

## Official

### **TOWN COUNCIL MINUTES Regular Meeting Wednesday, May 9, 2007**

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

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

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:**

*April 25, 2007 – P. Loiselle moved to approve the April 25, 2007 minutes as amended. Motion seconded by S. Werksman. Motion carried, D. Ross abstained.*

**PUBLIC INPUT:**

Vincent Lembo, Budget Committee Member: At the deliberative session, I made a motion to increase the operating budget by \$100,000 for the employees' health insurance. Now that the budget passed, I'd like to ask the Council to reconsider the 10% increase on the employees' contribution for health insurance.

Chairman G. Longfellow: On July 1<sup>st</sup>, a new Council would be seated. They are the ones who should decide how to handle it.

D. Jodoin: I would just ask that no changes take effect until the new Council meets, which will be on July 11<sup>th</sup> because the prior motion stated effective July 1<sup>st</sup>. I don't want Finance to start taking out 20% and have to reverse it after. We will run into taxes implications and numerous changes.

M. DiBietto: The Council has voted on a certain policy. Unless that policy changes, it will go into effect July 1<sup>st</sup>. Until that policy changes, it will be effective July 1<sup>st</sup>. If the new Council decides to change it, then the change will take place but no refund is warranted.

Lee Ann Moynihan, 4 Short Avenue: The budget is this Council's budget. The vote was made by this Council to implement the increase in insurance. Shouldn't it be this present Council's decision whether they would rescind that vote based on the budget change?

D. Ross: I think it is counter productive. It's only a difference of a week from the effective date to the new Council's first meeting. We're fully aware that it is a big issue. It's my intention to do what we can to see that the Town employees are compensated properly.

V. Lembo: With this hanging over the Town employees' heads, it's pretty stressful. They have enough stress already. Why can't you rescind the vote now and be done with it. The voters said do it. Are you going to listen to the voters or not?

P. Loiselle moved to keep the employees' health insurance contribution at 10%. Motion seconded by D. Ross.

D. Ross: My concern is will the \$100,000 be sufficient to cover the 10%.

The Council decided to place this item on the agenda for the next meeting.

P. Loiselle rescinded his motion. D. Ross rescinded his second.

**NOMINATIONS/APPOINTMENTS:**

Available Positions:

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

Conservation Commission

***M. DiBietto moved to appoint Daniel L. Pike as fill-in alternate member of Conservation Commission, exp. 6/2008. Motion seconded by J. Gorton. Motion carried unanimously.***

**SCHEDULED APPOINTMENTS:**

Heritage Commission - Acceptance of Donations per RSA 674:44-b.

Kathleen Northrup, Heritage Commission Chair asked for the Council to accept donations in the amount of \$315, from individuals and organizations in Town for the Head School Preservation project and \$1,660, from Manchester Sand, Gravel & Cement Co., Inc. for the purchase of a roadside historic marker designating the site of the Portsmouth & Concord Railroad.

***S. Werksman moved to accept the donations per RSA 674:44-b. Motion seconded by J. Gorton. Roll call vote carried unanimously.***

Deep Woods Extreme, re: Chester Turnpike

Mr. Joe Routolo did not show up. Council consensus was that the roadway would not be opened.

Hackett Hill Acceptance Bill

Ed Dupont, NH Department of Transportation introduced himself to the Council and distributed information on the proposed Senate Bill 56.

E. Dupont: Senate Bill 56 is a legislation required to reclassify Hackett Hill Road and turn it over to the Town. The hearing is set for next week in front of the NHDOT committee. The legislation will have an effective date of July 1<sup>st</sup>, 2008. The actual transfer of the driveway to Cabela's for their access onto Hackett Hill Road is being held up by the State until the project gets approved and constructed. The State is supportive of the project and working on documents to allocate funds. We need the support of the Council to accept the roadway with an effective date of July 1<sup>st</sup>, 2008. I'd ask that one of the Councilors attend the hearing in the General Court.

M. DiBietto: The Town will not accept the road without the formal vote of the council. Do you need that now?

E. Dupont: The legislature will need to know that the Town is supportive of the bill.

D. Jodoin: Is it possible to change the language to state, "No funds shall be expended from the Town of Hooksett for maintenance until such time as the agreement is finalized."

E. Dupont: If you want to clarify the language, that's fine.

M. DiBietto: Typically, we vote on accepting a road once the completion is done. Could we vote to move forward with the acceptance and vote to accept the road later with the final analysis? We could take a vote today to support the legislation and vote to accept the road at a later date.

E. Dupont: They have changed the language in the past and added, "Subject to the completion of certain improvement".

J. Gorton: Can we move the effective date. We can't accept something that we don't know what condition it's going to be.

E. Dupont: The reason why there is an effective date is that there isn't any agreement drafted yet.

M. DiBietto suggested to add, "subject to final acceptance of the Council no later than 2010".

P. Rueppel: We are having a meeting with the TIF consultant next week, why don't we ask their opinion on this.

Council consensus was to vote on the matter on the 16<sup>th</sup>.

Growth Management Ordinance / School Board & RSA 162K:9 / School Board

Mr. Michael Sorel was unable to attend the meeting. He requested to be moved to the next meeting.

**OLD BUSINESS:**

Koffler/GID Letter of Credit

D. Jodoin obtained some information from the Town Clerk on how the vote took place in 2001 and how the warrant article was worded. It said: ***“To authorize Town officials to issue and negotiate such bond and to determine the rate of interest thereon. Said bonds are not to be issued without a development agreement.”*** He spoke to Koffler. They are willing to cut a check for \$30,000 to remove the Letter of Credit. The Letter of Credit did not have to cover the entire 10 years of the bond. There is about \$45,000 left to pay.

**P. Loiselle moved to accept the \$30,000 for the letter of credit. Motion seconded by M. DiBitetto.**

**Roll Call:**

M. DiBitetto	Yes	D. Ross	abstained (not clear on it)
J. Gorton	Yes	P. Rueppel	No
J. Hyde	No	S. Werksman	Yes
P. Loiselle	Yes	Chairman G. Longfellow	Yes

5-2-1 **Motion carried.**

State Owned Surplus Property on Route 3A

D. Jodoin walked the property with the Fire Department and determined the Town could use it for a potential Fire Station. The State would like to list the property at \$3 to \$3.5 million. They have a realtor who is ready to market the property and they will only extend the deadline until tomorrow. The Town is in no position to spend \$3 million. He asked for the Council's decision.

**P. Loiselle moved to relay the message that the Town has no interest in purchasing the property. Motion seconded by M. DiBitetto. Roll call vote carried unanimously.**

**TOWN ADMINISTRATOR'S REPORT:**

- He corrected the voting result that was reported in the Union Leader today, the sewer bond did not pass. It needed 3/5 (60%) votes to pass.
- Martin Cannata of the Planning Board decided not to renew his term. D. Jodoin thanked Mr. Cannata for serving the Town since 1997. The Planning Board requested to move John Gryval from an alternate position to a full member to replace Mr. Cannata in July.
- The Planning Board approved Wal-mart/Lowe's revised plan. They made some minor corrections and modifications based on the architectural design. They originally had to set money aside for mitigation. The dollar amount approved at the Planning Board was higher than what the State allocated. Part of the stipulation was to apply the difference (\$8,000) towards the Village School renovation fund. We should be receiving the funds in the near future that will need to be accepted by the Town.
- At the Council's request he contacted Jack Wilkins for possibly working as "clerk of the works" for the Village School project. Mr. Wilkins is unable to accept the offer due to other commitments. He suggested speaking with David Provan and 2 other individuals. He will be walking the site on Monday with these individuals as well as the cable installer.
- The Council will be having a workshop on Wednesday, May 16<sup>th</sup> at 6:30 pm with Marc Hughes, 1<sup>st</sup> Albany Capital (TIF Consultant) and David Barnes, Devine & Millimet (bond Counsel). Mr. Hughes will make a presentation on the TIF plan and process. On the same night the SAU will meet with the State Representatives at the Cawley Middle School to discuss school funding issues.

- Al Dionne, Emergency Management Director is out ill. Al also serves as the Deputy Health Officer. D. Jodoin asked for a motion to appoint another deputy while he is out and appoint the Interim Building Inspector Charles Mewkill as a Deputy Health Officer.

**M. DiBietto moved to appoint Charles Mewkill as Interim Deputy Health Officer and Building Inspector. Motion seconded by P. Loisel. Roll call vote carried unanimously.**

- D. Jodoin received an anonymous letter regarding a potential dangerous situation at the corner of Dube's pond. Dump trucks are coming and going all the time. These vehicles are located at 248 Whitehall Hall. They are regular commuters on this road and there have been some close calls.

J. Gorton: I believe Marquis Roy is the owner. He does park his dump trucks and heavy equipment on his property. I haven't noticed any problems. I go by there twice a day.

M. DiBietto suggested writing a letter to DOT to find out if they could install a "Truck Entering" sign.

- He received a letter from the Fire Department requesting for approval to replace car #3. Liberty Chevrolet is holding a 2007 Chevrolet Tahoe in the amount of \$31,498 through a State of NH bid. If Liberty Chevrolet does not hear back from the Fire Department, the 2008 pricing will take effect and the vehicle will cost more than anticipated.

***M. DiBietto moved to notify Liberty Chevrolet that the Town intends to purchase the vehicle after the 1<sup>st</sup> of the fiscal year. Motion seconded by S. Werksman. Motion carried unanimously.***

**NON-PUBLIC SESSION:**

***M. DiBietto moved at 7:32 pm to enter into "non-public" session under RSA 91-A:2 I (c) "Consultation with legal counsel." Motion seconded by S. Werksman. Roll call vote carried unanimously.***

D. Jodoin recused himself from the "non-public" meeting.

The meeting reconvened at 8:50 pm.

The Council made a statement that they voted not to divulge the minutes of the "non-public" session.

**ADJOURNMENT:**

The meeting was adjourned at 8:50 pm.

Respectfully submitted,

Evelyn F. Horn  
Administrative Assistant

Jason M. Hyde  
Town Council Secretary