

TOWN COUNCIL MEETING MINUTES
Wednesday, June 12, 2013

CALL TO ORDER

Councilor Sullivan called the meeting to order at 6:30pm.

ROLL CALL - ATTENDANCE

Chairman James Sullivan, Dr. Dean E. Shankle, Jr. (Town Administrator), Nancy Comai, Vincent Lembo, James Levesque, Todd Lizotte, Susan Lovas Orr, Robert Duhaime (arrived 6:32 pm), Leslie Boswak, and Michael Downer (arrived 8:12 pm).

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – May 22, 2013

- a. **Public – J. Levesque motioned to approve the public minutes of May 22, 2013 with edits. Seconded by V. Lembo.
Vote unanimously in favor.**
- b. **Non-public – J. Levesque motioned to approve the non-public minutes of May 22, 2013. Seconded by T. Lizotte.
Vote unanimously in favor.**

AGENDA OVERVIEW

Chairman Sullivan provided an overview of tonight's agenda.

Chairman Sullivan: There is no need for a non-public tonight. As well, under "g – Discussion of School Board appointment" we do not need to do that. The school board has accomplished that goal.

CONSENT AGENDA

- a. 13-46 Donation to Veterans Memorial: Hooksett Chamber of Commerce \$100; husband and wife \$25; husband and wife \$50; group of individuals \$100; individual \$100 (\$375 total donation)
 - i. Chairman Sullivan: I'd like to offer an amendment under "a." They received an additional \$100 donation for that.
**Chairman Sullivan motioned to approve the amendment of an additional \$100 donation from an individual. Seconded by J. Levesque.
Vote unanimously in favor.**
- b. 13-47 Donation to Fire-Rescue: \$500 from John Solorio
- c. 13-48 Donation to Police Department: \$500 from John Solorio
**T. Lizotte motioned to approve the Consent Agenda. Seconded by V. Lembo.
Vote unanimously in favor.**

TOWN ADMINISTRATOR'S REPORT

- Hiring staff: over the last couple weeks interviewing for Code Enforcement Officer, who has been chosen and will be starting Monday. Conducting second interviews on 2 people for the assistant planner position.

T. Lizotte: In regards to hiring, can we update our employment documentation to also include the noncompete/nonsolicitation, so that if an outside vendor works for the town they cannot solicit our employees and vice versa? Also, is there a confidentiality agreement for employees in place currently, other than what is in RSA 91-A?

- Memorial Day – ribbon cutting for new outside space at American Legion
- Economic Development Advisory committee meeting – to be discussed later tonight by Councilor Boswak
- Native American Murals - I attended the unveiling. I brought copies of the brochure that was handed out. It was well attended, and the commissioner from state came down. It is available online if people want to see it.
- Old Town Hall Committee meeting - there are some exciting things going on in the Old Town Hall.

- Cemetery Trustees – met with the chair about their budget
- NH local government info network – attended in Concord.
- Website - Some people who subscribe to the newsletters are not getting email notifications; spam filter is picking them up. Once spam filter picks it up twice, it stops sending. Town hall spam filter also picks them up. We are working on a solution; I don't know what we are going to do, but we need to do something different.
- State register of historic places, photos, descriptions: Prescott library and old town hall did not have pictures in there. I sent an email to webmaster and asked if we could send a picture and what format they want it in. I have not heard back, but we are in the process of that.
- ISO fire rating received: classification is 4/8B (can be found online); or you can borrow the book from Dr. Shankle.

S. Orr: Does that mean it's good or not good (ISO rating)?

Dr. Shankle: My understanding is, it is no worse than it was; the bottom line is it shouldn't have a negative impact on insurance rates.

- Town volunteer annual appreciation dinner Saturday night 6/15; respond to Katie
- Hooksett Village Brainstorming session at Robie's store from 6-8 pm on Monday, 6/24. Find out the future of village and next steps to make it happen; refreshments will be provided.
- Police Commission - Sen. Boutin called and the governor signed the law that said the police commission is abolished. I followed up with secretary of state to make sure, and that did indeed happen. The Chief is working with Dr. Shankle on what to do; to be discussed more later tonight.
- Tax collector – there are signs up and on website: due to being short staffed the week of 6/17-6/21, the town clerk/tax collector office will be closed from 1-2 pm for lunch. Reminder: you can register cars, dogs, and pay property taxes online at hooksett.org; call 485-9534 with any questions.
- Hooksett garden club is volunteering to work around safety center sign on Rt. 3; – in attendance tonight and will speak during Public Input
- Dave Burrell, owner of Accurate Tree donated his time and bucket truck to install flags on bridge for Memorial Day – will continue to do every year as long as he can.
- Community garden - filled up quickly; people have been driving over to it (easier way to get water than by carrying) but will ruin fields. Requested they refrain from doing that. May need to fence in.

S Orr: I received a call from a constituent concerned about children playing on the ball field and balls going on to the garden and the garden being trampled. Do you know if that has been addressed and what the outcome was?

Dr. Shankle: I am in the process of working on that; nothing resolved yet. The issue is what damage they might do to the garden. I'm not sure how to address if it continues; do we want to put up a fence around the garden? They have been asked not to do it; we'll see if they continue.

S. Orr: Do you know who (DPW, if anybody?) has called the person back to let them know what the solution is?

Dr. Shankle: Let me check on that.

V. Lembo: I see there is a spigot outside town hall; is there any way a hose can be installed so the folks can drag the hose over instead of carrying gallons of water from their homes?

Dr. Shankle – My concern is that it is not monitored. If somebody turns the water on and leaves it on, we could end up with the whole garden being flooded out before anyone notices it. There is nobody here to monitor it on nights and weekends, when it goes on and off. That is my concern.

R. Duhaime: Can you use a keyed spigot?

Dr. Shankle: Who has the key?

R. Duhaime: Somebody from the Garden club – put it in a spot where only they know.

Dr. Shankle: This isn't really a Garden club issue. This is all the public that uses it.

V. Lembo: If the people with a garden pick up a key at the highway dept. w/\$10 deposit; get deposit back at end of season when they return the key. That way, only people with a garden have access to the faucet.

Dr. Shankle: We will look into that. As soon as this garden fills up, we are going to put people at Frasier Park. There is no spigot there so we will be dealing with providing something for one group and not another. I will look into this. I don't have any objections if we can do it in a way that will cause us or them any problem.

- Mr. Irish – came in last week and talked about the fact he was asked to pay impact fee for CO; we looked up other people and there was an entire file of people in same situation; no way to unravel who paid what, when, and whether people had CO's or not – we took them to the Planning board and they gave waivers – he is taken care of, and anybody else in like situations is taken care of.

V. Lembo: If there were a good number of people, we lost the impact fees for that particular development?

Dr. Shankle: It was different places all over town, and I think it ended up being about \$30K; I think there were about 8 of them.

J. Sullivan: It was 6 of them, thank you Susan.

V. Lembo: Did it all involve the same developer?

D. Shankle: No, it was different ones at different times and different places all over a few years, that's why it's hard to unravel.

J. Sullivan – I assume we have steps to take now that will not require us to do this again.

Dr. Shankle: Yes that is correct.

- Performance Measurements - (data driven decision making): info from town on how people feel you are doing – quantitative (numbers) - ICMA program called CPM 101. I will have more information as time goes on. First year cost is \$995.00 + training fee of \$200 = \$1300 more or less. We have moved ahead on that.
- Qualitative data - to see how people feel you are doing; we need a town survey – tied in w/data from ICMA. The only municipality in NH is Dover that is currently using both (survey once every 4-5 years). That will give us a statistically valid survey on how people feel about different areas. In addition, once survey is done, the survey questions will be posted and everyone in town will have a chance to input. The survey is about \$13,000. We have put down \$6,000 to start process. There is an encumbrance for remainder of \$7,000 that we will be talking about later. One benefit is you can compare yourself with every other municipality in the ICMA program. The survey is something we have a need to do and this is a good time to do that, moving forward over next few months.

J. Sullivan – We will ask questions when we get to the encumbrances.

N. Comai – You mentioned the solidification/confirmation of the commission being abolished. I wonder if we could be sure to send the 3 commissioners a thank you note for the work they have done; specifically mentioning the fiscal responsibility and impact.

PUBLIC INPUT

Garden Club members: Mrs. Tina Paquette and Mrs. Doris Sorel, 54 Cross Rd.: This is about the Police Dept. sign at the Safety Center. Tina and I have been driving by, and it is in need of care. We talked about it at the garden club, and I spoke to Dean Shankle about it and I spoke to the chief of police and the fire chief. Everyone is in agreement that it needs to be addressed. We are going to clean up the planter, trim the rose bushes, and put in some perennials. Hopefully the town will be able to help us with some mulch? We are going to try to start that perhaps next week or the week after.

T. Paquette: It is a lovely sign and we thought that it would be nice to spruce it up a bit. If anyone is interested I have a photo of it on the iPad. If you haven't driven by it lately, it looks a little untidy.

J. Sullivan: We thank you for coming, and I believe that with the Hooksett beautification project, Dr. Shankle can help you with mulch. I think that is something we have been doing all along.

D. Sorel – We were hoping that because it is part of the beautification program, that we could get some assistance from town as well. This is where the mulching comes in and possibly the watering, if it ever needs it. We are hoping to put in plants that won't require too much of that.

J. Sullivan: If you have any other concerns to have the project fulfilled, please talk to Dr. Shankle. Thank you.

D. Sorel: Thank you. We will keep you informed of how the progress goes.

NOMINATIONS AND APPOINTMENTS

a. Conservation Commission – 2 full members, exp. 6/2016

T. Lizotte motioned to nominate David Hess and Philip Fitanides as full members to the Conservation Committee with a term until June 30, 2016. Seconded by R. Duhaime.

J. Sullivan: We will be allowing nominations as standard procedure at our next meeting where we will be appointing.

b. Economic Development – 1 full member

J. Sullivan: We will need one full member, so if anyone is interested please contact town hall.

c. Cemetery Commission – 1 full member, exp. 6/2016

J. Sullivan: We have a position on the Cemetery Commission which expires 2016.

d. Heritage Commission – 2 full members, exp. 6/2016; 1 alternate member, exp. 6/2014; 1 alternate member, exp. 6/2015

J. Sullivan: If anyone is interested in that, please let the town know.

e. Parks and Recreation Advisory Board – 1 full member, exp. 6/2016; 1 alternate member, exp. 6/2016

f. Planning Board – 2 full members, exp. 6/2016; 1 alternate member, exp. 6/2014; 1 alternate member, exp. 6/2015; 1 alternate member, exp. 6/2016

L. Boswak motioned to nominate Thomas Prasol as a full member to the Planning Board with a term until June 30, 2016. Seconded by S. Orr.

g. Recycling and Transfer Advisory Committee – 1 full member, exp. 6/2016; 1 alternate member, exp. 6/2016

J. Levesque motioned to nominate Richard Bairam as a full member to the Recycling and Transfer Advisory Committee with a term until June 30, 2016. Seconded by L. Boswak.

T. Lizotte motioned to nominate Robert Schroeder as an alternate member to the Recycling and Transfer Advisory Committee with a term until June 30, 2016. Seconded by S. Orr.

h. Southern NH Planning Commission (SNHPC) - 1 full member, exp. 6/2017

J. Sullivan: At this point, there is someone interested but the application has not been received.

L. Boswak motioned to nominate Mike Jolin as a full member to the SNHPC with a term until June 30, 2017.

J. Sullivan: If we could get Mr. Jolin to send in that note of interest that we require our members to do.

i. Zoning Board of Adjustment – 2 full members, exp. 6/2016; 1 alternate member, exp. 6/2016

R. Duhaime motioned to nominate Roger Duhaime as a full member to the Zoning Board of Adjustment with a term until June 30, 2016.

V. Lembo motioned to nominate Gerald Hyde as a full member to the Zoning Board of Adjustment with a term until June 30, 2016.

T. Lizotte motioned to nominate Jacqueline Roy as an alternate member to the Zoning Board of Adjustment with a term until June 30, 2016.

N. Comai: We will just expect to see the applications prior to actually nominating them.

J. Sullivan: Please can we let them know they should send those applications in? If anyone else is interested, let us know. We will be nominating and appointing at our next meeting, as tradition.

V. Lembo: If we don't receive the applications, do we still appoint them or is it going to follow the process, and not appoint them until we do get the applications?

J. Sullivan: I don't believe it is. We request that they send in the information so that newer members will know who they are; I don't think it's a requirement.

V. Lembo: I believe we made it a requirement that anybody that is interested in a position send in the form. I believe that is what we decided one night.

J. Sullivan: Is that everyone's recollection?

J. Levesque: Yes, we need to keep that as a standard.

J. Sullivan: At this point, those who have sent in their interest to serve, they can send a simple form indicating what they can add to the board, what they have done in that past. That will be very helpful.

V. Lembo: If they don't send in the questionnaire, how do we even know they want to do it? Do they make a phone call?

D. Fitzpatrick: Phone calls and emails.

J. Sullivan – so they express an interest but an application hasn't been sent in.

V. Lembo: Are they aware that application needs to be sent in?

D. Fitzpatrick: Yes, multiple times they are aware. The secretaries were contacted to let them know.

J. Sullivan: Could we do a follow up to make sure they send those applications in so we can appoint them officially?

Town Council: Discussion regarding requesting information from interested applicants, whether they have already served or not. The Council members change, and as such, not all members know everyone in town and would like to know who they are appointing to positions. The request for information should be communicated in a friendly way, with appreciation for service.

S. Orr: What is the best way to communicate how we feel about this policy to prospective, current, future board members? Website?

D. Fitzpatrick: A recommendation – if we could get council to do cover memo about what you are encouraging them to do and why that would be more effective than calling the secretary of each board or committee.

J. Sullivan: I can work with Dr. Shankle on coming up with something that covers the concerns we have.

N. Comai: I recall this was done prior to the form; there was supposed to be a paragraph that stated that particular committee/board how many times a year they meet, what the expectation is of those things – that was supposed to go in with it. I thought we went over this a few years ago, maybe with the past Town Administrator?

J. Sullivan: There is always a better way to communicate and to thank people for service and asking for their continued service. Dr. Shankle will work on that, and if we need to we will bring up at our next meeting.

R. Duhaime: As part of process you have resumes that match and you can compare. We don't have that many people in the positions right now. I think reappointment is taken for granted since they have been appointed 2 or 3 times so you assume you don't have to do anything different than what you did in the past. I think in the future everybody will have filled out one of these and they will get used to it, it won't be an issue. We don't want to slight anyone who has served 20-30 yrs. on a board and now they are getting questioned about whether they are doing the job correctly. In the future, hopefully we will have multiple volunteers instead of not having enough people to fill the positions, and the board will have a process because we will have the applications to compare.

SCHEDULED APPOINTMENTS

a. Chairman of Sewer Commission Sid Baines and superintendent Bruce Kudrick

S. Baines overview:

- Hired a new employee which is a rare occasion since we don't have much turnover.
- New triaxle truck nearly paid off in 1 year from savings in tipping fees going from Rochester to Merrimack
- Committed to taking our sludge to Merrimack and saving \$120,000-\$125,000/year instead of going to Rochester
- Completed re-laying 1200 feet of sewer line in front of Merchants Motors; paid for by state as part of widening of Rt. 3
- Informed DOT pipeline on 3A must be upgraded to accommodate new rest area that is projected on the highway
- Still working with DES and attorney general's office on disks issue; can't discuss further since it is with the attorney general
- New projects:
 - SNHU putting up new dorm and proposing new library soon
 - Contract w/Wal-Mart to run new sewer line from west side of river to pump station; also accommodate Bass Pro Shop for future hook up. This item may need special town meeting – agreement w/Wal-Mart might be construed by state as incurring town debt. That has not yet been determined, but Dr. Shankle is on top of this and will help to keep council informed.
- Have much better relationship with highway dept.; talking and seeing if we can work out agreements if they work for us we can exchange equipment as a cost savings
- Working on new permit with EPA which will double size waste water treatment plant from 1.1 to 2.2 million gal/day; 780k gal/day currently
- Budget in good shape; 44% left (as of April 15)
- \$11,150 permit fees; University Heights apartments has paid \$10,000 of that
- Residential housing off for past several years; during normal year we get 40-50 housing permits; we are around 10 this year. Shows economy not recovering yet.
- Process of trading 10 acres of land to Manchester Sand and Gravel in the industrial park; we bought 10 acres some years ago; they came to us with an interested party looking to purchase

that land. They want to put 800,000 sq. ft. building on that property and property adjacent to it. Working on trade and will be consummated shortly.

- Recently settled dispute w/Village Water Precinct; they had been overcharging for water for several years; an agreement has been reached
- Court case settled on appeal – won that also

N. Comai: What is in front of us is May 31 budget and you reference April 15. Do you still have \$1 million in your coffers? Can you walk me through you encumbrances and what happens to the money that is leftover? Can you educate me on that?

S. Baines: \$991,000 set aside for purchase of new trucks, upgrade of material that needs repair and all of these monies have been exhausted in clean-up of disks situation. We are into this for \$1.2-\$1.3 million at this time; situation that is with attorney general is how much of that can we recover? Next March statute of limitations runs out, so we need to stay on top of it. As time elapses, we need to file suit or extend time period.

J. Sullivan: You say you have 44% left; what happens to extra money?

S. Baines: It goes back to our general fund.

J. Sullivan: That general fund is used to offset sewer rate?

S. Baines: It could, or be put toward projects that need to be done.

N. Comai: Or emergencies like the disk problem.

B. Kudrick: There is a clarifier (settling tank) about 30 years old – center column has rotted away. We have ordered parts (12-14 weeks out for delivery of biggest part). We need to hire a company to come in and drain the tank, take the walkway off and rebuild it. To do all that is \$30,000. It was designed for 25 years, and we got 30 out of it.

S. Baines: The reserve money was set aside for major repair and was there to do that.

N. Comai: The \$992,000 that was captured to spend for the disks exhausted your rainy day fund; do you see in the short term you are going to try to recoup that so we have it again? And so we don't see any reduction in rates in the future?

S. Baines: We have no plans to increase rates.

N. Comai: Or to decrease either?

S. Baines: No, and we have no safety net either. We have to find money for repair coming up; if there is something left over in the budget, it might be able to take care of that.

R. Duhaime: You have a bond for improvements on sewer, paid off in a few years' time?

S. Baines: It's a 20-year bond.

R. Duhaime: Of course we're not going to get any reduced rates because you still have to cover that bond.

S. Baines: And we keep a payment in advance; we have next year's payment in place.

R. Duhaime: As Lowes, University Heights, and some of the larger ones come online, those rates start paying in, so the plant runs at a higher volume and pulls in more funds. If you were able to get the plant to 2.1 million then you would generate a lot more funds to catch up possibly faster?

J. Levesque: The situation with the disks, can you explain the settlement and who is the ultimate responsible party?

S. Baines: We are trying to determine. We think we know who the ultimate responsible party is. Krueger is the company we purchased the disks from. They have been summoned to DES for discussion. It is in the attorney general's office. It is ongoing and if by mid or late November nothing has come to fruition, we may have to contemplate a lawsuit.

V. Lembo: The reason the disks got out is because the alarm system didn't work?

S. Baines: There was no alarm system in plant.

V. Lembo: Is the alarm system up and running so this doesn't happen again?

S. Baines: There is an alarm system that is up and running along with several other safeguards.

V. Lembo: Regarding the Wal-Mart sewer on 3A you indicated you might need a special meeting. It was my understanding that they were footing the bill to come up 3A and over the river. Has that changed?

S. Baines: The arrangement is we pay them back if anyone hooks on to the line. They would have to pay us a system development fee which would go to Wal-Mart to cover the cost of construction. We would pay them back until what they invested in the line is paid. It would all come from the system development fee. If there was no system development fee money coming in, they wouldn't get paid.

V. Lembo: There should be no money from taxpayers? It would be coming in from the folks hooking up to the line and you would just take their system development fee and pass it to Wal-Mart?

S. Baines: It wouldn't come from tax payers anyway, it comes from rate payers.

V. Lembo – If Wal-Mart puts line in on their pocketbook, and a gas station hooks into it, they pay a system development fee to Hooksett and you pass it on to Wal-Mart? A rate payer should not encounter any additional cost?

S. Baines: When you get system development money it builds up a safety net of \$1 million sitting there in the event of catastrophe. We are operating without a safety net right now.

J. Sullivan: What is the need for a special meeting, for voters to approve what?

Dr. Shankle: The issue is we are working with the DRA to determine whether that is long term debt or not. Sewer commission's position is it is not long term debt because it is just a reimbursement of money we are getting in to repay them. In our opinion, the only way it is long term debt is if there was no system development fee, the rate payer would need to pay, but that is not the way it is being set up. Our position is that it is not long term debt. The DRA has not taken a position yet, they are waiting for more info. We still believe we will not need a special meeting but that is their call.

V. Lembo: Bottom line is rate payer is not going to incur any rate hikes for the sewer line on 3A.

Dr. Shankle: The way it's set up, if no one else ever ties into that, Wal-Mart would essentially pay for it.

S. Baines: They would pay \$30,000/year in sewer rent which is forgiven every year. As long as money is owed on sewer line they would get usage fee.

V. Lembo: Whatever it cost them to put the line in and hook up to your plant, the \$30,000/year sewer rental fee will be forgiven until the sewer line is paid for and then they would start to pay the sewer rental?

S. Baines: That money is put toward the cost of the sewer line. Wal-Mart is paying for the sewer line on 3A on an interest free loan.

V. Lembo: I am just clarifying that the rate payer will not get hit.

T. Lizotte: It would be interesting to understand the depreciation on that line by Wal-Mart on that investment. If they had to put in a new septic tank, they are in a situation where they have to do something.

S. Baines: When it started Wal-Mart looked at putting in an elaborate septic system and not only pay for that but hire someone to attend to it. I don't have an exact number but it was around \$4 million that they would get no return on. By running a sewer line, it benefits both of us.

T. Lizotte: They had to do it, it was a smaller line. We collaborated to make it bigger so others can tie in. Is the amount we pay back the difference between the small line and the large line? Should it be?

S. Baines: We are not paying 100%; all the work on their property is on their nickel. Once it leaves their property that's when the deal starts. We have not seen any numbers. When we went to the larger line we had received \$225,000 from SNHU for dorm. We told them that \$225,000 would be put immediately aside for that pipeline construction.

R. Duhaime: Wal-Mart's rate on their sewer will pay back part of the infrastructure cost or is that still going to the sewer department?

B. Kudrick: We bill them for water they use like any other person. We subtract it off the account to keep track of how much money they get back.

R. Duhaime: It's not a full reimbursement of their rate or is it?

S. Baines: Yes, complete forgiveness. What they pay, \$30,000 for example, will be taken off their debt if nobody else hooks on. That will keep reducing.

S. Orr: The land purchased by Sand and Gravel, they are asking to trade for that land back. When we purchased did we have a plan for that plan? What was that plan and why did we not follow through on that?

S. Baines: The plan was for a recycling program. When we had everything in place, we had the problem with disks. That used \$991,000 of reserved funds that was to be used to implement the recycling program. Until we can recoup that money we have to put the recycling program aside. It is not abandoned it, it's just there until we recover.

S. Orr: If we trade land, will we have to find an alternate location for the recycling program?

S. Baines: Yes, they traded us an even better spot.

S. Orr: What did we receive in trade?

S. Baines: Land for land (10 acres) from one spot to another spot.

S. Orr: Can you tell me more about the court case you won?

B. Kudrick: A property on 50 Whitehall Rd – when someone hooks on to the sewer system, we charge a system development fee (\$3000 per 225 gallons). A gentleman took a single family house and turned it into duplex; he argued against paying the \$3000 for the second hookup. He paid in protest and took Sewer Commission to court. We participated in mediation last year (the office manager, Sid Baines and myself). He contested it was always a 2 family home; town tax records show it was always a single family unit with a business. The court decided that we had all the facts on our side and, he didn't have anything. He lost and had to pay all the court fees.

S. Baines: He appealed and lost again.

OLD BUSINESS

Nothing to discuss.

NEW BUSINESS

- a. 13-49 Signing AFSCME union contract

J. Sullivan: The voters have approved the contract, so this is a ceremonial signing.

Dr. Shankle: Everything has been approved but the money portion prior to the town meeting where the contract was overwhelmingly approved.

V. Lembo motioned to authorize the Chair to sign the AFSCME contract on behalf of the Council. Seconded by L. Boswak.

Representatives present to sign for the union: Harriet Spencer, coordinator for AFSCME and Scott Marshall, DPW, president of AFSCME

Dr.Shankle: This is the first contract with this union, and I think we started off in the right direction.

Vote unanimously in favor.

5 MINUTE BREAK – meeting resumed at 8:00pm

J Sullivan: New business, we have Chief Bartlett and Capt. Daigle.

- b. 13-50 Police Department use of impact fees for repeater

Dr. Shankle: We always run these by the town attorney, in terms of using impact fees for things, and I did get a letter from Steve Buckley that says in part, "I agree that the release of the public safety impact fee funds for the proposed radio repeater device/system is appropriate and consistent with the requirements of the impact fee statute RSA 674-21 V."

Chief Bartlett: Currently our system is a single channel system. It promotes an officer safety problem working on the road. When somebody transmits portable radio or car radio to headquarters, the only person that hears them is dispatcher. With a repeater system, it allows us to have a dual channel system so the repeater will broadcast what that one radio is saying on a separate channel so everybody can hear it at the same time. Currently, if an officer has a confrontation and is asking for assistance, there is a time delay until the dispatcher can relay the message to everyone else. Additionally the repeater would take care of dead spots in town relative to transmission; everybody hears everybody at the same time in real time.

T. Lizotte motioned to spend the impact fee funds totaling \$35,361 to purchase a radio repeater and FCC license for the Police Department radio system. The service will be provided by Ossipee Mountain Electronics, Inc. who is the contracted radio service provider for the Police Department. Seconded by V. Lembo.

S. Orr: Is this related to damage done to your system by the lightning strike?

Chief Bartlett: No

S. Orr: That issue is still in effect since the voters did not approve that item?

Chief Bartlett: We still have 2 additional phases to this radio repair project that need to be completed. The dispatch console that was struck by lightning in 2010 still needs to be repaired. As of December 2012 they no longer make parts for repair. If something happens to the console, we will have some serious communication problems.

S. Orr: If we are spending \$35,000 on this system which is important and so is the damaged equipment at the station. How did you determine that this was phase 1 instead of the console at the station?

Chief Bartlett: Currently the console at station is functional; the radios on the street are only functional to one other person. I view this as an officer safety priority. Regarding the console, we have over \$200,000 in the CIP fund if we needed. I am looking at Ossipee Mountain Electronics to give me an updated estimate on the next 2 phases of radio system repairs. This has been going since 2002-2003, putting money in CIP fund. Currently, there is \$226,659.72 in the fund if we do need the console repaired now. I am waiting for an estimate in current dollars versus when it was first estimated in 2002/2003.

S. Orr: Regarding impact fee, what is the balance after spending \$35,000?

Chief Bartlett: It's in the area of \$80,000. We had roughly \$112,000 in the impact fee account so the \$35,000 would come out of that and we would be left with \$80,000-\$90,000.

R. Duhaime: I am familiar with the CIP request which I believe the total request was \$425,000 at that time. I saw the letter from Spillman; when you change the whole system, will you be able to use this other company?

Chief Bartlett: The Spillman Company is for computer aided dispatching system, not related to the radio system. Ossipee is the contract company that does all the maintenance and upgrades for the electronic equipment in the cars and portables.

R. Duhaime: Will the new system be tied into the computer with software?

Chief Bartlett: Computer aided dispatch and records management system software will run on hardware; the radio system is used to transmit to officers. The radio repeater and tower (will be located on Hackett Hill Rd.) amplifies the signal used to get officers and dispatcher on the same page communication wise.

Roll call

T. Lizotte – Yes
J. Levesque – Yes
V. Lembo – Yes
J. Sullivan – Yes
N. Comai – Yes
S. Lovas Orr – Yes
R. Duhaime – Yes
L. Boswak – Yes

Vote unanimously in favor.

- c. 13-51 Police Department purchase of upgraded dispatching/ recording keeping equipment

Chief Bartlett: The current system has been in place since 1989; it is very inefficient and does not allow tri-mapping and crime/sector analysis. When an officer does his report, it goes through at least 7 people before it is finalized. Officers do have not mobile capability to do anything in their vehicles. This is a great opportunity to move forward on this recommendation. The efficiency status of this agency is slowed down by no core nucleus of a good paperwork CAD/RMS system. It will make an extreme difference in how we operate. It incorporates modules for dispatching to enter more information into the initial call for service data; it has a mobile component to silent dispatch on mobile data terminal; everything is automatically uploaded through the computer system – including photos, arrest reports, e-ticket module to be uploaded to DMV. Through IMC and Tritech, if an officer runs a name check it also checks any other IMC person on the grid...Bow, Concord, anyone else using IMC. The biggest positive is the evidence management system; the current system is not conducive to continuity and chain of custody for evidence. This will streamline the process – we can store and retrieve evidence properly and more efficiently. The whole system will be more efficient and bring this department to 2013 as far as technology to incorporate all systems.

Chief Bartlett: We are requesting some additional funding of \$6,300 for onsite training fee of up to 10 people at a time. \$132,840 is the new amount.

T. Lizotte motioned to approve the purchase of the Trittech/IMC software system quoted at \$132,840 with funds to be taken out of the current budget salary and/or benefits line items. Seconded by J. Levesque.

V. Lembo: Do we have money in the budget – salary and benefits line?

Chief Bartlett: I am very confident we have money in the budget.

N. Comai: I don't support it coming out of the salary line, but I fully support purchase. I would like to see it come out of some other areas first.

C. Soucie: The purchase will be charged out of a computer software line; because it is a bottom line budget, the salary line will be underspent and the computer software line will be overspent. We would never charge it off to a salary line. We show the expense where it is, it's just where the budget lines up with that expense.

N. Comai: At the end of the year, will the salary line be the same as what is left over so we can say we didn't spend the salary line?

C. Soucie: Yes, definitely.

S. Orr: Are we fully staffed or will taking money from this line jeopardize any future hires?

Chief Bartlett: No, we are not at full complement yet; 1 officer is attending academy and 2 additional positions that are currently vacant. I am in the process of filling those positions. I don't think taking this money at this time will hinder the hiring of any future officers for the 2 vacant positions.

J. Sullivan: Any new hires will be funded out of the 2013-2014 budget?

Chief Bartlett: Yes.

Dr. Shankle: Once you approve this it's also going to show up under encumbrances to be approved.

R. Duhaime: This would help with management process. We could see results of new system in a year from now.

Chief Bartlett: Calls for service are incorporated into the mapping system (Google maps). IMC is so integrated with the NH system and laws; they have a system in place where the NH accident report is incorporated into this package. The information entered backfills info into report that officers generate.

Roll call

T. Lizotte – Yes

J. Levesque – Yes

V. Lembo – Yes

M. Downer - Yes

J. Sullivan – Yes

N. Comai – Yes

S. Lovas Orr – Yes

R. Duhaime – Yes

L. Boswak – Yes

Vote unanimously in favor

d. 13-52 DPW work on South Bow Road

L. Lessard: This is for the rental of an excavator to start the process of putting drainage in on S. Bow Rd through the winter months. The road is almost 5000' and about 4200' is designed and laid out. This is for the excavator to install the pipe. I am anticipating it will take longer than 3 months, but I hope to get the majority done this year.

L. Boswak motioned to approve the hiring of B. Jean Excavation LLC an operator and excavator for no more than \$40,000. Seconded by J. Levesque.

V. Lembo: Have we used B. Jean in town before?

L. Lessard: I used them to take the oil tank out at the highway department, and he worked out well

J. Levesque: How do you do a request for bids?

L. Lessard: I called 4-5 excavation companies I knew and asked for bids. Only 3 responded; I did not put anything in paper.

V. Lembo: Should Council look to put bids in paper so local companies can have a fair shot?

Dr. Shankle: This is more of a service contract; if we were purchasing an item we would put it out for bid. In the future we should advertise for anything where the total cost will be more than the requirements.

T. Lizotte: Are we obligated to solicit bids via the paper? Or can we post on the website and tell everyone to go to website if interested?

L. Boswak: I agree; I know that the legal ads are expensive but I think it's a best practice to advertise and put it in the paper so everyone can have the opportunity to bid.

Roll call

T. Lizotte – Yes

J. Levesque – Yes

V. Lembo – Yes

M. Downer - Yes

J. Sullivan – Yes

N. Comai – Yes

S. Lovas Orr – Yes

R. Duhaime – Yes

L. Boswak – Yes

Vote unanimously in favor

- e. Recycling Department issues:
 - i. 13-53 Diesel tank bids – MB Maintenance

Diane Boyce, superintendent

R. Duahime motioned to approve the amount of \$40,975 for replacing the diesel tanks. Seconded by S. Orr.

N. Comai: How did you go out to bid?

D. Boyce: This was in the paper and on the website.

Dr. Shankle: In this case, we followed the formal bidding process.

D. Boyce: We requested the project start in July w/MB Maintenance; he cannot start until August or September, but I still think it's worth the difference in price to wait.

V. Lembo: Do we require these vendors to they have bonds in case they take off in the middle of the project?

D. Boyce: It's part of the bid that they have to be insured.

Roll call

T. Lizotte – Yes
J. Levesque – Yes
V. Lembo – Yes
M. Downer - Yes
J. Sullivan – Yes
N. Comai – Yes
S. Lovas Orr – Yes
R. Duhaime – Yes
L. Boswak – Yes

Vote unanimously in favor

ii. 13-54 Wheelabrator contract

D. Boyce: Our 5 year contract with Wheelabrator is up at end of 2013. We have never bid out on this since we have been using them for 20 years. They have approached us with a 10-year proposal that should save us \$6/ton from July 1 – December, and another \$30,000 for the year in the second half of our budget. Do we need to go out to bid? There are so limited sites for disposal, only a couple other places we can go. Wheelabrator is convenient, a little more expensive than landfill. Only other options are Bethlehem Landfill, Wheelabrator in Penacook, and Covanta in Haverhill, MA. Pricing might be a little less to go to Haverhill, but more fuel and more wear on vehicles as distance is further.

J. Sullivan: Under the current bid process there is an option that we do not have to go to bid if it meets certain criteria. Is that true?

Dr. Shankle: Basically, it is up to Council. Because of the nature of the situation, you can say you want to do it as a single source contract. But it is a decision Council should be making.

J. Sullivan: Do you have a recommendation on whether this would be wise for us to wait?

S. Orr: I think we need to stick to procedure to go out to bid for a contract of this nature, but you did receive other bids? Can these be considered bids?

D. Boyce – I wouldn't consider these bids. We don't have the trash volume that bigger companies have and can commit to more tonnage for the contracts themselves. I don't think we are going to do any better than Wheelabrator.

S. Orr: I still feel we need to be consistent and go through the exercise of getting bids from these other companies. We should include travel fees, and I feel we need to follow procedure and process. I don't want it to look improper.

J. Sullivan: We can request Diane to go back and follow the bid process.

T. Lizotte: Do you have a minimum number of loads you have to commit to?

D. Boyce: Not any longer. We would lose the \$13,000 we could save between July and December if we go out to bid.

T. Lizotte motioned to waive bid process. Seconded by J. Levesque.

M. Downer: You mentioned if it goes to bid we would lose any near term savings? Is there a requirement for a time frame for bids to be received?

Dr. Shankle: However long it takes.

M. Downer: Can we shorten the process to mitigate the financial impact?

J. Sullivan: You asked what we could lose if we don't waive the bid process.

D. Boyce: \$30,000

L. Boswak: If we waive the bid process, we vote to allow it to stand. If that does not pass, then we are voting to put it out to bid.

S.Orr: When does the current Wheelabrator bid expire? If we went out to bid and it took 3 months, they would still honor this contract?

D. Boyce: They wouldn't have to honor anything until Jan. 1.

R. Duhaime: Did the Advisory Committee agree?

D. Boyce: They agreed. The newer contract will save us more money upfront but is more expensive near the end of the contract. But still saves \$10,000 overall if we use the same amount of tonnage that we are now.

Roll call

T. Lizotte – Yes

J. Levesque – Yes

V. Lembo – Yes

M. Downer - No

J. Sullivan – Yes

N. Comai – Yes

S. Lovas Orr – No

R. Duhaime – Yes

L. Boswak – Yes

Vote 7-2 in favor

D. Boyce: Updated contract from Wheelabrator is for 9.5 years starting at \$65/ton and going up 2% annually vs. \$1/ton a year; overall savings is \$10,000 if going with newer contract. There would be a \$42,000 savings until next July.

N. Comai: On the 9.5 year contract, does the 2% increase cap?

D. Boyce: It goes to \$77.68/ton.

L. Boswak: I would go with the original contract; if we were looking at 9.5 years, it is likely the town will incur some kind of growth. We would be looking at a higher volume at a lower price down the road.

R. Duhaime: What is the rate we pay now?

D. Boyce: \$74/ton

L. Boswak motioned to accept the original contract beginning at \$68/ton and ending at \$76/ton (dated 5/20 Staff Report). Seconded by T. Lizotte.

J. Levesque: I would think we would be better off with the second proposal. In the future, if our recycling increases, hopefully our trash tonnage goes down. We will pay a little more at the end, but we will get more savings in the beginning.

Roll call

T. Lizotte – Yes

J. Levesque – No

V. Lembo – Yes

M. Downer - No

J. Sullivan – No

N. Comai – No

S. Lovas Orr – No
R. Duhaime – Yes
L. Boswak – Yes

Motion fails 4-5

N. Comai motioned to accept the proposal dated June 11 which commences at \$65 and ends up at \$77.68. Seconded by S. Orr.

Roll call

T. Lizotte – Yes
J. Levesque – Yes
V. Lembo – Yes
M. Downer - Yes
J. Sullivan – Yes
N. Comai – Yes
S. Lovas Orr – Yes
R. Duhaime – Yes
L. Boswak – Yes

Vote unanimously in favor

f. 13-55 Finance Director: Encumbrances

M. Downer motioned to accept the staff report encumbrances agenda item 13-55* for the 8 items listed, totaling \$342,125. Seconded by J. Levesque.

***Agenda Item 13-55:**

1. Financial Software (01-401-12-224) - \$14,480

- Contract with BS&A Software for \$61,480 total (\$47,000 from Article & \$14,480 from computer line). Conversion is expected to be completed by December 31, 2013

2. National Citizen Survey (01-401-11-223) - \$7,250

- Contract with National Research Center, Inc. to perform citizens' survey.

3. CPG Neighborhood Heritage District Grant (01-454-01-223) - \$2,126

- Remaining cash match per grant agreement.

4. PW Road Resurfacing (01-437-21-981) - \$119,829

- Contract with Pike Industries, Inc.

5. PW Road Striping (01-437-21-222) - \$11,785

-Contract with Industrial Traffic Lines, Inc.

6. CAD/RMS Police Software (01-424-01-211) - \$132,840

- Contract with TriTech Software System.

7. Riverside Cemetery Fence (Article #25) - \$6,815

Contract with Blue Ribbon Fence & Landscaping to be installed by October 1, 2013.

8. Financial Software - \$47,000

Article 15 approved by the voters on May 8, 2012, stated the funds will not lapse until the software conversion is complete or by June 30, 2016, whichever is sooner.

S. Orr: On the survey is there an option for part mail and part online? Return rate is much greater if we have online option.

Dr. Shankle: They are set up to do one or the other; seemed doing it on paper made more sense. They do follow up on it. They say it will be a statistically valid survey.

S. Orr: How will you consolidate data from paper surveys with data from online surveys?

Dr. Shankle: We're not. When looking at the two after the fact, you need to determine which has more validity in your mind. It's important to give everyone a chance to voice their opinion.

S. Orr: There is no analysis or follow up on online one? How close does the online survey line up with the statistically valid one? If not, why not?

Dr. Shankle: They send out the paper survey first. Once that is completed, then the online survey will be released.

S. Orr: How will we compare to comparable municipalities?

Dr. Shankle: The tax structure in NH makes it hard for some comparisons. It would be nice to see more towns in NH doing this. What you are really trying to do is see what areas need to be worked on. Dover's surveys are online so you can see the questions and results.

Roll call

T. Lizotte – Yes
J. Levesque – Yes
V. Lembo – Yes
M. Downer - Yes
J. Sullivan – Yes
N. Comai – Yes
S. Lovas Orr – Yes
R. Duhaime – Yes
L. Boswak – Yes

Vote unanimously in favor

SUB-COMMITTEE REPORTS

L. Boswak: Economic Development committee is working on instituting quarterly meetings with business owners to find out how the town can work better with business owners and in conjunction with SNHU and the Chamber of Commerce.

R. Duhaime: Nothing to report.

S. Orr: Nothing to report.

N. Comai: Nothing to report.

J. Sullivan: Tomorrow is Family Feud 2 with all funds donated to restoration of the veterans' memorial; Mr. Rogers submitted a resignation from Heritage Commission

T. Lizotte motioned to accept Mr. Rogers's resignation from the Heritage Commission with thanks. Seconded by J. Levesque.

Vote unanimously in favor.

M. Downer: Nothing to report.

V. Lembo: Nothing to report.

J. Levesque: Board of Assessors voted on recommendations of town assessor; ZBA granted the variance for property on 28 bypass – mortgage company on one side of the road and a farm that is going to be a Doctor's Park; elderly couple wanted to install a pool but were encroaching on setback by 5 feet – granted.

T. Lizotte: Nothing to report.

PUBLIC INPUT

Mark Miville, 42 Main St: Surveys should be actionable, not just casual reading. I would encourage Council to take the results and do something with them: conduct follow-up discussions to reflect and implement the majority's decisions. For transparency's sake, can you outline the encumbrances for the record, or add list to the record (13-55) as a subsequent addendum.

J Sullivan: We will do that.

M Miville: Is there a letter that goes out that the revaluation process is coming to their property at a particular time? Are we notified in advance? When I received my tax bill, my property value went up but my taxes went up too. I don't know if that is a result of the revaluation or if it's going to be revaluated even after my property tax came.

Dr. Shankle: The new value will show up in December tax bill. They are not knocking on most doors, only houses that have sold in the last 3 years. They make appointments.

M Miville: Everyone is notified at least a week in advance?

Dr. Shankle: They are only doing home visits with new sales; driving by and looking at other homes.

S. Orr motioned to adjourn at 9:33pm. Seconded by R. Duhaime.

Vote unanimously in favor.

ADJOURNMENT

Chairman Sullivan declared the meeting adjourned at 9:33pm.

Respectfully submitted,

**Tiffany Verney
Recording Clerk**