

Unofficial

TOWN COUNCIL MINUTES Regular Meeting Wednesday, November 28, 2012

NON-PUBLIC SESSION

J. Levesque moved at 6:00 pm to enter into non-public session per RSA 91-A:3, II (e) "Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph."

Motion seconded by T. Lizotte. Roll call vote carried unanimously.

T. Lizotte moved at 6:39 pm to exit the non-public session. Motion seconded by M. Downer. Roll call vote carried unanimously.

The Council announced that they voted to seal the non-public minutes.

CALL TO ORDER: Chairman J. Sullivan called the meeting to order at 6:41 pm.

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

PLEDGE OF ALLEGIANCE

Griffin McLair led everyone to the Pledge of Allegiance.

APPROVAL OF MINUTES

October 24, 2012 – T. Lizotte moved to approve the minutes as amended. Motion seconded by M. Downer. Motion carried unanimously. J. Levesque abstained, not present for the whole meeting.

CONSENT AGENDA

1. Acceptance of Donation to the Police Department for the R.A.D. Program - \$25
2. Acceptance of Donation to the Heritage Commission for the Veterans' Memorial Project - \$319
3. Approval of 2013 Health & Dental Insurance Rates

V. Lembo requested to remove the Approval of 2013 Health & Dental Insurance Rates from the Consent Agenda.

T. Lizotte moved to approve the Consent Agenda (items #1 and 2). Motion seconded by J. Levesque. Motion carried unanimously.

Approval of 2013 Health & Dental Insurance Rates

N. Comai questioned if the increase was already budgeted under Police budget?

Dr. Shankle will get clarification from Finance Department.

M. Downer moved to table the Approval of 2013 Health & Dental Insurance Rates. Motion seconded by T. Lizotte. Motion carried unanimously.

TOWN ADMINISTRATOR'S REPORT

Dr. Shankle informed the Council of the following:

1. The Town Departments have been working on the 2013-2014 Budget. There is only one meeting in the month of December (12/12/12). Dr. Shankle asked the Council to consider scheduling another meeting to discuss budget.

A meeting was scheduled for Wednesday, January 2, 2013 at 6:30 pm.

2. 16 Monroe Drive - Dr. Shankle asked the Council to review the information to be posted.
3. The Town Administrator received a "Thank You" note from a resident for cutting down a tree at a 55 and over housing facility.
4. 16 Highland Avenue – A dilapidated former church that needs to be torn down is not on the piece of land the Town assumed it was. Moving ahead on removing it.
5. Engineering firms were interviewed today for the Hackett Hill intersection project.

T. Lizotte: I'm still interested in a quick model to see what the back-up looks like based on timing up to the Village. Is there any way they could model what the traffic pattern might look like?

Dr. Shankle stated the State would like to offer a round-about as one of the choices for the project to keep traffic moving.

L. Boswak: Traffic studies have been presented and the Council voted to move forward on this project.

V. Lembo: I just want to make sure Mr. Lizotte's request is not going to slow up the process. We voted to move forward with this and get it going.

T. Lizotte: I've requested this three times prior to the vote. I'm not going to keep progress. The question is, can they take a quick assessment.

6. Last year, a skating rink was put up at the Donati Field. This is not big enough. The Town is considering using the Hanna Ho Hee pond for a skating rink. This pond is owned by the School District. The Town put in a request to the School if they would allow DPW to work on it. A letter was received from SAU Superintendent, Dr. Littlefield granting the request.
7. Benton Road flooding - Beaver dams are causing more flooding. The least expensive way to take care of this problem was to take down the beaver dams.
8. Family Services Department – Thanksgiving baskets were distributed on Saturday, November 17th. The Knights of Columbus assisted with distribution. Baskets were provided to 69 families. 40 families also received children's outdoor clothing. Adopt-a-Family project is on-going. 100 families with about 200 children have signed up. Everyone on the list has been adopted and there is a waiting list for people looking to adopt. Toys and gifts will start coming in the week of December 17th. Families will also be provided with food baskets for Christmas.
9. Hale Avenue drainage – DPW is still working on this. They are looking into addressing the drainage problem for the whole street.

PUBLIC INPUT

Matt Mercier, 339 Hackett Hill Road, owner of Acapella Technology: My company submitted a bid on the Technology Services. I was hopeful to win the bid and was disappointed to learn the staff recommended a competitor. I don't have any aspirations of reversing the staff's recommendation. I just want to make sure that we're comparing apples to apples. The bids were evaluated based on three factors, professional qualifications and adequate resources, municipal experience and cost of service. I have the utmost respect for Dr. Shankle and the staff. I don't intend to disparage in any shape or form. I don't want to get into a debate. I will put my staff up against anyone in the marketplace and suggest to you that they are perfectly qualified to do whatever it is that needs to be done. I do acknowledge that my company has no municipal experience. I don't know if there's a big difference between computers in all the businesses that I work in and the computers in the Town offices. I hope that as a local business, we might get a little consideration there, too. You'd notice there's Mainstay's 280 hour bid and our 355 hour

bid. The 355 hours was derived from the RFP so we presumed that's the correct amount of hours to bid on. Now, a little bit of Math, Acapella Technologies' bid remains lower. Our hourly rate is \$90 per hour. If we were bidding on 280 hours, our total would be \$25,200. That shows a 37.2% difference from one apple to the next. I just want to make sure everyone understands that's the apple to apple comparison. I'll take off my disappointed local business owner hat and put on my taxpayer hat. I ask you, is this the way things usually go typically in Town? There's an opportunity for a 37.2% savings, nearly \$10,000. As a taxpayer, I just want to know why apple A is 37.2% more valuable than apple B. Again, I don't hope to sway anyone's opinion. I just want to make sure you're comparing apples to apples.

Mary Farwell, 24 Grant Drive: The Comcast Cable franchise agreement is going to be discussed later this evening. The Library is extremely excited about the possibilities of having access to the Manchester Cable Channel. We can have programs running at the bottom. We could televise some of our children's programming. We can have the Children's Librarian read to kids on-line. We could offer suggestions to parent for books to buy for their kids. There's so much we can provide. It's such a benefit to the community that we hope that you will seriously consider an option that gives us some ability to put some contents on television. Personally, I'm very excited about that as well. I've tried to watch the Council meetings on-line. I find it frustrating. I'm watching it on a little screen. It's hard to see you and it's even harder to hear you. Some of you are very soft spoken and if you are not on top of your mikes, I'm on top of my computer trying to hear you and I'm still not able to hear you. Sometimes the buffering is such that it hangs up and it freezes. It's a very frustrating experience. I love the idea of being able to watch it in real time but I am willing to trade that to be able to watch it on a screen that I can see and be able to hear everything everyone says. I hope that when the discussion happens, you will carefully consider the option of giving us the ability to have some content on cable television.

SCHEDULED APPOINTMENTS

Public Hearings

The Public Hearing was opened at 7:12 pm (for all 3 public hearings).

The Public Hearing will be kept open until the second Public Input.

1. Acceptance of Grant Fund Reimbursement for Fire Department in the amount of \$5,193.45.

Dean Jore, Deputy Fire Chief stated this is for the usual acceptance of grant funds to reimburse the Fire Department for costs of technical rescue related courses. This should be the final costs to be reimbursed.

2. Acceptance of Legends Drive (Road A) Roadway Extension.

The roadway extension would give access to the new PSNH facility. The roadway would be paid for by impact fees and completed by the developer. The roadway is now complete and being presented to the Council for acceptance.

3. Comcast Cable Franchise Renewal

The Comcast Cable Franchise Sub-committee (Nancy Comai, David Pearl, Marc Miville, and Peter Farwell) presented a proposed agreement to renew the Comcast Cable Franchise. The agreement has been reviewed by Town Legal Counsel.

N. Comai stated the committee is asking for guidance on 4 different issues, (1) the area to be served, (2) franchise fee rate, (3) access to Manchester public channels, and (4) contract term. The possibility of a PEG (Public, Education and Governmental) channel was also discussed. The committee is recommending the following:

- Term – Current contract is for 8 years. The Committee does not have a recommendation on the term.
- Area to be served – The new contract will offer an expanded area to be served.

- Franchise Fee Rate – Current contract is for 3% (about \$136,000 per year). The Committee is recommending 1% (about \$44,000) or 2% (about \$90,000).

P. Farwell stated the committee settled with 1 or 2% franchise fee. Franchise fees will be used to fund the public access cable channel. It's all on how fast the Town would want to implement the Manchester Cable TV access. Anything more than 2% would implement the cable access faster.

V. Lembo: Is this going to be added to the warrant for voters to decide?

M. Miville: The warrant article that went to the voters four years in a row was to establish a Public Access Television. This is the actual franchise contract for the Town. Right now, the franchise fees are being used for General Funds. Our charge for this Committee was to renew the contract by December 15th and establish any stipulations within that contract. This is totally different from the warrant article that was presented and voted down.

Bryan Christiansen, Comcast Rep: The contract is for Comcast Franchise. If the Town wants to have public access television, this contract gives the mechanism but does not automatically do that.

Jason Cote, Manchester Community TV (MCTV): If the Town would like to access Manchester Cable, it has to be stipulated in the contract. This would give the Town some time until it decides to run its own public television. MCTV is a non-profit organization. The City of Manchester contracts MCTV to provide public television.

David Pearl stated the new contract will include stipulations on access to Manchester channel 23. The prior contract did not have this. This would significantly lower the costs and would enable Hooksett to record the meetings and bring it over to MCTV to be downloaded and broadcast on Manchester cable channel. Hooksett will have to pay Manchester for labor in order to do this. There are also initial equipment costs. Franchise fees collected from cable subscribers will be used for these purposes. The video live streaming contract with Granicus would also be paid using the fees as well as website related costs. Franchise fees are derived from the cable portion of the bill, not the internet portion. The School Board (D. Pearl is also a member of the School Board) is considering moving school meetings to the Town Hall chambers to be recorded. The 2 Granicus contracts with the Town and the School could also be combined. The committee is also suggesting looking at hiring someone for 20 hours a week to set up equipment, bring the tapes to MCTV to be downloaded, interface with MCTV, and any other cable related functions. All these could be paid for by a 1% franchise fee.

Discussion with regards to the tax impact, which would be created by lowering franchise fees. Franchise fees of 3% are currently being added to the general fund to reduce tax.

N. Comai stated she thinks 1% is the wiser choice as it would pay for all cable related expenses regardless of the impact on the general fund. It's not proper to take cable franchise fees and pay for roads.

T. Lizotte commented lowering the fees being paid by cable subscribers will increase the tax rate for everyone. The 3% franchise fees are embedded into the Town's budget. The contract is basically a global user right of way in the Town. Any tax that is biased to one person or another is always going to be passed onto the users.

M. Miville added franchise fee in the contract can be reduced but it cannot be raised. The Town can start with 3% and lower it.

Chair Sullivan stated franchise fees should be used solely for cable purposes. This could be done over a period of time.

V. Lembo stated the voters rejected having public television several years in a row. He thinks it's a great idea but it should be sold to the public.

Chair Sullivan explained this is a Public Hearing. Cable franchise agreement falls into the purview of the Council and not a warrant article item.

L. Boswak suggested starting with 3% and slowly wean off it due to the time crunch. The Council could revisit the rate at a later time when more time is available to discuss options.

The Council agreed to the following:

- 1. Franchise fee of 3%.**
- 2. Term of 8 years.**
- 3. Areas served to be expanded as presented.**
- 4. Access to Manchester public channels.**

D. Pearl (speaking as a member of the public): I don't agree with the 3%. I don't think people can ever wean themselves off of things. Right now, cable subscribers are paying higher taxes than non-subscribers. That's up to you to make the decision. There are talks about forming a communications committee. I certainly would be interested in that. We can keep the momentum and interest going. There has to be a firm commitment from this Council. I don't want to be involved in it if it's not clear if it's going to be funded or delayed and nothing is happening. There is a momentum right now coming out of this Comcast Cable Committee. It should start soon after you decide what to do with the franchise fees. Otherwise, the interest will be lost and the 3% will be filling potholes for another 8 years.

N. Comai: We have not wasted time this evening. The Committee did put forth a 1% usage towards communications and better equipment.

Dr. Shankle explained there are expenses the Town is currently paying for that are related with public communications, i.e., video streaming, website, GIS, Code Red, etc.

M. Miville: Over the 8 years period, the Town has collected about \$1 million on franchise fees without providing public television. The Comcast rate payers feel this is a hidden tax. At \$44,000 a year, we can provide what the Comcast Cable subscribers are paying for.

Acceptance of Clay Pond II and Quimby Mountain Conservation Easements

Steve Couture, Conservation Commission presented the two easements to be approved. The Town Legal Counsel has reviewed and approved both easements. A grant was awarded to the Town to be used to purchase the property for Clay Pond II. Part of the grant process was to provide easement. The Council was asked to approve the easement and authorization form.

Daniel Kern, Bear Paw Regional Greenways stated this is the final piece of a project started back in 2006. This will bring the property now owned by the Town to a total of 700 acres.

M. Downer moved to accept the Clay Pond II easements and authorize the Chair to sign all related documents. Motion seconded by T. Lizotte.

M. Downer commented on citizens' concerns with regards to hunting on Town-owned conservation properties.

S. Couture explained the language on the easements specifically allow hunting on these properties. In the case of The Pinnacle, it wouldn't make sense to allow hunting because of the size of the property and proximity to residential areas. If it's not posted, hunting is allowed.

D. Kern added Bear Paw does not prohibit hunting on conservation properties but it doesn't mean the Town could not prohibit it.

V. Lembo asked for clarification if hunting is allowed on areas on the map (see file) marked with red and yellow.

S. Couture: Yes.

Roll call vote carried unanimously.

S. Couture: The first easement on Quimby Mountain, with Bear Paw as the easement holder was registered in the spring. The easement language allowed Fish and Games to have executory interest on the property. We can now add Fish and Games as an executor, which means if Bear Paw should dissolve, Fish and Games will take control and make sure the conservation purposes are met.

T. Lizotte moved to accept the Quimby Mountain conservation easement and authorize the Town Administrator to sign all related documents. Motion seconded by M. Downer. Roll call vote carried unanimously.

OLD BUSINESS

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

The bond was put in place for three different intersections around the Walmart site at (1) Bemis Savoie Road and Route 3A, (2) West River Bank Road and Route 3A and (3) Hackett Hill Road and Route 3A. The first two intersections are located in Hooksett and have been completed. The intersection at Hackett Hill Road and Route 3A is located in the City of Manchester, where Hooksett has no control over roadways.

N. Comai questioned about Manchester's portion of the bond.

Leo Lessard, DPW Director explained the two areas located in Hooksett are both done. He does not know why a bond was posted on the intersection located in Manchester. According to Stantec, the City of Manchester does not post bonds.

M. Downer moved to release the surety bond in the amount of \$36,412.60. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

Acceptance of Conservation License Plate Grant for \$9,528 per RSA 31:95-b

The Public Hearing was held on October 24, 2012.

T. Lizotte moved to accept the grant for \$9,528 per RSA 31:95-b. Motion seconded by V. Lembo. Roll call vote carried unanimously.

Police Commission Sub-Committee Report

The sub-committee consisted of Councilors Boswak, Downer and Lizotte.

M. Downer informed the Council that the sub-committee discussed laying out options, not necessarily options on actions by the Council. Some of the options include the following:

- Charter amendment
- Administrative Code amendment
- Legislative amendment
- Memorandum of Understanding between the Council and the Police Commission
- Exploring the option of a full time professional management.

The idea is not to make a recommendation but to layout plus and minuses of different options and potential ramification of each of them. Then decide if any action needs to be taken. Viewing all aspects with complete open mind and anything and everything on the table. The committee has no preconceived notions, just a simple SWOT (strengths, weaknesses, opportunities and threats) analysis

L. Boswak added at this point, the sub-committee is looking at possibilities. Sending Dr. Shankle to do a specific task would be premature.

M. Downer stated The Council would ask if Dr. Shankle would speak to any Police Department employees who wish to speak to him. This is not within the Council's purview.

S. Lovas Orr: Does the Town Administrator have to report his findings back to the committee? What purpose are these conversations for?

Dr. Shankle: The concern is that the employees felt they didn't have anyone to listen to them. The idea is that I will make myself available to the employees and take actions accordingly. The current structure will have no reason to bring anything back to the Council.

N. Comai: Are Police employees being treated differently than any other employees?

Dr. Shankle: That's the point. Any Town employee should feel comfortable coming to the Town Administrator if they feel they have not been treated properly. They didn't think it was an avenue available to them considering the chain of command.

M. Downer: It's for the Police Department employees to make them aware of an outlet they may not have recognized. We do not have the authority to intervene in their affairs but we do have the authority to direct the Town Administrator to intervene as he sees fit.

L. Boswak moved to authorize the Town Administrator to speak to any Police Department employees who wishes to speak to him and that he would not have to report back to the Council. Motion seconded by J. Danforth. Motion carried unanimously.

L. Boswak provided information to the Council on how other communities' Police Commissions are governed.

Town Goals

L. Boswak moved to table and schedule a workshop sometime in January 2013 to establish goals. Motion seconded by V. Lembo. Motion carried unanimously.

Chair Sullivan suggested limiting the agenda items for the first meeting in January (1/9/13) to necessary items and the Town Goals Workshop as a major topic of discussion.

Town Charter Amendments

Dr. Shankle provided a list of possible warrant articles to be considered. He suggested skipping the amendment to remove the Police Commission as there is a possibility of a petitioned warrant article being brought forward.

1. To see if the Town will vote to adopt certain amendments to the Hooksett Town Charter that will amend Sec. 8.3.A. regarding Referendum Petitions so that 10% of registered voters are required to sign such petitions rather than the 20% now required.
2. To see if the Town will vote to adopt certain amendments to the Hooksett Town Charter that will amend Sec. 11.1.A. to remove the "Town Administrator and one other member of the Town administration appointed by the Town Administrator" from the Planning Board and replace these with two (2) members to be appointed by the Council, bringing the number of appointed members to eight (8), in addition to the Council representative.
3. To see if the Town will vote to adopt certain amendments to the Hooksett Town Charter that will clarify that Sec.5.4.C. is meant to include the first and second Saturdays as well as the days between.

M. Downer moved to authorize the Town Administrator to submit the proposed amendment to the Legal Counsel to be reviewed. Motion seconded by T. Lizotte. Motion carried unanimously.

NEW BUSINESS

16 Main Street (Old Town Hall) Trust Fund

J. Danforth moved to establish the 16 Main Street Trust Fund. Motion seconded by T. Lizotte. Motion carried unanimously.

J. Danforth moved to accept the \$500 donation to the 16 Main Street Trust Fund from the Deerhead Sportsman Club per RSA 31:95-b. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

2005 & 2009 Tax Deeding Overview

Kimberly Blichmann, Tax Collector presented the information on the deedable properties for 2005 and 2009 tax years. There are deedable properties for the years, 2006, 2007 and 2008. These will be deeded in May of next year. All deeded properties for 2009 would also be deeded for years 2005 thru 2008. The Council was asked to review the list of properties and prepare for the impending deeding.

A non-public session will be scheduled in February.

Bonds Increase – University Heights Phase 1

There is more work to complete the project than originally thought. The DPW Director recommended increasing the following bonds for Phase 1:

- Campus Drive & Blackwater Road from \$117,595.75 to \$272,642.98.
- University Circle from \$177,463 to \$262,856.

S. Lovas Orr moved to increase the bonds as recommended. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

Letter of Credit Reduction – University Heights Phase 1B

Some of the work has been completed. The DPW Director recommended reducing the letter of credit from \$190,090 to \$165,456.25

M. Downer moved to reduce the Letter of Credit as recommended. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

Bond Release – University Heights Phase 1B Reclamation

This bond is no longer needed for reclamation. The DPW Director recommended releasing the bond in the amount of \$345,675.

V. Lembo moved to release the bond in the amount of \$345,675. Motion seconded by J. Levesque. Roll call vote carried unanimously.

Bond Reduction - Pine Street Road

In November 2008, Severino Trucking was required to post a bond in the amount of \$88,474 for possible road repairs to Pine Street. Severino Trucking is no longer trucking and there is no damage to the road. The DPW Director is recommending releasing the bond in the amount of \$88,474.

J. Levesque moved to release the surety bond in the amount of \$88,474. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

Technology Bid Award

The Town received the following 5 bids for Technology Services. The scope of work asked for 355 hours.

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|----|-----------------------|-----------|----------|
| 1. | RMON Networks | Unlimited | \$43,000 |
| 2. | Mainstay Technologies | 280 hours | \$34,584 |
| 3. | Mainstay Technologies | Unlimited | \$47,580 |
| 4. | Technology Seed | Unlimited | \$50,779 |
| 5. | Acapella Technologies | 355 hours | \$31,950 |

A panel headed by Dean Jore of the Fire Department recommended accepting the bid from Mainstay Technologies (option 1 with 280 hours) for \$34,584.

Dr. Shankle stated all departments use Technology Services but since the Fire Department uses it the most for their systems, bids were sent to them to be evaluated.

L. Boswak moved to accept the bid from Mainstay Technologies (option 1 with 280 hours) for \$34,584. Motion seconded by T. Lizotte.

T. Lizotte asked if Mainstay Technologies was asked to provide a bid for 355 hours.

N. Comai asked to address issues brought up by Matt Mercier, Acapella Technologies during public input.

D. Jore explained each bid was different, experiences and costs were different. Only 2 companies (Mainstay Technologies and Acapella Technologies) offered bids based on number of hours. Some of the items included in the scope of work have been addressed by Mainstay technologies. These would have required additional hours from other vendors. The Town has gone through a lot of IT companies in the past and Mainstay Technologies has brought the Town's systems to where it is now.

V. Lembo stated the Town should give consideration to a company that could offer the same services for less money.

S. Lovas moved to amend the motion to limit the contract to one year. Motion seconded by J. Levesque. Motion carried unanimously.

Roll call vote on the amended motion to accept the bid for one year carried unanimously.

Revaluation Bid Award

The Town received the following bids for Residential, Commercial and Utilities Revaluations (Statistical Updates):

	Option A	Option B	Option C
Residential	Vision Appraisals \$63,000	Granite Hill Municipal Services \$65,500	Granite Hill Municipal Services \$65,500
Commercial	Vision Government Solutions \$34,000	Vision Government Solutions \$34,000	Property Valuation Advisors \$43,500
Utilities	George E. Sansoucy \$24,000	George E. Sansoucy \$24,400	George E. Sansoucy \$24,400
TOTAL	\$121,000	\$123,500	\$133,400

All three options recommend awarding the Utilities Revaluation for George E. Sansoucy for \$24,400. This is the only Utilities Revaluation bid received.

The Town Staff is recommending either Option A or B. Option A is the lowest bid.

M. Downer moved to accept Option A for a total amount of \$121,000. Motion seconded by T. Lizotte. Roll call vote carried unanimously.

N. Comai suggested discussing revaluation at the upcoming budget workshop. The warrant article for revaluation was rejected by the voters. This should be included in the CIP 5-year plan

Town Boards Membership – Conflict of Interest

N. Comai informed the Council that a current member of the Planning Board has been approached to be a member of the Economic Development Committee. There was a discussion at the Planning Board meeting regarding a potential conflict of interest.

L. Boswak stated this presents a conflict of interest for the same reasons the Council is proposing a charter amendment to remove the Town Administrator and the Department head as Planning Board members.

The Council is in agreement that this would present a conflict of interest.

T. Lizotte commented he'd like to know at some point how the Economic Development Study Committee had morphed into an Economic Development Committee.

L. Boswak suggested reviewing the charge of each Town Council Board Representatives at the Town Goal workshop.

SUB-COMMITTEE REPORTS

Heritage Commission – Chair J. Sullivan

The raised bed for the new sign is being worked on. Also working on providing irrigation.

Planning Board – S. Lovas

Webster Woods has been having problems with drainage. They requested for an extension, which was denied. They went before the board at their last meeting. They started working on the drainage issue, more work still needs to be done to resolve it completely.

PUBLIC INPUT

Don Winterton, 10 Prescott Heights: Regarding the Comcast Cable, taxes should be taxes and fees should be fees and transparency should be transparency. Use the fees for what it is for. If we need more money, raise the taxes. So everybody pays it and everybody sees it. I was the individual who was asked to be on the Economic Development Committee. I have already decided to not accept the position because of the potential conflict of interest. The Charter amendment that you are considering to take the Town Administrator and the Public Works Director off the Planning Board makes total sense. They should be there as an advisory to the board but not voters. Number 1, they are not residents of the Town and number 2, they should be there to aid people through the process. I would strongly support those charter amendments. This board should also consider looking at the Charter. The Charter requires 2% of registered voters for petitioned warrant articles and the State RSA only requires 25 signatures. To be transparent, we should make it easier for the public rather than make it harder.

M. Miville: I just want to remind you that the revaluation is on the CIP plan, \$30,000 for each year. We are already collecting for the next 4 years. The CIP plan is completed. It is going to the Planning Board for review. It's spread out evenly for about \$1 million per year and this year it's about \$960,000. Regarding Comcast Franchise fees, I guess we can view this as a special revenue fund. Even after the contract is signed there is still distinction between Comcast subscriptions and Town revenue funds. There is a difference between these two funds. One is a fee collected from Comcast subscribers and taxes are collected from all taxpayers. What you decide will be in effect for the next 8 years. If the intent is to wean off the fees, a clause should be in the contract to stipulate that, 3% for 2 years, 2% for the following 2 years, etc. Don't leave anything out of the contract. You talk about possibly targeting 1% for franchise fees. You need to say that in the contract. A tax rate increase resulting from a lower franchise fees would at least be charged to all taxpayers not just Comcast Cable subscribers. The decision should be documented one way or another either as a budget line or in the contract.

The Public Hearing (for all 3 public hearings) was closed at 9:53 pm.

NON-PUBLIC SESSION

M. Downer moved at 9:55 pm to enter into non-public session per RSA 91-A:3, II (c) "Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant."

Motion seconded by T. Lizotte. Roll call vote carried unanimously.

T. Lizotte moved at 10:01 pm to exit the non-public session. Motion seconded by V. Lembo. Roll call vote carried unanimously

The Council announced that they voted to seal the non-public minutes.

ADJOURNMENT

The meeting adjourned at 10:02 pm.

Respectfully submitted by,

Evelyn F. Horn
Administrative Assistant

John Danforth
Town Council Secretary