

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, June 14, 2006**

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

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

**APPROVAL OF MINUTES:**

May 24, 2006 – D. St. Pierre moved to approve the May 24, 2006 minutes as presented. Motions seconded by S. Werksman. **Motion carried unanimously.**

**PUBLIC INPUT:**

Mr. Oliver stated that it is his belief that a former police officer should not be on the Police Commission.

Ms. Pellerin, Granite Street, commented on an article in the paper where the board is considering \$350,000.00 as an asset limitation for an elderly tax exemption. She asked how IRA's and out of town property would be valued. She also asked how personal items would be valued?

**NOMINATIONS/APPOINTMENTS:**

Boards/Commissions Nominations for Fiscal Year 2006-2007

**Police commission**

Dana Argo, 11 Orchard Drive introduced himself and stated he is an 11 year resident of Hooksett, interested in a position as Police Commissioner. Based on things witnessed and heard he feels he can add value to the commission. (Resume was received). Mr. Argo has worked for 25 years working with unions and has learned it takes a deal of give and take to work with unions. He said you get better quality work when morale is up. From what he's read, Mr. Argo believes there is a morale problem, but doesn't know the root of the problem.

P. Fitanides asked Mr. Argo how many Police Commission meetings he has attended and how many officers are there and how many are in the union?

Mr. Argo has attended two meetings and thought there were 24 officers on the force of which 17 are union members.

P. Fitanides stated there are only 6 officers in the union.

D. St. Pierre asked Mr. Argo who he thought was in charge of the police department.

D. Argo stated, "The Chief".

**NOMINATIONS**

**POLICE COMMISSION**

Mary Anne Maksalla was nominated by D. St. Pierre.

Dana Argo was nominated by M. Jolin.

Daryl Dreffe was nominated by G. Longfellow.

Michael Pischetola was nominated by J. Hyde.

**BUILDING BOARD OF APPEALS**

John Ciempa was nominated by D. St. Pierre.  
Yervant Nahikian was nominated by D. St. Pierre.  
Mike Jolin was nominated by D. St. Pierre.  
Lee Belanger, Sr. was nominated by D. St. Pierre.  
One open to fill in D. St. Pierre's position.

**CONSERVATION COMMISSION**

P. Fitanides nominated Cindy Robertson.

**HERITAGE COMMISSION**

G. Longfellow nominated Kathleen Northrup.  
P. Loiselle nominated Carolyn Schroeder.  
One vacant position.

**LIBRARY TRUSTEE**

D. St. Pierre nominated Barbara Davis and Tammy Hooker.  
G. Longfellow nominated Linda Courtemanche.

**PARKS & RECREATIONAL ADVISORY BOARD**

G. Longfellow nominated Roger Hebert.  
P. Loiselle nominated Cori Hillhouse.  
M. Jolin nominated Joanne Burwell (for resigning position 2007).

**PLANNING BOARD**

J. Hyde nominated Gerald Hyde (Full Member).  
G. Longfellow nominated John Gryval (Full Member).  
D. St. Pierre nominated Robert Duhaime (Full Member).  
D. Belanger nominated Joanne McHugh (Full Member).  
D. St. Pierre nominated Daryl Dreffs (Full Member).

**SOLID WASTE ADVISORY BOARD**

G. Longfellow nominated Merrill Johnson.  
Alt. position vacant.

**TRUSTEE OF TRUST FUND**

D. Belanger nominated Cindy Motta.  
One vacant position.

**ZONING BOARD OF ADJUSTMENT**

S. Werksman nominated David Boutin (Full member).  
G. Longfellow nominated Ronald Savoie (Full member).  
D. Belanger nominated Roger Duhaime (Alternate position).

**SCHEDULED APPOINTMENTS:**

Transfer Facility Enclosed Storage Areas Bids – Diane Boyce, Solid Waste Department Superintendent presented the bids for the transfer facility enclosure.

Riess Construction	\$98,340.00
Dutton and Garfield, Inc.	\$104,545.00
Flynn Construction	\$87,957.00 (without canopy)

D. Boyce recommended that the project be awarded to Reiss Construction for \$98,340.00. \$50,000.00 of the cost to come from CIP and \$48,340.00 to come out of Solid Waste Special Revenue Fund.

G. Longfellow moved to award the bid to Riess Construction for \$98,340.00. Motion seconded by P. Loiselle. **Roll call vote carried unanimously.**

G. Longfellow motioned to authorize the Town Administrator to sign. P. Loiselle seconded. **Voted unanimously in the affirmative.**

**OLD BUSINESS:**

**Ambulance Service –**

There was a discussion about purchasing the ambulance through the use of impact fees. D. Jodoin stated that we can purchase the ambulance per the warrant article but you can't insure it or put gas in it because Warrant Article #25 was defeated. You can petition the State court for a special meeting but would have to prove the emergency. Allenstown and Pembroke will be sending out RFP's for their March voting to see if they will be staying with Tri-Town.

P. Fitanides: It appears that when you have a warrant article that is defeated or approved it is in that exact language. If it was defeated, the voters do not want an ambulance purchased. We are dealing with impact fees and therefore we can purchase gas and insurance because this is the impact fee and not the warrant

M. Jolin: Some e-mails noted tri-town was having problems with their ambulances and maintenance. If we could purchase one and if tri-town would consider leasing it and tri-town could cover the gas and insurance. It would be housed in our station. If they are having difficulty, we can purchase the ambulance.

D. St. Pierre: Under the current agreement, Tri-Town has stationed an ambulance at the Safety Center and assigned to us, and it has been broken down quite often, correct?

D. Jodoin: I'm not sure which one has broken down, the Hooksett or the Pembroke unit?

M. Williams, Fire Chief: They have made every attempt to bring an ambulance down. M – F there is one ambulance in each location. There have been times that the ambulance has not been here. The problems are they are here Monday through Friday from 9-5, and we are a 24-hour operation. Of the 608 calls last year, 402 were nights or weekends.

P. Loiselle: That conflicts with the report that stated the greatest number of calls are from 9-5. That was incorrect.

Chief Williams stated that during the highest activity we are not covered.

D. Belanger: We have a problem and it was worsened when we had the ultimatum of putting it on the ballot or the budget committee would put it on the ballot by petition. We didn't have adequate time to prepare our proposal. We need to take the time to do this correctly. We need to petition the courts since we don't have adequate coverage for the town.

J. Hyde: Even though I don't agree with the voter, I must support their wishes. I understand the emergency, but the voters said No. We will do it next year.

D. Belanger: I said that we acted hastily and we didn't present it correctly. We now have a problem that we have to solve. There is a serious problem of coverage. If you remember when the people came in from the Budget Committee, I said we didn't do enough research. Now we must correct it. We have to find a way to legally do it. Nothing will be done without the voters approval. By petitioning the court for an election, we will give the people that opportunity.

P. Fitanides: (Read the original warrant article) this warrant article was written without an ambulance.

Chief Williams: The Ambulance was to be purchased with impact fees.

**PUBLIC INPUT:**

Vince Lembo, Jr., 56 Main Street asked why the town didn't buy the ambulance with the impact fees prior to the warrant article.

D. St. Pierre: People said if we didn't put it on the ballot, they were going forward with a petition. The Budget committee took it out of our hands.

D. Belanger: We can legally buy the ambulance anytime, but that is all we can legally do.

Vince Limbo: I spoke with the Chief trying to have him convince me that we need the ambulance. I wasn't convinced and was unaware of these problems. Who words and writes the warrant articles. This is beyond the ambulance, I believe if the voters say no, they mean no, and the very next council meeting we're talking about the ambulance that the voters voted down. I am aware that now I should have voted yes. The Chief never indicated that there was a maintenance issue with the ambulance.

H. Murray requested the letter from Tri-Town be read since the media left prior to it being read at the last meeting and the voters never knew what it said prior to the vote.

D. Jodoin read letter from file dated May 11<sup>th</sup> from Tri-Town.

Chief Williams was here to say the service is substandard and has been that way since 2002. We are using mutual aid for support. We need a new plan, either a new 3<sup>rd</sup> party provider...we are here because of the letter and putting us on notice that there will be a transition.

D. Jodoin: The RFP's are out to Allentown and Pembroke, and their voting is in March, therefore Jan – June they could pay their stipend. In March, if it passes, come July, they switch. Come April of next year, we will have to scramble.

Vince Limbo: I want the voters heard. They said no, but with everything said, it takes 8 months to get an ambulance. Can the town order the ambulance with impact fees, and then get the voter to vote on the insurance and fuel after

**D. Belanger motioned to direct the Town Administrator to direct our attorney to petition the court to get a special meeting to vote on this issue. Seconded by P. Fitanides.**

D. Belanger: This gives us time to properly state our case and the conditions for lack of coverage.

P. Pellerin: If we are going to petition the court for a special election, we must inform the public. If the people would have known how desperate the measures were, they would have voted for it. If you buy the ambulance ahead, they may get angry that you purchased with the assumption you would pass the vote.

M. DiBitetto: We must also go through the Budget Committee

**Roll call vote:**

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

G. Longfellow Yes Chairman M. DiBietto No 6-3 **Motion carried.**  
Doug St. Pierre Yes

**NEW BUSINESS:**

Acceptance of Donation (\$170.00) to Heritage Commission per RSA 674:44-b.

D. Savoie: They would like to put money towards the preserve America sign. This is a cash donation.

P. Loiselle motioned to accept the donation of \$170.00 from the Heritage Commission per RSA 674:44-b. Seconded by D. Belanger. **Roll call vote carried unanimously.**

**Encumbrances**

D. Savoie explained that because of the flood, at least \$300,000 is estimated to be needed to repair town roads because we don't know what FEMA will provide. We have requested departments submit request to encumber funds. There are more requests than money available. Because we don't know what FEMA will give us, we need to prioritize what is on the list, and whatever money is available as of June 30<sup>th</sup>, is how we will distribute the funds. Until FEMA commits, we are uncertain of the repair costs.

H. Murray stated that FEMA has been through once and will be back in a few weeks.

D. Savoie: We have a default budget, however, there is \$220,000 in next year's budget for road maintenance. If you want to go use this for flood damage, that is possible.

M. Jolin: \$300,000 of road repairs is an estimate, and that is making it more than is available. If FEMA pays (75%) then we should knock off the small numbers.

D. Savoie: For example, if we approve all the smaller amounts, then the paving shall not exceed the bottom line (whatever that is). That would be acceptable by the auditors.

M. Jolin motioned to continue the encumbrance of the opti-com and GIS phase I and II for \$24,162. (Page 1 of worksheet). Seconded by P. Loiselle. **Roll call vote carried unanimously.**

***M. Jolin motioned to encumber all items on page 2 of worksheet for a total \$189,239. Seconded by S. Werksman.***

J. Hyde: Mr. Jolin stated these were small numbers, these are not small numbers on page 2. If we didn't have the floods, these would have been a priority, however now we should revisit. We are assuming FEMA is going to cover 75% of \$300,000. I would prefer not to encumber until we know.

M. DiBietto: We must encumber or lose it.

D. Savoie: Encumbrances are money that we have that we want to do the projects but haven't started for various reasons. All contracts will be signed before July 1<sup>st</sup>. Example #6 is water resource management and protection has a contract. It will not be complete by June 30 but we need to encumber the funds to complete the project. There are two items on here that have not been yet considered, #4 Recycle trailer, #5 tipping floor, #10, because of the flood #11 computer tech.

J. Hyde: The items not committed should be put aside until the next budget cycle.

M. DiBietto: The tipping floor is something that has come up since last year. We have a special revenue fund that is fed by disposal user fees but you need a warrant to take that money out. How desperate are we to do that now, vs putting it on the warrant next year.

D. Boyce; It can probably wait till next year, but once it goes, it will be bad. Parts are bad and parts are fine.

D. Boyce: The recycle trailer is a wish list. It can wait.

M. Jolin: Why can't we repair the tipping floor? We need to look into that.

D. Boyce: Will definitely look into repair options.

**J. Hyde motioned to amend not to include #1, 4, 5, 10, 11. D. St. Pierre seconded the motion. (Page 2 of worksheet).**

# 10: 10 sets of gear damaged in the flooding (bunker gear). The people wearing them were in water that had oil and contamination.

D. Belanger: Was the gear tested for contamination.

M. Williams: When it is submerged for that long it is contaminated.

D. Savoie: FEMA will not reimburse.

D. St. Pierre: We should find out how much it will cost to test the equipment.

M. Williams: When submerged for 4 days straight, it is assumed contaminated and not safe. We are currently using it but with a default budget, if it fails there is no money to replace.

**Roll call vote on the motion to amend.**

P. Fitanides	No	D. St. Pierre	No		
J. Hyde	Yes	S. Werksman	No		
M. Jolin	No	G. Longfellow	No		
D. Belanger	No	Chairman M. DiBitetto	No	1-8	<b><u>Motion failed.</u></b>
P. Loiselle	No				

J. Hyde motioned to amend not to include 4, 5, 10, 11. (Page 2 of worksheet) No second.

M. Jolin withdraws the original motion. (Page 2 of worksheet) S. Werksman withdrew his second.

**M. Jolin motioned to encumber items 2, 3, 4, 6, 7, 8, 9, 10, 11 (exclude #1, and #5). (Page 2 of worksheet) Seconded by D. St. Pierre.**

D. St. Pierre do we lose the money for encumbrances you didn't carry?

M. DiBitetto: Yes, the GMO study and the cement floor for the recycling.

M. Jolin feels the floor can either be repaired or taken from the fund next year.

**Roll call vote:**

D. Belanger	No	G. Longfellow	No		
P. Fitanides	Yes	D. St. Pierre	No		
J. Hyde	Yes	S. Werksman	Yes		
M. Jolin	Yes	Chairman M. DiBitetto	No	4-5	<b><u>Motion failed.</u></b>
P. Loiselle	No				

P. Loiselle motioned to encumber all items on page 2 of worksheet. D. St. Pierre seconded.

**Roll call vote:**

D. Belanger	Yes	G. Longfellow	Yes		
P. Fitanides	No	D. St. Pierre	Yes		
J. Hyde	No	S. Werksman	Yes		
M. Jolin	No	Chairman M. DiBietto	Yes	6-3	<b><u>Motion passed.</u></b>
P. Loiselle	Yes				

D. Savoie: Page 3, which include items such as building repairs and Fire Vehicle repairs are being discussed with the insurance company.

Chief Williams stated that vehicles were submerged as a result of the floods. Fluids must be changed in all the vehicles before a freezing condition occurs. There is no money left in the Highway/Fire Maintenance budget. We must however go forward.

D. Savoie: The Highway Department maintenance will be over expended on June 30 and you can't over expend with out the Council's approval.

P. Loiselle motion to over expend the highway maintenance budget \$15,000 for the purpose of repairing fleet fire. Seconded G. Longfellow. **Roll call vote carried unanimously.**

G. Longfellow motioned to extend the meeting for 10 minutes. P. Fitanides seconded.

**Roll call vote:**

G. Longfellow	Yes	J. Hyde	Yes		
D. St. Pierre	No	M. Jolin	No		
S. Werksman	Yes	P. Loiselle	Yes		
D. Belanger	No	Mike DiBietto	Yes		<b><u>Motion carried.</u></b>
P. Fitanides	Yes				

**Acceptance of Auditors' Bids**

Diane Savoie, Finance Director presented the bids for auditing services for fiscal years 2006 and 2007.

Melanson, Heath and Company, PC	\$25,000.00 for year 1 and \$26,000.00 for year 2
Plodzick & Sanderson, PA	\$20,000.00 for year 1 and \$22,000.00 for year 2
Vachon, Clukay & Company, PC	\$17,400.00 for year 1 and \$18,535.00 for year 2

D. Savoie recommended that the bid be awarded to Vachon, Clukay & Company, PC for \$17,400.00.

M. Jolin moved to accept the bid from Vachon, Clukay & Company, PC for \$17,400.00. Motion seconded by P. Loiselle.

**Roll call vote:**

D. Belanger	Yes	G. Longfellow	Yes		
P. Fitanides	Yes	D. St. Pierre	Yes		
J. Hyde	No	S. Werksman	Yes		
M. Jolin	Yes	Chairman M. DiBietto	Yes	8-1	<b><u>Motion carried.</u></b>
P. Loiselle	Yes				

**Elderly Exemptions**

P. Loiselle stated that the Board of Assessors recommended an asset value of \$350,000 be established for a primary residence. State DRA is concerned that Hooksett has no asset cap. We are the only town without an asset cap in NH.

M. DiBitetto: Hooksett is the only town in NH that has no asset limitation. We chose that a few years ago and we felt that income is derivative of one's assets and therefore redundant. DRA is pushing on it.

D. Belanger: The elderly exemption is to help the elderly person maintain the home they currently live in. If you have the assets to live in that house without an exemption, then I don't think the exemption is justified. If the exemption is needed to keep your home, you should have it. The exemption is not a reward for reaching a certain age; it is to provide you with the ability to stay in your home. Someone else has to pay the amount that is exempted, whether it is a single mother or someone who is struggling as much. If you have the assets to pay without hardship, you should pay the taxes. There are mechanisms to protect the elderly from losing their home. I will fight for the person who is on fixed income and in danger of losing their home. That is why I support an asset limit of \$350,000.

V. Lembo: I can afford to pay my taxes, but I get a Veterans benefit. Is that the next thing that will be taken away?

D. Belanger: I have not examined the Veterans benefit.

P. Loiselle stated that other town caps range from \$35,000 in Pembroke to a high in Bow of \$200,000.

D. Jodoin: I think zero is an unusual amount. There are a lot of people that can afford it and that impacts the lower income elderly.

M. DiBitetto: We had a \$100,000 cap when it was lifted. We want to keep the elderly in Hooksett. They are good citizens and are good for the community. They don't impact schools and a little in services. I have a concern trading an elderly couple with a family with children. There is a net loss for the town with that transaction. I don't want to lose the advantage that Hooksett has. I see no reason to change it because I don't think the abuse is that bad. No one in Hooksett will lose their house. If you can't pay, you can go to the Assessors Board and get a deferment which will result in a lien and you can stay in that for life.

M. Jolin: I sincerely believe there should be an asset limit. I agree with Dan that there are people that own other property and pay the taxes in the other community while the citizens are picking up the difference in taxes here.

P. Loiselle: I am interested in seeing the adjustment coordinated to the reevaluation if you qualify.

P. Loiselle motioned to establish an asset limit of \$350,000. D. St. Pierre seconded.

**Roll call vote:**

D. Belanger	Yes	G. Longfellow	Yes		
P. Fitanides	Yes	D. St. Pierre	No		
J. Hyde	Yes	S. Werksman	Yes		
M. Jolin	Yes	Chairman M. DiBitetto	No	7-2	<b><u>Motion carried.</u></b>
P. Loiselle	Yes				

P. Loiselle motioned to increase the elderly exemption by 10% for all categories. D. Belanger seconded the motion. **Roll call vote carried unanimously.**

**Current Town Pay Scale**

Per FEMA, in order for salaried personnel to be paid, the Town needed a written policy. This resolution will allow the town to submit those hours and get reimbursed.



David Jodoin read the resolution into the record

D. Jodoin: If you got called out above your normal hours when a disaster was declared, the town would pay 25% of the wages and 75% would be paid by FEMA.

P. Loiselle asked D. Savoie for the total dollar amount this represents.

D. Savoie will provide the information

Time spent preparing the reports for FEMA will be submitted and those monies will go into the General Fund.

Tabled.

**PUBLIC INPUT:**

V. Lembo: Is the By-pass in the works?

M. DiBitetto: The documents are in the process of being negotiated. When they finalize the paperwork they will start.

D. St. Pierre bids are out for the 28 intersection (Cawley School) per the administrator and that the final phase for site plan approval. The town is acting as the general contractor to take the bids for the school.

**ADJOURNMENT:**

The meeting was adjourned at 9:41pm.

Respectfully submitted,

Leeann Moynihan

Philip Fitanides  
Town Council Secretary