

**Official
As of 3/12/08**

**HOOKSETT TOWN COUNCIL
Regular Meeting
MINUTES
Wednesday, February 20, 2008**

CALL TO ORDER

The meeting was called to order at 6:30 PM.

ATTENDANCE

Chair P. Loiselle, G. Longfellow, D. Ross, J. Gorton, J. Hyde, P. Rueppel, S. Werksman, and Town Administrator D. Jodoin

Excused: D. Dickson and B. Gahara

APPROVAL OF MINUTES

January 23, 2008

***D. Ross motioned to approve the minutes as presented. Seconded by J. Gorton.
Vote unanimously in favor. G. Longfellow abstained.***

SCHEDULED APPOINTMENTS

Don Jutton, MRI, was in to discuss a service offered by Municipal Services. Mr. Jutton has been in business for eighteen (18) years and specializes in municipal and school government. MRI provides many services including helping town's achieve their goals by improving communication through team building. Because towns rely on getting volunteers, committees don't always work as effective as they should. MRI uses varied approaches to bring groups together to help communities articulate their objectives. They define the roles and responsibilities and bring people together to work effectively to achieve those goals. Past achievements have been in Littleton where they now have a combined town/school district meeting. MRI is about to undertake a task in Durham similar to what is proposed for Hooksett with regard to team building and communication. The time frame to accomplish this is based on the size of the initiative. A town wide initiative would take 3-6 months. Team building, at the staff level, and working with Council could be 60-90 days.

P. Rueppel asked if this work would include an evaluation of efficiency at the department level, similar to the undertaking in 2001 in the Assessing Department.

P. Loiselle requested a written proposal with associated costs.

D. Jutton asked for direction and clarification of the focus of the proposal.

M. Farwell was concerned that people would not be honest due to mistrust and therefore would be ineffective. This was her experience in the past.

D. Jutton explained that process was done in an anonymous fashion so that a group of individuals can respond honestly. In a political environment, people wait to see the political sense before responding. This system is instantaneous. With a group people set up with individual laptops, you have everyone answer simultaneously and can project it on the screen. It is a more honest and unabridged process. The final document will include the words that are put in by those involved. That system also has a series of tools to rate priorities and group votes. What use to take three (3) days in a retreat format, now takes half a day?

J. Hyde asked David Jodoin if he supports this initiative.

D. Jodoin: I have no problem with it except for the cost, which might be an issue this year especially with the winter we are having. I would suggest that if you plan on doing it, you wait until the end of the year to see if there's any money left in the budget.

P. Rueppel: Would you include in your quote the other communities you have worked with?

D. Jutton: If you want a quote, and there are individuals interested in this, you could have a subcommittee, with a strategic plan. This could start with an over all strategic plan that is one thing, or are you looking at team building. What will you do with the product? Do you want to reduce hostility, do you want to be more productive, are you trying to help the Administrator build a more effective staff; that is another approach? I can propose alternatives.

SUPERVISOR OF THE CHECKLIST

L. Nepveu: The Help America Vote Act is a huge burden on the Supervisors Of the Checklist. The State has said that all Supervisors must use the electronic checklist. These Supervisors are volunteers who are not computer savvy and the time requirements are huge. Our Supervisors of the Checklists get a stipend, and so far they have logged 600 hours. The Presidential Primary is a fraction of what we will see in November. These are elected officials and not a full time job. We won't get people to run for these offices with this workload. This needs to be addressed. The time requirement is huge.

P. Loiselle: How many hours do you estimate?

L. Nepveu: A temporary solution would be to use the Floater, under the supervision of the Town Clerk, and update the duplicate voters list. This is a temporary fix and it should be addressed on the floor of the Town Meeting. If we do not address this, with the new election laws, we could find ourselves in court.

G. Longfellow: We have at least 600 duplicates, and there is a two-page procedure to handle the duplicate voter. You have three (3) different people using three (3) different computers, posting information. This results in a high probability of error. There should be one person with access so there is accountability.

F. Gray: Help America Voting Act is a Federal Act with two options and two procedures. The act we follow is so ridiculous, when you get a duplicate voter, you must determine who is the parent and where it should be legally registered. You can spend, even if you are fast, up to 10 minutes making a correction. The State requires we follow these laws. P. Loiselle received a letter from the Attorney General, every time we make a mistake; they are ready to jump down our throat. It doesn't make a lot of sense but the workload imposed is extensive. I have logged 600 hours. I ran for the Office and made a personal commitment to fulfill my term, but if this doesn't get resolved, I cannot spend that kind of time. After the General Election, if this isn't resolved, I will resign. J. Michaud, whose seat expires in July, will also not continue. With the temporary solution, we will be able to get through the upcoming elections. Most towns pay on an hourly basis and the supervisors are doing clerical work that they shouldn't be doing.

P. Rueppel: You're asking to hire someone to assist?

L. Nepveu: A temporary fix is to use the Floater. That is already in the budget.

P. Rueppel: Is the Floater allowed to help?

L. Nepveu: Technically, she would have to be under the Town Clerk during those hours.

J. Hyde: Given that situation, is it possible to hire someone from a temp agency?

L. Nepveu: They must be a legal registered voter in the town and it would cost more money.

P. Rueppel: What are other towns doing and paying?

L. Nepveu: Other towns are addressing this with an hourly wage.

P. Loiselle: This is a nightmare with 600 duplicate names and in some cases 30 minutes to resolve each of these issues.

P. Loiselle: We need to know the hours and rate of pay required in order to address a long-term solution.

Public Input

None

OLD BUSINESS

Joanne Duffy, Town Planner - Town Wide Traffic Plan

J. Duffy: Distributed a memo, which was read by Council. I am asking the Council to waive the 3-bid rule. The Town currently contracts with Stantec for engineering services. They review our traffic studies and do our site monitoring, so it makes sense for them to do this rather than putting it out to bid. SNHPC helped me put an RFP together. We have \$33,000 in our budget this year and we have requested \$33,000 for the next two (2) years. The money we are collecting for the roadway impact fees can only be held for six (6) years, so we are already behind one year. The other issue is that once the study is in place and the intersection identified, there must be money placed in the CIP for Highway. It is not just the impact fees that will pay for the entire costs. We ask that Stantec be allowed to start immediately.

P. Loiselle: Do you have a proposal bid?

J. Duffy: Charles Watson had a total estimated cost of \$103,000, which was based on \$2000 per intersection. That is a hard quote at \$103,000, which was submitted last year. This number has been confirmed with R. LaBranche from Stantec.

J. Duffy: Since we are collecting the fees along Route 3, we will focus our study in that area. We had a meeting with the people from the State and we were assured that the study was standing still. We asked that they move on it and we have not heard a word.

G. Longfellow: We need to have the quote in order to waive this 3-bid rule.

D. Ross: How much money will we need to spend to realize these impact fees? We now need to spend \$103,000 to spend impact fees. Maybe we need to revisit the impact fee process.

J. Hyde: My concern is that we are throwing \$103,000 after \$136,000 in impact fees. I don't feel confident waiving the 3-bid rule when I don't have an accurate, current bid in front of me.

J. Duffy: The improvements to these intersections must be done regardless if you pay it now, or pay it later. Ultimately, you are saving money. If you don't access the impact fees, the Town will carry the burden of the entire project. There are major moneys being paid down the road and the impact fees are rather high. They don't pay the impact fee until they get a CO, so it is important to do the work now.

G. Longfellow motioned to waive the 3-bid rule. Seconded by S. Werksman.

J. Hyde: What is the bid?

J. Duffy distributed the original proposal. We haven't asked for an update but we had a meeting with Stantec at which time they agreed to the proposal.

Roll call vote unanimously in favor

Sewer/GIS

Bruce Kudrick:

Part of our new permit from EPA is the requirement to do a collective sewer mapping in 30 months. All the combined sewer, surface water, manholes, etc. must be on a map. The Sewer Commission felt the best way was to go with a GIS system. There are monies available to take care of the collection systems. The Highway Department has a regulation to have this mapped out as well. We have a budget to do this but can't do everything. We must map all sewer lines so we must hire a survey crew, even if it's private property. We have completed 325 sheets. Granite Hills alone is 57 sheets. In talking with Planning, we are here for money. We will take a check written to the Sewer and set up an escrow account and return anything unused.

J. Duffy: In 2001, we had a study done to review all Town's services. They said we need a layer to show sewer. There was money put aside in 2005-2006 in the capital budget. We haven't done anything with it from the Town side because we haven't done anything with the GIS. I thought this would be a good group effort to put sewer layers on and this would be a win, win for both sides. \$17,000 was put aside for water and sewer. They could either use the entire money or hold it. Dale Hemeon and I thought we could use the money they end up with and put in a layer for the drainage, which would give us a layer for GIS. We have another \$19,000 from a 2003-2004 Warrant Article. It was originally \$48,000 and we have already spent that money. Some of that money will be lapsing in 2008-2009. It would be advantageous to use this money and take the lead since we haven't done anything yet.

D. Hemeon: All the positive outflow of storm water must be shown as well. We haven't had the funds to do that and are required by Federal requirements to trace our drainage lines. All new developments have this but we don't have the old ones identified.

S. Baines: We could do both Sewer and Highway with these funds. We are working on a bid now.

J. Duffy: Total cost

\$17,000 – encumbered for utility layers

\$19,361 – warrant article remaining

Cost of the job is unknown – approximately \$24,000 for just sewer.

You would probably double that for both sewer and highway and bleed that fund dry.

P. Loiselle: This is what is mandated and the funds were set-aside for that purpose.

Consensus of the Council was in support of using the funds, already allocated for this purpose.

B. Kudrick: We will get 3 bids for the Sewer. When they come in, I can ask for a bid for the drainage. We want the Council to authorize the use of money earmarked for GIS for Planning to be used by the Sewer Department.

J. Hyde: When the Planning Department needs money for the Town, it will have been spent by the Sewer.

D. Jodoin: There will be an overlay for the entire town showing the Sewer for the Town. It is a combined effort and will be a benefit to the Town.

B. Kudrick: We hope to have the bids in by the middle of March.

Sewer Bond

To see if the Town will vote to raise and appropriate the sum of \$1,500,000 (one million five hundred thousand dollars) for the purpose of upgrading the Hooksett Wastewater Department Treatment Facility such sum to be raised by the issuance of bonds or notes not to exceed \$1,500,000 (one million five

hundred thousand dollars) under and in compliance with the Municipal Finance Act (RSA33), and to authorize the Town Council to issue and negotiate such bonds or notes, to determine the rate of interest thereon and to take such other actions as may be necessary to effect the issuance, negotiation, sale and delivery of such bonds or notes as shall be in the best interest of the Town of Hooksett. (3/5 ballot vote required)

Note: Add an addendum to this article stating the "When Cabelas comes to Town, this debt will be retired with funds from Cabelas."

G. Longfellow motioned to place this article on the ballot. Seconded by P. Rueppel.

J. Hyde: How much of the Town actually uses the sewer. The answer is usually 50%. And the comment is, it brings development. I believe development comes with or without sewer as is the case with Exit 10. This Warrant Article has failed twice already. The wording also should not say Cabalas, it should say Feldco.

S. Baines: This is the original article that was intercepted by the Council last year. It is a nine (9) million dollar plant improvement, and we have raised seven (7) million dollars and are 1.5 million dollars short. I understand that Mr. Hyde feels the Wastewater Department isn't of any value to the Town. The Exit 10 septic has failed once already. The Council interrupted our article and they are responsible for it. We would have gotten it passed. It failed because the Council didn't properly present it.

Bids will be opening April 1.

It is about an 18-month construction period.

P. Loiselle recommended changing the article to read Exit 11 rather than Cabalas.

J. Hyde: Is there a mechanism for collecting impact fees for sewer?

S. Baines: System Development Fees are legal and impact fees are not legal. The State says you can't charge impact fees but you can charge System Development Fees if there is impact. We charge \$3000 for any additional household over one. We have raised 3.5 million dollars through System Development Fees and 3.5 million dollars in loans and the 1.5 million dollars remains to complete it.

ROLL CALL

Chairman P. Loiselle	Yes	G. Longfellow	Yes
D. Dickson	-	D. Ross	Yes
W. Gahara	-	P. Rueppel	Yes
J. Gorton	Yes	J. Hyde	No
S. Werksman	Yes		

Motion carried 6:1

Private Water Lines

D. Hemeon: I am having problems with private water lines in town streets. Most are in the south end of town. There is a water line on Hale Avenue that services four (4) houses. The line broke again this year and we fixed it, but we are not a Water Department. There are number of these private lines in Town. I want to write a policy on how to address these issues with private lines and have the Council approve it. In the old days, people didn't want to pay Manchester for the feed so they put in their own water line. Now, we have these private water lines and we should not be responsible to fix them, it should be the homeowner.

P. Loiselle: This is a legal issue. We should also see if other towns have a policy addressing this.

D. Hemeon will submit a draft policy, which will include using companies that are bonded and insured.

Fire Billing Agreement

D. Jodoin: There was a request a few months ago from the Fire Department to contract with a billing company to handle the billing system for when the Ambulance is used. The Council requested that Legal review the documentation and they have. In your packet is the completed document that needs Council approval. The rate the company will charge is \$23.00 per run. This would begin as soon as the Town takes delivery of the equipment and starts using it. The agreement will be for one (1) year and is renewable.

***D. Ross motioned to approve the service of Capital Region Health Services for the billing of the ambulance service. Seconded S. Werksman
Vote unanimously in favor.***

NEW BUSINESS

Road Name Approval – Mount St. Mary's Way

G. Longfellow motioned to accept the Mount St. Mary's Way as a private road. Seconded by S. Werksman.

J. Hyde: By changing this road, won't this be a problem for the registry with regard to a change of address.

S. Werksman: This is a fire issue. All the departments have signed off on this including fire, police, highway, and building.

P. Loiselle: I suggest that the changing of the name to Mt. St. Mary's Way should be approved.

Roll call

ROLL CALL

Chairman P. Loiselle	Yes	G. Longfellow	Yes
D. Dickson	-	D. Ross	Yes
W. Gahara	-	P. Rueppel	No
J. Gorton	Yes	J. Hyde	Yes
S. Werksman	Yes		

Motion carried 6:1

Proposed Town Charter Amendment

Section 3.2 and 3.4

G. Longfellow recommended changing Section 3.2 of the Town Charter to read:

*Only Voters who at all times during their Term of Office are and remain residents of the Town shall be eligible to hold the offices of Councilor. Eligible Candidates will be registered Voters and will have resided in Hooksett for at least one Year immediately before the Election. Councilors elected from Districts must be legal Residents of that District at the time of election. If a Councilor shall move from hi/her said District and shall remain a Resident of the Town, **he/she** shall remain the elected districts Councilor until the next election. The Council Is the sole Judge of qualification of office. A majority of the Council may after investigation and hearing declare a vacancy if a member is ultimately convicted of a violation of the Town Charter. Council may also declare a vacancy if a member has missed three (3) regularly scheduled meetings in sequence, or has missed (1/4) of all meetings within one (1) calendar Year, or has interfered with Administration, or falsified records, misapplied Town funds or property, or has been ultimately convicted (of a Federal or State crime punishable by imprisonment (for more than (5) years) **as a felon**.*

*No Councilor shall, during his term and for one year thereafter, be eligible to hold any (appointed office) **paid** position of employment with the Town. Notwithstanding the foregoing, a Councilor may be appointed to "acting town Administrator" by a vote of at least seven (7) members of the Council for one period not to exceed six (6) months.*

G. Longfellow: Also, the Charter now states that no Councilor can serve on any board or commission until they are off the Council for a year. That should be changed so that we can utilize Councilors on other boards if they wish. We have lost some good candidates in the past.

G. Longfellow recommended changing Section 3.4 to read:
*Councilors shall receive as compensation (the sum of one thousand five hundred dollars (\$1,500.00) per year.) **an amount approved by the voters annually.** The Chairman shall receive an additional (five hundred dollars (\$500.00) per year.) **33% over and above the compensation paid to other Councilors.** Councilors shall receive reimbursement for reasonable mileage and expenses in the performance of Town business outside the Town limits of Hooksett according to rules of the Council.*

J. Gorton recommended forming a Charter Review Committee.

J. Gorton motioned to table item 3.4 to the next Council meeting. Seconded by P. Rueppel. Vote unanimously in favor.

Section 3.2 will move forward to be reviewed by the Town's Legal counsel.

TOWN ADMINISTRATOR'S REPORT

Grant and donations acceptance

\$1000 from Wal Mart for Family Services

\$1200 in Shaw's cards for Family Services – from Lindsay Jarnowtowski

\$117,596.50 Federal Government grant from NH Department of Safety for Benton Road

\$5000 Amoskeag Rowing Club for scholarships to residents for rowing lessons as well as the maintenance of the grounds and the boat launch area

\$27,652.07 State grant from NH Dept of Safety for Benton

***S. Werksman motioned to move forward with the acceptance of the donations listed above as presented at the January 23rd meeting. Seconded by J. Gorton
Roll Call vote unanimously in favor.***

Exit 10 TIF Development Fund Balance

D. Jodoin read from the Exit 10 TIF Development Fund Balance.

***D. Ross motion to authorize the transfer of \$355,000 from the Exit 10 TIF Fund to the Town's General Fund. Seconded by G. Longfellow
Roll call unanimously in favor***

Sanitary Landfill Capital Reserve Fund

D. Jodoin requested that the Council authorize the Council Chair to sign the necessary paperwork to transfer \$3500. from the Landfill Fund to the Town's General Fund.

***D. Ross motioned to authorize the transfer of \$3500 from the Sanitary Landfill Capital Reserve Fund to the Town's General Fund and authorize the Council Chair to sign the transfer as agent to expend. Seconded by G. Longfellow.
Roll call vote unanimously in favor.***

2 Additional Firefighters

D. Jodoin explained that the Budget Committee removed the two firefighters from the budget and recommended they be placed on a warrant article.

D. Jodoin read from the proposed warrant article for two full time firefighters:

To see if the Town will vote to raise and appropriate the sum of \$129,548 (One Hundred Twenty-nine Thousand Five Hundred Forty-eight Dollars) for the salaries, benefits and taxes for two full-time

Firefighters/EMT's for the Fire Department. If this article passes, the operating budget will be reduced \$99,672 in overtime for the Fire Department.

<u>Fiscal Year</u>	<u>Salaries</u>	<u>Taxes</u>	<u>Benefits</u>
2008-09	\$73,022	\$1,059	\$55,467

G. Longfellow motioned to recommend this Warrant Article. Seconded by P. Rueppel.

ROLL CALL

Chairman P.Loiselle	Yes	G. Longfellow	Yes
D. Dickson	-	D. Ross	Yes
W. Gahara	-	P. Rueppel	Yes
J. Gorton	Yes	J. Hyde	No
S. Werksman	Yes		

Motion carried 6:1

Warrant Article to Rescind the TIF Bond

D. Jodoin presented the Council with two options for the wording to rescind the 16 million dollar TIF Bond:

To see if the Town will vote to **reduce unissued debt** in the amount of \$16,000,000 (Sixteen Million Dollars) that was authorized at town meeting in May 2006 and to comply with the results of the special election in October 2007 for the upgrades to the Town's infrastructure at Exit 11 Tax Increment Finance District, otherwise known as Cabelas. RECOMMENDED BY TOWN COUNCIL (7-0)

OR

Shall the Town rescind \$16,000,000 of bonding authority for those bonds not issued for the May 2006 vote authorizing the issuance of not more than \$18,000,000 of bonds or notes to finance infrastructure improvements in the Exit 11 Tax Increment Finance District as authorized by RSA 162K:1-15, Local Option Tax Increment Finance District as adopted by the Hooksett Town Council and in accordance with the Municipal Finance Act, RSA 33 (This article leaves \$2,000,000 of bonding authority for public infrastructure improvements as voted at the special election in October 2007.) 3/5 vote required

D. Jodoin stated that both versions of the article may require a 3/5-majority vote.

D. Ross motioned to amend and recommend the following language for the warrant article. Seconded by J. Gorton

Shall the Town rescind \$16,000,000 of bonding authority that was authorized at town meeting in May 2006 and to comply with the results of the special election in October 2007 for the upgrades to the Town's infrastructure at Exit 11 Tax Increment Finance District, otherwise known as Cabelas. (3/5 ballot vote required)

ROLL CALL

Chairman P.Loiselle	Yes	G. Longfellow	No
D. Dickson	-	D. Ross	Yes
W. Gahara	-	P. Rueppel	Yes
J. Gorton	Yes	J. Hyde	Yes
S. Werksman	Yes		

Motion carried 6:1

Proposed Job Title changes Assessing Department:

D. Jodoin presented the Council with proposed changes to both positions in the Assessing Department. The changes recommended reflect the suggestions that were made by MRI in 2001. Both position titles would change, and one positions pay scale would be changed also.

The "Assistant Assessing Coordinator's" title will be changed to "Assessing Clerk" with no change in pay. The "Assessing Coordinator" will change to "Real Estate Appraiser" whose responsibilities will include measuring and assessing parcels. The next step would be to look at hiring a full time assessor.

P. Rueppel motioned to change the Assessing Coordinator position to Real Estate Appraiser and change from Assistant Assessing Coordinator to Assessing Clerk and to post the Real Estate Appraiser at a pay range from \$40,331 to \$50,378. Seconded by G. Longfellow. Roll call unanimously in favor

Phone system at the Village School

Quotes were received from
MediaConnex – Nortel system
Target Communications
Suntel Communications
Vision Communication

D. Jodoin recommended the Town Council approve the quote from MediaConnex for \$7,655, which includes the credit for the old system. The cost is not to exceed \$7655.00

G. Longfellow motioned to accept the bid for \$7655.00 from MediaConnex. Seconded by J. Gorton.

Roll call vote unanimously in favor

Alarm Systems

G. Longfellow motioned to waive the 3-bid rule for the alarm system. Seconded by J. Gorton.

ROLL CALL

Chairman P.Loiselle	Yes	G. Longfellow	Yes
D. Dickson	-	D. Ross	Yes
W. Gahara	-	P. Rueppel	Yes
J. Gorton	Yes	J. Hyde	No
S. Werksman	Yes		

Motion carried 6:1

By a consensus vote, the Council gave the authority to D. Ross and the Town Administrator to determine the alarm company to be contracted.

Web Site

The new web site is still being updated. The web company's name, Virtual Town Hall appears on the web site.

The Consensus of the Council was that they could continue to display their name on the web site.

ADJOURNMENT

D. Ross motioned to adjourn at 9:40 PM. Seconded by J. Hyde. Vote unanimously in favor.

Respectfully submitted,

Lee Ann Moynihan