

TOWN COUNCIL MEETING MINUTES
Wednesday, September 25, 2013

CALL TO ORDER

Chair Sullivan called the meeting to order at 6:35 pm.

ROLL CALL – ATTENDANCE

James Sullivan, Nancy Comai, Donald Winterton, David Ross, James Levesque, Todd Lizotte, Susan Orr, Leslie Boswak, Robert Duhaime (arrived 6:39 pm)

MISSED

Dr. Dean E. Shankle, Jr. (Town Administrator)

PLEDGE OF ALLEGIANCE

A plaque in recognition of service to the Town Council was presented to Councilor Boswak.

APPROVAL OF MINUTES

- a. Public minutes of September 11, 2013

L. Boswak motioned to approve with edits. Seconded by T. Lizotte.

Vote unanimously in favor. S. Orr abstained (due to absence at prior meeting).

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

CONSENT AGENDA

- a. Donations to Heritage Commission: —\$200 donation from Korean ROTC officer's Chapter of New England, \$1000 from Taewon Jin d/b/a Phoenix Business Computing, two \$100 donations from local individuals and \$50 from a local veteran making a total of \$1,450.
- b. Southern New Hampshire Surety Bond Release and reassignment (See staff report for details)
- c. Donation to Police Department: radio from State of NH & US Dept of Homeland Security: value \$3,537.84
- d. Reduction in road maintenance bond for University Heights (see staff report for details)

T. Lizotte motioned to approve the consent agenda. Seconded by J. Levesque.

Vote unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

None

PUBLIC INPUT

None

NOMINATIONS AND APPOINTMENTS

- a. Hooksett Economic Development Advisory Committee: Leslie Boswak

T. Lizotte motioned to nominate Leslie Boswak to the Economic Development Advisory Committee.

S. Orr motioned to waive the rules and appoint immediately. Seconded by T. Lizotte.

Vote unanimously in favor.

D. Ross: She is not a resident yet; she is still a member of the Town Council so I don't think we can appoint her yet.

J. Sullivan: We can if we appoint her as of the date of her resignation.

D. Winterton: She is a member of the Economic Development Advisory Committee now; if we do it as of 10/1, we need a council replacement for her.

J. Sullivan: We can make a motion to appoint a councilor to serve on that board.

D. Winterton: I would be glad to take that place.

***T. Lizotte motioned to appoint Leslie Boswak to the Hooksett Economic Development Advisory Committee effective 10/1/13. Seconded by S. Orr.
Vote unanimously in favor.***

J. Sullivan: We need to appoint a councilor as of 10/1 on that board. Councilor Winterton has indicated he would like to serve.

D. Ross motioned to nominate Donald Winterton to the Economic Development Advisory Committee. Vote unanimously in favor.

D. Winterton: Is it appropriate for us to find a new vice chair as of 10/1?

J. Sullivan: We can do it now or wait.

D. Winterton motioned to nominate Nancy Comai as vice chair of the Hooksett Town Council, effective 10/1/13. Seconded by R. Duhaime.

J. Levesque motioned to nominate David Ross as vice chair.

Roll Call Vote

S. Orr - Comai

L. Boswak – Ross

N. Comai – Comai

R. Duhaime – Comai

D. Winterton – Comai

D. Ross – Ross

J. Levesque – Ross

T. Lizotte – Comai

J. Sullivan – Comai

Vote 6-3 in favor of Councilor Comai.

b. Hooksett Town Council Representative: Adam Jennings

N. Comai motioned to nominate Adam Jennings to the Hooksett Town Council.

J. Sullivan: At this point, a nominee typically comes up and tells us why you would like to serve.

A. Jennings: I moved to Hooksett 2 years ago after getting out of the army. We wanted to put roots down, and we came to Hooksett and fell in love with the place. My wife serves on the budget committee, and we want to keep this a great place to raise our kids.

N. Comai: When I met you at Old Home Days, I asked you about doing your homework before coming to a meeting, and you said...

A. Jennings: I always do my homework.

D. Winterton: What would your subcommittee choice? Those being conservation, planning, economic development, parks and rec, sewer, zoning, budget.

A. Jennings: All have certain aspects (other than sewer) that appeal to me. I like the idea of making Hooksett a good place for businesses to move – get that tax base, more people involved and new business. I think Economic Development probably.

D. Ross: When did you move here?

A. Jennings: March 2012

J. Sullivan: The Council will appoint within 30 days (October 1 is the deadline), so we will be appointing at our next meeting. Hopefully we will make arrangements to have someone sworn in.

S. Orr: Have we checked to make sure he is not in a district that cannot serve?

A. Jennings: I live in district 3 not 2 or 4.

J. Sullivan: The appointment of a new Councilor will be at our first meeting in October which is October 9.

D. Winterton: If someone else files before 10/1, would your time table be premature?

J. Sullivan: The charter specifies 30 days from resignation; we can do it 10/9 or wait another 2 weeks – whatever the Council wants to do. Are there any other nominations? Seeing none, we will proceed.

SCHEDULED APPOINTMENTS

- a. 13-82 Public Hearing on Ordinance 2013-1 "Relative to Qualifying Historic Buildings"
 - i. No further action on this for at least 7 days, per Charter 3.6.A.

J. Sullivan: *The Hooksett Town Council will be holding a public hearing at their meeting on Wednesday, September 25, 2013 at the Town Hall, Council Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to receive public input on proposed ordinance 2013-1, "An Ordinance Relative to Qualifying Historic Buildings". The purpose of this ordinance is the preservation of certain qualifying historic buildings to protect the knowledge of Hooksett's history, architecture and culture by assessing such buildings in accordance with, and using the process outlined in, NH RSA 79-G: 4-8. Copies of the proposed ordinance can be found on the web at www.hooksett.org on the Administration page, in the Town Clerk's office or in the Administration Department. Questions should be directed to the Administration Department. On behalf of the Council, I declare the public meeting open. Is there any public input on this?*

Don Riley, Secretary of Robie's Country Store Historic Preservation Corp.

Regarding SB 43, during the 2013 legislative session, SB 43 was enacted by both the NH senate and house and signed by Gov. Hassan. Contributions of many individuals combined for this result – Sen. Boutin, all representatives (Todd Smith, Tom Walsh, David Hess, Frank Kotowski) as well as other senators and representatives; Kathie Northrup, Councilor Boswak, Councilor Sullivan, Dr. Shankle and Jo Ann Duffy; as well as members of state agencies: Jen Goodman, Van Macleod, Elizabeth Muzzy, Steve Hamilton and others unknown to us who have been in support of this.

The general court hereby finds it to be in the public interest to encourage the preservation of certain qualifying historic buildings which are owned and maintained by an entity not organized for profit. These buildings are important in protecting and maintaining knowledge of New Hampshire and American history, architecture, and culture. It is further declared to be in the public interest to prevent the loss of qualifying historic buildings due to property taxation at values incompatible with their usage.

The bill has 2 provisions of note: It has to be qualifying historic bldg. (100 + yrs. old, on the National Registry of Historic places or the NH Registry of Historic Places); core structure must retain 75% of the original external features and be free from major external alterations and additions; must be owned by a non-profit entity - Robie's Country Store Historic Preservation Mission Statement: *To preserve the cultural and historical heritage of Robie's Country Store by maintaining the historical structure and controlling its use to create a living historical, educational, and cultural museum.* The historical purpose of the building (retail merchandise/sales) must be maintained and actively used for the same purpose and may include public display of historic artifacts; it cannot exceed 3000 square feet. All of those conditions are met.

Second provision is the assessing officials adopting the provisions of this chapter shall appraise the qualifying historic building and land at not more than 10% of market value. SB43 provides definitional clarity which is in concert with the Robie's Country Store Historic Preservation Corp mission as well as an avenue for property tax relief. These two components of SB 43 will help to assure the preservation of cultural and historical heritage of Robie's Country Store in the same historic purpose well into the future. I respectfully request you to enact the provisions of SB 43.

J. Sullivan: Is there any other input? The council has copies of the ordinance that appears on the website. The items Mr. Riley mentions are clearly identified. We will hold off until our 2nd public input for any additional comment. Seeing no other input, we will proceed.

b. Parks & Recreation Committee Chair Thomas Prasol - Update
Tom Prasol, 27 Crawford Lane, Hooksett, Chairman of Parks and Rec Committee:

- Last meeting was last week; Leo Lessard updated on department happenings
- Pinnacle: sign is up; picnic table put in; plaque going up thanking donors – still being looked at
- Petersbrook – slopes hydro seeded; washed out part of that by recent rainstorms; re-hydro seed by spring; 2 growing seasons before use; potential for ground water issue – monitored by Leo
- Donati – eagle scouts erected info kiosk for visitors
- Impact fees – everything allocated until 2015; not in danger of losing anything
- Recreation 5-year plan – ongoing and being looked at; invited members of Conservation Committee to attend our next meeting to be a part of the process; our next meeting is 10/15 at 7 pm at town hall; what are your thoughts on what you would like to see in the next 5 years.
- Newer issue – update of website for parks & rec; advisory board site has a link to recreation – Google map shows where all recreational fields are located. Directions are provided; looking to get GPS routes for trails (Pinnacle) so we can include that when Pinnacle is clicked on. Coordinating effort to further update with pictures and other website links. Our site is a little hard to find; would like to work on a way to get on the home page for someone who is looking to move here, playing recreational sports, etc. We are hoping to revamp the website.

S. Orr: Is your department also responsible for dog parks?

T. Prasol: Yes, it does fall under the advisory board.

S. Orr: I had a friend coming by and we did some research on dog parks in NH. They are showing up on some websites, not all of them. Maybe try contacting sites that list dog parks in NH to get on those sites?

T. Prasol: Even if there is a specific site for dog parks in Hooksett. Great idea.

T. Lizotte: The Petersbrook seeding – Manchester Sand and Gravel has piles of stone, dirt, gravel, etc...when do they expect to have that leveled out?

J. Sullivan: Mr. Lessard can you answer?

L. Lessard: They were planning on having that done by this fall but ran into conflicts, so they are still hoping for fall, late fall.

T. Lizotte: By late fall – November?

L. Lessard: Yes. They still have quite a bit to move; before they loam it I want to do electrical work.

T. Lizotte: Is there an updated layout?

L. Lessard: No, still the same.

R. Duhaime: On the Pinnacle – is there going to be a motion light for security? There isn't one there now.

T. Prasol: I will check with Conservation Committee. We can look into that and Councilor Comai can update you.

OLD BUSINESS

a. 13-64 Community-building: Youth Initiative, Old Home Day Booth, pledge, other
J. Sullivan: The youth initiative how is that going Mr. Winterton?

D. Winterton: The subcommittee met last week; we will meet monthly before the 2nd Town Council meeting of the month. We went into nonpublic and selected a youth achiever of the month that will be

presented on 10/9; I have communicated with winner's parents and Hooksett Banner will write a story post award. I talked to a number of groups at Old Home Days and got positive response. This is being received in a positive manner; youth will be recognized for achievements.

J. Sullivan: You mentioned Old Home Days; we did have a booth. Can you update us, Todd?

T. Lizotte: We were all there at some point during the event - I know Chairman Sullivan was busy with the Lions. A lot of people were interested in development (SNHU) as well as excited about Bass Pro. No negative comments, things are going well. There is always the issue of taxes not increasing but overall my interactions were positive, and they liked the fact we were there at the event.

N. Comai: I would like to recognize Donna and Katie for work they did; assistant planner Carolyn Cronin was also there. They put together and organized a phenomenal amount of materials to pass out. It was seamless and there were no problems.

J. Sullivan: Since you mention Donna and Katie – anything else?

D. Fitzpatrick: Nan, your banner?

N. Comai: Pepsi donated a banner and Donna put Hooksett Old Home Day 2013 with the seal and people came by and signed it. They asked where we are going, community building effort – good first step. Carrie Hyde deserves a big thank you. The whole thing was great.

J. Levesque: A lot of people were happy to see a Town Councilor there, especially pictures of Bass Pro and 1-93 rest areas (knew about it but liked seeing pictures); banner was a good idea. Katie and Donna did an exceptional job – ran like clockwork.

D. Winterton: Ditto.

J. Sullivan: Councilor Boswak started the idea of community building, Mr. Winterton with youth achievement award - momentum is building; pledge is being worked on. It's good to be out there.

b. 13-88 Update on Police Communications System

J. Sullivan: Chief Bartlett is here to update us.

Chief Bartlett: This is Brian Perusda, the primary engineer from Ossipee Mountain Electronics; I don't have the technical savvy to answer some questions you might have. As the lightning strike damage moves forward, we had an onsite visit from LGC adjuster along with their own engineer. LGC is only willing to pay \$100,318 from initial \$261,000 in damage because the current system we have has parts available to repair at that cost. It leaves no guarantee that it will be operational for any given time and will no longer be supported by Motorola. We did some trimming to try to get this system to what we talked about at the last meeting on September 11. We currently have 3 operator positions in the dispatch center and we only need 2 – that eliminates \$25,000 off the top. In doing work up of the figures from Motorola (to replace with brand new equipment) = \$149,950 for 2 dispatch console positions; additionally we will need to do 2 remote radios (bathroom, kitchen) = \$7,500. There is also \$5,000 in labor they have already provided that needs to be paid. In looking to improve the system and make it more modern, we are looking at a brand new infrastructure for \$60,000, microwave link at a cost of \$65,000, 14 cruiser radios at \$68,600 for a grand total of \$255,732. We are not getting portable walkie talkies and the current portable radios are programmable to new equipment. We can eliminate \$65,000 by not replacing those and I'm comfortable with that. With \$225,000 in CIP, the total cost of \$255,000 means we are only shy \$30,000 which was approved at the last meeting. I think we are in line with where we need to be. I'm a little disappointed by not getting as much as we could have from the insurance company, but we are looking at the same figures we were last time. This is the best course of action at this point.

N. Comai: If we get \$100,000 from insurance plus \$225,000 in CIP is \$325,000. If the cost is \$255,732, we have plenty of money and then some. Or is it \$255 plus something else? What is the whole total?

Chief Bartlett: The whole total is \$255,732.

N. Comai: Then we have plenty of money.

Chief Bartlett: You are right; I was adding the \$100,000.

J. Sullivan: In looking at last meeting's minutes, we were at \$509,000. Is the figure you proposed the same?

Chief Bartlett: We are eliminating \$65,000 in radio costs and one dispatch console at \$25,000. Mr. Perusda has been working with Motorola to get discounts.

B. Perusda: That dollar amount (\$500,000+) was the product at manufacturer suggested price; did not include the discounts we have gone after as well as purchasing all like equipment at once from the manufacturer. There are state contracts available that all this equipment falls under; for the meeting 2 weeks ago, that was more of a budget number we were trying to get to you at the last minute – not to exceed that number.

J. Sullivan: The total package is \$255,000?

Chief Bartlett: \$255,732

N. Comai: We have \$355,318 so we have plenty.

J. Sullivan: \$225,000 in CIP plus \$100,000 from insurance so that is \$355,000. If the package is \$255,000 some of the items you don't think we can get, we can actually get.

Chief Bartlett: We had initially done the proposal for 11 more upgraded portable radios.

J. Sullivan: The motions from 9/11 are sufficient to cover what you and the Administrator deem appropriate. No additional motions are needed.

R. Duhaime: Can you come back and update when it's completed and operational?

D. Ross: There was a significant change in insurance adjustment...was any outside adjuster brought in?

Chief Bartlett: LGC sent in a rep from the property liability group and their own radio engineering expert (Cliff). That's the number given to us as what they are willing to give us without any negotiation. \$261,000 is based on figures OME worked up saying these consoles are no longer supported by Motorola. With the \$100,000 from the insurance, it doesn't guarantee the radio will be functional or will work for a certain length of time.

D. Ross: I would like to see a little pushback; that's a huge difference. Is there any other avenue (public adjuster)?

Chief Bartlett: I can confer with Dr. Shankle. I'm not sure how the town's agreement with LGC for property liability works.

D. Ross: Sometimes it's worth pushing back one more time; we need to be good stewards of taxpayers' money. When you come into dealing with "replacement of like," it's not really like anymore when it's repaired. You can challenge the insurance definition.

Chief Bartlett: I had a conversation with LGC and said if we buy parts and install them and it doesn't work, where does that leave us? They had that in mind when they left. I'll confer with Dr. Shankle relative as to how they compiled their figures.

B. Perusda: The equipment you are getting is more advanced than what you have. The insurance company feels they want to replace apples to apples vs. upgrading. I feel that we really built the equipment list to replace everything that could possibly fail. Their number of \$100,000 is more than it cost 10 years ago.

D. Ross: Getting the right equipment is the obvious thing to do, but sometimes an extra push gets a little bit more.

T. Lizotte: I was of the mindset that if it gets hit by lightning, you can control it. Is anything going to be done to alleviate or harden the system; and based on these calculations, would you consider a 3rd console as a backup in case something happens again?

B. Perusda: As far as lighting, approximately 10 years ago, extra work was done to beef up points of electrical entrance (A/C, RF antennas). What is there is more than adequate by today's standards for R56 compliance (Motorola standard). We are looking to increase lightning protection on the A/C side – we will be adding additional equipment to protect further. You never know where any lightning strike will come out – we try our best to keep it to a minimum.

Chief Bartlett: In looking at the 3 positions with only 2 dispatchers max, the other console would not get a lot of use; we are not using it for fire and medical anymore. I would be hard pressed to spend that money. I will ponder that, but I can't see spending money if we don't need it.

N. Comai: If you only take \$255,000 out of \$325,000 on hand, you would still have \$75,000 in the CIP and you could still purchase another one in the future.

Chief Bartlett: I would want to spend the dollars wisely and if I don't need the 3rd one, I don't want to spend it. The vote on the table from last meeting and with the numbers we have I'm confident we can move forward, is that correct?

J. Sullivan: Yes.

NEW BUSINESS

a. 13-89 Update on Re-valuation

LeeAnn Moynihan - Assessing update:

- Here to review where we are at with the revaluation – occurs every 5 years
- Vision Government Solutions doing the revaluations
- Letters went out with preliminary values; received by Thurs; hearings this week – informal hearings if any questions and part of next week (residential and commercial); looking for final numbers by 10/5
- Last revaluation in 2008, 500 hearings were held; so far we have had 100 – hearings are way down since a lot of the values went down
- New letters will go out indicating final values
- Report ready for Council to sign on 10/23; anticipating a tax rate by Nov 1
- Preliminary (pre-hearing) numbers are:
 - Overall assessment went down 4%
 - Commercial up 9%
 - Residential down 10%
 - Vacant land down 4%
 - Condos down 13%
 - Mobile homes down 15%

L. Boswak: The location of the hearings is incorrect in the letters. Can we put something on the website with the correct info?

L. Moynihan: Yes. They sent letters last Tuesday, indicating residents had until 9/23 to make appointments, which was not a lot of time but they will accommodate everyone with later appointments if necessary.

N. Comai: At the BOA meeting tonight we received a revaluation status report. I had asked him to put numbers against these percentages to bring to the next Council meeting to show what the weighted amounts are because you can't tell where we are going to end up.

L. Moynihan: By the time we come back at the next meeting, we will have the final numbers for you.

J. Sullivan: We will see you on 10/23.

L. Moynihan: The final numbers will not ready by your next meeting on 10/9 so it will have to be the 23rd.

T. Lizotte: The timeline – how long will the extension of hearings go?

L. Moynihan: For the next 2 weeks; they can call assessing if they can't get through to Vision.

b. 13-90 Discussion of Engineering services

Joanne Duffy and Leo Lessard

J. Duffy: We have an update on the engineering services for the town. At your last meeting, Councilor Winterton made a motion asking the Town Administrator to work with staff and look at different ideas for engineering services for the town. We currently use Stantec; prior to that was Duframe Henry. We have been using outside consulting for a number of years. Prior to that in house engineer was the director of Public Works. We looked at what other communities are doing; there are a few RFP's for consulting engineers from towns comparable to us. I also have a draft contract from Stantec from several years ago (never approved). Since 2006, we have taken in and deposited into escrow accounts \$1,993,198 (\$332,000/year) paid to Stantec for site plan review, subdivision review and construction monitoring. In 2012 we monitored construction and it dropped to \$63,000; Stantec has been paid \$11,000 year to date for 2013. Comparable towns with an in-house engineer: Londonderry, Windham, Bedford, Derry, Goffstown, Exeter, Hudson, Portsmouth, Jaffrey and Merrimack.

J. Sullivan: In reviewing the cost of an outside agent vs. in town (hiring new position), it states this would be self-funding but the cost to developers would be reduced. Services would be provided by the town. The proposal is to look at hiring a position that is self-funding. Correct?

J. Duffy: Yes.

J. Sullivan: The figures of 2013-2014 (\$10,000) will not be enough to cover cost of a new hire.

L. Lessard: 2013-2014 just started in July.

J. Duffy: That is just plan review not construction monitoring.

J. Sullivan: Based on 2012-2013, the wage of a new hire would be within that \$62,000 range.

J. Duffy: Not including benefits.

L. Lessard: With benefits it would come out to about \$92,000-\$93,000; their average since 2006-2007 of just plan reviews is \$300,000/year; we should have plenty.

J. Levesque: Construction monitoring cost – these are oversights by our DPW and this is what we charge the contractors. How much would the bottom line of \$7700 have been if those jobs had been done by Stantec?

L. Lessard: Our hourly rate is \$65/hr which was approved by the Council last year; Stantec's rate is \$113/hour.

J. Levesque: None of that \$113 goes to town of Hooksett?

L. Lessard: Correct; for us to monitor – we go in for an hour or two, monitor other places and come back. We don't sit there all day. They don't know when we are coming.

J. Levesque: I think it's a good thing to have it in-house; the cost is reasonable and we are not paying for someone to babysit them all day. We need to train more people in your department to take over. Once they bring up discrepancies on a plan, it would be up to your department and Joanne's department to get them corrected.

J. Duffy: We would use outside consulting firms for other projects – specialty items.

L. Lessard: All towns listed still have a 3rd party firm for specialty items, even though they have in-house engineers.

J. Duffy: There is an RSA 676:4-b that gives the planning board authority to hire 3rd party review; I sent an email to the planning board letting them know we are coming here this evening. Chair of board is here tonight with a couple other planning board members.

L. Boswak: I'd like to request that finance prepare a complete schedule of the cost to have an engineer complete with benefits so we can be assured it will be completely funded. How are fees going to work with these specialty services? We aren't going to get an engineer in for \$62,000 that's going to be able to handle a lot of the larger commercial projects that we have.

L. Lessard: The in house engineer does reviews, the developer comes in and we see something that is a specialty item, we tell them we have to have a 3rd party review and they pay a fee for that item, the rest is on us.

D. Winterton: Would there be other functions that an engineer can do?

L. Lessard: Yes, plan reviews/monitoring, play a big part in MS-4 drainage studies. We are adapted to it already since we dump into the Merrimack River – we have to comply with certain regulations. We have 15 sources – the new MS-4 for 2014 will cause a lot of havoc and get really heavy. Some towns are already talking over \$1 million in engineering fees yearly to do these studies. If we have our own on board, doesn't mean it's going to be completely nothing. I took over some things from Stantec but some items still need to be sent out (water testing). I don't have the time or personnel to do that. This person will be able to do that, chase grant money. We can keep them busy.

D. Winterton: If we didn't hire a person and we had to outsource MS-4, what would we be billed for that typically?

L. Lessard: It's hard to say. Bigger cities are talking a lot of money. I really can't say right now.

J. Duffy: \$95-\$120/hour

L. Lessard: Stantec has and in-house lab fee, outsource for testing fee. We will have those fees. With that I would say minimum would be at least \$10,000 maybe more.

R. Duhaime: When was the last time we put this out to bid?

J. Duffy: To my knowledge, I don't think we ever have.

R. Duhaime: Even if we don't hire an employee, the bid process is overdue.

J. Duffy: If that is what you decide, it should be limited to those who do not do business in town so there is not a conflict.

J. Sullivan: Are there any comments from the planning board attendees?

David Rogers (planning board chair): This is a relatively new concept; we haven't had a planning board meeting for a couple of weeks and our next meeting is 10/7 and will have further discussion. Makes sense according to what I have seen; to bring on new employee may or may not work, sending it out to bid might need to be explored. I think conceptually it makes sense to analyze and make some decisions going forward.

F. Kotowski: I think time is long past since we should have thought of this. I'm glad the Council is looking at this. I see benefits to having our own engineer, like control. This person works for the town and assists developers and will be able to respond quickly. There is a lot of engineering work that goes on in town that we don't bill for (Petersbrook, Pinnacle, Head's Pond Trail). I see looking beyond just working

with developers. Planning and economic development group are doing a great job – thanks to Leo and Joanne for bringing innovative processes to your attention. The planning board has not made a decision if this should happen or not but we are eager to talk about it and get your thoughts. Personally, I think we should move forward.

J. Sullivan: The indication is we should proceed. Councilor Boswak asked for cost of salary and benefits, job description and how it fits into the administrative code. We should make a motion to direct the Town Administrator to provide a job description, salary, etc. if we want to proceed.

T. Lizotte: We might want to let planning have their meeting. We can bring this up at our next meeting. I'd like to see what the planning board comes up with. If they have a consensus to move forward, we can pull the trigger to start getting all that information.

J. Sullivan: In the meantime, the Town Administrator can work on job description, pay, and so forth. We will hold off and have it on the agenda at the discretion of the Town Administrator.

D. Rogers: Our next meeting is 10/7 and yours is 10/9 so we might have some direction in time for your meeting on the 9th.

J. Duffy: The next item on the agenda does not need to be discussed. We were trying to work with Ritchie Brothers having them not to renew their bond but the bank would not give them an extension.

15 MINUTE RECESS

J. Sullivan: To clarify the amount on the total package of police equipment, the Chief will explain the numbers on how the total package is \$255,000.

Chief Bartlett: My mistake; I never mentioned total dollar amount \$355,750 - \$100,318 (from insurance) = \$255,732 - \$225,000 (CIP) = \$30,000 needed to find in my budget.

c. 13-92 Quarterly Report

Christine Soucie, Finance

C. Soucie: 6/30/13 was quarter end and fiscal year end. All numbers are general fund operations, not special accounts. We ended with a surplus of \$519,528 (96% spent); rolling over to fund balance. Over the last 3 years, this is the target we have been seeing. Budget dropped slightly due to paying off safety center; 2013 was the last payment on TIFF (exit 10).

Revenue ended over budget 595,000 (113% collected) – anticipated \$4.6M, collected \$5.2M.

Police gave back \$269,000 unspent; second highest is \$125,000 from recycling and transfer (due to automated collection). Family services spent 98% of budget. We assisted \$155,000 for family services – highest since 2009-2010. It was a large year – not sure why but hopefully the trend is it will go back down. Administration at 98% spent (prior year was 98%, year before was 104%). They have to deal with legal services. We didn't have enough money so we did budget transfers to cover. Fire rescue at 98% is consistent with previous years. They had to deal with increased employer rates which was incorporated in the budget and union contract that is why their budget goes up. Public works spent 100% and are hopeful FEMA will come through with the money they said they were going to give us. They struggle with vehicle maintenance; they spent \$107,000 this year, prior year was \$116,000. I would assume the fleet is aging, getting more expensive to maintain. Recycle and transfer – 89% spent; most of savings was not paying for recycling materials going into trash. Recycling doubled over last year – 1500 tons vs. 700 prior year.

Revenue: Motor Vehicles – increase in amount collected \$2.7M (108% of budget). There was no increase in number of vehicles being registered. Assumption is vehicles were newer, more expensive models. Next item is interest and penalties on taxes – we don't want to charge interest and penalties for people not paying taxes on time, but that gets people to pay taxes- people are not motivated to pay off taxes when we aren't deeding.

N. Comai: The \$516,606 – does that include the taxes collected or just penalties and fees?

C. Soucie: Just the interest and penalties. One major developer sold property and had a couple years outstanding and in the process of selling, that cleared up all the fees. Building permits were \$111,000; budget was \$65,000. It's hit or miss on that budget and hard to predict. State revenues have been level for last 3 years; other revenue: we got a reimbursement from LGC for health and dental as well as property liability. That is reflected in 2013 budget year = \$240,000 to the town.

D. Winterton: Is that covered under insurance payments?

C. Soucie: Yes.

T. Lizotte: Where are taxes collected reflected? Is that revenue? Outstanding back taxes that get paid - how is it reflected in the balance sheet?

C. Soucie: We show income in the year the bill went out; when it's not collected it goes into receivable, and when it's paid it reverses that receivable.

R. Duhaime: You mentioned vehicle maintenance for public works is increasing.

C. Soucie: \$107 this year for highway vehicle maintenance, \$116 last year; the number was much lower the years prior to the last 2 years.

J. Sullivan: These figures are from when?

C. Soucie: July 2012 – June 30 2013, the full year.

J. Sullivan: So when you come back, the update will be from July 1 to the time you come in?

C. Soucie: Yes.

d. 13-93 MS-5

**N. Comai motioned to authorize the Town Council to sign the 2013 MS-5 Financial Report of the Town or City Budget. Seconded by T. Lizotte.
Vote unanimously in favor.**

e. 13-94 Fund Balance Policy

C. Soucie: GASB requires an annual review and approval; this is the same policy as last year. Important part in section 5 – unassigned fund balance – minimum balance is 5% of the general fund and the target balance is 8%. As of 6/30/12, we had 6% or \$2.4M; this year we increased to \$3.1M – the percentage is based on appropriations and we don't have all those numbers, but it is in an upward motion so that is good.

J. Sullivan: The reason for a solid fund balance policy is for what?

C. Soucie: It protects the town against unknown costs such as the sewer disk clean up. The only ways to use the fund balance is to ask voters in warrant articles or reduce tax rates.

J. Sullivan: Fiscal impact: a low unassigned fund balance can be viewed as an indicator of financial instability, which can negatively affect bond ratings and interest rate options.

C. Soucie: Our bond rating – we don't have any projects we are thinking about bonding this year, but it has an impact on how healthy the community is. The bonding companies look at the unassigned fund balance – can we meet the future expenses?

R. Duhaime: 8% is the lowest we can go and 17% is the highest? Is that correct?

T. Lizotte: The DRA is recommending 17%; the prior Council agreed we would strive toward 8% realizing in certain times we might consider retracting in order to reduce the tax rate.

S. Orr: It's higher than it's been previously.

C. Soucie: Yes, it's been under 5% for a few years but now we are increasing. The DRA recommends 8-17%, but town policy says to work toward maintaining 8%.

N. Comai: I think the bond rating percentage is different than that so all these numbers are different.

J. Sullivan: This is a policy on how we are doing it – not a vote on hitting 8%?

C. Soucie: Correct. This is just the policy. We are not setting the tax rate or saying how much will go to tax rate.

**S. Orr motioned to approve the Fund Balance Policy with no changes as presented. Seconded by R. Duhaime.
Vote unanimously in favor.**

f. 13-95 Investment Policy

C. Soucie: This is reviewed and adopted annually. The current policy was adopted last year. This is the town treasurer's policy – guidelines on how she is going to invest. NH has limited resources or limited vehicles we can invest in. The auditor and treasurer had no changes.

S. Orr motioned to approve the Town of Hooksett investment policy as presented. Seconded by T. Lizotte.

S. Orr: Usually there is a graph that talks about investments and how they are doing. That isn't in this report. How are they doing?

C. Soucie: Still low, no interest rate movement. We earned \$17,000 last fiscal year; a few years ago we were at \$.5 million.

S. Orr: We have a person to invest – is this a staff person or somebody (investment agency) we use?

C. Soucie: A part-time appointed treasurer.

S. Orr: Is there someone else who collaborates with her when she makes these decisions?

C. Soucie: She keeps me in the loop, and reports to the Town Administrator quarterly.

J. Sullivan: How do you work with the trustees of the trust fund?

C. Soucie: The trustees of trust fund are long term investments; they have a different set of statutes in which they can invest because there is more protection in that money. There are different rules for both parties. This is very short term – it has to be liquid in the fiscal year.

J. Sullivan: RSA 41:29 refers to town treasurer in this investment and the trustees of trust fund follows another set of statutes?

C. Soucie: Yes.

S. Orr: Have you done a comparison of our funds compared to other towns? I would just like to see where we sit compared to everybody else and how are our investments doing?

C. Soucie: She would like to do that. She puts in a lot of thought and time and effort. She does have a relationship with several banks to see where the best rates are.

J. Sullivan: Can we request the Town Administrator to have her come in and give us a report at a future meeting? We have to meet with her yearly anyway.

R. Duhaime: On that 8% balance are there rules or internal controls? Does one have anything to do with the other?

C. Soucie: The fund balance is made up of a lot of elements, not all cash. If the town liquidated on 6/30 what is the net result? If we sold property, collected uncollected taxes, etc., not cash in the bank. By having a larger fund balance the treasurer has felt that and she has more money in the time right before we issue tax bills. The tax bills are going out later this year but she feels we will have enough cash to continue operations until tax bills are mailed out. That is a reflection of the higher fund balance. That's the connection.

N. Comai: I noticed it is not signed by Dr. Shankle. Can we assume he concurs?

J. Sullivan: Sans his recommendation, let's vote on the motion.

Vote unanimously in favor

g. 13-96 Transfer of School Impact Fees

T. Lizotte motioned to transfer \$250,511.30 from the School Impact Fee Special Revenue fund to the Hooksett School District. Seconded by R. Duhaime.

C. Soucie: This is the annual transfer we do because we collect impact fees for the school. In 2003 when they built Cawley and renovated Memorial, it was determined that impact fees could be used to pay that off. Every year Council transfers those fees to the school to lower the tax burden.

D. Winterton: Whatever impact fees that are collected for school, are all applied to their bonding? Or just apply what is necessary?

C. Soucie: 100% is applied each year as revenue to the school district to lower taxes.

D. Winterton: Does that money go to the bond or the school general fund?

C. Soucie: It's the same thing – it goes to offset the cost that taxpayers pay for school budget. In that budget is the bond payment. Every year it goes to their revenue to reduce tax payments for schools.

D. Winterton: Do you know what their bonding costs are per year? If bonding costs are less than \$250,000 where is the rest of the money going?

C. Soucie: It's in the millions each year.

Roll Call Vote

T. Lizotte – Yes

S. Orr - Yes

L. Boswak – Yes

N. Comai – Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross – Yes

J. Levesque – Yes

J. Sullivan – Yes

Vote unanimously in favor.

h. 13-97 Recycling Transfer bid: Skid steer

Diane Boyce: We received 4 bids and Bobcat is the lowest at \$28,599. We have \$30,000 approved from the solid waste disposal fund. We would like to add a warranty to bring the total cost to \$30,701. The remainder of the funds will come out of our regular budget.

R. Duhaime motioned to approve the transfer of remaining funds. Seconded by L. Boswak.

D. Winterton: What is the difference between the S510 and S570?

D. Boyce: The S570 has a vertical lift and we don't need that.

N. Comai: The voters approved \$30,000.

D. Boyce: That's why I am asking for the extra money to come out of our regular budget. We hopefully will not need a new drive train but with the cost of maintenance we figured it would be a safe package to buy.

J. Sullivan: There is no problem to exceed the amount of the warrant article and take the remainder out of the budget correct?

D. Boyce: I believe we did that with the automated trucks too – additional money came out of the budget.

J. Sullivan: Christine says we are allowed to do that if there were any concerns.

Roll Call Vote

J. Levesque – Yes

T. Lizotte – Yes

S. Orr - Yes

L. Boswak – Yes

N. Comai – Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross – Yes

J. Sullivan – Yes

Vote unanimously in favor.

i. 13-98 Recycling Transfer bid: Pick-up truck

D. Boyce: ¾ ton pick-up with plow; we received 5 bids and would like to stay with Ford and go with Grappone Auto. We would also like to add a 7 year warranty bringing the total to \$32,768. We had asked for \$38,000 so we would be keeping some money in the fund.

L. Boswak motioned to approve the purchase for a total of \$32,768. Seconded by J. Levesque.

D. Winterton: I can understand the extra warranty with a Bobcat but I would think a pick-up truck would be standard maintenance.

D. Boyce: We are doing more plowing and maintenance this year; this is a comfort as the maintenance cost is skyrocketing. We thought it was smart thing to do.

D. Winterton: Was this discussed with the maintenance department?

D. Boyce: Yes and they concurred.

D. Ross: What is the current balance of the fund?

C. Soucie: \$211,000 minus the 2 expenditures (\$68,000).

Roll Call Vote

D. Ross – Yes

J. Levesque – Yes

T. Lizotte – Yes

S. Orr - Yes

L. Boswak – Yes

N. Comai – Yes

R. Duhaime – Yes

D. Winterton – Yes

J. Sullivan – Yes

Vote unanimously in favor.

j. 13-99 Mandatory Recycling Ordinance

J. Sullivan: We need to have a hearing before we vote on an ordinance.

D. Boyce: I feel anything we can do to save money we should; we have a perfectly good system/facility for drop off. We should move forward on mandatory recycling. A lot of people think we are ok as far as our numbers, but we can do better. Education is important. Focus would be on people who don't want to do it and refuse to participate in the program. We have recycling and trash drop off at the facility. We can't make it any easier; but we need to educate people on how this will help them save money on taxes. The proposed ordinance is in the package – very few changes except for the enforcement section.

J. Sullivan: We asked for public input and one of the issues was enforcement; we didn't want to be trash police.

D. Boyce: There is not enough staff to be trash police.

J. Sullivan: How did you come up with the enforcement aspect?

D. Boyce: I did research on communities that have mandatory recycling and there are not a lot of issues out there. I put down what I thought we should do first. If we see something, we send a letter for a first violation; second violation is a written warning. We do want to educate people – they want to do the right thing. Next violation is discontinuation of service. Enforcement at the facility is the same thing – if they refuse to follow the rules we can terminate the use of the facility for a period of time. We don't want to fine immediately.

J. Sullivan: Third violation - will result in loss of collection. That could be up to your judgment – could we use "may" since there may be some extenuating circumstances?

N. Comai: In the second violation we should mention what the third violation will be so they know.

L. Boswak: In the facility you mention you would talk to them. I would recommend following the same procedure.

J. Levesque: Most people are into recycling. Some of the things people put in the trash – with our transfer committee we hear a lot of stories and Diane takes care of these with letters and phone calls. There are just a few out there that don't want to participate. She needs to have a little authority.

R. Duhaime: The rules in Massachusetts are much tougher. If they can't comply, I think a little enforcement is needed.

D. Ross: There is a recurring theme – people putting non recyclables into recycle barrel. My problem is the wording "*shall be required that all designated recyclable materials will be separated from the solid waste stream and disposed of in the approved recycling containers...*" So if a Pepsi bottle ends up in the black barrel, that is a violation of this ordinance. The other is the barrel has to be out by 7 am on collection day. I don't put it out each week. I think there is a lot of unnecessary law here. We allow these laws to be passed – we're not going to enforce but it's a law and someone in the future is a "trash Nazi." I consider this to be overly infringing on people's rights. If you have egregious situations, we have a littering ordinance that covers that. The town owns the barrels – there is an ordinance for that also. I think before we start to consider this, we need a better version.

J. Sullivan: We are not in the official stage yet. We need to make sure we critique this so we know it would be worth doing. We want to introduce it and when someone believes it's time to propose, we want to make sure we have crossed all the t's.

D. Ross: Let's take things one step at a time - the problem is not that we aren't recycling enough; the problem is at transfer station and with the barrels. If we are moving forward, let's write an ordinance regulating what goes in the recycle barrel, not what goes in the black barrel (beyond the littering ordinance). Let's address the problem. Let's not start down another path when we really only need something 4 or 5 sentences long.

S. Orr: When we brought this forward it went to the voters; we are doing it as a mandate from the voters. We need to put something forward. I'm not reading it that strictly... *It will be the residents' responsibility to assure that automated collection carts are placed in the appropriate location designated by the Town, by 7:00 am on collection day.* Nothing is mandating you to do it every week. It just says that if you are putting it out, it has to be out by 7 am. We need to be careful about how we word it – this ordinance for trash is in place already correct? The only thing added to this is the enforcement. This is something already existing and approved.

D. Boyce: It was approved by the Council since before we started the automated collection.

S. Orr: We can edit and change some of the language if we think we need to make changes. This is nothing new. The only new thing is the enforcement. I think in each letter, you need to make it clear what step by step the regulations are. This is a mild policy. More and more towns are much stricter. You have put some thought into this. We want to encourage recycling and those refusing that if you refuse, there will be consequences for not participating.

J. Sullivan: For clarity, can you highlight new areas that are being introduced next time we discuss? We are not going to rush through this.

D. Boyce: I will make sure we have color copies next time so you can see the changes.

T. Lizotte: I'd like to see – if we are creating this enforcement and it yields a 2% increase in recycling, I don't think we need it. I'd like to see some sample data. I weighed trash – with a 2-barrel system you are limited. My experiment is I'm having a hard time going ½ way through the second barrel. It's also lifestyle – I decided to switch to jugs of water instead of bottles. I've done other things to reduce the amount of things that impact weight. We doubled the amount of recycling – by doubling it are we near capacity or not? I know getting back to transfer station it is town property – I don't mind the idea of looking at the enforcement piece and stating that it's town property. Unless we have data that it will make a significant increase, I don't think it's necessary.

S. Orr: I partially agree – I reduce and I don't buy bottled water. I am cautious about packaging; my other point is if this went to vote and the voters said no, we wouldn't be having this conversation. They voted they wanted mandatory recycling. We can't sit here and say we can't do it. The voters said yes and we need to have that mindset.

J. Sullivan: We are going to approach this when we proceed as something that doesn't make the Council the "trash police." We want to allow exceptions. It's the person who is deliberately adding non-recycling items into recycling barrels. We are not in a rush for this.

D. Winterton: The warrant article directed us to explore, not implement mandatory recycling. I wish everyone recycled every possible thing. We hear about the 1% in this world – I get upset when we make rules for the 99% that aren't doing anything wrong. Rather, find a way to deal with the 1% than mandate something for the 99% that do things right. I support Todd's suggestion we start at the transfer station. How do you enforce that without a trash Nazi there? People can throw in whatever they want. Sometimes you get more with the carrot than the stick. Maybe we can design a carrot for people who haven't jumped in.

L. Boswak: I wanted follow up on what Councilor Winterton said. It was to explore the mandatory recycling effort. There was discussion at the deliberative session where we talked about the 1% - we do need to deal with the problems. We need to be careful moving forward because I think we could send a wrong message even with the best intentions.

R. Duhaime: 30 years ago nobody bought bottled water. Things have changed. 30 years from now these rules will change too. I trust Diane's judgment to use enforcement.

N. Comai: My 2 points are the admirable article in the paper – I want to thank you for doing that because it was very helpful. And maybe we ask Dr. Shankle to mention in an upcoming article that the Council is serious about exploring mandatory recycling so the voters know we are moving forward – educate the

public and keeping them informed. I concur with Councilor Ross – let's fix what the problem is and not have 15 pages of rules and regulations for the 1%.

T. Lizotte: When we develop an ordinance there are questions about people getting away with it (waivers). I also believe we are at the top of what we can tax people; they are struggling as it is. We should think about a little give and take. It can get complicated and I would rather not have people in here wasting their time and our time; I would like to have more hard data to understand the size of the impact that the recycling department will stand behind.

D. Boyce: Hard data is hard to get unless I get into everybody's trash. It's a lifestyle and is a hard thing to get data on. It's hard to be exact.

J. Sullivan: Until one of us offers an ordinance we aren't going to proceed with the official protocol. Diane you have our issues – getting a redlined ordinance would help. Until we are satisfied we are not going to place this ordinance for public hearing. We're not stalling but we want to do due diligence.

S. Orr: I pulled up the ballot, Article 23 read *"to see if the town will vote to establish mandatory recycling for the curbside collection program and materials drop off at the recycling and transfer center for the purpose of increasing recycling rates to keep fees and taxes lower by lowering disposal costs. This article is advisory in nature and is non-binding in order to gauge public opinion."* The vote was that the town will vote to establish and that it is not binding but that's what they wanted us to do. I just wanted to clarify.

D. Ross motioned to continue the meeting for an additional 15 minutes. Seconded by T. Lizotte. Vote unanimously in favor.

J. Levesque: Diane, can you send the Councilors the redline copies of the ordinance electronically?

D. Boyce: Yes.

D. Ross: Clarification on warrant article – how many votes were cast per capita; I don't see it as this big mandate.

S. Orr: You can't use this as a guide.

SUB-COMMITTEE REPORTS

N. Comai: Parks and rec was given by Tom Prasol.

R. Duhaime: I missed the sewer meeting.

S. Orr: Nothing to report.

L. Boswak: Nothing to report.

J. Sullivan: October 6, 2:00 - Veterans Park dedication; town hall ramp railing coming in next week or two.

D. Winterton: No planning board meeting and I already gave the report on the Youth Achiever.

D. Ross: Conservation had a booth at Old Home Day.

J. Levesque: No ZBA last month and nothing scheduled for October; Transfer Committee was discussed earlier.

T. Lizotte: The first budget meeting is 9/26.

PUBLIC INPUT

Senator Boutin

I want to extend my gratitude to Councilor Boswak for her service to the town of Hooksett, and I wish you well in your future endeavors. I try not to get too involved in what you are doing but with regard to the town engineer - I worked as a planner, with a town engineer and had that available to me. I think it makes sense to the town. Having someone on staff to assist in other departments makes a lot of sense. When the economy turns around, having this in place makes us competitive in an economic environment. There is no other issue that I hear more complaints about except the size of the checks developers had to write every month. My other point is that as of 10/1 the filing period begins for state senators to file legislation. If there is any pressing issue involving town government that you would like me to file legislation on? One of the most exciting and gratifying legislation that I've worked on was the Robie's store project. That means more to me than anything else I've done. That is going to be a model for the state and other communities. If there is anything I can do to help the town, this is the time to think about it. I am available at any time if there is an issue going on at the state level. I want to do the best we can do for my hometown. I think this Town Council is doing a great job for the town of Hooksett and I thank you for that.

Marc Miville, 42 Main St.

I do commend Councilor Boswak for her services for the last several years on the Town Council. She has added a lot to this Council, and she will be missed. I thank you for your service and the interaction we have had recently regarding the community building. I want to address mandatory recycling issue – the election was 8% of voters (700 out of total of 8300 voters). I wouldn't call any of those warrant articles mandates. My memory was that it was a close vote; there were several very close votes. I would stress that if you come up with an ordinance; have more positive reinforcement as opposed to negative enforcement.

J. Sullivan: We are going to close the public hearing relative to qualifying historic buildings. According to the charter section 3.6, *final actions on said ordinance shall not be taken by the Town Council until at least 7 days after the said public hearing.* Based on that, I'd like to put that on the agenda for adoption at our next meeting. Again we thank Leslie for her service to the town of Hooksett.

ADJOURNMENT

***L. Boswak motioned to adjourn 9:42 pm. Seconded by S. Orr.
Vote unanimously in favor.***

Respectfully submitted,

Tiffany Verney
Recording Clerk