

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, December 6, 2006**

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

**PRESENT:** Michael DiBitetto, Jason Hyde, David Ross, Patricia Rueppel, Stuart Werksman, Chairman George Longfellow, David Jodoin (Town Administrator)  
Excused: M. Jolin, P. Loiselle, J. Gorton.

**APPROVAL OF MINUTES:**

November 15, 2006 -

***P. Rueppel motioned to approve the minutes of Nov. 15, 2006. Seconded by M. DiBitetto. Voted unanimously in the affirmative. (One abstained S. Werksman)***

**PUBLIC INPUT:**

**Ground water on Farmer Road**

Grace Zartarian, 37 Farmer Road read from letter submitted (see file).

D. Jodoin: The Highway Department went out today.

G. Zartarian: The pipe must be lower, even visually it must be lower.

D. Hemeon: Graystone Terrace was approved before I was in the highway department. It was not well engineered and the water is running over the Bussiere's property and Grace's property. We got Dufresne/Henry to add a structure to Farmer Road and to the property adjacent to Grace's and the Bussierre's and we diverted from the culvert at the furthest point. Grace did not like that; she didn't like the standing water. As far as the pipe, there isn't much pitch. The town has gone out of its way to do whatever is appropriate and we have tried to help her out and solve her problem.

G. Zartarian: Mr. Ouellette told a lot of lies.

D. Hemeon: There were a lot of shenanigans on Greystone and it was at her request that we added those extra pipes. We did what she asked and it was at a great cost to the town. I said I would do everything in my power to solve her problem.

G. Zartarian: It was not like that when I first bought the property and now nothing works. Like the School, once you start digging, nothing is the same.

D. Ross: I'm concerned with the illegally filled wetlands.

G. Zartarian: He was sited and fined. I did years worth of work in Concord and at the last minute they dropped me. Mr. Ouellette's failure to restore the wetlands was not worth pursuing. They told me a lot of the ground water doesn't flow properly and it backs up. It's a terrible situation.

D. Ross: So the outcome is you reported this illegally filled wetland to no resolve?

J. Hyde: Was the geo-tech report given to anyone?

G. Zartarian: Yes, it was given to Michael Farrell and Mr. Pantell. The report is in the packet handed out today.

J. Hyde: It is improperly drained and therefore building up on her property.

D. Hemeon: The Property between her and Bussiere was upgraded with a larger line. I reduced it to a 15 today because I couldn't get enough cover for 18. I will give this to Dufresne/Henry.

G. Longfellow: We will look into as soon as we can.

M. DiBitetto: The Pipe that we've installed is that going to provide any benefit to the situation.

D. Hemeon: I believe it will be a great deal of benefit. We extended it past Graces property so that there won't be any standing water by her property. I'm sure she's still getting ground water but 99% is not collecting at her house. I didn't have the pitch to get it down lower. We stoned the ditch and the water is following that ditch line to the wetland behind her house.

M. DiBitetto: We can simply monitor the situation.

J. Hyde: We should have our engineers or Charles Watson look at the report from Jaworski, and I believe if a citizens' been harmed by actions that are against the law that we have authority to go after the person responsible.

D. Jodoin: It would be the State that would go after the previous owner.

J. Hyde: What Dale did doesn't fix the wetland that has been messed with. Can't we, in the government, contact the State to see if she can get relief? We must take this seriously and do something about it.

D. Hemeon: It is a DES problem and I don't know why they haven't taken action.

G. Zartarian: DES fined him and he was supposed to restore the wetlands but that was never done and no one followed up. I spoke to a gentleman at DES and he said to contact Code Enforcement and she said it was not in her job description. I will provide the Administrator with the name and numbers at DES.

#### **Dumping on Chester Turnpike**

H. Murray: The annual report on the NH ATV Club have removed trash from Chester Turnpike and the gate will alleviate that and Allenstown will put a gate on their side as well. There are some individuals who don't like the lock because they have shot it up and the lock has held up. Manchester paid the disposal fees for this, we hauled it and they disposed of it.

#### **Highway employee retirement**

Dale Hemeon: Carl Carrier, a loyal employee of the Highway Department will be retiring after 18 years of service and there will be a send off on December 16, 2006.

***M. DiBitetto recommended a letter be drafted and sent to Mr. Carrier in recognition.***

***Seconded by D. Ross.***

***Vote unanimously in favor.***

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

##### **Available Positions:**

Building Board of Appeals, Fill-in Full Member, exp. 6-2009

Conservation Commission, (1) Fill-in Alt. Members, exp. 6/2008 & 6/2009

Heritage Commission, (2) Fill-in Alt. Members, exp. 6/2008 & 6/2009

Trustee of the Trust Funds, Fill-in Full Member, exp. 6/2007 (See D. Boutin)

Appointments:

Dena Vaudrien – Conservation Commission, exp. 6/2009.

**P. Rueppel motioned to approve. Seconded by D. Ross.  
Voted unanimously in the affirmative.**

David Boutin – Heritage Commission, exp. 6/2009.

**S. Werksman motioned to approve. Seconded by P. Rueppel  
Mr. Boutin has a conflict and cannot serve on this commission.  
He would like to serve on the Trustee of the Trust Funds.**

**S. Werksman Motion to waive the rule (to vote at the following meeting after nomination).  
D. Ross seconded.**

**All in favor except P. Rueppel and J. Hyde  
4 – 2 motion carries**

**S. Werksman motion to appoint D. Boutin to Trustee of the Trust. D. Ross seconded.  
Voted unanimously in the affirmative.**

Charles Holt – Recycling & Transfer Advisory Committee, exp. 6/2009.

**M. DiBitetto motioned to approve. Seconded by S. Werksman  
Voted unanimously in the affirmative.**

**SCHEDULED APPOINTMENTS:**

**Public Hearings**

Misty Meadows Road Acceptance – Cancelled

Acceptance of Wal-Mart Grant to Family Services Department

Chairman G. Longfellow opened the Public Hearing at 7:10 pm.  
No public comment.

Close Public Hearing.

**J. Hyde motioned to accept the grant. Seconded by D. Ross.  
Voted unanimously in the affirmative.**

Acceptance of Wal-Mart Grant to Fire Department

Chairman G. Longfellow opened the Public Hearing at 7:15 pm.

M. Hoisington stated that this is the third year that the Fire Department has applied for this grant and requested it be placed in an extendable account under RSA 31:95b for \$1500.

Close Public Hearing.

**S. Werksman motioned to accept under RSA 31:95b. Seconded by D. Ross  
Voted unanimously in the affirmative.**

**D. Ross motioned to amend family service grant to accept under RSA 31:95b. Seconded  
by M. DiBitetto.**

**Voted unanimously in the affirmative.**

Metro Center Proclamation

Robin Comstock, President of Chamber of Commerce: We call our initiative the Metro Center. The Board of Directors representing nine communities, 60% from Manchester and the rest from surrounding areas. Our board formed a regional citizenship to engage area communities to take on initiatives of regional interest. We evolved into an initiative that is called the Metro because we call the Manchester area the center of the State that includes Manchester and 9 or 10 areas. Today the Metro Center stands as an alliance in partnership with the State (an equal partner with State Dept of Resource and Development) and with SNRP. We work to enhance conversation and share areas of concern and work as one entity for the betterment of the entire region. If one small community closes a road and diverts the traffic, it would be good if there were relationship

that allows for communication. We are using the Metro Center to enhance our shared goal. It functions in a committee structure. The Steering Committee meets and works market the community in and outside the State to bring jobs to the area as well as address housing issues to insure that the employees that want to work in the area have affordable housing. The Transportation Committee is looking at the expansion of I93 and rail. The proclamation seems like a bigger thing than it is. If you are interested in proclaiming your support, we are thrilled. It is not legally binding. We are asking area Councils to proclaim their interest in supporting the Metro Center as a symbolic statement and endorse the concept of regional work. This is a symbolic pledge to work together. These proclamations are being framed and hung in the Chamber of Commerce and are used to market our initiative. If it doesn't feel comfortable for you to endorse, we still invite you to come and participate. We welcome all thoughts and participation. The benefits are communication and better communication and encourage the sharing of ideas. We bring people to the table. A 2007 goal is to establish a Metro Center website. That cooperative website is one goal.

***M. DiBitetto motioned to authorize the chair to sign this proclamation on behalf of the Council and support the project. Seconded by S. Werksman. Voted unanimously in the affirmative except J. Hyde***

J. Hyde: By us agreeing to sign this proclamation, what does that do? Are we enrolled in an association that will result in any cost?

R. Comstock: It is simply an endorsement and you agree with the idea of communicating regionally. Even if you choose not to sign, we hope you will come and still be a part of this initiative. It is truly a symbolic gesture and we hope you will be a part of this.

M. Skelton: We think it is important because it legitimizes what we do to other towns and the State.

R. Comstock: We are applying for a State grant to do this website and we must show regional support and this is one way of showing that support.

**OLD BUSINESS:**

Conservation Commission MOU

Steve Couture, Conservation Commission:

Steve Couture reviewed the revised MOU, which was reworked with the help of the Administration.

***M. DiBitetto motioned that the Council agree to the MOU with the striking of part 3, first paragraph and the enforce date to the end of this fiscal year. D. Ross seconded. Voted unanimously in the affirmative.***

**Discussion on Health Insurance**

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D. Jodoin: The Town received information from LGC regarding the Health Insurance rate increase for next year. The Town entered into an agreement with LGC in December 2004, which started in January 2005 and will expire in December 2007. There is a pre-payment penalty to cancel. The proposed new rate for 2007 will have a 14.9% increase from last year's plan. The retirees will have approximately an 18% cost increase. If the Town stays with LGC, you have the two tier Blue Choice as well as deductible plans and the change in prescriptions. There is a listing of what other communities are currently offering, what they pay and what their employees pay. The contract is due and needs to be signed tonight. The goal is that next year when the contract expires, in April of 2007, we can have a consultant shop for plans. At that time we can

look at all plans including liability insurance and workmen's comp. I spoke to the school as well and their insurance rates are much worse district wide.

***M. DiBitetto motioned that the town pay 80% of the two tier 10 Blue Choice and the employee pay 20% an if an employee chooses a lower plan the town will pay up to 80% of the two tier Blue Choice plan. Seconded by D. Ross.***

D. Jodoin explained this would give employees opportunity to choose a lower plan and pay less towards premium. The plan goes from January 1<sup>st</sup> through December 31<sup>st</sup>, 2007.

***M. DiBitetto moved to amend his original motion to reflect an effective date of January 1<sup>st</sup>, 2007. Seconded by D. Ross.***

***Roll Call (on motion to amend):***

<b><i>M. DiBitetto</i></b>	<b><i>Yes</i></b>	<b><i>P. Rueppel</i></b>	<b><i>Yes</i></b>
<b><i>J. Hyde</i></b>	<b><i>Yes</i></b>	<b><i>S. Werksman</i></b>	<b><i>Yes</i></b>
<b><i>D. Ross</i></b>	<b><i>Yes</i></b>	<b><i>Chairman G. Longfellow</i></b>	<b><i>No</i></b>

***Amendment passed 5 – 1***

D. Hemeon: I would like to speak for my employees. Everyone knows that working for a municipality you don't get paid well but you get good benefits. I need employees and they usually work for the Town for the benefits. My department has been short handed most of the time for one reason only, because the Town does not pay. The laborers and truck drivers make \$12.56 an hour. You raised insurance rates for employees to 10% last year and now you're raising it again to 20%. They will walk away and we have to run this Town without any help. We are down 5 guys and I need to get through the winter. These people are making 20-30 thousand a year; it would be very difficult for them. I know insurance costs are high but you need to look out for the people that are working for you and not just the taxpayers.

D. Boyce: I have to agree with Dale. I have men who make \$12 an hour in the back of a collection truck. They're there solely for the benefits and not for the money. They have to support their families.

Douglas Urquhart: I am the new Highway Foreman. I've done a lot of interviews for the new guys coming in. The only thing that attracts them is insurance. I took a cut in pay to come here. These guys can't afford it.

Steve Colbert: When Mary was spearheading this we had a meeting and all departments were represented and the clear message was don't change the insurance we have and they'd rather keep the insurance and pay more. Mary closed her book and went home with no support from employees.

J. Hyde: \$1334 is the monthly cost for family and right now, the employee pays \$133 per month. Not to cause trouble or sound arrogant, but I pay significantly more than that.

D. Hemeon: Do you make \$12 an hour?

J. Hyde: No, I don't make \$12 an hour.

D. Urquhart: That's our point. That's what we're trying to get across.

P. Rueppel: I understand when Mary was negotiating, that was 3 years ago. How much has insurance gone up since then? It went up 14% last year and this year and another 20+% the previous year. I have to support an increase.

D. Hemeon: Mary was working on two things, the insurance and raising the pay scales for the Town employees. The pay scale was completely forgotten. Everyone understands that health insurance costs will go up. You have to understand that employees leave to make more money in other communities. When you hire people at a lower pay, you get the type of people that are less responsible. I don't know how these people survive making \$12 an hour.

P. Rueppel: David is working on the pay scale comparison.

M. DiBietto: We know that the pay scale needs to be modified and it needs to be workable. Even if they need to be adjusted we need to move forward.

D. Ross: The insurance issue is hitting everyone. The pay scale is a separate issue and must be addressed.

D. Hemeon: It's an issue that hasn't been addressed in two years. I talked to my employees when it went up 10% and supported it. But where is the end, will it go up another 10% next year. It's easy to hit the employees. The Town got into a bad deal and that's not our problem. We want to get good employees for the Town but it's tough because of the pay. You finally get someone that will come for the benefits that are now being cut.

Chairman G. Longfellow: I feel very uncomfortable moving forward with only 2/3 of the Council members to decide on this important issue.

M. DiBietto: In all fairness, we have a motion on the table, comfortable or not, we need to move the issue unless it's tabled.

Chairman G. Longfellow: My opinion is that I think we're shooting from the hip again. And you know what happens when you shoot from the hip but if the Council would like to move the motion...

**Roll Call:**

<b>D. Ross</b>	<b>No</b>	<b>M. DiBietto</b>	<b>Yes</b>
<b>S. Werksman</b>	<b>Yes</b>	<b>J. Hyde</b>	<b>Yes</b>
<b>P. Rueppel</b>	<b>Yes</b>	<b>Chairman G. Longfellow</b>	<b>No</b>

**4 – 2 motion passed.**

***M. DiBietto requested the pay scales be reviewed at the next meeting.  
Next schedule Council meeting is December 20<sup>th</sup>, 2006***

***M. DiBietto motioned to authorize the Administrator to sign the contract. Seconded by D. Ross.***

***Voted unanimously in the affirmative.***

**NEW BUSINESS:**

**Fire Alarm Bids for Village School**

D. Jodoin: The Village school is in process and the walls are being framed. There are several bids for the Village School. The deputy and I reviewed the bids and narrowed down to 2 and we asked for more information and the info came in late and was not in the packet. They range from \$26,000 to \$56,000 and we would like to move on this tonight. United Video's bid for \$26,000 would require an electrician for \$2000 to do some work. WR Bevans bid for \$29,967 includes the electrician so the bids are close. Bevans submitted an updated list showing the description and model with associated price for each. Bevans doesn't require down payment or money up front, the other contract does. We also received bids from Atlantic Security and BK Systems. Capital Alarm did a site walk but never bid on it.

M. Hoisington never worked with United Video. I worked with Bevans for 12 years and they put the new fire alarm in station one 2 years ago. Their service and guarantee is spelled out. There has been no difficulty contacting them for service when needed.

D. Ross: I looked over these carefully and found the lack of detail discouraging. You need to spell out what you're going to do unless that's done, you don't know what is going to be done. I didn't see anything outrageous. One thing missing in all of them is the method used to install these products, what type of wire and tubing is going to be used.

J. Hyde: Can we ask for more detail and we need to include aesthetics as well and the cost of that.

M. DiBitetto: Can we ask if metal conduit is necessary in this building?

M. Hoisington: Most of the cable can be run exposed; anything above the ceiling is ok.

G. Longfellow: Do we want to table for more information.

D. Jodoin: If you provide me with a list of what information you want I will get it to the companies and bring it back.

This will be placed on the next agenda.

D. Ross: We want the scope of the job included.

J. Hyde: We need to know how the work be done.

D. Ross: If it's done properly, you don't need conduits. I'm not going to quote codes, I just want to know if they are using pipe or not so we can do equal cost comparison.

#### SNHPC Brownfield's Letter of Support

This was received through Mike Jolin therefore this will be continued to next meeting.

#### **TOWN ADMINISTRATOR'S REPORT:**

Nothing to report

#### Diane Boyce:

Diane Boyce, Transfer Station requested Council authorization to sign the application for the used oil grant from the State for \$2500.

***M. DiBitetto motion to authorize the Administrator to sign the grant contract applications.***

***S. Werksman seconded.***

***Voted unanimously in the affirmative.***

D. Ross: I have been approached by some people regarding the action taken to change the elderly exemption requirements.

***I motion to restore the previous policies and procedure to that prior to the last vote, which changed the requirements to be eligible for an elderly exemption. P. Rueppel seconded.***

D. Ross: The point is I'm afraid that some people are being unduly burdened by the policy now in place. The State government only requires an income qualification. I heard that there was concern that some residents take unfair advantage of this. But I think there was far more that need these adjustments.

J. Hyde: I understand the exception as we amended it; I would qualify based on the income except for the age.

G. Longfellow: We can recommend that the Board of Assessors review this again otherwise we are interfering with a board that we set up.

M. DiBitetto: This hasn't even gone into effect yet. This will not apply until the 2007 tax bills. This rule is not applicable to the November billing. We do have time to look at it. Anything that went up wasn't relative to any changes that the Council made.

D. Jodoin: Technically, the town was in violation previously because you can't have zero as an asset limit. The Assessing Department is gathering information to get into the computer system so that the adjustments can be made.

D. Ross: The privacy issue isn't that it will be shared but rather an invasion of privacy. To ask people to put a value on assets is unreasonable in my opinion and it should be based on income. Just because peoples home go up in value doesn't mean they have the money to pay. We take care of our least capable people in our society. If there has to be change in how this is done, then they should be able to do it.

M. DiBitetto: When we came together, in 2003 the asset limit was \$100,000 and income was \$17,000 for a single and 34,000 and we raised it to \$35,000 and \$50,000. People fear signing an affidavit in signing off the value of property. We said income is generally related to your wealth and therefore it is unlikely that a millionaire will file for reduction. This year, due to some pressure from DRA that we needed to address the asset limit, that's how it came forth. The Assessors office will require everyone to requalify which will be a lot of work.

P. Rueppel: The fear isn't to come in with your W-2, it is some people have been married for 50 years and still have the same furniture but they're fearful so they put down a number and it says they will be prosecuted for perjury if incorrect. Could we modify and eliminate the furniture and simply base it on the tax return and W-2.

H. Murray: I am one that received that letter and I was going to ask if anyone read the letter. I assume not. It is a multi-part form. I have to declare stocks, which are worth nothing unless you sell them. It's a moving target. I have a boat that everyone thinks is worth a million bucks and I think is worth \$10. It is a self-argument. I have not filled this out because what they are asking is ridiculous and I think you should read the form. I have to bring in the form and we will sit there and argue.

J. Hyde: This is what happens when we start going down this road when we give arbitrary benefits and rely on arbitrary information to get it. It's socialistic and I don't think there should be discount rates for some people and not others. If we do this we should get rid of this ridiculous form.

G. Longfellow: Read from the RSA relative to asset limits, both tangible and intangible.

P. Rueppel asked G. Longfellow as Chairman of the board of Assessors to look at changing this form.

***M. DiBitetto motioned to table and move this to the Board of Assessors. S. Werksman seconded.  
Voted unanimously in the affirmative.***

### **Election Problems**

P. Rueppel stated she was concerned with the voting machine.

D. Jodoin: LHS ran some tests with the machine and it was crimping the ballots. LHS is taking it back to their facilities to run more test. Two print heads have been replaced. It is in this year's budget to replace that machine.

**SUB-COMMITTEE REPORTS**

**Planning Board**

M. DiBitetto stated the Planning Board has approved the Wal-Mart/Lowes project and it is pending State approvals to proceed.

**Recycling & Transfer Advisory Committee**

G. Longfellow reported he Solid Recycling Committee met and there are impressive facilities for recycling. We are presently floating comparisons to handle the waste, automated, pay as you throw, privatizing, and status quo.

**ADJOURNMENT:**

The meeting was adjourned at 9:33 pm.

Respectfully submitted,

Lee Ann Moynihan

Jason M. Hyde  
Town Council Secretary