

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, July 12, 2006

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

PRESENT: Michael DiBietto, James Gorton, Jason Hyde (excused), Mike Jolin, Paul Loiselle, George Longfellow, David Ross, Patricia Rueppel, Stuart Werksman, David Jodoin (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

June 14, 2006 – P. Loiselle moved to approve the June 14, 2006 minutes as amended. Motion seconded by S. Werksman. **Motion carried.** J. Gorton, D. Ross and P. Rueppel abstained, not present at the meeting.

June 28, 2006 – P. Loiselle moved to approve the June 28, 2006 minutes as amended. Motion seconded by M. Jolin. **Motion carried.** J. Gorton, D. Ross and P. Rueppel abstained, not present at the meeting.

PUBLIC INPUT:

Harold Murray, 311 Hackett Hill Road stated he was surprised to read in the Union Leader that Hooksett was negotiating an agreement with the City of Manchester to build a combination Fire Station on Hackett Hill. He asked if the minutes to that meeting are available.

Chairman M. DiBietto explained there was no agreement or negotiation to build a combination Fire Station. There was a request to attend a preliminary meeting at the Mayor's office to look into the possibilities of building one. It was not an official meeting.

Vincent Lembo, Jr., 56 Main Street inquired about the status of the permitting process for this year's Pop Warner jamboree. There were a lot of problems last year and the taxpayers ended up paying for the Police and Fire details.

D. Jodoin explained that he met with Police, Fire and Pop Warner officials to discuss their application with the Parks & Recreation Department to hold a jamboree this year. The event would be similar to a regular weekend football game. It would be a 2-day (Saturday and Sunday) event. Parking would be restricted and traffic would be diverted from the Main Street area. Pop Warner would pay for any details needed for the event.

Chairman M. DiBietto added that anyone wishing to use the Town fields would have to go through the Parks & Recreation Department for a permitting process. The Town has a clear mandate that anyone who needs details will have to pay for them. There is no fee to use the fields.

Sully Hassan and Elizabeth Stewart of the Hooksett-ites requested to increase their budget for an additional \$3,000.00 to pay for various programs such as the over 80 Dinner, luncheons and field trips.

S. Werksman moved to authorize overspending the line item up to \$3,500.00 by taking it from Administration's Unexpected Expenses line item. Motion seconded by P. Rueppel.

Roll Call:

J. Gorton	Yes	D. Ross	Yes		
M. Jolin	No	P. Rueppel	Yes		
P. Loiselle	Yes	S. Werksman	Yes		
G. Longfellow	Yes	Chairman M. DiBitetto	Yes	7-1	<u>Motion carried.</u>

NOMINATIONS/APPOINTMENTS:

Appointments of Council Representatives to Boards/Committees

Council Chairman

G. Longfellow nominated M. DiBitetto.

P. Rueppel nominated G. Longfellow.

D. Ross moved to postpone nominations and appointments of Council officers until all members are present. Motion seconded by J. Gorton.

Roll Call:

J. Gorton	Yes	D. Ross	Yes		
M. Jolin	No	P. Rueppel	No		
P. Loiselle	No	S. Werksman	No		
G. Longfellow	No	Chairman M. DiBitetto	No	2-6	<u>Motion failed.</u>

M. DiBitetto nominated M. Jolin for Chairman. M. Jolin refused the nomination.

Vice-Chair

G. Longfellow nominated P. Loiselle.

M. Jolin nominated S. Werksman.

Secretary

M. Jolin nominated J. Hyde.

M. DiBitetto nominated D. Ross.

Chairman

Roll Call:

M. DiBitetto	G. Longfellow	
J. Gorton	G. Longfellow	
M. Jolin	G. Longfellow	
P. Loiselle	M. DiBitetto	
G. Longfellow	M. DiBitetto	
D. Ross	Abstained, disagreed to move forward with appointments.	
P. Rueppel	G. Longfellow	
S. Werksman	M. DiBitetto	

G. Longfellow was appointed as Council Chairman.

Council Vice-Chair

Roll Call:

M. DiBitetto	P. Loiselle
J. Gorton	P. Loiselle
M. Jolin	S. Werksman
P. Loiselle	P. Loiselle
D. Ross	Abstained
P. Rueppel	S. Werksman
S. Werksman	P. Loiselle
Chairman G. Longfellow	P. Loiselle

P. Loiselle was appointed as Vice-Chair.

Council Secretary

Roll Call:

M. DiBietto	D. Ross
J. Gorton	J. Hyde
M. Jolin	J. Hyde
P. Loiselle	J. Hyde
D. Ross	Abstained
P. Rueppel	J. Hyde
S. Werksman	J. Hyde
Chairman G. Longfellow	J. Hyde

J. Hyde was appointed as Secretary.

Board of Assessors

M. DiBietto, P. Loiselle, S. Werksman and G. Longfellow will continue to serve.

P. Loiselle nominated P. Rueppel.

M. DiBietto nominated J. Gorton.

M. Jolin nominated D. Ross.

Roll Call:

M. DiBietto	J. Gorton	D. Ross	J. Gorton
J. Gorton	D. Ross	P. Rueppel	D. Ross
M. Jolin	D. Ross	S. Werksman	J. Gorton
P. Loiselle	D. Ross	Chairman G. Longfellow	P. Rueppel

D. Ross was appointed.

Budget Committee

M. DiBietto nominated G. Longfellow.

G. Longfellow was appointed.

M. DiBietto moved to appoint an alternate representative to the Budget Committee. Motion seconded by P. Loiselle. **Motion carried unanimously.**

M. DiBietto nominated P. Rueppel.

P. Rueppel nominated J. Gorton.

Roll Call:

M. DiBietto	P. Rueppel	D. Ross	P. Rueppel
J. Gorton	P. Rueppel	P. Rueppel	J. Gorton
M. Jolin	J. Gorton	S. Werksman	P. Rueppel
P. Loiselle	P. Rueppel	Chairman G. Longfellow	P. Rueppel

P. Rueppel was appointed as the alternate representative to the Budget Committee.

Conservation Commission

S. Werksman nominated D. Ross.

D. Ross was appointed.

Council Rules

M. DiBitetto, M. Jolin and Chairman G. Longfellow will continue to serve.

Facilities

M. Jolin will continue to serve.

M. Jolin nominated P. Loiselle.

P. Loiselle was appointed.

Heavy Equipment Purchases

Chairman G. Longfellow will continue to serve.

Heritage Commission

S. Werksman nominated J. Gorton.

J. Gorton was appointed.

Parks & Recreation Advisory Board

P. Loiselle nominated S. Werksman.

S. Werksman was appointed.

Perambulation

M. DiBitetto will continue to serve.

Chairman G. Longfellow was appointed.

Planning Board

M. DiBitetto moved to appoint an alternate representative. Motions seconded by M. Jolin.

Motion carried unanimously.

J. Hyde was appointed as the primary representative.

M. DiBitetto was appointed as the alternate.

Police Commission

S. Werksman will continue to serve.

Solid Waste Management Advisory Committee

G. Longfellow will continue to serve.

Southern NH Planning Commission

M. Jolin will continue to serve.

Zoning Board of Adjustment

The Council discussed the ZBA membership and whether the Council should appoint a voting representative.

M. Jolin moved to have a non-voting representative on the ZBA. Motion seconded by J. Gorton.

Motion carried with M. DiBitetto opposed.

P. Rueppel nominated D. Ross.

S. Werksman nominated J. Gorton.

Roll Call:

M. DiBitetto

J. Gorton

D. Ross

D. Ross

J. Gorton	J. Gorton	P. Rueppel	D. Ross
M. Jolin	D. Ross	S. Werksman	J. Gorton
P. Loiselle	J. Gorton	Chairman G. Longfellow	J. Gorton

J. Gorton was appointed.

SCHEDULED APPOINTMENTS:

Conservation Commission, Current Use Memorandum of Understanding

Steve Couture, Conservation Commission member presented the memorandum of understanding. He explained that the MOU being presented is a draft document. The document was first drafted back in 2002 and was introduced to the Council in 2004. The MOU was never adopted. He asked for the Council's approval to move forward with the MOU, now that the Master Plan has been adopted.

Discussion on the matter ensued.

Council consensus was for Conservation Commission to coordinate with the Town Administrator and finalize the MOU to be presented to the Council for approval.

OLD BUSINESS:

Camp, Dresser & McKee, Inc. GIS Contract

Joanne Duffy, Planning Coordinator, explained that in 2001, the Town originally hired Camp, Dresser & McKee, Inc. for the GIS (Geographical Information System) program. The contract is for an ongoing project that needs to be updated. CDM also maintains a host website for the GIS system. She asked for the Council to waive the rules to put the project out to bid and approve the contract amendment. The next step is the most important layer, which is for sewer and water line.

M. Jolin stated that the Town has been working with CDM since 2001. The contract is simply amended to get the next phase done. At some point, the Town would have to go out on bid to see what other companies have to offer.

D. Ross added that he agreed with M. Jolin that contracts like this should be put out on bid every few years.

M. DiBitetto moved to waive the 3-bids rule. Motion seconded by P. Loiselle.

Roll Call:

J. Gorton	Yes	D. Ross	Yes		
M. Jolin	No	P. Rueppel	No		
P. Loiselle	Yes	S. Werksman	No		
G. Longfellow	No	Chairman M. DiBitetto	Yes	Tie	<u>Motion failed.</u>

The project will be put out to bid.

NEW BUSINESS:

Council Meeting Schedule for Fiscal Year 2006-2007 (Attached)

M. Jolin moved to approve the schedule. Motion seconded by P. Loiselle.

M. DiBitetto moved to change the schedule to December 6th & 20th. Motion seconded by M. Jolin.

Motion carried unanimously.

2005-2006 Town Report Cover

M. Jolin moved to use the Town Hall picture for front cover and the flood pictures for the back cover. Motion seconded by P. Rueppel. **Motion carried unanimously.**

Council Rules of Conduct (Attached)

M. DiBitetto read J. Hyde's e-mail regarding the Rules of Conduct. J. Hyde questioned the need for restricting public input to 5 minutes per person (#2J). On voting (#6D), he requested to define what is procedural and non-procedural matter. On debate (#7C3), he asked for clear definition of the term "*question the motives of other Councilors*".

M. DiBitetto suggested addressing the Non-Public meetings issues.

Council consensus was to convene the Council Rules sub-committee and meet on Monday, July 17th.

Establish Goals & Objectives for 2006/2007

Council consensus was to schedule a workshop at the next regular meeting on July 26th at 6 pm.

Access to Public Records and Meetings

M. DiBitetto raised the issue of open meeting law. He urged Councilors to read and understand the Right to Know Law as it relates to the Council.

RSA 91-A:3 (Non-Public Sessions) was read into the minutes. (Attached)

M. DiBitetto stated that the Council has a provision for declaring a vacancy. The Council is the sole judge of qualification for office. A majority of the Council may investigate and hold a hearing declaring a vacancy if a member is ultimately convicted of a violation of the Town Charter. He made an allegation that there is a case that needs the Council's attention. He recommended that the Council proceed with an investigation of Councilor Rueppel.

M. DiBitetto moved that the Council agree to conduct an investigation. Motion seconded by M. Jolin.

The allegations were read into the minutes. (Attached)

P. Rueppel stated she will not resign and asked to proceed with the investigation if the Council chooses to do so.

Council consensus was to schedule an informational meeting on Tuesday, July 18th at 6 pm.

TOWN ADMINISTRATOR'S REPORT:

D. Jodoin reported on the following:

1. He asked for the Council's approval to schedule the Budget workshop on Saturday, Jan. 6th, 2007 at 9 am. The Council approved.
2. On littering issues on Chester Tpke., there was a request to put up gates. Manchester Water Works has agreed to purchase the gate. He suggested notifying the abutters. He is working on a proposed Town ordinance on sign postings to post and enforce "No Littering".

H. Murray updated the Council that the Town was contacted by the NH Snow Mobile Association. They will take care of installing the gate at no cost to the Town.

3. He asked for authorization to donate a pair of boots to NH Fire Marshall's office.

P. Loiselle moved to donate a pair of boots to NH Fire Marshall's office. Motion seconded by S. Werksman. **Motion carried unanimously.**

4. He informed the Council that proposed revision to the Personnel Plan would be presented for approval.
5. He asked for a motion to move the Police and Fire Fleet Maintenance line items from Highway budget to Police and Fire budgets.

P. Loiselle moved to transfer fleet maintenance line items from Highway Department to Police & Fire Departments. Motion seconded by M. DiBitetto. **Roll call vote carried unanimously.**

6. The Town received printing bids for the Annual Town Report. He has not reviewed them but all under \$7,500.00, no need for Council to approve.

PUBLIC INPUT:

V. Lembo asked when negotiations with Cabela's would start, will there be a committee and who would be on this committee.

D. Jodoin explained that the official committee has not been established. They are still trying to get a true appraised value of the property. The project is expected to be much larger and more complex than Manchester's Verizon Arena. The City of Manchester hired professional negotiators for the Verizon . He would recommend to the Council hiring professional consultants/negotiators to make sure the Town gets the best deal. The consultants would then present a recommendation to the Council for final approval. The residents would be kept informed.

On the subject of moving the fleet maintenance line items from Highway to Fire and Police Departments, V. Lembo asked how maintenance would be handled.

Fire and Police Departments would have to do the maintenance on their own. Highway did the basic oil change and maintenance.

Michael Sorel, 154 Cross Road asked if the meeting on Tuesday would be a hearing. If it would be a hearing, there is not enough time for investigation between now and Tuesday night. The Council would have to allow 3 working days for investigation.

The meeting on Tuesday night would be an informational workshop to discuss the issue and appoint an investigation committee.

ADJOURNMENT:

The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Evelyn F. Horn
Administrative Assistant

Jason M. Hyde
Town Council Secretary