

TOWN COUNCIL MEETING MINUTES
Wednesday, January 8, 2014

CALL TO ORDER

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

ROLL CALL – ATTENDANCE

Chairman James Sullivan, Nancy Comai, Donald Winterton, David Ross (left at 8:03 p.m.), James Levesque, Todd Lizotte, Adam Jennings, Susan Orr (left at 9:30 p.m.), Robert Duhaime, Dr. Dean E. Shankle, Jr. (Town Administrator)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

a. Public: 12/18/2013

***D. Ross motioned to approve with edits. Seconded by J. Levesque.
Vote unanimously in favor.***

S. Orr and R. Duhaime abstained due to prior absence.

b. Non-public: 12/18/2013

***J. Levesque motioned to approve. Seconded by A. Jennings.
Vote unanimously in favor.***

S. Orr and R. Duhaime abstained due to prior absence.

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

CONSENT AGENDA

- a. 14 – 001 Donation for Fire Department
- b. 14 – 002 Donation for Vet's Park: \$200
- c. 14 – 003 Donation to Police Department RAD program: \$150
- d. 14 – 005 Donation to Adopt-a-Family Program \$1,590

J. Sullivan: We received an additional donation for Vet's Park according to Chairman of Heritage Commission. It will be put on the next consent agenda.

***T. Lizotte motioned to accept the consent agenda. Seconded by A. Jennings.
Vote unanimously in favor.***

TOWN ADMINISTRATOR'S REPORT

- Most of time spent on budget and workshop
- Still working on union negotiations
- Some follow ups:
 - Discussion about sewer commission budget; coming in on 1/22 to review
 - Stipends for budget committee – started gathering info from other towns; not finished but still working on it.
- Mandatory recycling ordinance will be in Town Administrator's memo that comes out tomorrow but it needs to go through a process before people have a chance to get involved.
- Working on Wal-Mart sewer issue; senator working on getting legislation passed to get private partnership approved. Senate hearing on Jan 15 at 9:00 am. Hopefully that will move ahead so we can continue with the project. SB 223 – Senator Boutin is a sponsor of this bill.
- Adopt a Family program helps people in need have a better holiday season. On 12/21 gifts and food baskets distributed to 106 families, including 206 children. Received over \$5,000 in gift card donations as well as gifts, clothing and food.
- PSNH preparing to rebuild our D-118 transmission line from Hooksett to Deerfield. Construction to continue through summer (weather depending). They have sent notifications to all property owners who abut the right of way corridor. (Same area where they've been clearing vegetation since last summer).

J. Sullivan: I believe that goes across Campbell Hill. You mentioned looking at stipends for Budget Committee. Will you look at other committees as well?

Dr. Shankle: Yes.

PUBLIC INPUT: 15 Minutes

None

NOMINATIONS AND APPOINTMENTS

None

Dr. Shankle: We got a letter from a person who is interested in either the Economic Development Committee or Planning Board. Administration gives the requests that we receive to the appropriate committees for recommendations back to Town Council.

SCHEDULED APPOINTMENTS

- a. Public Hearing on change to Parking Ordinance

J. Sullivan: *READ PUBLIC NOTICE* On behalf of the Hooksett Town Council, I declare the hearing open.

D. Winterton: Can we suspend this so we can ask Kayla White to come up?

- b. Kayla White about her Hackett Hill Project

K. White: Thank you for everything you do and allowing me to put up the signs.

J. Sullivan: What was the sign?

K. White: There were two – one was to watch for children and the other was to stop speeding. The town put up 2 signs, but I noticed one was knocked down. Thank you for allowing me to come today.

J. Levesque: Is it all on Hackett Hill Road? Where are they posted?

K. White: They are 1000' on either side of 323 Hackett Hill Rd.

S. Orr: Also, congratulations on your Bronze Award in Girl Scouts.

K. White: Thank you.

J. Sullivan: Back to the parking ordinance. Are there any questions or other information anyone has regarding this?

Dr. Shankle: *Read from proposed amended ordinance #00-28.*

J. Sullivan: At the request of Police Chief, they requested to have this change. According to the charter, once a Councilor enacted to bring this ordinance to discussion that brings us to the public hearing.

S. Orr: The max amount never increases after 7 days of nonpayment?

Chief Bartlett: Correct.

A. Jennings: Night parking was changing due to the new software as it doubles after 7 days.

Chief Bartlett: Correct, the fine doubles and we can utilize that module for tracking billing.

S. Orr: Winter parking ban – someone is ticketed for parking on the street and they pay. They park on the street again and get ticketed again. What is the process to deal with a habitual offender of the parking ban?

Capt. Daigle: When the ban is in effect, if cars are impeding snow removal, they will be ticketed and removed. When there is no active snowstorm, officers will be out ticketing the vehicles as we go through neighborhoods.

D. Ross: I didn't see these other fines on this schedule previously. I would have liked to see the fire lane fine double.

J. Sullivan: Can we amend now?

Dr. Shankle: Since this is a public hearing, we will take this into consideration and I can update you at the next meeting.

Chief Bartlett: Are you referring to the initial or after 7 day fine?

D. Ross: Both of them.

Chief Bartlett: So just for clarification, you want the initial fine to double from \$15 to \$30 and the after 7 day fine to double from \$30 to \$60.

J. Sullivan: Should this parking ordinance indicate since it's a snowstorm instance, the town can tow? Can that be done or should that be in the ordinance?

Chief Bartlett: That should be up to the Council if you want that added into the ordinance to give someone the authority to make that decision during a snow emergency without the highway department calling us.

J. Sullivan: What is your take on that?

Chief Bartlett: I think that would be more efficient than waiting for a tow truck to move the vehicle before they can clear the roadway. We could look into putting a plan in place to declare a snow emergency based on what Council sees fit. We can then go out at a certain time and remove vehicles. In other towns, there are notifications to public that a snow emergency is in place (lights, media announcements, etc.). After 10 pm the police work with the tow companies to clear as many vehicles as possible so the plows can clear the roadways.

D. Winterton: Some towns allow odd and even street parking. I don't think we allow any street parking for the whole season. I think some jurisdictions allow that. Under what authority do you tow vehicles now?

Chief Bartlett: If it is impeding the snow removal process.

Capt. Daigle: It's based on being a violation of the winter parking ban. I don't know if it needs to be in there legally since they are violating the ban.

Chief Bartlett: It's more of a procedure than anything else. Once an emergency parking ban is in effect, that gives us authority to tow before the plow truck has to call us and wait for a response.

D. Winterton: What would be the investment of the town to notify people of the snow emergency (lights, etc.)?

Chief Bartlett: They are giving the residents an opportunity to move their vehicles prior to the start of towing (usually after 10 pm). Investment would depend on how you want to notify the residents.

R. Duhaime: Can we talk to Public Works director first to see how much of a problem this is and have the Town Administrator follow up?

Dr. Shankle: It seems like if we are going to do that we might want to do it in a separate ordinance. I live in Milford and they declare emergencies like that. I do know if you park on the street in front of your house and they declare an emergency at 3 am and you get up at 6 am your car is towed. The regularity

of not parking on the street from November to May is good. You might be trying to solve a problem we don't have.

S. Orr: I agree with that, you have to be careful how you enforce something like this. I think it's important to enforce this when there is snow on the road. If a car is not moved during clearing and then moves later, you can hit a spot that is all ice. I like the idea of a snow emergency ordinance for when it's going to snow.

Chief Bartlett: Under ordinance #1 00-1, if you wanted to amend that ordinance to include some of these things you are talking about, it also includes removal of vehicles. But there is no definition of a snow emergency. If you want to create that, we can set up procedural aspects on how we address that during a snow emergency.

S. Orr: It seems to me you already have authority to tow during the winter. Maybe we don't even need one since you've already got it.

Capt. Daigle: This is the winter parking ban that would start after 10 pm. If you have a snow emergency, you might want to have different provisions so you can start earlier than an appointed hour. It's not often that we get a call to remove vehicles. Our officers are trained that if there is no snow in the forecast, we give out warning slips instead of tickets for street parking.

Chief Bartlett: There are not a lot of areas where this would become a problem. We like to remind them to transition to driveway or off street parking before we give them the violations.

T. Lizotte: What number is the snow ordinance?

Chief Bartlett: 00-1, parking during winter months.

T. Lizotte motioned to allow the Town Administrator to work with Public Works and Police Department to evaluate the snow ordinance 00-1 and follow up with Town Council to recommended modifications to execute their duties efficiently. Seconded by S. Orr.

J. Sullivan: Once that comes back with a change that is when the ordinance needs to be enacted by Council.

Vote unanimously in favor.

J. Sullivan: I didn't see authority to tow, but it's actually under 00-1. We will wait until the end of the second public input to close the hearing.

T. Lizotte: Is this the second time Stantec has canceled?

D. Winterton: They were supposed to present at Planning Board on Monday but the meeting was canceled. We wanted to make sure they presented to Planning before Council.

T. Lizotte: So it is excused.

OLD BUSINESS

a. 13 – 119 Town Budgets / Warrant Articles

J. Sullivan: We had a budget workshop on Saturday, 1/4 from 9 am to 11:30 am.

Dr. Shankle: Christine is passing out proposed warrant articles and it's up to Council if you want to discuss anything further.

T. Lizotte: I'd like to do warrant articles first.

J. Sullivan: We can skip over the Operating Budget for now. Let us go to CIP Recycle & Transfer.

T. Lizotte: We should do them one at a time. We are moving them to the process of being drafted into a warrant correct?

J. Sullivan: Yes, that is correct.

D. Winterton: I would suggest that if someone wants to pull one or two like a consent agenda, but we should take them all at once if no one has a desire to pull any.

T. Lizotte: The only reason I think we should do one by one is because you address them one by one.

N. Comai: I think we make a motion to talk about all of them and then go through them one by one and vote on them all at once.

T. Lizotte: If someone out there is reviewing it they are addressed one by one. By doing it all at once it's condensed.

J. Sullivan: We don't want to combine several topics in one motion since that creates confusion.

D. Ross: I agree because there are some blanks there. The verbiage doesn't seem to be quite right. All we are doing is voting to move these on to the ballot, not our concurrence with them.

J. Sullivan: I think you are right – we need to move this to public hearing at Budget Committee and as a result of the public hearing that is when we make a motion to recommend or not. Is that correct? When do we make the motion of recommending and when does it appear on the ballot?

C. Soucie: Budget Committee would like to know your recommendation prior to seeing the warrant. I'd like to see it in 2 steps. One to decide if it goes on the ballot or not and the second I could draft a warrant for the next meeting and you could go through and re-recommend them or not.

D. Ross: That's when we can make adjustments.

D. Ross motioned to move the CIP – R & T 14 Yard Automated Collection Truck (Special Revenue) line item in the amount of \$180,000 to the ballot. Seconded by T. Lizotte. Vote unanimously in favor.

T. Lizotte motioned to move the CIP – Public Works – Town Building Maintenance CR Fund line item in the amount of \$100,000 to the ballot. Seconded by J. Levesque. Vote unanimously in favor.

R. Duhaime: Public Works – it's funny how town building maintenance fund falls under Public Works. How can we word this differently or put it under a different heading?

Dr. Shankle: I think the final warrant article will talk about Town Building Maintenance Capital Reserve Fund; it won't start off with Public Works.

J. Sullivan: I think the Public Works notation is for CIP and it's coming from that department.

Dr. Shankle: What we have done previously is put it in the budget of the department it belongs to.

D. Ross motioned to move the CIP – Public Works – Plow Dump Trucks CR Fund line item in the amount of \$100,000 to the ballot. Seconded by T. Lizotte. Vote unanimously in favor.

N. Comai motioned to move the Non-Union Raises line item in the amount of \$63,854 to the ballot. Seconded by J. Levesque.

Dr. Shankle: What we have done in the past is to put it in the budgets for the departments it belongs to.

N. Comai: This particular line is one I have been trying to get off this paper. I really don't want it here. My opinion is not to have it here.

D. Ross: Then I recommend a nay vote on this so it doesn't get moved to warrant article.

A. Jennings: Why do we want to decrease the number of warrant articles? I think it provides more transparency in what big purchases there are or big items that are going to increase people's taxes.

D. Ross: The excessive number of warrant articles aggravates the average voter more often than not. More important items are left to the end and the last few warrant articles have fewer votes than others.

N. Comai: Some of the past years of warrant articles have had some items on it that had they been in the regular budget, we would be moving forward as a town in a better capacity. Non-union raises – for several years those people were not getting any increases at all. Voters know that line will be moved into the regular budget.

R. Duhaime: We've had a lot of zoning amendments in the past and that makes the warrant articles longer to get through.

T. Lizotte: If it goes down, no means no. Even if you wanted to it doesn't give the Town Administrator authority to provide that extra merit raise.

J. Sullivan: Is the amount based on 2%?

D. Shankle: Yes.

J. Sullivan: There are currently 46 full time and 20 part time, including police and library (not Chief and Town Administrator).

T. Lizotte: Is it the will of employees to put it on the warrant?

Dr. Shankle: Depends on which employees you ask. Some of them are mostly concerned that if we go into a default budget you won't allow it, but you have not in the past. Nobody this year has told me they would rather go on the warrant.

C. Soucie: Voters have been very good to employees in the town. In the last 7 years we have only missed 1 year of raises. The last 2 years they were in the operating budget and we failed so the Council found the money for it.

Dr. Shankle: We have moved several things into the operating budget: police cars, fire department radios, and this should be one of the things. All the CIP things have to be on a warrant article by law. Any time the town has been going to increase number of employees, you always give the voters a chance to look at that first. We are trying to be consistent and still give people a chance to vote on things with long term implications to tax payers.

Motion fails unanimously.

Dr. Shankle: One change is the purpose of capital reserve is that it doesn't have a dollar figure and never will. That is designed to change the purpose of the capital reserve fund from a specific purchase to a general fund that allows public works to buy vehicles as needed. We are trying to change the amount from \$80,000 to \$100,000 and change the name from Plow Dump Trucks to Public Works Vehicles; you won't be seeing specific vehicles every other year. You need to vote on changing the purpose, but it's not a money article.

J. Sullivan: The Plow Dump Truck should not be changed? If they vote yes on that and the change of purpose, the money will automatically go to that.

D. Ross: I think it will create confusion. You don't have the opportunity to explain this to every voter. I presume there is a current capital reserve fund identified as Plow Dump Truck. What is in that fund now and should we create a new fund for Public Works Vehicles and put the money there and deplete the existing fund? It's just cleaner to close out one and begin a new one.

D. Ross motioned to make a recommendation to the Budget Committee that they propose a new capital reserve fund identified as Public Works Vehicles to appear on the ballot requesting a \$100,000 deposit and the existing capital reserve fund be depleted at the earliest time for its intended purpose. Seconded by T. Lizotte.

T. Lizotte: Can you expend the money in a capital reserve fund?

C. Soucie: The Town Administrator or Council agent can expend. What Councilor Ross is proposing is very doable.

A. Jennings: Does Public Works need a dump truck sooner than another truck?

Dr. Shankle: How much is in the plow dump truck fund?

C. Soucie: \$160,000 is in there now and a new one is \$170,000-\$175,000. He could use the \$160,000 for the next time he needs an 18-wheeler and he can dip into the new account or his operating budget for the difference.

D. Winterton: If there is \$160,000 in there and we put in another \$100,000 there would be \$260,000 if we stay with proposed process. If he needs equipment that costs \$130,000 or \$140,000, he only has \$100,000 in the account because the \$160,000 is designated for a plow. I think that limits part of his flexibility. My concern is if he needs more money for a piece of equipment, where does he find the rest of the money?

C. Soucie: I know his truck fleet is what is most important. He needs a backhoe or loader in the next year or two, but I think he is looking to replace lower priced vehicles.

N. Comai: I can't agree with putting vehicles on that line item. We put big ticket items out there for voters to vote on. If we start giving departments the leeway to purchase these things, there is no transparency. The purpose of CIP is to plan for the next 6 years. I don't like the idea of changing the purpose. I like the idea of creating another fund.

J. Sullivan: The whole purpose for combining is the same principle we did for fire apparatus 2 years ago. It was to allow the department head along with the Town Administrator and Council to do that. If there is a concern with doing this now, we need to revisit what we did with the Fire Department.

C. Soucie: The Fire Department is for fire apparatus – tankers, engines, etc. We don't replace smaller cars and trucks through that fund.

T. Lizotte: I like the idea for streamlining things and would allow us to stick one more article in here to keep it simple. There are so many levels of oversight to buy something out of that fund. Town Administrator and Council need to be involved. As for the budget process, if they want to fund this, they will need to answer questions. There are enough levels of oversight to control the spending.

D. Ross: The reason is that, similar to the Fire Department, when you ask voters for equipment, there is no time to explain. That is our job. The process is still in place, they can't just go buy anything they want. It turns it into a single warrant article instead of one for every vehicle needed. It will simplify it for the voters.

S. Orr: I agree with Councilor Lizotte. The line says vehicles, but before it can be expended it has to come through us anyway. There is always going to be a watch on cost, and what is being purchased. It seems simpler to create something and start new and fresh. To me I like the idea – it's clean, new. Let's put money in it and deplete the old line. It's confusing if we repurpose something existing.

D. Ross rescinded his previous motion to move Public Works Dump Truck to ballot. T. Lizotte rescinded his second.

D. Ross motioned to create a new capital reserve fund called Public Works Vehicle Fund with \$100,000 balance to be placed in that fund. Seconded by T. Lizotte.

N. Comai: I would caution us that it might take a couple years for the voters to get used to the simplicity. They will want to know what the plan is for the money.

R. Duhaime: Every year we should go through one department and transition to this simpler, easier capital reserve fund method.

Dr. Shankle: We do have that in place now. He can pull up for you how many miles are on each vehicle and how much we've spent on repairs. What if the truck is still usable after you get the money to replace that specific truck, you have to replace a working truck and can't replace another that might not be working. This gives him that flexibility. And we are repurposing vehicles that are taken out of fleets, such as police. We are getting more efficient with that.

J. Sullivan: It is our job to go out and tell the public why it's needed. We have been improving on that. We need to sell the product and answer questions.

Vote unanimously in favor.

***D. Ross motioned to rescind the previous vote to move the Public Works Plow Dump Truck Capital Reserve Fund of \$100,000 to the ballot. Seconded by T. Lizotte.
Vote unanimously in fund.***

C. Soucie: Council can decide who the agent would be, either the Town Administrator or Council.

J. Sullivan: What has been traditional in the past?

D. Ross: The Town Administrator is the agent to expend but beyond a certain amount he still comes to Council for approval.

A. Jennings: The general fund definitely comes to Council.

J. Sullivan: So the agent should be the Town Administrator because the same process has to occur.

Dr. Shankle: You will have a draft at the next meeting.

***T. Lizotte motioned to move the CIP – Fire Rescue – Fire Apparatus CR Fund line item in the amount of \$50,000 to the ballot. Seconded by J. Levesque.
Vote unanimously in favor.***

***J. Levesque motioned to move the CIP – Public Works – Drainage Upgrade CR Fund line item in the amount of \$50,000 to the ballot. Seconded by T. Lizotte.
Vote unanimously in favor.***

***T. Lizotte motioned to move the CIP – Public Works – Rubber Tire Excavator Lease line item in the amount of \$41,433 to the ballot. Seconded by D. Winterton.
Vote unanimously in favor.***

R. Duhaime: He can lease/rent the excavator to other towns to make money.

***N. Comai motioned to move the CIP – Administration – Revaluation CR Fund line item in the amount of \$30,000 to the ballot. Seconded by T. Lizotte.
Vote unanimously in favor.***

J. Sullivan: Next process is 5 years and the cost will be \$160,000.

***T. Lizotte motioned to move the CIP – Fire Rescue – Air Packs and Bottles CR Fund line item in the amount of \$20,000 to the ballot. Seconded by S. Orr.
Vote unanimously in favor.***

T. Lizotte motioned to move the CIP – Recycle and Transfer – Automated Collection Equipment CR Fund line item in the amount of \$20,000 to the ballot. Seconded by J. Levesque. Vote unanimously in favor.

J. Sullivan: Why is this not coming out of special revenue fund?

D. Boyce: We can keep it in the special revenue fund, but we just can't assign it when it's in the special revenue fund. I was told I couldn't put that money aside – you can't name it while it's in the account, only when you pull it out. This is a lot of money over the next 10 years so we started putting money in there. We should be in pretty good shape – we just put a little in every year so we have something in that account.

J. Sullivan: If we still need more after 10 years, we can take it out of the reserve fund in the final year but not the initial years.

D. Ross: I still have a problem with that. This is a self-sustaining operation and it looks like they are asking it not to be. Currently there is over \$100,000 in there and \$240,000 is the cost of a new vehicle. We have accumulated \$123,000 since the purchase of these vehicles. Here is a warrant article I would like to see not move forward. We are creating another capital reserve fund we don't have a desperate need for. Shortening this ballot is important.

Dr. Shankle: We are not creating this, it's existing. They created this when the program started.

D. Boyce: It was voted in the first year, not the second.

T. Lizotte: this fund was for ancillary equipment, not primary trucks.

D. Boyce: It was for trucks and barrels.

T. Lizotte: The Capital Reserve Fund is for that? I thought automated collection truck special revenue was for this.

D. Boyce: That is for the smaller truck.

J. Sullivan: If we don't put money away each year and at the end of 10 years when we need to purchase that truck, do we have any funds for that purchase or would it be a warrant article for \$240,000?

D. Ross: They were purchased using special revenue funds in the first place. Projections were that it was self-sustaining and this would not be a burden to the taxpayers.

R. Duhaime: I don't see how this \$20,000 is out of line. You would have to replace these trucks in 10 years but you don't know what the tipping fees would be.

J. Sullivan: In order to do this, if we can take it out of the last year of the special revenue fund, when we start getting up to that 10th year, we should hold off on other purchases because we're going to need that \$240,000. The problem is that in 10 years, this board will be completely different. We are telling future boards to be careful with the money. If we need another vehicle or other equipment, we don't have enough money. We have to be diligent on how we spend that money.

S. Orr: Don't I recall in the past there were times when one line item in the budget was short and there was extra money in Recycling & Transfer budget, so we could cover expenses for other line items with the saved money? This fact that it's self-sustaining is closer to the truth than not. They are putting aside money to pay for vehicles they know they will need eventually. This is just maintenance of vehicles.

J. Levesque: We have been putting money in every year and it just makes sense to do that. We don't want to have to come up with this money all at once and be short. I think it's a wise move.

N. Comai: Not just 1 vehicle, it could be 2 at \$240,000 each. We are looking at adding a smaller truck – I'm all for it and I hope \$20,000 is enough.

J. Sullivan: That covers the warrant articles other than the operating budget. Do we want to proceed to approving each budget? As a result of the first presenters at our budget workshop, regarding the impact of the Affordable Care Act, Dr. Shankle did you look into that? There is a contradiction – federal law requires us to cover someone who works a certain amount of hours (30 per week), but the town considers full time at 35 hours per week. Is it possible for us to comply with the ACA to provide health insurance but not provide other town benefits for full time employees?

Dr. Shankle: The ACA says 30 hours is needed for health insurance; state law says 35 for retirement. You can't do both.

J. Sullivan: For this employee at that level of 30 hours, we are obligated to provide insurance but not town benefits until 35 hours?

Dr. Shankle: That is correct.

J. Sullivan: The employee comes from the library and there is a library trustee here, Mr. Broderick.

D. Winterton: I've talked with our delegate since we met. The mandate for us as an employer was pushed back a year. We would be paying this now out of last year's budget if this wasn't changed. This starts on Jan 1, 2015 so the budget increase is only for ½ year. I have strong feelings in total support of the library. I have strong feelings on the fact this legislation by mandate is increasing our budgets. The Trustees indicated this might not be the impression we want to give, but I think we have a valued employee we should try to keep but providing a raise of \$5.50/hr to keep that employee at 32 hours a week is a 50% raise in compensation. At 29 hours a week, that employee loses \$800/year as opposed to a town increase of \$8500. I'm torn between the support of the library and the support of the tax payers.

J. Sullivan: By offering that employee a \$5/hour raise, if they go to the exchange there is some penalty charged to the employer. We are still going to have to pay that penalty.

C. Soucie: They have to go to the exchange and qualify for a subsidy before a penalty would be assessed.

D. Winterton: There is a penalty only if they are employed between 30-35 hours/week. There is no consequence to the town if they work 29 hours a week.

H. Rainier: That employee is currently at 33 hours a week.

Dr. Shankle: You were saying \$5/hour is the insurance cost. There may be some number you can get to if you drop their hours and they would still make the same amount of money. From the town's point of view, if I had someone at 32 hours, I would cut them back to 29 hours. It doesn't make sense to pay for health insurance for someone who works under 35 hours.

N. Comai: The 20 current part time employees, if you multiply that times \$8500, that's \$170,000. I think there is more homework to be done.

D. Winterton: That \$8500 is only for a single person. The family plan is \$23,000 for the town's contribution. There are consequences to laws that get passed. It's a tragedy this wonderful employee may be a victim of the law's unintended consequences. I don't think the town should have to pick up the garbage left behind by unintended consequences of bad legislation.

M. Broderick and H. Rainier, Library Trustees

M. Broderick: We needed to determine who the employer was because of the size of the employee population. If they were an employee of town (greater than 50 employees), there were certain obligations. If the library was the employer, would we still fall under that category? That hasn't been determined.

C. Soucie: I did not get an answer to that question.

M. Broderick: The second thing is taking an employee from 33 hours to 29 hours – one of the ideas from our last meeting to try to soften that blow would be to increase wages. Could we make those 29 hours/week equal to the 33 hour pay so they are not losing, but not gaining the insurance? The work still needs to get done for the extra 3 or 4 hours/week. If we raise the wages to offset the loss of income, the other staff in that similar level of positions would have to be examined. We did a quick study and the expense of a single health insurance turns out to be less than the expense of raising everyone's salary at that same level and making up for the difference in reduction of hours. We as a staff are the smallest full time equivalency of any library in towns of our size as well as the lowest paid. We have an amazing staff and there are a few standouts. To have this opportunity to have this person work as much as we can is a big bang for the buck.

S. Orr: I'd like to respectfully add that this is not a financial question. We are talking about a human being. Whether we agree or disagree with this law, it has been passed. We as an employer must abide by it. Hearing us talk of cutting hours so we don't have to pay benefits does not sit well with me. I understand we have an obligation to the tax payers but we are talking about people being able to afford basic healthcare. It's not perfect but we have to work within the guidelines we are given. That is the law and we can't pick and choose which laws we abide by. This is about human beings and people's lives and their ability to live a full life. In the process, we can't forget about the human factor. I would like to see the bottom line – what is the amount and how much of that is weighed against a human being?

A. Jennings: Everybody's health insurance is tied to their employer. I understand the human cost, but we have to stop bending over for the federal government.

R. Duhaime: I remember previous selectmen being Yankee, frugal farmers. They didn't want to spend any money unless they knew they would wear it out. This is forced upon us, we have to abide. The first thing I saw looking at this budget, was the largest amount was in health benefits. Some of the departments had to double the pay for the health insurance. To just give every employee health insurance is a large cost.

H. Rainier: I just want to say that as an employee of a municipality essentially for my health insurance. I can make more money in a different line of work. We drive home how much it costs to employee each person.

Dr. Shankle: This person is working 33 hours is because you didn't want to pay benefits. If we are concerned about that we should turn all part time employees into full time employees. The only reason we have people working 33 hours now is because for a couple more hours, we will have to pay all the other full time benefits.

M. Broderick: I think we would like to have her full time eventually.

D. Winterton: I appreciate your comment tremendously and my point would be if she went to 29 hours and if we gave her a raise and if she went to the exchange and got her own insurance and if your fellow employees who look at the bottom line see that she got a raise but did not get the rest of the package. Culture is so important. You have a good culture at the library and I praise you for that. If this employee's hours were cut back and they were given a small raise but were not getting the rest of the package, their fellow employees would recognize that.

M. Broderick: Her raise would be 14%. We have other part timers at a similar level. If we offer them a comparable 14% increase and an extra person to cover the extra hours, it's over \$11,000. The single health care cost is \$8,000. We are going to have an expense, it's a question of how are we going to manage that expense to the benefit to the town? There are also intended consequences with this. If we are required to provide healthcare, it would benefit the entire organization. It would be a savings rather than providing additional help.

Dr. Shankle: If you provide healthcare for someone at 33 hours and there are other employees at 28, 29 hours they would ask for more hours. It would be cheaper to give them money than move their hours up.

M. Broderick: We have people in town making the same wage but using the family plan. We have a unique situation with this person who is providing us a mutually beneficial experience.

T. Lizotte: I'm ok with putting numbers together but with doing certain things there are sacrifices. Can we make more cuts to offset? I'd rather go into non-public to understand the employee aspect more. I have questions that can't be asked in this forum.

N. Comai: Regarding the other part time employees, there has to be a lot more homework done before we can sign off on this budget.

T. Lizotte: I'm not thinking this is for us to solve; it's a budget function of the library trustees. They need to come up with solutions and our job is to say yes or no.

N. Comai: It is our decision to set policy in the sense of employees having insurance. We could look at saving by only covering employees and not family members.

J. Sullivan: The key question we need to answer is whether the library is a stand-alone employer and they meet the requirements. If they are considered part of the Hooksett town family that is when the Council needs to step in. If they are on their own, we ultimately have no control. It would be up to the library to decide if the position is full or part time. If we give raises for the position when that position is open, the rate of pay can't be reduced in the future.

Dr. Shankle: The statute gives trustees governing authority over employees. I think if we can't get clear direction from someone, if our library chooses to say their employees are not town employees and they pay somebody 33 hours and not provide health insurance, our money is better spent buying health insurance and paying for the legal fees we will incur through that fight. If they won't give you a clear answer, there is no clear answer.

H. Rainier: Every town functions differently. We have a more gray (positive!) working relationship with the town.

R. Duhaime: Who are the employees paid by?

C. Soucie: They are a separate payroll with their own treasurer and tax ID number.

J. Sullivan: If we still need to work out details, the administrative staff would need to come up with more answers to help us resolve this.

Dr. Shankle: The only way to be sure this is not a problem is to go under 30 hours and that is what I'm doing with other employees.

C. Soucie: We have 2 other employees that work close to 30 hours a week: one is seasonal so that has different regulations and the second person is covered under their spouse.

N. Comai: My point is 120+ employees – how many have spouses that could put them on their insurance? That could save us thousands.

H. Rainier: There is also a buyout stipend available.

J. Sullivan: If an employee can be covered by a spouse, there is a \$1200 buyout. We should look at the buyout at some point – possibly increase the buyout to save money in the long run on benefits costs.

5 MINUTE RECESS

C. Soucie: Can I ask if we could consensus vote about non-union raises in the operating budget?

***N. Comai motioned to approve the 2% non-union raises in the amount of \$63,854 in the operating budget. Seconded by R. Duhaime.
Vote unanimously in favor.***

b. 13 – 099 Discussion of Mandatory Recycling Ordinance

J. Sullivan: This is for discussion only. The main goal of the department and superintendent is promoting recycling without coming down strongly. We had a non-binding referendum, but someone needs to make the motion. There is no rush. We have some changes you have proposed.

D. Boyce: Our system is so easy, we just want to see more participation and save money. We have a few changes; the biggest thing is the facility itself. As far as violations and enforcement, it is our intention to educate and we are looking for those who are belligerent, not those who make mistakes. The first violation is a courtesy notice, second violation is a written warning, third violation would be possible loss of collection privileges. If you don't want to follow the rules, you aren't going to follow the rules. The last change is Enforcement which includes, again, possible loss of collection privileges.

J. Sullivan: There is a desire to promote recycling to save money. But we don't want to be the "trash police." My concern is the enforcement – the way it's written, the use of the word "will." If a mistake was made, according to the wording you would be required to send them a notice. What constitutes the violation – that is up to you. How would this affect you in these 3 stages if you change it to "may" as that softens it a little?

S. Orr: Based on what you are saying, this is for chronic violators. Maybe say something like continually violates or chronically violates so they know it's a purposeful violation.

D. Boyce: That sounds fine. We aren't after the mistakes; we are looking for the habitual offenders. It affects everyone – we're all doing our part. I think if we make it mandatory we will be able to enforce those that aren't doing what they are supposed to.

S. Orr: It feels like it's giving you authority to enforce an existing policy. Do you have an idea of how many chronic offenders there are?

D. Boyce: At the facility there are a lot more. Home wise, I'd say at least 100 residents.

J. Levesque: How many recycle barrels are out there?

D. Boyce: There are more trash barrels than recycle.

J. Levesque: We should know how many offenders are out there.

D. Boyce: I can look at my spreadsheet – I have the serial number of the barrel and the reason for the extra barrel.

T. Lizotte: When I look at the ordinance, any ordinance should be equally applied. The first exemption I see is condos. Politically, I can say they are violating that ordinance but they are exempt.

D. Boyce: Council has the right to change the amount we reimburse to the condos. We can drop the amount (right now it's 31 pounds per unit) we can drop it to 25 pounds/unit. We would want to encourage the condos to do the same.

T. Lizotte: They do have a recycling system in Granite Hill. How do they reap the benefits for their recycling program?

D. Boyce: I have nothing to do with the condos. My understanding is they have a lot of trouble with recycling. A smaller development might be able to control it better.

T. Lizotte: 31 lbs/unit/week at town rate – if we drop it to 25, they can still violate the ordinance which to me goes back to the idea when you write the ordinance, it should be able to stand by itself. You have specific people you want to target so is there a way to word it so that the questionable items are addressed?

D. Boyce: That is a private area. I don't have control over what they do in the condos.

T. Lizotte: I would be inclined to say we don't reimburse condos at all. If this goes through that might be a consideration. I'm still concerned – you have presumed that because they have no barrel out to see if that triggers someone to say that you aren't recycling anymore. And cut the bag open in front of the house. I think it's going to be too targeted. I'm concerned about that. I do believe you can create an initial phase – town property is sovereign land of the town. You could create an ordinance that says if you want to bring your stuff here you have to sort it and it has to be recycled. I don't see how you equally apply this law without targeting socioeconomic levels.

D. Boyce: We do occasional inspections anyway. There is a procedure and protocol – each serial number is associated with an address.

S. Orr: The targeting argument, I'm not sure I buy that. It doesn't work that way with speeding. I can see why it could be a concern but I don't find it a valid argument for creating and enforcing an ordinance.

R. Duhaime: A lot of these rules and laws came from Massachusetts. There are guidelines you can't imagine. I don't have any problems with this. The condos are getting credits for mandatory recycling. We cannot get paid not to recycle.

A. Jennings: Is there already SOP in place currently for a violation? It didn't list that on the warrant article. Some of the people in the condos could have been voting in favor for the mandatory recycling program. You said the program was working so well that I think the carrot vs. the stick approach is applicable here. Continue educating vs. punishing people.

D. Winterton: With the 31 lbs/unit when was that established?

D. Boyce: In 1994. Granite Hill went to Council and they OK'd the town paying condo disposal fees. Later on, Council asked what else could be done. There are a couple communities that reimbursed condos so they didn't have to worry about dumpsters and trash. The 31 pounds was an estimate at the time of what people were generating. We do give a reimbursement and not too many communities do that.

D. Winterton: Would it make sense if we're going to take steps with the condos...the town recycles 30%. 31 lbs was before we were recycling. I would think that would drop to 20.

Dr. Shankle: The reason for my recommendation that in the Enforcement section there should be an alternate penalty for 3rd, and subsequent, violations is: any time after 2 the only choice we have is to cut off service. You will hear from people that don't have kids or don't use any of our services that they only thing they are getting for their tax dollars is trash collection. The second thing is you don't want them coming to the Town Administrator first. I don't want to see anybody cut off. I cannot imagine cutting off services that people pay for. I think you should enforce with fines.

J. Sullivan: Based on this discussion, maybe we can stop now and the Town Administrator and Diane can work on redefining things based on our suggestions and we can proceed accordingly at a future meeting.

T. Lizotte: The idea is to haul less trash. Do you offer an opt-out? I disagree that it shouldn't go to the Town Administrator; it should come to us and we should back it up.

S. Orr: I like the idea of fines. Maybe you can investigate other towns.

D. Boyce: I'd like to thank Katie for going over the Recycle & Transfer portion of the survey. I'm very happy with the results.

T. Lizotte motioned to continue meeting to 10:30pm. Seconded by D. Winterton. Vote 7-1 in favor.

NEW BUSINESS

- a. 14 – 004 Discussion of Fire Station #1 Expansion

Chief Williams: We'd like to move forward with expansion of the station in the village. It would be inside of the existing structure. It is 20 years old and was not set up for 3 firefighters working 24 hours and

doesn't accommodate male and females. We want to use impact fee money to redo the layout for this accommodation to try to get this project done. I got 3 quotes – the back portion of the bays area we want to take that space and figure out how to make 3 bedrooms instead of a wide open bunk room. We also want to move the gym to a climate controlled area. Currently, the officer sleeps in the office at the front of the building and we would move that into a separate bunk room so it's just an office. I'd like to move forward with SMP architects. We would get a layout, cost and put the project out to bid and then come back to you for approval on costs.

T. Lizotte motioned to approve recommendation of SMP Architecture for the Conceptual design services and estimating in the amount of \$9,800. Seconded by A. Jennings.

N. Comai: Have you and your team gone over this and provided the architect close to what you want to do so the fee doesn't inflate?

Chief Williams: Yes, all 3 have been to the station so they have an idea of what we are looking at. It's not a huge job but something that needs to be designed.

R. Duhaime: How many female firefighters do we have?

Chief Williams: We made a conditional offer to one that will be our first in 15 years.

R. Duhaime: How many bunks at safety center?

Chief Williams: There are separate bunks and bathrooms for male and female there and I'd like to do that at this location.

R. Duhaime: You are doing the interior; it's too bad the exterior can't fit the Village exterior.

Chief Williams: We are going to look into that. The block needs to be worked on. We can use the impact fees for that too.

D. Winterton: If this goes forward, the construction can also come out of impact fees?

Chief Williams: Yes, the entire project can come out of impact fees. This will give me an idea of what the cost of the entire project will be.

SUB-COMMITTEE REPORTS

None

PUBLIC INPUT

The public hearing is now closed on the proposed amended Administrative Enforcement of Parking Violations Ordinance #00-28.

NON-PUBLIC SESSION

NH RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her,

NH RSA 91-A:3 II (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself.

T. Lizotte motioned to enter non-public session at 9:40pm. Seconded by J. Sullivan.

Roll call

T. Lizotte – Yes
A. Jennings – Yes
N. Comai - Yes
R. Duhaime – Yes
D. Winterton – Yes

J. Levesque – Yes

J. Sullivan - Yes

Vote unanimously in favor.

T. Lizotte motioned to exit non-public at 10:27pm. Seconded by A. Jennings.

Vote unanimously in favor.

T. Lizotte motioned to seal the non-public minutes of 1/8/14. Seconded by A. Jennings.

Vote unanimously in favor.

T. Lizotte motioned to adjourn at 10:28pm. Seconded by A. Jennings.

Vote unanimously in favor.

Respectfully Submitted,

Tiffany Verney
Recording Clerk