

Official

TOWN COUNCIL MINUTES Regular Meeting Wednesday, October 10, 2012

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

PRESENT: Leslie Boswak, Nancy Comai, John Danforth, Michael Downer (excused), Vincent Lembo, James Levesque, Todd Lizotte, Susan Lovas Orr, Chairman James Sullivan and Dr. Dean E. Shankle, Jr. (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

September 26, 2012 – *T. Lizotte moved to approve the September 26, 2012 minutes as amended. Motion seconded by J. Danforth. Motion carried.*

CONSENT AGENDA

1. Acceptance of Donation for the Veterans' Memorial Project per RSA 674:44-b - \$245
2. Acceptance of Donation from Fresh Focus Salon per RSA 31:95-b - \$220
3. Acceptance of Donation of (19) Dry Chemical Fire Extinguishers from RB Lewis Fire Control Systems per RSA 31:95-e – (valued at) \$400
4. Acceptance of Donations to the Police Department per RSA 31:95-b
 - a) From Old Home Day Activities - \$785
 - b) From Crown Trophy - \$70
5. Surety Bond Release, Walmart Off-Site Improvements - \$36,412.60

V. Lembo moved to approve the Consent Agenda except for item #5. Motion seconded by T. Lizotte. Motion carried unanimously.

Surety Bond Release, Walmart Off-Site Improvements - \$36,412.60

V. Lembo moved to table until more information is presented to the Council. Motion seconded by L. Boswak. Motion carried unanimously.

TOWN ADMINISTRATOR'S REPORT

Dr. Shankle informed the Council of the following:

1. Started meeting with CIP.
2. Toured the GE plant. Working with GE and the State with regards to traffic signals on Route 3.
3. The Town has chosen a consultant for the Village Heritage project.
4. DPW/Recycling & Transfer Union negotiation is still on-going.
5. This week is National Fire Prevention Week.

V. Lembo asked for updates on the traffic lights at Hackett Hill and Route 3A.

Dr. Shankle stated the request for qualifications was put together and sent out to the State bid list.

T. Lizotte asked for a simulated traffic model.

PUBLIC INPUT

James Gorton, 150 W. River Road: I attended this meeting 2 weeks ago and I sat and listened to the presentation of PSSG. I was very upset when I retrieved the minutes from the latest Police Commission meeting. My memory serves when asked in regards to how high a priority did PSSG feel that they should

have a Police Chief in place. My memory says they thought it was a high priority that they hire a Police Chief. In reading the minutes from Police Commission meeting of 10/4/12, “*Chair McHugh: Acting on the advice of PSSG, the Police Commission is not looking right away to appoint a Chief until we implement the audit recommendations.*” What really concerns me is it doesn’t seem to fit. I’d like to find out and I will because I’ll ask the same question at next week’s Police Commission meeting. I’d like to bring it up before the Council because something is not right. The other thing I’d like to mention, I believe there were 4 meetings held during the month of September. I can’t find any minutes from any of those meetings. I was under the impression they had 5 working days in which to post at least temporary minutes or draft minutes according to State law. It seems like a clear violation. Something is wrong.

Crystal Gould, 18 C Mallard Lane: I’ve been residing there with my 3 ½ twins since February of this year. Since moving in, I’ve had some minor repair issues which were looked at and dealt with in a timely manner by Stewart Property Management. However, 2 more issues that came about were not. On July 7th a maintenance worker was in my apartment working on the hot water. I noticed mold along the bottom of the wall in the utility closet. I notified him immediately of the mold. They said they would be taking care of it. It’s October 10th and they have not taken care of it. The mold has since shown up on another wall. When I called the property management, I was told the manager was not made aware of the issue. Today I spoke to him and he went in my apartment and told me they were water stains. The other issue that I reported to the property management was that my apartment was showing evidence of bedbug activities. The week of September 23rd, my daughter and I both woke up with bites on us. Terminix came the next day. I scheduled an appointment with them on the 25th to inspect my apartment as well as my boyfriend’s. Only mine showed evidence. I called Stewart Property the next day to notify them that I was having Terminix treat my apartment. They told me to cancel it because they don’t use chemicals, only heat treatment. They had their own company they utilize. The property manager would be contacted and inspect it himself in the next day or two. They would do the heat treatment the next Tuesday. I didn’t hear anything for the next few days. I called Monday and the property manager said he couldn’t find anything. I requested to meet with him again to show him what Terminix had found. He said he was not convinced there was evidence of bedbugs. On the 5th, I called them again, I thought I found an adult bedbug in my room. I waited for a call from them and didn’t hear anything. They called back and someone told me they would do a heat treatment and was asked to throw out anything that I do not use or absolutely don’t need that the heat treatment could not penetrate. I went through all my stuff. I threw away lots of my daughters’ stuff, their toys, stuffed animals, dress-up clothes, all of their books. I got a voicemail the next day saying that the property manager will be there on Monday if I could do any additional cleaning, that would be great. They were going to have heat treatment done in the apartment. On Monday, the property manager went in there and said I still didn’t have anything and that I shouldn’t have thrown our anything or cleaned because I could have gotten rid of the evidence. His people didn’t tell me that. It’s been two weeks my daughters and I haven’t been staying at our place. I won’t have the peace of mind to stay there with my daughters until it’s taken care of. I also want the Town to know how they are handling or not handling the situations and there have been other issues.

Dr. Shankle: We can have the Health Officer inspect the place and see what he recommends.

V. Lembo: I’ve gotten calls all weekend from folks in that development. Workforce housing at the corner of 27 and 28 By-Pass. There are several issues people are complaining about, bedbugs being one of the issues. The situation is pretty dire over there. The housing is completely built from HUD money. I think we have to go in there and do a complete inspection on it.

Chair Sullivan stated for anyone with issues with the Town to contact the Town Administrator first.

L. Boswak requested an update at the next Town Council meeting.

NOMINATIONS AND APPOINTMENTS

Appointments

Heritage Commission, full member, exp. 6/2015 – V. Lembo moved to appoint Scott Riley. Motion seconded by T. Lizotte. Motion carried unanimously.

Planning Board, alternate member, exp. 6/2013 – ***N. Comai moved to appoint Thomas R. Prasol. Motion seconded by S. Lovas Orr. Motion carried unanimously.***

SCHEDULED APPOINTMENTS

November General Election

Don Riley, Town Moderator, gave you a quick recap of the September Primary. There were 2,150 voters that day; ballot clerk check came up to 2,142, an error rate of 0.37%. The Supervisors of the Checklist barcode all checked voters into the system, which gives them a report of all the registered voters who voted that evening, then take the extra step and compare it to the actual checklist and go voter by voter to make sure nothing gets missed. They are doing a phenomenal job. The 2nd step is not required. There was 1 euro-cava vote; no one used the AVS system; no federal only write-ins; no state only write-ins; assisted 5 voters; 5-10 handicapped voters; no voter challenges; 6 spoiled ballots; 46 absentee ballots; 53 new registrants; 388 undeclared voters who declared a party and returned to undeclared status; 99 people either didn't have an ID or refused to show it; total of 8,057 registered voters; 17 ballot clerk poll workers. There were 2 stations checking voters in. On November 6th a 3rd station will be added for people who do not have photo ID's to fill-out challenge voters' affidavit.

Chair Sullivan asked if voters have to show photo ID's to register to vote.

Bob Ehlers, Supervisor of the Checklist: They have to provide a voters' ID. The challenge affidavit piece starts November 1st. We can add on to the checklist Oct. 27th but the list is frozen after this date. They've always had to provide ID's. It's not an impediment to vote. They can fill-out, domicile, citizenship, affidavit, etc.

V. Lembo: I read in the newspaper about the State Supreme Court shutting down a challenge by a college student.

D. Riley: I believe SB 318 requires that people be residents of the State or declare their intent to be residents of the State has been set aside for the time-being. College students will be able to vote in NH, without declaring themselves NH residents. Nothing has changed.

The school has been cooperating. DPW, Billie (Hebert) and Lee Ann (Moynihan) have done a great job. AG's audit did take place. The Town received no correspondence from the AG's office indicating there were issues. The SOC are trying to do a community outreach to register voters. Town Councilors' attendance is encouraged and required. Councilors who are able are asked to stay as many hours as possible.

Councilor Lizotte stated he would be there all day.

I-293 Exits 6 & 7 Transportation Planning Study

Michael Dugas, NHDOT and Martin Kennedy, Vanasse Hangen Brustlin, Inc. updated the Council on the project.

L. Boswak informed everyone that Senator Boutin wanted to attend this meeting for this discussion but was suffering from flu symptoms.

The purpose of the planning study is to consider transportation system modifications aimed at addressing capacity and safety related to deficiencies along the mainline and at the interchanges (Exits 6 and 7) for a 3-mile segment of I-93 including consideration of relocating and reconfiguring Exit 7 into a fully directional interchange. The Technical Advisory Committee consists of NHDOT, FHWA, SNHPC, City of Manchester, Town of Goffstown, Town of Hooksett, Greater Manchester Chamber of Commerce, Hooksett Chamber of Commerce, Manchester Community College and State Senator David Boutin. Phase 1, Spring/Summer 2012, Data collection/Problem Identification; Phase 2, Fall 2012, screening criteria & brainstorming alternatives; Phase 3, winter/spring 2013, develop, evaluate & screen alternatives and Phase 4, summer 2013, documentation.

More information is available on-line at www.293planningstudy.com.

Comcast Cable Franchise Update

V. Lembo moved to table until more information is available. Motion seconded by N. Comai. Motion carried unanimously.

Hackett Hill Fire Station

V. Lembo: I just want to know where is the land Mr. Green was going to give us many years ago.

Dr. Shankle: The issue is on-going when some of the development was going on down there. There was a promise of land. The developer offered some land. The Town did not think it was acceptable because it was in the wetlands. That all started in 2002. The last letter I found from the Town's attorney essentially stated that the Town waited too long to enforce the agreement and it would be problematic to enforce it.

Michael Williams, Fire-Rescue Chief stated the need has always been there for another Fire Station. It will improve response time to the South end of Hooksett, I-93 exit 9. It will also increase response time to the west of the river. A Fire Station study was done in 2010 with regards to location and staffing. That study pointed towards partnering with the City of Manchester to develop a shared or co-located station on Hackett Hill Road to cut costs in half. They are in the process of building a new station right now. The offer is still there to lease part of the building. Two years ago the Council said they cannot afford a third station.

N. Comai asked what apparatus would be needed.

Chief Williams stated impact fees would be used to purchase needed apparatus.

V. Lembo asked for clarification on the actual lease to purchase offer. He added at that time, there were questions as to whether the Town of Hooksett could own a piece of land in Manchester.

Chair Sullivan stated according to the minutes of 7/14/2010, the offer was for a 20-year lease for \$65,000 and then \$5,000 for another 20 years.

Chief Williams: That was based the building split in half. Since then they've built this building. I think you'll have to go back to the negotiating table about the lease to purchase agreement. I wouldn't agree on anything but a lease to purchase.

V. Lembo: The Town couldn't afford three stations and at that time one Councilor suggested shutting down Station 1. I was opposed to that. Do you still feel we need Station 1?

Chief Williams: Yes, I do. All you're doing is moving the problem. We need to keep Station 1 open. Everything we do is based on response time. It's not based on maps and how many times we go on certain roads. It's based on how long it takes for us to get there and put water on the fire.

Further discussion ensued.

V. Lembo moved to instruct the Fire Chief to start a dialogue with the City of Manchester related to the shared Fire Station including apparatus. Motion seconded by T. Lizotte. Motion carried unanimously.

Personal Protective Equipment Purchase

Chief Williams stated at the last Town Meeting, the voters approved the purchase of new personal protective equipment for \$24,000. The department received quotes from the following companies:

Bergeron Protective Clothing	\$2,313.85 per set
B-LANN Equipment Company	\$3,957.30 per set

Firematic Supply Company

\$3,595.20 per set

Chief Williams recommended accepting the bid from Bergeron Protective Clothing in the amount of \$2,313.85 per set and purchase ten (10) sets.

N. Comai moved to accept the quote from Bergeron Protective Clothing for \$2,313.85 per set and purchase ten (10) sets. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

Acceptance of E911 Data Capture

Chief Williams: This is basically accepting the data that has been completed, including what they consider to be duplicate or confusingly similar sounding.

Chair Sullivan: The report shows duplicate street names. Are you recommending changing the names?

Michael Hoisington, Deputy Fire Chief: The Bureau is just making sure the Town was aware of potential close names in case the Town decides to address those in the future. It gives us an idea where to start. At this time, we're not looking to change anything.

Chair Sullivan: I was wondering how come we didn't pick up on Whitehall Road and Whitehall Terrace many, many years ago.

M. Hoisington: I can't answer that. It was done long before us.

Casey Gordon, E911 Field Representative, NH Bureau of Emergency Communications: What we do for the Town is we go in and map the Town for existing addressing as it stands today, which is the data capture. The representative for the Town (Michael Hoisington) reviews it. The State has a basic addressing guide based on the National standards. A list is created for anything that doesn't conform with national standards for the Town to review. The governing body of the Town has the final say over addresses. If they decide to make changes, the bureau would be happy to facilitate those changes.

N. Comai: At the last meeting we voted to approve a name to be added to the development. Are you brought into that loop prior to us approving the name?

M. Hoisington: This is all done through Town departments.

N. Comai: Is this available to your people (Dr. Shankle), those who have the ability to work it through the system to correct them, especially the duplicate addresses? If there is a process how does this happen?

Chief Williams: It goes back many years. Ever since I've worked here, the high numbers start on Route 3. It's just the way it is. You just have to know.

Dr. Shankle: We don't want people to look at this list and think there's going to be 400 name changes. We're not really looking to that at this point.

N. Comai: The duplicate addresses should be addressed.

Dr. Shankle: Absolutely.

S. Lovas Orr: Has there been an issue where you were called in an emergency to one of these multiple duplicate addresses that's delayed you for any reason?

M. Hoisington: I'm not aware of it. One of the biggest problems we have is the Granite Heights where they use 1465 and goes by units. Not bad for Hooksett staff, it's when an ambulance is coming from Bow, etc.

S. Lovas Orr: If you are setting priorities, I would suggest correcting duplicate addresses would be one.

Discussion about properties and addresses located at both Hooksett and Manchester.

T. Lizotte moved to accept the data as presented and work on fixing any street outlined in the report on an as needed basis. Motion seconded by N. Comai. Motion carried unanimously.

V. Lembo congratulated the Fire Chief and the Fire Department for being recognized by their peers for their efforts on the Kelley Dwyer rescue.

Chief William: Firefighter Earl Lincoln was also nominated for Firefighter of the Year, a separate award. He will provide some information to the Town Administrator.

Right to Know Law

Chair Sullivan stated one of his concerns was e-mail correspondences.

Christine Fillmore, NHLGC Staff Attorney presented an overview of the Right to Know Law.

- The RTK law is complicated, it takes time and effort and it is required.
- Don't look for loopholes. You can always do more than what is required.
- You will always be on the defensive with this law. You are presumed to be wrong whenever you end up in court.
- 2 major concerns, (1) are we complying with the law?, (2) how does it look?
- 2 major areas, (1) Public Meetings and (2) Governmental Records.

Public Meetings

- Basic Rule - all meetings of public bodies must have proper notice and be open to the public.
- Public body - any group with an official function.
- Meeting – convening of a quorum (majority) of any public body to discuss or act on any business.
- Non-Meeting – consultation with a legal counsel, chance or social meetings neither planned nor intended to discuss official matters and at which no decisions are made, strategy or negotiations regarding collective bargaining.
- Notice – minimum of 24 hours (not including Sundays or holidays)
- Open to the Public
- Telephone Participation – Boards may, but do not have to, allow one or more members to participate in a meeting by telephone or other electronic means, provided, all members and the public can simultaneously hear and speak with each other.
- Minutes – must be kept and made available to the public upon request within five (5) business days.
- Non-Public Sessions – meeting or portions of meetings that the public may not attend. They are allowed only for reasons listed in RSA 91-A:3,II.

S. Lovas Orr asked how does one prove that a subject discussed under non-public session falls under RSA 91-A:3,II.

C. Fillmore: In NH, no office is policing this. The only way this gets hammered out is in court.

L. Boswak: Individuals cannot access personnel records but do we, as a body, have access to personnel records?

C. Fillmore: I have not read your Charter recently. If the body is considered the employer, if you do the hiring and the firing, the answer would be yes.

L. Boswak: That's Dr. Shankle.

C. Fillmore: Then he has access. The Council has access to Dr. Shankle's files. Whoever is the employer has access.

L. Boswak: If you're our Attorney and we're hiring another Attorney. Is that something that has to be in non-public?

C. Fillmore: If it's interviewing specific people, discussing résumés that have come in for a job.

L. Boswak: If this were stated in public, we'd be in trouble. For transparency, I don't want people to think we're going into non-public specifically for RSA-91 issue but I don't want to expose the body to liability by not going to RSA 91-A. Will that be a problem?

C. Fillmore: If someone is not sure whether or not it ought to be done in non-public session, what they should do is look at the law and figure out which of these issues is closest to what I want to talk about. You can make that motion and go into non-public and as soon as you find out it's not something that should be under non-public, you come out of the non-public session immediately and explain what happened and don't seal those minutes.

Dr. Shankle: If a member of a body discloses something they are not supposed to, what's the consequence?

C. Fillmore: They could be removed from office for violating their oath of office. Someone has to file a petition with the Supreme Court. A judge has to find that was the case. Other than that, there are no significant penalties for doing something like that other than incurring the wrath of fellow board members. That is not so much a violation of the RTK law when you're talking about confidential legal information. It's more of potentially an oath of office issue and a business problem in the Town.

Dr. Shankle: Let's say a staff sitting at a meeting realizes something is going on in a non-public meeting that shouldn't be, what should be done then and what is the legal responsibility once the meeting is over?

C. Fillmore: Legally, you do not have responsibility once the meeting is over. As soon as somebody realizes something is happening that shouldn't be occurring, it would always be best for them to raise their hand.

E-mail – Exchange of ideas through e-mail is illegal. The public cannot see it and they don't know what's happening and they don't get to read it later. Simply sending information related to be discussed at a meeting is permissible. Try to keep e-mail to a minimum.

New with Right to Know Law

Non-Meeting – consultation with legal counsel occurs when the attorney is actually present or on the telephone (on the clock).

Addition of monetary penalty for bad faith violations – effective 1/1/2013.

Expansion of exemption to disclosure for law enforcement records.

Clarification of Public Library Status – Library Trustees are subject to RTK law.

OLD BUSINESS

Budget Goals

Chair Sullivan suggested asking the Town Administrator to present his budget based on need and have a reasonable number of CIP's.

N. Comai: Make sure that the Charter is being followed and ask the TA to make sure he is involved.

T. Lizotte: The taxpayers paid off a bond, to make sure this is taken out. We have to bear in mind that the taxpayers voted for a default budget.

S. Lovas Orr: Last year was my first year in the budget process. I have a lot of faith in Dr. Shankle and his staff to be conscientious. Get the word out to the taxpayers.

Reorganization

Dr. Shankle: I've been going through...2 things, one is the Town Clerk. A couple of different ways, have a part-time Town Clerk, have a full time Town Clerk, or have a special meeting before the School meeting or have it for the next election effective next year. The idea of combining the Tax Collector and the Town Clerk positions. I'd like to work with Councilor Boswak on this.

L. Boswak: I'd be happy to do that. I have a couple of concerns. The template shows the Town Clerk doing the ex-officio Clerk for the Town Council with various items that are generally done by a City Clerk, which is an appointed position. We can put this on the Charter that the Town Clerk can do, however, the Town Clerk is elected and we have zero authority over the Town Clerk. The only time we could do anything to the Town Clerk is if he/she commits fraud or is insane, by statute. The Town Clerk works for the public and the public suffers at the expense of our work being completed.

V. Lembo: I don't think we can appoint a Town Clerk because we have a Deputy Town Clerk right now. As long as we have a Deputy Town Clerk until the next Town Clerk is elected.

L. Boswak: The Tax Collector is a department head in charge of approximately \$40 million of the Town's revenue.

Chair Sullivan suggested having Councilor Boswak work with the Town Administrator on this position.

Dr. Shankle: The second part is there is a job description here I'd like to create. I think it's pretty clear what I'm trying to do, I think. I'm just trying to get...one of the things that we really focus on here or trying to focus on more is getting projects done. There a lot of things floating around a lot of time and having somebody focusing on those I think would be good at this point. I've got Councilors giving me things we shouldn't be forgetting and I need to do a better job on that and I know I do. That's why I'm looking at this position. The one obvious down side the only way to pay for it is to lay somebody off and my recommendation and what I'm suggesting is laying off the Administrative Assistant, eliminating that job and creating this job.

V. Lembo: Looking at your job description for this particular Project Coordinator, it mirrors your duties, according to the Town Charter Section 4.5. I've read what your responsibilities and duties are. And the job description you gave for the Project Coordinator mirrors that. 2 or 3 months ago, you had indicated to us you were doing reorganization back then. You started way back when. And what I thought you said to us, correct me if I'm wrong that you're going to bring down from upstairs the Human Resource Coordinator, change her title to Town Administrator's Assistant/Human Resource Coordinator, move her into the office with Evelyn and she can do a lot of the duties that you're asking for right here and still do the Human Resource. And I though you indicated there's not going to be a difference in pay scale for doing...making her the...and she could be here when you're on vacation or whatever. So, where did that go to? She did move down.

Dr. Shankle: From the beginning I said I don't think we need a full time Human Resource Coordinator. I would still plan on sometime next year, probably during the budget process, changing that job description as well. That's the next step.

V. Lembo: My concern for this Project Coordinator is another layer of government, another layer of bureaucracy that Hooksett taxpayers are gonna have to pay for. And just laying off somebody else to cover it, I don't think is a good way to go. I think if we just coordinate what you're trying to do with the people we have here, like, the Human Resource person, what's her name? Liz. And let her do a lot of the things you're covering under these essential duties and responsibilities, which actually mirrors your duties and responsibilities.

Dr. Shankle: Where do you see it mirrors my duties and responsibilities?

V. Lembo: Well, research, collects financial status. It's all right here a, b, c, d, the powers and duties of Administrator making financial reports, performing such related duties as may be required by the Administrator. That's all the stuff you had outlined in the job description. 4.5 under section a, b, c, d, e...it all does what you're trying to have done here. If it makes the particular person an Administrative Assistant (Assistant Town Administrator), she can help you do that stuff and not add another payroll or add anybody on the payroll. I've given this a lot of thought over the past week when I got my packet. This is just adding another layer of government and bureaucracy to the Town government we have here, which actually the taxpayers will probably scream over.

T. Lizotte: Anytime you go through reorganization, it gets touchy. Talk about best practices and looking at what's really being done. You got to take the personalities out of it. What you need to do is focus on and look at it. I've looked at this and I understand what's going on. If you look at something with regards to assisting and then doing and the responsibilities. That's a little different than being able to take the project. I'm not in a position to evaluate our existing resources and such because that's not my job. The idea with regards to structuring. We're supposed to be basically take the recommendation of the Town Administrator in terms of how to organize and streamline it. We have questions about some of the things that are going on. Think about this, I do project management and I've got maybe 10 projects that I maintain but I've got staff and project leaders. You've got people that are specifically working on the specific details of it, chasing down thing, etc. Also the ability to compile data, recording documents, etc. data collection analytics, the ability to set up a spreadsheet, the ability in which to understand and interpret what's required and then execute. I think the question is that are we getting into a situation in here where we need to look at a Project Coordinator who's monitoring all these projects and interfacing with all the departments and bringing that data in a format that which can be taken by the Town Administrator and present it to us. I think it's worthwhile to explore.

L. Boswak: I don't disagree with Todd. I think that there's nothing wrong with looking at this...before we take it in pieces, we need to look at it as a whole. The primary reason why I wanted to be on the Town Council, much to everyone's surprise, it has nothing to do with the Police Department. It actually had to do with the everyday occurrences I saw as an employee here for a quarter of a century. This organization could do so much better in so many different ways. Dr. Shankle walked into a really tough situation. He's walked into a number of embattled employees who's had Administrator after Administrator, who's really trying to keep their nose down, do their job and fly under the radar because that's the way you survive in this place. It's kind of a crazy place. Things that I'd like to see as part of a reorg is instead of just trying to pick it apart, kinda piece-mealing it, let's look at it as a whole. Look at our customer service, our service to our citizens and are we really helpful or are we adversarial to our customers. When they come forward and they want to do this. The paperwork is not filled out correctly, just say no and send them away instead of being helpful. I would like to see the place looked at as a whole. Quite honestly, I'm not bringing this up to say...please, don't even go there. Two weeks ago, we talked about the Police Audit...I don't mean that with disrespect, this has nothing to do with the Police Department. When I read it, I did a full belly laugh. I did not attend any of those meetings because this is Town of Hooksett. This is...it's the way we are. It has nothing to do with the very poor organization culture. This has nothing to do with...this is years of stuff. Communication, we don't talk about strategic planning. There's no personal development, you just do what you can with your budget. No organizational structure. Chain of command, we don't do chain of command. You can go right to the Town Administrator and by-pass your boss. You don't like the Town Administrator, you can go to the Town Council and do the full circle. Discipline, non-existent. One person get here at 8, another person at 9:30, one person leaves at 10, another person leaves at noon. I don't mean that. Everyone here does a great job. That's the thing, there's no standard of discipline. There's no reason to excel or even think outside the box because you're gonna get your 2% raise just like everybody else. When you compare yourself to others. There's no standard, there's no equity. Career development is non-existent. You never talk about professional development, there's no mentoring, there's no...everybody has strength and weakness. You don't take advantage of people's strength, set fire and create energy. Promotions, the appearance of lack of qualified candidates, lack of leadership, again this is long before you (Dr. Shankle) came along. Every single time we're looking for a Town Administrator, a Councilor steps forward because none of our staff is qualified, and that's such a bunch of crap. We have so many members of

the staff we are totally qualified for an interim position. I would rather see this looked at as a whole. There's so many things we could be doing. We're not doing it, we need to raise the standards. We should be ...excellence. We have geographic assets other towns would kill for. We've got so much going for us but we never get it right. So I would like to see it looked at as a whole. Actually do a root-cause analysis, why are we so controversial? I would like to look at it in much broader...

N. Comai: Leslie, where were you during our Town Administrator, either, reflection or performance review to mention 3 or 5 of those things. I think, we as a board...he's done a wonderful job given the short amount of time he's been here. Performance reviews of the staff and promotions as you maintain training, I was all over that in my comments and return. But shame on me for not surfacing it in these meetings to keep it surfaced. So I appreciate you saying what you said. I'm sure it was very hard for you to say that. What I'm asking you now is to remember those things. When the time comes, we can surface them and break it up into smaller pieces and knock it out instead of green to red without yellow. It's almost like that was a lot to say in a very big picture way but I think we are all of the mind-set that we want to see change. We want to have a good place of employment here for our folks who work for us or work for our constituents and to feel good about coming to work. And to feel good about helping that constituents across the table with good customer service. If Dr. Shankle wants to reorganize a department, he can do that. And he's asked for your help, to help him figure that out as a whole. I'm with you on that. I was just wondering where were you when some of those things could have been discussed in September. So you (Dr. Shankle) could be of knowledge that someone is not happy with performance reviews or whatever, I guess.

Chair Sullivan: No one wants to hear about my past accomplishments, but in my other life, I was another Councilor. I worked with 2 Administrators. Each individual Administrator, just like this one, I voted to support. This has been the culture at Town Hall, never always been perfect. The issues that happened back in the 90's, the issues that happened with "4". All the Councilors have been there. I think that's what we need to do. Part of the culture is, which Leslie I think actually captured better than I could because she was in that for 25 years. I was just a Councilor going about my business and not getting involved with all the details. I think, when she started off, we need to look at the whole picture. The suggestion for the Clerk, I think is part of the piece, as well as this Project Coordinator or whatever you may call it. But we need to see, if we do this, what else will that lead to. We need to see the whole picture because if we put this piece of the puzzle first, not knowing how it's going to affect the puzzle down the line, that could affect someone's decision on how we want to go with changing. One of the things I spoke to Dr. Shankle is the disconnect that I felt back in the 90's was an Assistant Town Administrator position who took over for the Administrator who happened to leave. We lost 2 that decade. Next decade we lost six, now we're on the third decade, which is you. We lost that and the continuity was maintained because the Assistant Town Administrator, who could be the Assistant Town Administrator/Project Coordinator would fit in. If the Town Administrator were to leave, now this is down the line, in 20 years. We have an Assistant Town Administrator who could start from day 1, knowing the mechanics of how the place works. Instead of going to LGC and those people need to come and know how Hooksett works or try to find a Councilor to fit in. I don't think a Councilor is a good fit because that affects their ability to add to their... I think doing that, my main goal, if we're doing a change in this is to have a position, an Assistant Town Administrator so when the Administrator leaves, we don't have to vote on which Councilor wants to fit in or let's go out and find LGC to fill in. And guess what, 2 Administrators down and LGC then became the permanent person and gave that person an upper hand. Maybe it didn't work. So I think I want to look at the whole picture together. I think starting off with this. This is certainly a good idea because you did say "may appoint", to act as Town Administrator. "May appoint", that's the thing. I don't think it should be "may". There should be an Assistant Town Administrator. I said that a long time ago. There should be a Town Administrator and an Assistant Town Administrator to step in during that time as an interim. But I think we need to take a look at the whole picture. And this is certainly a good start. I haven't seen this until we got the package.

T. Lizotte: I agree with what Leslie is saying. The 800 pound gorilla in here is that, we never really talked about our problems. One of the things the Fire Chief Mike Williams had indicated, it should be one of these things that we kinda bench mark off of. He said in a public forum, we had something happen to a fireman in a closed situation and we learned from our mistakes. And that's the problem. I always look at

communication and I always say I think you know, Vinnie made a comment earlier saying you know, when I say something there is truth in sarcasm. The issue here is this, is communication. If I was looking at say, the Police Department, you got a SWAT team and a surgical team. When they talk to each other, they know exactly what they're saying to each other because they basically shared communication methods, shared terminology. And that's one of the things that failed when we say we want to do something and we don't follow through or we talk in platitude and we don't get to the hard core decisions. Let me throw this out here. I like the socratic method. I like to say stuff in order to create the debate. I don't mind an argument against what I say. It's not a problem. I think we learn. I'm going to throw this out there. Last meeting, I had to sit here and hear everybody say, "Why the hell the Police Commission micro managing a department head?" He's the expert. He's the guy supposedly put in charge to make decisions. Same thing with policy writing. Now, this gentleman here, we hired as a CEO. We're Board of Directors. Our mandate in the Charter is policy, not Administration. So the question is, if our expert comes forward and says, he wants to re-organize. I think we have to put a priority on that. Or we have to re-evaluate our position here as an administrative board, I mean, a legislative board. That's one of the things we have to talk about. The other thing is, we have to talk about things that happened. I think we perpetuate the stuff. Tonight, Ms. Fillmore, she said there's an obligation when you're in a meeting to raise your hand and say we're doing something stupid. Sometimes, we don't do that. I don't always do that. I know Leslie recognize me for that but the fact of the matter is that sometimes we don't know that we do things that may not be the right way and we learn. But the fact of the matter is we have to talk about it. Another example is, you know, nobody talks about it anymore but we have an ex-DPW Director in court. What the hell happened? Where were the safeguards? What have we done to change the culture so that never happens again. It's away and it's gone. It's our job to fix a problem that existed that allowed that to perpetuate through this organization. I think Leslie hit the nail on the head, culture. The question is whether we have the intestinal fortitude to trust our Administrator to come forward with ideas and execute them. If we look historically...and I've read minutes back to 1973 with the selectmen. I can see the same pattern. The pattern of the selectmen overriding, double-guessing and all this. If we're going to sit here and dictate to other public boards, "you're doing it wrong, you're micro managing". Well, we better do some self-reflection. That's all I'm saying. I like what Leslie said. I think that's something we need to hear more and just discuss it, how different positions, make it aggressive. And in the end, will come out as decisions. Thank you.

S. Lovas Orr: I was almost going to say that same thing. We hired an Administrator. We gave him the charge to re-organize as he sees fit, he's had some time to see how the departments operate. What would work the best. What he feels would work better. I would step back a little bit from what you said. I think we do need to trust him with oversight. I like that he comes and presents this to us. And I like that he asks for our input. But I think ultimately when it comes to personnel issues, staffing issues, job descriptions, what people do, recommendations for raises. I don't know what people do on a day to day basis. I don't know job performance. He does. I believe we have to allow him to do his job. I very well can understand this Project Coordinator position. A good assistant can do that persons job. I used to joke that I could sign my boss' name better than he could because I signed it more often than he did. I had the responsibility to do almost everything that he did with his oversight. We worked as a team together. That's why you're seeing the overlap in the job description. What you're trying to do is create a team of Administrator and the Project Coordinator who both know what's happening. Both people know what needs to be done for each project and that there can be overlap and oversight and shared responsibilities on making sure that all of it gets done and gets done well. I absolutely can see the value here. I agree with Todd. We have to let him do his job. We have to trust with oversight.

J. Danforth stated he supports Dr. Shankle in his initiative to explore the positions and reorganize the Town departments.

V. Lembo: Getting back to my original point, we were going to have an Assistant Town Administrator months ago who could be doing this project so if we just go ahead and make that transition from Human Resource who does not have a lot to do, I guess, from what I'm hearing from Mr. Shankle over to Assistant Town Administrator. She could pick up the slack and get some of these projects done and take the burden off Dr. Shankle. I thought we were going in that direction three months ago. Is there any

timeframe when you're going to transition that position over to the Assistant Town Administrator? Maybe we should go ahead and do that. What would be the pay scale on this?

L. Boswak: \$14, \$39,000 - \$58,000

V. Lembo: That's another \$39,000 in salaries when we can just make the Human Resource position into this position. I agree with Todd. We're not making anything better here. About the lady who came up during public input, I've got several calls this weekend. I don't know why they are even calling me. What I see happening in that complex is the same thing that happened at the Safety Center. There was no oversight as the process was getting built. No inspections, nothing was done. Just like the Safety Center. That's why we have the problems with the safety center and now we have problems at that development which is government money, which is our money and the place is falling apart. It sounds to me if you talk to these people, it's a death trap. The process we had back at the safety Center how many years ago hasn't gotten any better in building that development last year. The fact is we got to look at what we're doing wrong. I don't see putting a Project Coordinator in place and spending taxpayers money as solving the problem.

N. Comai: I guess what we have to do is go back to our Town Administrator as we have hired our Town Administrator to evaluate this department and come up with a solid plan on sorting out the tasks that would be more efficient. Allow him to do that. He has come to us with a part of I would think a bigger picture plan. Maybe we should ask him for a little more of a layout part of a bigger picture plan before we say yes to just one piece of it. His trying to fix, in a sense, there's so much to do and not enough qualified individuals to do it. That's what I'm reading from this. There needs to be more qualified people in place.

L. Boswak: When you're comparing the role of the Town Council to that of the Selectmen, we have much less power than the selectmen. Change in the Administrative Code is something in our power. We'll be remiss to just rubberstamp everything from the Town Administrator. That's absolutely not acceptable. The thing that concerns me is it's just this much of a reorg so we're hearing conversation that there's an intention to make an Assistant Town Administrator. The Council needs to decide whether or not we want that. The Administrator is our employee and if there is an Assistant Town Administrator, that person by default is also our employee. This Project Coordinator specifically states, "may be appointed as Town Administrator", well, that's an Assistant Town Administrator, if I've ever heard one. What is the consequence for making the Administrative Assistant go away. This person is going to do all the function of the Administrative Assistant and all these duties. It just does not make sense to me, then we have our HR Coordinator. What's going to happen to that? I just don't want surprises. Ok, we approve this, as a consequence we need to do xyz. I want to know the big picture. I want to know how does this fit into all of that. You can't just say we're no longer going to do job x, somebody's got to sort out the mail. It's not going to sort itself. It sounds silly but you know what? I can't picture the Project Coordinator doing all of these.

T. Lizotte: We always that ability to say that we want more information but once again, I get back to communication. Everyone talks that they want something, but never really getting down to defining what they really want. We're talking about a total reorg. It could be as simple as, you take the org chart and you go click, click and that's it. The other questions to ask is that what are people asking? What are people really asking? From best practices, separate from the people. What he's saying is that he would like to see this organization. First thing is that he reached out to you about the clerk issue because you have the experience you have. I see him working with us here. I don't want to get into situation where talk about personalities because we're not supposed to be doing that. A lot of people work for me. You have to organize and do the things for the best interest of the people that we work for and that's the taxpayers. IF he's saying he needs to do something, we should respect that, with oversight. I think we need to be clear on what we need from him in order for people to get comfortable with it.

S. Lovas Orr: (Directed to Dr. Shankle) You come in with this one piece but I don't believe you're looking at it this way. I'm sure you've look at the bigger picture to address Leslie's question and concern. Is this a small piece of your bigger picture? Do you have a bigger picture in place? Is that something you're ready to share with us? Is that something you'd want to implement piecemeal like this?

Dr. Shankle: Since you asked, I think it's the only way to implement it. It's the only way to roll it out. All of you have pointed out, there's a lot of problems here and there and have been for years. A lot of it has to do with the people that are here, with the employees. I'm not going to sit here and attack employees. That's not my job here. My job, what you hired me to do was to fix the problems that you have. I think that's a big part of what you hired me to do. I know what I'm doing. And you're either going to trust that or you're not. If you don't trust it, then tomorrow, all the employees are going to know you don't trust it. That's where we are at right now. I recommended something, you can either approve it or not. It's gonna take time to fix this. It took a long time to get it in this situation that's in. If you try to do it wholesale, to try and lay this thing out. Every new piece is a new fight. We have to do this if we're going to fix it. We're going to do it for the long run. We have to do it step by step. I've taken the steps upstairs. You're gonna see more stuff upstairs. I've moved people around physically. But you need to let me put the kind of person with me that I've got that I can trust. That I know who's going to be with me as I do the rest. If you give me that, we keep moving forward. If you don't, we don't. That's where I'm at with this. It's up to you guys.

S. Lovas Orr: ***I'd like to move that we approve the Project Coordinator position as proposed by Dr. Shankle.***

T. Lizotte: ***I'll second it.***

S. Lovas Orr: We hired a person with experience and intelligence. I can't believe that this is a tiny pin point. I do believe that he has a broader picture of what's going on. I agree with your point that we were concerned with the Police Commission micro-managing. If it turns out that this is a bad move, we have recourse. We can say goodbye to him. We have to give him the power and the authority to do the job that he feels is correct.

T. Lizotte: You got to make incremental changes. That's how you get things done. You have to look at it like streaming video. He said he would do it, he got it done in five months. Projects need to be done in a timely manner. I just think I want to support this. I trust Dr. Shankle.

V. Lembo: Are you planning on appointing an Assistant Town Administrator in the near future like we discussed 3 months ago? That was the process 3 months ago and it didn't materialize and now we're adding another layer onto the whole Town Hall structure that will cost more money. Is that coming in the near future since she's already moved down there?

Dr. Shankle: She's down there and she's taken some other duties and she'll be down there until we do something different.

V. Lembo: Is she going to be the Assistant Town Administrator?

Dr. Shankle: I don't know.

V. Lembo: It appears the rest of the Council are voting for it. I'm just saying, I'm not for it. I don't accept it.

Dr. Shankle: I don't think we're spending more money. I said there'll be layoff.

Chair Sullivan: I want to go back to history. Giving blind trust to the leaders has created problems in the past. You're talking about bringing back the Assistant Town Administrator that we had. Back then, the Administrator said we do not need an Assistant Town Administrator. The Council said, ok that make sense. Now, ten years later, your plans are to have an Assistant Town Administrator. If the Council then had done their job and said we should have an Assistant Town Administrator, we wouldn't have to go back trying to recreate something we had before. We have problems in this Town. We all ran to do it and we all hired an Administrator who helps us to do it. There are steps to take, there are battles we have to plan. I just want to make sure we do it properly. I'm not disagreeing with his approach that things need to

be changed but we have a role. I just read that and I don't know all the details. I still want to see the whole picture. There was a plan to get to where we want to go. I think you have a plan. I want to see the whole picture before we go into it one step at a time.

L. Boswak: I don't believe I ever said I was against this. If someone wants to correct me, please do. I just said I think we need to look at it more than this. I'm not looking at the people, it doesn't matter. We're creating a job description. Do we as a Town Council want to have an Assistant Town Administrator? Do we want somebody in a Town with over 13,000 people so that if the Administrator is on vacation, or whatever that somebody is in charge. I don't see why this is a big deal. This would be the person. Is this the person we're going to train who's going to be privy all that's going on. Somebody needs to know what's going on. If something happens out of the blue, we need to know we can continue. This is a big business here. When you refer to Section 3.1, if we don't vote yes tonight, I don't believe we're showing the employees we don't have trust in you or we don't have faith in you. There's nothing wrong with wanting more information. I don't like being put in a position, if we don't vote yes, we're sending a strong message to the employees that we don't trust you. I take offense, quite honestly to that. I don't like being put in a position, I must do this or else. I don't think that's the case at all. I just think that we need to have more conversation. I don't see what the big deal is. It's a Project Coordinator but do we want to have an Assistant town Administrator. This would be the position. It's a Grade 14. That's over Human Resource Coordinator. That's way over Administrative Assistant. That is high in the rankings. This is something up the grade scale.

N. Comai: A lot of times you make decisions based on what you know at that time. A couple of months ago, I mentioned to the Town Administrator and the Chair that there are new projects coming up that the new approved, either hardware or software for a new Finance program. I envision in the next few months a computer Finance conversion. That's another whole 40 hours a week job. Those are the things that are not going to be able to be done with his stretched time as it is now. There is a reason why 10 years ago, they did not need an Assistant Town Administrator because they were on a DOS program. I think we need to trust the Town Administrator who already know where he's gone and where he's going. If you needed to know more, sit down and talk to him and ask him, one on one. I've had some great conversations with him. I no longer have those conversations because I was asked not to have those conversations. He has to layout the task. He has to look at what's in front of us six, nine months from now. We have a lot of questions. We should give him the okay to move forward with what's he's doing. It's not going to be done tomorrow but allow him the opportunity to make changes in his department.

T. Lizotte: We have to bear in mind we have a budget cycle. That has to be added to the budget and we're going to go through that. As far as the big picture thing, I favor incremental changes. When you see a problem in order to tweak the system. Go after the areas in which we have some problems. I've sat in hear and had to hear how many times we have to apologize to people. These are different types of project stuff. I think we have to address what we ask of the Town Administrator with regards to reporting. We should allow this thing to go forward so we could begin the process. We're going to go through the budget cycle. At that point, we'll see what is the impact.

Roll call vote

S. Lovas Orr	Yes
L. Boswak	No
N. Comai	Yes
J. Danforth	Yes
V. Lembo	No
T. Lizotte	Yes
Chair Sullivan	No

4-3. Motion carried.

Cash Receipt Policy

L. Boswak moved to approve the Cash Receipt Policy. Motion seconded by T. Lizotte.

V. Lembo: There was an audit done back in 2006 or 2007 from MRI. Have all their recommendations been implemented.

Christine Soucie, Finance Director: I'd have to go back and make sure they all have been corrected. The Cash Receipt policy was first drafted in 2008.

V. Lembo: What brought that up?

C. Soucie: I drafted the first policy but the audit was done before I got here. I believe there were issues at the Transfer Station, which have all been corrected.

Motion carried unanimously.

Town Council Goals

L. Boswak presented a proposal for Performance Based Budgeting, which is widely being accepted in communities around the country. This process actually engages the citizens and ask them what they want in the budget. The budget is strictly based on what the citizens want to see for outcomes. Surveys are done. She added the Council should make this a goal.

Discussion ensued.

Chair Sullivan stated the voters need to know the budget process. Streets are still getting plowed, garbage collected and all other services are still being offered with a default budget. They need to see the impact of a default budget.

N. Comai suggested putting this item on more than one agenda as there are a lot of items to talk about.

This will be added to the agenda as a continuing "Old Business" item.

Media Relations Policy

V. Lembo: Back on October 12, 2011, when Mr. Sirak is the chair, he made a comment to the paper. He got "lambasted" for it for four meetings, 10/12, 10/26, 11/9 and 11/30. To a point when on 11/30, he couldn't take it anymore, he resigned. We all know that. This is history that everybody remembers. I got a call not too long ago from the Union Leader to make a comment as a Councilor. I made a statement that we had a Media Relations policy in place. Any comments come out of the Town Administrator's office. The reporter couldn't believe it. I called the Chair to verify. The Chair was talking to the reporter. I told him that was the wrong thing to do because everything has to go through the Town Administrator. It was about the letter Captain Daigle sent us, about the Police Commission, which is a sensitive issue. At that time Chair Sullivan stated he did a "boo-boo". I suggested to the Chair that he contacts the other Councilors who are new to the Council and let them know about the Media Relations policy if they didn't already know about it. I read the paper Monday, Mr. Sullivan and Mr. Lizotte had made statements to the paper. Mr. Lizotte was the one who initiated the Media Relations policy. My question to the Council is, did he violate that policy? I read to the Media Relations policy to the reporter, the entire thing.

Chair Sullivan: The only time there was an issue with me commenting to the paper was on the Police situation. I commented on the pending prison, which could be sensitive, no one had an issue. I commented on the 3A project. The only time we can't talk is if has to do with the Police issue. The other issues, no one has problems with. If you look at the policy, I do believe I represented myself and I didn't represent the Council. I have done that on previous situations. If I was wrong about the Police comment, then I was just as wrong as the other comments.

T. Lizotte: As an elected official, you do not lose your rights to free speech or political speech. The only thing the Media Policy said was if we make a decision as a Council that is going to be a press release, it goes through....We go through this all the time. Look at the NH Constitution, the US Constitution, because I...honestly, I'm getting sick of it. I feel like I'm doing a remedial training here on US Constitution. The person who was being discussed about in the paper, sent the information to the paper. So it's a public issue. If it was something that was sent to us personally, that would be an issue. We discussed it

in public as well. If it's public, I can make public comments on it. I do not want to get into the former chairman's position. It's a done issue and I'd like to move forward from that.

V. Lembo: Read the policy.

T. Lizotte: I did read the policy. No policy can trump the US Constitution. I have the ability to speak my mind. If I say I don't like the way the trash is picked up, it's my own opinion. I have the right to my opinion and the right to speak about my opinion. Same with the chair, he has every right to talk about whatever he pleases, as long as he does not say, "The Town Council...", that's the key.

V. Lembo: If you had said, "Todd Lizotte did it.." but when you put it out there that the Town Council with Todd Lizotte speaking, not Todd Lizotte.

T. Lizotte: It's Todd Lizotte, Town Councilor.

V. Lembo: We can end this right now. ***I make a motion to rescind the Media Policy.*** And I's be able to say what I want to say on the paper.

T. Lizotte: ***I'll second the motion.***

S. Lovas Orr: There's a sentence here that says, "*No member shall hold him/herself out as representing or speaking on behalf of the Council on any matter unless, prior thereto, the Council*" but you can speak for yourself. Maybe if we add something to this that says, "*If you do speak, to make sure you state, I'm not speaking for the Council.*" That way, everybody can follow this guideline.

V. Lembo: He didn't say that in the paper.

N. Comai: That's what I'm saying. You thought you were following the guidelines. You interpreted it incorrectly.

V. Lembo: I didn't interpret it incorrectly. That's the way I take it right now. Don't tell me what I interpret. In the Hooksett banner this week, it was a letter to the editor. We had to vote the other night, a vote of "no confidence" on the Police Commission. It was a 4-3 vote. It was a close vote. When you lose a vote in the Council, you support the winning vote. Is that a fair statement? When you vote in the Council, whether you were opposed, you still support that vote. He's in there saying what a wonderful job the commission is doing, Todd Lizotte, Hooksett Councilor District 1. Even though as a whole body, we had a "no confidence" vote and it passed. He might be getting sick of it. I'm getting sick of it too. I respected the Media policy. I live by it. I read it to the Union Leader reporter. I even called Mr. Sullivan to make sure everybody's on board with it.

N. Comai pointed out that the policy states, "*When speaking to the press, Councilors will clarify whether they are speaking for the Town Council or themselves.*" Meaning, I can speak to the press as long as I speak on my own behalf and not say, on behalf of the Town Council.

V. Lembo: But the article and letter said, Hooksett Town Councilor, District 1.

Motion failed (1-6).

L. Boswak moved to amend the Media Policy to add a sentence as Councilor Orr suggested.

S. Lovas Orr: I think it's already stated in there under, "*When speaking to the press...*".

V. Lembo: Keep in mind, the media called us. Let me read this to you..." *Media inquiries or news releases, whether verbal or written, are to be directed to the Administrator who will evaluate the request and provide an answer.*" When they call us because we're the Town Councilors...she was inquiring about something.

L. Boswak: I understand where you're getting at. That one sentence needs to be changed. It does contradict your constitutional rights.

The item was tabled.

Police Commission Sub-Committee

Tabled to next meeting.

NEW BUSINESS

Investment Policy

L. Boswak moved to accept the amended policy. Motion seconded by T. Lizotte. Motion carried unanimously.

Fund Balance Policy

Dr. Shankle stated that the basic policy is to maintain a minimum Fund Balance of 5%.

C. Soucie stated the current policy states that, *"The Town shall strive to maintain a minimum balance of 5%, and the Town shall work towards 8%"*. As of June 30, 2012, the Town has approximately 5.13% in Unassigned Fund Balance.

She provided 3 options, (A) \$0 fund balance used to reduce tax rate, fund balance retained is 5.13%, estimated Town rate is \$6.40, estimated total tax rate is \$22.51, \$0.83 increase. (B) \$65,000 fund balance used, fund balance retained is 5%, Town rate - \$6.35, total tax rate - \$22.46, \$0.78 increase. (C) \$375,000 used, fund balance is 4.34%, Town rate - \$6.16, total tax rate - \$22.28, \$0.60 increase.

She recommended changing the minimum balance requirement to say, *"The Town shall maintain a minimum unassigned fund balance of 5% of the general fund's annual appropriations of the community."*

L. Boswak moved to accept the recommendation and maintain a minimum unassigned fund balance of 5%. Motion seconded by N. Comai.

L. Boswak explained it's important that the Town maintain a minimum of 5% so as not to affect the Town's bond rating. To be under 5% is unacceptable. Other communities have more than 5%.

V. Lembo: The more of a fund balance we have, the better we get on bond rating. We have no bonding projects coming up at this time.

L. Boswak: This would include the school's bond rating.

Discussion ensued.

Roll call vote carried unanimously.

L. Boswak moved to apply \$0 of fund balance to reduce tax rate. Motion seconded by V. Lembo.

Roll call

L. Boswak	Yes
N. Comai	No
J. Danforth	Yes
V. Lembo	Yes
T. Lizotte	Yes
S. Lovas Orr	Yes
Chair Sullivan	Yes

6-1. Motion carried.

16 Monroe Drive

Mr. John Golembrowski of 18 Monroe Drive (Tax Map Lot #66) has requested to purchase an adjacent town-owned property, tax map lot #66.

J. Golembrowski: The piece of lot is non-buildable. I have been working on this for 3 years with the previous Town Administrator. The previous Town Administrator actually made an offer and gave me a price of \$3,500.

Dr. Shankle stated there was a price agreed with the previous Town Administrator but was never brought to the Council for action. He recommended (1) put the property out to a public bid. The Council may want to put a minimum required bid, in addition to requiring the buyer to pay for any associated costs of the sale. (2) Sell this property to the highest bidder who exceeds the minimum bid. (3) If it is sold to an abutter, there should be a requirement that they merge it with their present property and pay for the associated costs.

V. Lembo: I agree with Dr. Shankle. It has to be a bid process. The previous Town Administrator suggested a figure and it was never presented to the Council for approval.

N. Comai moved to follow the Town Administrator's recommendation. Motion seconded by T. Lizotte.

V. Lembo moved to amend the motion to publish a notice on the newspaper as soon as possible. Motion seconded by T. Lizotte. Motion carried unanimously.

L. Boswak moved to amend the motion to include verbiage that "no dwelling can be constructed on the property". (Actual verbiage to be determined) Motion seconded by V. Lembo.

Dr. Shankle: If the Council cares what the owner is going to do with the property, don't sell the property.

Motion carried unanimously.

Motion on the amended motion to follow the Town Administrator's recommendation carried unanimously.

J. Golembrowski: The original offer was \$3,500. If you're going to drive it up with closing costs, surveying and all these and it ends up costing me more, I probably can't afford that.

The matter was tabled until more information about additional costs is available.

ADJOURNMENT

The meeting adjourned at 12:02 am.

Respectfully submitted by,

Evelyn F. Horn
Administrative Assistant

John Danforth
Town Council Secretary