

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, October 26, 2005

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

CALL TO ORDER: Chairman M. DiBitetto called the meeting to order at 6:10 pm.

NON-PUBLIC SESSION:

G. Longfellow moved at 6:11pm 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 6:45 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:

October 12, 2005 – G. Longfellow moved to approve the October 12, 2005 minutes. Motion seconded by P. Loiselle. **Motion carried.** S. Werksman abstained, not present at the meeting.

AGENDA OVERVIEW:

Parks & Recreation Department's presentation of playground bids was postponed until the next meeting on November 2nd, 2005.

PUBLIC INPUT:

Harold Murray, 311 Hackett Hill Road, stated that there will be a telethon on Thursday, October 27th at WMUR (Channel 9) office in Manchester for the flood victims of New Hampshire.

NOMINATIONS/APPOINTMENTS:

The Council decided to hold off on nominations for Aesthetics & Beautification Committee until the preliminary study is presented to the Council.

Chairman M. DiBitetto explained that the committee would be a tool for the Planning Board.

SCHEDULED APPOINTMENTS:

Public Hearing, Proposed Traffic/Roadway Impact Fees
Chairman M. DiBitetto opened the public hearing at 7:00 pm.

The Town Planner, Charles Watson had proposed implementing roadway impact fees (attached). Fees collected would be used for any expenditure involved to expand the roadway system to accommodate new commercial and industrial development projects. The Town would be separated into three zones for the purpose of the impact fees. Collection and expenditure of fees would be restricted to zones.

Discussion on the matter ensued.

David Campbell, Manchester Sand & Gravel Legal Counsel, stated that they have always been in favor of impact fees. He liked the way fees are scaled. He added that the impact fees being proposed is a way of letting the community grow and have money set aside for infrastructure development.

Chairman M. DiBitetto closed the public hearing.

M. Jolin moved to adopt the traffic/roadway impact fees. Motion seconded by G. Longfellow.
Roll call vote carried unanimously.

Head's Pond Project

D. Campbell updated the Council on the Head's Pond project. The Planning Board and the Conservation Commission have been briefed on the updates.

Mr. Campbell presented a Master Plan of the Manchester Sand & Gravel property, which was adopted in 1990. MS&G is proposing an upscale 650-unit housing development complete with a golf course, 2 acres of public town common and an upscale convenience store at the village. There will be four access points out of major roadway. 22 acres of pond would be given to the Town, along with a trail for hiking, parking area, pier and a boardwalk on the marsh. A public boat launch is also being proposed along with a living classroom on the side of the marsh. It would take about 10 years to finish the project. They are expecting to start the project in 2007, assuming there will be no problems with permitting and the growth management ordinance. The development would be built at a rate of about 50 units per year. In order to start the project, a development agreement would have to be approved by the Planning Board and signed by the Town Council. Considering the scale of the development and the amount of property being given to the Town, Mr. Campbell asked the Council for reassurance to be able to build the development. He would sit with the Town Counsel, Bart Mayer to draft the agreement. The agreement would then be presented to the Planning Board and to the Council for approval.

The Council gave indications for D. Campbell to meet with the Town Counsel Bart Mayer to outline the agreement.

OLD BUSINESS:

Fireworks Ordinance

A public hearing was held at the last meeting. The final draft of the amended Fireworks Ordinance was presented (attached).

G. Longfellow moved to adopt the amended Fireworks Ordinance. Motion seconded by P. Loiselle.

Roll Call:

P. Fitanides	Yes	G. Longfellow	Yes		
M. Jolin	No	S. Werksman	Yes		
P. Loiselle	Yes	Chairman M. DiBitetto	Yes	5-1	<u>Motion carried.</u>

Village School

P. Loiselle asked for an update on the Village School.

David Provan from LGC made a presentation on the Village School and did a walk through. Arenco, Inc. did a study a few months ago. The Town Administrator would provide the Council copies of the study.

Council consensus was to discuss the matter at the next meeting.

NEW BUSINESS:

Forest Fire on Hackett Hill Road:

Harold Murray, Forest Fire Warden, informed the Council of the fire, which started on September 8th. It was the 54th forest fire this year and the 2nd largest fire in the state. It took 5 days to put it out with 43 towns responding to it. So far, they have received bills from 11-14 towns. The towns

have 60 days to send their bills. The department is expecting to be billed for about \$30,000.00. The state would reimburse 50% of the total expenses for the fire. Forest Fire has a total of \$14,000.00 (includes \$2,500.00 under Fire Dept./Salary) on their budget.

The Town Administrator explained that when bills come in, the town would pay 50% out of the budget and will record the other 50% as receivable. This would help track how much reimbursement is expected from the state as well as monitor what they paid and what is owed.

The Council's action would be required should the department over-expend its budget.

TOWN ADMINISTRATOR'S REPORT:

D. Jodoin reported on the following:

1. The Auction has been posted on the condominium rights on Route 28 By-pass and Corriveau Drive properties. The Town Administrator asked for authorization to endorse the sales agreement at the auction provided that the minimum reserve was met..

S. Werksman moved to authorize the Town Administrator to endorse the sales agreement provided that the minimum reserve was met. Motion seconded by P. Loiselle.

Roll Call:

P. Fitanides	Yes	G. Longfellow	No		
M. Jolin	Yes	S. Werksman	Yes		
P. Loiselle	Yes	Chairman M. DiBitetto	Yes	5-1	<u>Motion carried.</u>

2. The Fire Chief suggested donating the old pumpers to a non-profit organization, which would distribute them to hurricane-ravaged states.

Discussion on the matter ensued.

Council consensus was to discuss the matter at the next meeting on Nov. 2nd, 2005.

3. The Town Administrator received a letter regarding a retaining wall placed on Granite Street by a resident several years ago. The wall is starting to lean over. Several plows hit it last winter. The Highway Manager is reviewing all options. The Council would be advised.
4. The Town Administrator has spent considerable amount of time reviewing the Town's trash and compact agreement. He found the Town's current contract, to be the most cost efficient and the best proposal being offered. The current agreement expires in January. The new contract has a term of 5 years and has not been reviewed by the Town Counsel.

P. Loiselle moved to authorize the Town Administrator to sign the contract subject to legal review. Motion seconded by G. Longfellow. **Motion carried unanimously.**

\$1.6 Budget Surplus

P. Fitanides asked the Town Administrator to explain how the Town could have \$1.6 million surplus and a default budget in the same year.

The Town Administrator explained that in order to find out what the Town's Fund Balance is, you need to take what was not spent from the Department's various approved budgets and add to that the unanticipated revenues that were received. Both of these items lapse to what is known as Fund Balance, which could either be called Surplus or Deficit. This year, there were certain monies returned from various departments such as Police, Fire, Administration, family Services and Town Clerk, as well as increased revenues from sources such as the TIF district, interest on property taxes, Building and Motor Vehicle permits, and interest on investments, all resulting in a surplus. The Department of revenue strongly suggests that Towns keep between 5% to 10% of the total tax commitment as a reserve in case of unexpected emergencies.

The Town Administrator also informed the Council that the property tax rate for this year was set and that the rate changed from \$22.00 per thousand last year to \$22.10 fro the current year. The breakdown is as follows. The municipal portion of the tax rate decreased by \$0.14 to \$5.70, Local School tax increased by \$0.61 to \$10.99, State School tax decreased by \$0.60 to \$2.91 and the County tax increased by \$0.23 to \$2.50.

ADJOURNMENT:

The meeting was adjourned at 9:05 pm.

Respectfully submitted,

Evelyn F. Horn
Administrative Assistant

Philip Fitanides
Town Council Secretary