

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, February 8, 2006

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

ROLL CALL: Daniel Belanger, Philip Fitanides, Jason Hyde, Mike Jolin (arrived at 6:35 pm), Paul Loiselle, George Longfellow (excused), Doug St. Pierre, Stuart Werksman, Chairman Michael DiBietto, David Jodoin (Town Administrator)

APPROVAL OF MINUTES:

January 25, 2006

D. St. Pierre motioned to approve the minutes of January 25, 2006 as submitted. Seconded by P. Loiselle. **Voted unanimously in the affirmative. (P. Loiselle abstained)**

PUBLIC INPUT:

Frank Gray, 17 South Bow Road, submitted a list of questions (see attached) and requested a written response from the town's attorney.

William Lyon, 160 Merrimack Street was troubled with the newspaper article reflecting the penalties associated with the Inventory forms. These forms are not required. The article mentions a warrant article to keep the inventory private and recommended asking the voters if they even want the inventory forms. Mr. Lyon suggested town officials stay out of people's bedrooms.

M. DiBietto stated there would be a public question and answer period at the end of the presentation on the proposed TIF district.

NOMINATIONS/APPOINTMENTS:

M. DiBietto stated that the Budget committee currently has two vacancies.

OLD BUSINESS:

Warrant Articles

Land Acquisition

D. Savoie stated that the former Warrant Article 8 (***Shall the Town accept the provisions of RSA 41:14-a providing that any town at any annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the Town council to acquire or sell land, buildings, or both; provided, however, they shall first submit any such proposed acquisition or sale to the Planning Board and to the Conservation Commission for review and recommendation?***) was tabled at the last meeting awaiting legal advice from the Town counsel and was removed from the warrant. Bart Mayer, Town Attorney submitted a letter stating that the Council is the governing body of the Town and they have the ability to adopt provisions of RSA 41:14-a.

M. Jolin questioned the ability to buy land without a warrant presented to the voters and added that unless there is a warrant article to purchase land, RSA 41:14-a cannot be adopted.

M. DiBietto stated that once RSA 41:14-a is adopted, there is no need for a warrant article to purchase land; it could be done from the budget.

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

M. Jolin questioned amending Article 20 (***To see if the Town will vote to raise and appropriate the sum of \$50,000 (fifty thousand dollars) to be placed in the North/South Highway Feasibility Study (Parkway – Southern Leg Feasibility Study) already established.***)

M. DiBietto stated that the fund in Article 20 is not sufficient to purchase land but simply to complete a study.

D. Savoie stated that the phrase “*land acquisition*” can not be added to Article 20 prior to adopting RSA 41:14-a.

M. DiBietto asked Charles Watson, Town Planner if he was anticipating any land acquisition this year.

C. Watson indicated there are no plans to purchase land this year.

Town Charter Amendment

D. St. Pierre motioned to add the following to the Town Warrant:

“Shall the town approve the charter amendment reprinted below?”

Amend Article #3 (Town Council Section 3.4 (Compensation) to read: Council shall receive Three thousand dollars (\$3,000.00) per year. The Chairman shall receive an additional one thousand dollars (\$1,000.00) per year. Councilors shall receive reimbursements for reasonable mileage and expenses incurred in the performance of Town business outside the Town limits of Hooksett according to the rules of the Council.”

Motion seconded by M. Jolin.
(This will require a public hearing.)

P. Loiselle questioned the motivation in increasing the stipend.

D. St. Pierre stated that the theory is that you see the same faces in the room and you don’t get a large number of volunteers from the town. The incentive would be extra money to do the job.

J. Hyde felt that this is a volunteer job and the \$3000.00 is not a significant amount to make a difference and felt it is wasteful.

Roll call

D. Belanger	No	P. Loiselle	Yes
P. Fitanides	Yes	S. Werksman	No
J. Hyde	No	M. DiBietto	No
M. Jolin	Yes	D. St. Pierre	Yes

4 – 4 Motion failed.

Village School –

D. Jodoin updated the Council on the Village School project.

Price quotes are coming in and there are preliminary estimates on plumbing and the southern side of the roof. \$58,000 was carried over from the insurance money collected as a result of last year’s flood. A quote for the sprinkler system is out and the estimate for electrical repairs should be in next week. The current estimate is \$430,000 including asbestos, roofing and plumbing. Sprinklers vs. a four-sided fire lane are being addressed by the Fire Department.

P. Fitanides stated there is a different set of rules for existing buildings. The Town is exempt from ordinances.

D. St. Pierre stated that the safety of the public is a priority.

M. DiBietto recommended striking the fire lane requirement where sprinklers don't exist.

J. Hyde motioned to hold a public hearing to strike the Fire Lane Ordinance for the Village School. P. Fitanides seconded.

(Public hearing required)

Roll call

D. Belanger	No	P. Loiselle	Yes
P. Fitanides	Yes	S. Werksman	Yes
J. Hyde	Yes	M. DiBietto	Yes
M. Jolin	No	D. St. Pierre	No

5 – 3 Motion carried

Public hearing scheduled for February 22nd, 2006

Exit 11 TIF District –

D. Jodoin read a letter received from Manchester Development Corporation supporting the Town of Hooksett on the proposed Cabela's store.

M. DiBietto gave a brief overview of Cabela's proposal for a store at exit 11. The proposal suggested a TIF bond to do infrastructure improvement as part of the proposal. At this point there is no definitive proposal. They are currently putting together the scope and cost as well as the finance package being sought by them.

F. Gray asked if the report from the independent consultant could be added to the record.

M. DiBietto stated that it would be a part of the record.

D. Jodoin reviewed the area under proposal which included the Pallazzi Site at exit 11 on Route 3A.

D. Savoie reviewed the process for drawing the TIF district. Several years back a TIF was established at exit 10. The town adopted RSA 162K on 12/8/99. This was to establish one or more TIF districts therefore we only need to establish the specific TIF district at Exit 11. The total assessed value in the proposed Exit 11 TIF district would be \$5,026,200.00. The taxable assessed value would be \$4,138,500.00, which would be the taxable base rate for the new TIF district. Tax revenues generated on any valuation growth over the \$4,138,500.00 would be used to pay the proposed bond.

D. Savoie stated that a public hearing is required to establish the district.

C. Watson drew the line for the TIF map. The philosophy behind any TIF district is there will be a change in access properties in the TIF district. If we know to the best of our ability that a parcel will be developed and surrounding properties are developable its wise to make them part of the TIF district. We added the north parcels zoned commercial to the north. We included all 3 bridges because if we move the sewer pipe it includes 2 of the three bridges and the sewer property, which may need expansion.

M. Jolin motioned to hold a public hearing for the establishment of a TIF District at Exit 11. Seconded by P. Loiselle.

Roll call

D. Belanger	No	P. Loiselle	Yes
P. Fitanides	Yes	S. Werksman	Yes
J. Hyde	No	M. DiBitetto	Yes
M. Jolin	Yes	D. St. Pierre	No

5 – 3 Motion carries
Public hearing scheduled for February 22, 2006

Point of information: No special town meeting has been set and we are waiting for more specific information before setting such a meeting.

Harold Murray, 311 Hackett Hill Road asked if the TIF district at Exit 10 has gone well?

M. DiBitetto stated he sees it as a success because the money to pay the bond has been exceeded. Currently, the Town receives 1 million, of which 700 thousand goes into the general fund. It is generating a lot of revenue. From an economic standpoint, a lot of money has come into the town coffers.

D. St. Pierre said that on a financial level the town was ok, but on a logistical level. We missed terribly in doing our part in keeping the committee on top of that district.

P. Loiselle added that the total increase to the tax base is \$50 million and has been generating about a million dollars on a venture that has no impact on the school system.

Patricia Rueppel, 1465 Hooksett Road asked if financial figures and time frame for the district would be available at the hearing.

M. DiBitetto stated that only the geographical district will be defined. The establishment of the TIF district boundary is the responsibility of the Council. The bond is in the hands of the voters, therefore, no TIF construction without a vote and the required hearings and meetings.

As for the time frame, M. DiBitetto stated that the last date for a bond hearing is March 15th; it is unlikely for the regular Town Meeting.

David Ewald, President of Ewald Consulting: We're working with a developer interested in these issues nationwide. The group we work for is Gander Mountain and is a competitor of Cabela's with 100 stores across the country. The important thing to think about is: Do you want a subsidy for a retail entity? Target was done it this way but we feel retail, unlike service companies will relocate based on customers. This industry is in a huge tug of war. The sales are not growing but the square footage of stores is. In this market, Scarborough, East Hartford, Foxboro, Plainville, and Hooksett are all looking at Cabela's and their competitors? We use existing buildings, which are smaller. But I don't think it is necessary to use TIF money to assist retailers. You need to look at the impact on other local small businesses. Remember, there is an uncertain future. Destination retail may or may not happen.

C. Watson: I'm not suggesting that the Town should either approach the matter with open arms or not, but TIF is a tool and if you have an area like the Mall of America already established, it is normal for other retailers to come in. Exit 10, when this idea started out, was a wasteland with regard to retail. TIF was helpful to get something started. You don't see Lowe's or Wal-Mart looking for TIF money. Exit 11 is a wasteland. If you have to bring in sewer, water and electrical, and end up making massive transportation improvements for the land to be productive, the question is not should the Town subsidize someone, but rather does the Town want to take a role of bringing infrastructure so that it is more likely to be developed.

P. Rueppel: I attended a financial seminar. The Financial consultant was Mr. Clougherty and he said to be extremely careful with the amount of TIFs you put in a Town. Anyone of you can call him.

D. Ewald: Gander Mountain often goes into a re-use situation. They are building their own stores and look for attractive locations without asking for assistance.

F. Gray: My understanding is that TIF is a wonderful tool but it was good when we didn't have the area businesses. Today, Hooksett is one of the 3 most desirable areas in the state. If Cabela's doesn't want to come, someone else will. We don't need to spend our money. Cabela's is looking for us to spend town money instead of their own.

M. Jolin: I was here when we built the TIF at Exit 10. Since we got that jumped started, we are making money quicker. We would have eventually made it but now the stores open in a year and the traffic was resolved.

J. Hyde: We need to think of the small business competitors that already exist in the area.

TOWN ADMINISTRATOR'S REPORT:

D. Jodoin reported on the following:

1. There will be an informational meeting at the Council Chambers on Tuesday, February 21st regarding the Pine Street Bridge.
2. He congratulated Mike Hoisington of the Fire Department for certifications received from the Department of Safety.
3. He commended the Fire Department for its quick response to a cardiac call at the Highway garage. The crew included Capt. Fred Deveau, FF Jeremy Doyle, FF Daniel Silva and Asst. Fire Chief Dean Jore.
4. The Police Commission requested streetlights on Legends Drive and the street sign be illuminated because it is hidden from view. The Town Administrator will have Dale Hemeon, Highway Department Manager take a look at the lighting.

NEW BUSINESS

Council Seats

M. Jolin questioned the issue of redistricting with regard to Council seats.

M. DiBitetto stated that it will be handled through attrition.

D. St. Pierre stated he will not seek reelection at the end of his term and wished to thank the Administrator and the Staff for their outstanding work.

SUB-COMMITTEE REPORTS:

Board of Assessors

M. DiBitetto informed the Council that there is a report from DRA that states the Town is out of compliance. The tax ratio is at 78% and the comfort level for the state is 90 – 100% of equalization ratio. The Town will have to do something to bring it in line or the state will take action. The Assessor will have a plan to bring the town to the 90% mark. We will not need to do commercial because they are at 90%. The adjustment will apply to residential properties, apartments, condominiums, land and possibly the right of way for utility pole easements (which would require outside consultants). The Assessing Department has started working on the process.

Planning Board

M. DiBitetto reported that Wal-Mart and Lowe’s applications are complete and the hearing will be held on February 20th.

Zoning Board

D. Belanger informed the Council that Wal-Mart and Lowe’s are complete.

Budget Committee

The Budget Committee workshop was held on Saturday, February 4th. The subject of shifting the cost accounting methodology was discussed. They informally requested adopting a more cost accounting format. Part-time or temporary help would be needed to have this accomplished.

Discussion on the matter ensued.

M. DiBitetto stated to change our accounting practice would be costly and adds man-hours and would explain to the Budget Committee that it is not practical to do at this time.

PUBLIC INPUT

P. Rueppel thanked the Council for establishing the Aesthetic & Beautification Advisory Committee.

NON-PUBLIC SESSION:

P. Loiselle motioned at 8:25 pm to enter into non-public session under RSA 91-A:3, II (i) “Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.”

Motion seconded by D. Belanger.

Roll Call:

D. Belanger	Yes	P. Loiselle	Yes		
P. Fitanides	Yes	D. St. Pierre	Yes		
J. Hyde	Yes	S. Werksman	Yes		
M. Jolin	No	Chairman M. DiBitetto	Yes	7-1	<u>Motion carried.</u>

D. Belanger motioned to exit non-public at 9:00 pm. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

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

ADJOURNMENT:

M. DiBitetto declared the meeting adjourned at 9:10 pm.

Respectfully submitted,

Lee Ann Moynihan

Philip Fitanides
Town Council Secretary