

Official
TOWN COUNCIL MINUTES
Regular Meeting
Wednesday, August 10, 2011

CALL TO ORDER: Chair Sirak called the meeting to order at 6:30 pm.

PRESENT: Nancy Comai, Michael Downer, Vincent Lembo, James Levesque, Todd Lizotte, Susan Lovas Orr, James Sullivan, Nancy VanScoy, Stephen B. Griffin (Interim Town Administrator) and Chairman William Sirak.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

July 25, 2011 Non-Public – ***V. Lembo moved to approve the July 25, 2011 minutes. Motion seconded by T. Lizotte. Motion carried unanimously.***

July 26, 2011 Non-Public – ***T. Lizotte moved to approve the July 26, 2011 non-public minutes. Motion seconded by M. Downer. Motion carried unanimously.***

July 27, 2011 – ***T. Lizotte moved to approve the July 27, 2011 minutes. Motion seconded by J. Sullivan. Motion carried unanimously***

July 27, 2011 Non-Public (Session 1) – ***V. Lembo moved to approve the July 27, 2011 non-public minutes. Motion seconded by T. Lizotte. Motion carried.***

PUBLIC INPUT

None at this time.

NOMINATIONS AND APPOINTMENTS

Heritage Commission – Peggy Teravainen

N. VanScoy motioned to appoint Peggy Teravainen to the Heritage Commission. Seconded by M. Downer.

Vote unanimously in favor

SCHEDULED APPOINTMENTS

Kiwanis Club re: Kids Kloset, Food Pantry and 5K Race

5K Road Race: Tom Young review the plans for the 5K Road Race which is scheduled to be held on Old Home Day. The race will take place on the Heads Pond Trail and will finish at the Hooksett Library. The race will showcase the trail as well as the Town Library. There are two sponsors. Buses will be needed to address the parking issue.

N. VanScoy, as a member of the Old Home Day Committee, felt that the police assigned to the Old Home Day event could be shared with the Race Event. Port- A- Potties can also be loaned to the race event.

Food Pantry Kitchen: Kiwanis also requested use of the Town Hall kitchen area in order to expand the food pantry and storage.

N. VanScoy cautioned the renting of the town kitchen without knowing what other volunteer organizations needs may be.

V. Lembo asked if Kiwanis would be willing to share the kitchen with other organizations.

T. Young stated that he would work with the Town Administrator to schedule other uses.

Air Conditioning: T. Young addressed the need for air conditioning in the sorting room at Town Hall and the Food Pantry kitchen.

N. VanScoy motioned to allow Kiwanis to install air conditioning in the current space. Seconded by T. Lizotte.

N. VanScoy withdrew the motion
T. Lizotte withdrew the second

N. VanScoy motioned to research both long and short term solutions to the air conditioning issue. Seconded by T. Lizotte
Vote unanimously in favor

T. Young present a Power Point overview of the programs and events that Kiwanis sponsors throughout the community.

Chair Sirak thanked the Members of Kiwanis for their work.

OLD BUSINESS

Budget Committee Alternate

N. Comai was appointed alternate to the Budget Committee.

Coaker Avenue Property

Steve Griffin explained that there is a small strip of land between 17 and 19 Coaker Avenue that was previously occupied by the South End Fire Station and is currently owned by the Town. The deeds indicate that the land originated off of 17 Coaker Ave. There is a fee simple deed. This piece was not included in the sale of the property which formerly was the Fire Station. The residents adjacent to this piece of land are now interested in acquiring this property.

The recommendation is to authorize the Town Administrator to transfer this property to an abutter at a cost which includes the cost of deed preparation or authorize the Administrator to receive sealed bids.

N. Comai stated that her research indicated that the property owner at 17 Coaker Avenue paid taxes on that property in 2000 and 2001 and therefore believes that the property should be given to that property owner.

V. Lembo motioned to have the land reverted back to the original owner and the owner incur the cost of deed preparation. Seconded by M. Downer.

N. Comai has confirmed that the owner of 17 Coaker Avenue is willing to incur the cost of deed preparation.

N. VanScoy commented that it would be prudent to speak to the owner at 19 Coaker Avenue. The Staff report indicates the town has no proof that taxes were paid on that land.

N. Comai stated there are two documents which the owner of 17 Coaker Avenue has indicating \$11.00 was paid for those two (2) years.

N. VanScoy stated that she would be in favor of refund any overpayment and the property should be made available for bid to any interested party.

N Comai stated there are more documents in a folder which could be provided and the documents come from a constituent and we shouldn't be charging our constituents more time and effort in doing further research. Once documents were located showing taxes being paid on that land, research stopped and she felt it should revert back to the original owner.

S. Orr asked if the other abutters have shown an interest in the property.

Angie and Mike Pinard, 19 Coaker Avenue stated they were never notified of this meeting or the issue being discussed. Photos and maps were provided showing an existing fence on the same property line. The Pinards sold 20 feet of land on the other side of their property which resulted in a survey. That is when this 25 foot strip came to light.

M. Pinard stated that they purchased their property from David Piper who purchased it from the town. He does not believe Mr. Garvin has or is paying taxes on this property. They suggested the fairest thing to do is either put it to bid or split it 12.5' and 12.5' each. The markers have been placed.

N. Comai explained the tax payment issue was raised because the Assessing Department said that he hasn't been paying taxes on it so it is up for grabs. Then it was determined that he had paid taxes in the past.

Howard Garvin, 17 Coaker Avenue: The tax map shows 100 x 125. I can say the maps never said that. In 2000/2001, the tax map said 100 x 150 and I did research and found the deeds for the transfer to the Fire Department. The Fire Chief owned the property at that time and that was the reason it was donated. I complained at least 3 times over that past 10 years that the maps were wrong. I was finally told this year that the maps don't mean anything to the tax bill. I have a 2000 and 2001 bills and it seems the Assessor's Department doesn't have these either. I do not have all my tax bills because the town sends them to the mortgage company and I didn't get a bill. I did receive a record of taxes paid since I moved in. I also got a report from 1955 – 1987. They found 1988 and 1987 and then didn't find one until 2002. When I started looking at this in 2002, I went to Concord and researched the registry of deeds and found this property came off my property and was given to the town for \$1. I then asked the Assessor (Mrs. Piper) to change the map. Mrs. Piper who was married to David Piper, the gentlemen who sold the property, and they knew this was part of the property and not sold legally. Later, I complained to the Assessor's office for adjustment, and I understand you cannot get refund for more than one year. How does land change size three (3) times. The current tax map shows my property as 125' front by 100 deep. That is .29 acres per the Assessor's office. Based on 2000 and 2001, it was .3 acres. It would be 150' x 125' which would encompass the strip of land we were talking about. In 2007, it dropped to .29 acres. I didn't sell or buy property. Then in 2008 it jumps to .29 acres which is what is on the town tax map. How can anyone contest whether I've been paying taxes on any portion of that property? I told Mrs. Comai, the more I researched, the more questions I found with no answers and more problems in the Assessing Department that need to be addressed. Right now that property is owned by the Town and has been owned for a number of years. I question why these tax bills from 2000/2001 mysteriously disappeared. I believe I paid taxes on that property and still pay taxes. It never belonged on the Pinard's property.

N. VanScoy asked and Mr. Garvin stated he had not filed for an abatement.

N. VanScoy: You said the reason you don't have the tax bills is because they were sent to the mortgage company. My taxes are escrowed but I receive the original at my home. I would ask for the town policy with regard to the delivering to the bills to the owners.

V. Lembo called the question.

Roll Call Vote

N. VanScoy	No
N. Comai	Abstain
M. Downer	Yes
V. Lembo	Yes
J. Levesque	No
T. Lizotte	No
S. Orr	No
J. Sullivan	Yes
Chair Sirak	No

Vote 3:5:1 failed

T. Lizotte recommended a procedural change that when a question is called the Council must vote on ending that discussion. Seconded by N. Comai.

N. VanScoy stated that the Council Chair has the ability to follow any protocol he deems fit. Calling the question is a political move that can stop discussion by one person and it is not in the spirit of democracy. If someone feels it has been talked out, then the majority should decide whether further discussion is needed.

W. Sirak stated this issue will be discussed at the workshop.

T. Lizotte withdrew the motion.

N. Comai withdrew the second.

J. Levesque motioned to authorize the Town Administrator to receive seal bids from any abutting property owner for 25 x 100 foot strip of property located between 17 and 19 Coaker Avenue, with the buyer bearing the cost of deeded preparation, of an appropriate deed to be drafted by the town's attorney, and of the deed's recording. Seconded by Orr.

J. Levesque stated that this was the fairest way.

V. Lembo: The people at 19 just got paid for the land sold and have the resources. Mr. Garvin, on a fixed income, is at a disadvantage.

J. Sullivan stated this doesn't restrict anyone from bidding on this property. The other possible solution is splitting the lot.

T. Lizotte stated clarification is needed on the deed to clarify ownership.

J. Levesque withdrew the motion

S. Orr withdrew the second.

Chair Sirak stated that the Council wants to do the right thing and if the property owners can come to a fair agreement, the Council will entertain that recommendation. The Town will continue to research.

Charter Review Committee

The Council discussed the options for continuing the Charter Review Committee. A discussion ensued regarding the scope and charge of the committee both past as well as the future.

The following issues were raised:

- T. Lizotte stated that the guidelines for filing petitioning warrant articles relative to the number of registered voters should be reviewed.
- Review of the Charter as it compares to New Hampshire RSA's.
- Issues in the Charter regarding hiring an Interim Administrator
- The entire Charter should be reviewed by legal counsel

J. Gorton, 150 W. River Road: Once the committee came forward with the recommendations, they were viewed by a few citizens that felt that the changes were too dramatic. I would like to see a committee formed to follow the original charge.

N. Comai motioned to table the Charter Review Committee discussion until the second meeting in September. Seconded by T. Lizotte.

Vote unanimously in favor.

Chairman's Comments

Chair Sirak and Vice Chair VanScoy met with the New Town Administrator and the Interim Administrator Steve Griffin.

The following tentative dates to meet with the Administrator have been set:

September 1st – 1:00 pm Introduction to Town Department Heads at the Town Hall

September 1st – 5:00 pm Informal meeting with Council, Town Hall

September 14 – 5:30- 6:30 pm General Reception for Town employees, committee members, and general public. Light refreshments will be served.

September 17th 8:30—11:30 "Best Practice" Seminar for Town Council and Committee Chairs, Place to be determined, Agenda and invitations will be made available to Town Council and Committee members.

E. Horn will provide information to the Council on an upcoming LGC Workshop in September.

NEW BUSINESS

Council Retreat Date

The Council Retreat is scheduled for September 17th from 8:30 – 11:30.

Acceptance of Donation

The Hooksett Fire Department was sent a donation in the mail from Austin McDaniel's in the amount of \$30.00 in the form of a Shaw's Gift Card. This was given as a token of appreciation for the Fire Department's assistance in mentoring him in the fire service profession.

N. VanScoy motioned to accept the donation of a Shaw's Gift Card in the amount of \$30.00 for the Fire Department. Seconded by J. Sullivan.

Vote unanimously in favor.

Budget Process Time Line –

A Budget Process Time Line was provided to the Council for the 2012-2013 Budget and CIP.

T. Lizotte requested that all budget information come in electronic format.

V. Lembo requested the Council provide direction to himself and N. Comai for the purposes of negotiating with the Fire Department.

V. Lembo requested the budget goals be placed on the next agenda for discussion.

Health Insurance Committee Report

A committee of employees worked on the insurance policy and made the following recommendations:

1. Hooksett should offer Blue Choice POS (Point of Service) Option 1 which will increase the cost of prescriptions slightly while reducing the overall premium to both the employer and the employee.
2. Continue with the current Mathew Thornton plan
3. Hooksett's current 90%10% cost share to remain the same
4. Hooksett's contributions to employee Health Savings Accounts (HAS) should be capped at the current amount for the next three (3) years.
5. Hooksett's current \$100/month stipend to opt-out of health insurance would be increased to \$200/month, unless limited by new IRS.

Hooksett's total 2010-2011 health cost: \$1,395,293

Hooksett's 2011-2012 estimated health savings \$33,330

Hooksett's 2012-2013 estimated health savings \$66,660

Hooksett's 2011-2012 increase in opt-out costs: \$3,600

Hooksett's 2012-2013 increase in opt-out costs: \$7,200

No action required at this time. Must be addressed in the fall to allow time for employees to choose their plans.

N. Comai asked if the plans meet the needs of the employees and was a claims assessment done.

S. Griffin: I do know that presentations were made by providers and I do not know if anyone checked on the claims history.

N. Comai stated that the LGC is awesome at providing stewardship reports. This information will allow for better decision making.

V. Lembo stated that the survey indicates the employees' preference to keep the prescription costs low.

Trucks Banned on Main Street

V. Lembo asked the Administrator to look into the passage of trucks on Main Street. Currently there is a sign posted "No Truck" however they continue to travel on Main Street.

TOWN ADMINISTRATOR'S REPORT

Jeremy Doyle has been appointed Deputy Forest Fire Officer
NH Commons sent a thank you for use of the fields and commented on the excellent conditions.
The Town has received notice that the NH retirement rates have been recertified. The increase will be \$67,500.

SUB-COMMITTEE REPORTS

Sewer Commission - T. Lizotte

Granite Hill has a requirement for a new sewer.
The Superintendent reviewed the implementation of sensors and alarms.

Conservation Commission – T. Lizotte

The Open Space Plan was approved will be coming to Council
There was discussion on trail plan at University Heights.

Union Negotiations – V. Lembo and N. Comai

Negotiations are proceeding well.

Board of Assessors - J. Levesque

The Board heard about 15 request for abatements. They will meet again on Wednesday, August 17th to continue to review abatement requests.

Zoning Board of Adjustment – J. Levesque

The Board met last night and approved three (3) applications. Falcon Brook was approved for 20 units (single family dwellings) where 14 were allowed. The property at 26 Londonderry Turnpike was approved for a Commercial project in an Industrial Zone.
TNT Palace which is the Park Motel property was approved for mixed use with two (2) 24 unit apartments and two (2) commercial building in the front.

Parks and Recreation Advisory Board – M. Downer

Fun in the Sun will be ending August 19
A haunted trail is being planned for October
They are working on the boat dock.
The committee is involved in the Kiwanis 5K Road Race.
Pinnacle was discussed.
There are plans to have a new winter Ice rink at the southern end of the parking lot at Donati with a winter festival.
The committee discussed the potential for a park behind Walgreens.

N. VanScoy stated that she believes there are Park and Rec. Impact Fees which will expire soon if they are not spent. Possibly these funds could be used for the new ice rink.

Economic Development – Chair Sirak

The Economic Development held a meeting with Community Development.
William Gillette was nominated as an advisory member from Southern NH University.

Planning Board – N. VanScoy

The Board recommended the Falcon Brook and the TNT Palace plan to the Zoning Board for Variances.
Mark Mecina resigned from the Planning Board
N. VanScoy nominated Brendon Perry and Tom Walsh as a full member.
The Open Space Plan which was approved by Planning Board will be brought to Council and if adopted, will be updated in the master plan.
Frank Kotowski was appointment by the Planning Board to the Conservation.

Town Hall Preservation Committee

S. Orr will serve as Council Representative to the Town Hall Preservation Committee

PUBLIC INPUT

D. Pearl, 79 Main Street: As a citizen I complement the Council for being a full board and getting the business of the town done. However you do it, it is important that the Charter be in line with the RSA's. Without legal representation, it was hard as citizens to get out of that maze.

With regard to the truck traffic on Main, I understand that many of the trucks run on GPS systems and they are being told to turn onto Main Street.

As a budget committee member, as you go into your recommendation, consider this. The School does take your recommendation and I am upset at the spending of the fund balance. The Police and Library spoke to the committee and presented why they spent their fund balance. The school spent \$250,000 of their balance without talking to the Budget Committee. There was piece of technology that was taken out of the budget. I want you to be aware of that.

ADJOURNMENT

The meeting adjourned at 10:06 pm

Respectfully submitted,

Lee Ann Moynihan

Nancy Comai
Town Council Secretary