.**

**SUB-COMMITTEE REPORTS:**

Solid Waste Management Advisory Committee

G. Longfellow asked for the status of the Waste Management contract. The Town Administration is still in the process of checking into other options. The Council would be advised on the matter.

Street Lights Committee

Chairman M. DiBitetto received a letter requesting for a street sign, "Drive Slow Children". Council consensus was to refer the matter to the Street Lights Committee.

**ADJOURNMENT:**

The meeting was adjourned at 9:02 pm.

Respectfully submitted,

Evelyn F. Horn  
Administrative Assistant

Philip Fitanides  
Town Council Secretary

FIREWORKS  
ORDINANCE # 00-5

The Town of Hooksett ordains that, pursuant to the authority vested in the Town of Hooksett Town Council by Charter and RSA 160-B:10 the following ordinance is hereby enacted in the Town of Hooksett:

SECTION 1 - DEFINITIONS

***Definitions of terms pertaining to fireworks or activities associated with fireworks, which includes but are not limited to sales or displays of fireworks, as used in this ordinance, are defined by NH RSA 160-B:1.***

SECTION 2 – MANUFACTURE

The manufacture of fireworks is prohibited within the jurisdictional boundaries of Hooksett.

SECTION 3 – SALE, STORAGE, AND DISTRIBUTION

The retail sale, storage and/or wholesale distribution of fireworks are prohibited within the jurisdictional boundaries of Hooksett, except that previously approved existing facilities may continue in operation subject to securing applicable permits required under the following Sections.

SECTION 4 – PERMITS TO DISPLAY

A permit shall be obtained from the fire chief or designee for the display or discharge of all Display fireworks a/k/a Class B special fireworks.

An application for a permit to display or discharge fireworks shall be made in writing at least fifteen (15) days in advance of the date of the display or discharge.

No permit to display or discharge fireworks shall be issued to anyone who is not a licensed pyrotechnist.

Before any permit is issued, the person, firm or corporation making application for the permit shall furnish proof of financial responsibility to satisfy claims for damage to property or personal injury arising out of any act or omission on the part of such person firm or corporation or any of their agents or employees, in such amount, character and form as the fire chief or designee determines to be necessary for the protection of the public.

SECTION 5 – PERMITS TO SELL

In the case of operations in previously approved existing facility as referenced in Section 3, a permit shall be obtained from the fire chief or designee for the retail sale of fireworks.

## SECTION 6 – SUPERVISION AND INSPECTION

All displays or discharges of fireworks shall be supervised by the Hooksett Fire Department. The number of personnel and equipment needed will be determined by the fire chief or designee.

All costs associated with this supervision will be reimbursed to the Town of Hooksett by the permittee.

Prior to any discharge, the site shall be inspected by the fire chief or designee. The fireworks shall be arranged, located, discharged or fired in a manner that in the opinion of the fire chief or designee will not be a hazard to property or endanger any person.

## SECTION 7

It shall be illegal for any person, firm, partnership or corporation to knowingly allow its property, building or facilities to be utilized in violation of this ordinance.

## SECTION 8

Nothing in this ordinance shall be construed to restrict or limit any other authority granted by state law.

All requirements in this ordinance are in addition to any other state and federal regulations.

## SECTION 9

If any person, persons, firm, partnership or corporation violates the provisions of this ordinance, he or she shall be fined in accordance with NH RSA 160-B:2,3,4.

## SECTION 10

In accordance with RSA 160-B:6,I, refer to the Fire Department fee schedule for fees that are applicable.

ADOPTED: 12/08/1993

AMENDED: 05/24/2000 & 08/??/05