

TOWN COUNCIL MEETING MINUTES
Wednesday, May 14, 2014

CALL TO ORDER

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

ROLL CALL – ATTENDANCE

Adam Jennings, Robert Duhaime (6:55 pm), Donald Winterton, David Ross, James Levesque, Susan Orr, Chairman James Sullivan, Dr. Dean E. Shankle, Jr. (Town Administrator)

Missed: Nancy Comai, Todd Lizotte

PLEDGE OF ALLEGIANCE

Moment of silence for Mrs. Robie and Brentwood police officer Steve Arkell.

APPROVAL OF MINUTES

a. Public: April 23, 2014

D. Winterton motioned to accept the public minutes of April 23, 2014. Seconded by S. Orr. Vote unanimously in favor.

b. Non-public: April 23, 2014

A. Jennings motioned to accept the non-public minutes of April 23, 2014. Seconded by D. Winterton.

Vote unanimously in favor.

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

CONSENT AGENDA

- a. Acceptance of \$30.00 donation from Sara Kelly to the Fire-Rescue Dept.
- b. Acceptance of \$50.00 donation from Diane A. Groux to the Fire-Rescue Dept.
- c. Acceptance of tree donation from Caroline Masterson to the Parks & Recreation Dept.
- d. Release of University Heights site bond for \$449,913.

D. Ross motioned to table release of University Heights site bond for \$449,913. Seconded by J. Levesque.

Vote unanimously in favor.

J. Levesque motioned to accept agenda items A, B, and C as presented. Seconded by S. Orr.

Vote unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

- Working on returning property to someone who was tax deeded a couple years ago; \$253,075.52 check received today – for back taxes, interest and penalties. Includes taxes paid through 2014.
- Hooksettites Golden Age Dinner is tomorrow, May 15; Town Administrator and Councilor Lizotte to attend.
- NH DOL previously came through all town buildings and returned yesterday to check on progress; everything except one small thing has been completed and we avoided any fines.
 - We have installed a small barrier in the tax collector's office to prevent people from jumping over the counter.
- There have been thoughts about putting a plaque up in Town Hall to memorialize all the Hooksett Youth Achiever recipients.

Consensus to allow Town Administrator to go forward with a plaque.

- Memorial Service for Mrs. Robie on June 14. More details to follow.
- Employee Training – DPW employees (chain saw safety, excavation safety, etc.); continuous training initiative ongoing.
- Spent a lot of time interviewing for Fun In the Sun, working on personnel issues, and continue to spend time on purchasing new software for Community Development department so they flow together with Planning and Zoning and speed up the system.
- Spending a lot of time on insurance; update to come later in the meeting.

J. Sullivan: We previously had questions on the Charter and the procedure for amending ordinances.

Dr. Shankle: 14-33 and 14-34, the Chief couldn't be here tonight. The reason it's on the agenda is because it was tabled at the last meeting, so by definition we had to put it on the agenda.

J. Sullivan: We had a good discussion at our last meeting but there was some confusion on the process, if there were any changes to the proposed ordinances.

D. Ross motioned to remove the ordinances from the table for discussion.

Dr. Shankle: You are talking about 14-42, but if you want to move that up, we can.

Consensus to move that item up in the agenda, before 14-33.

PUBLIC INPUT: 15 Minutes

None

NOMINATIONS AND APPOINTMENTS

None

D. Winterton: Chair of Economic Development Committee has resigned and another member has moved. Maybe we ought to examine that committee and the direction we want to take.

J. Sullivan: We can put that on a future agenda. We are coming to that time in June where we nominate and appoint at our second meeting. We need to post and contact those currently serving to see if they want to continue and advertise any available positions.

S. Orr: May I ask the Town Administrator to include that in his article in the Banner?

SCHEDULED APPOINTMENTS

a. Town Planner re: Impact Fees

JoAnn Duffy, Town Planner: I scheduled an EDC meeting for May 27 at 4 pm so it could be posted. I thought they could talk about the committee at that time. It can be canceled but it's on as a holding spot for now.

I was asked to come in to give you an overview of impact fees and how they are handled here in Hooksett. We currently have 4 impact fees: School, Parks and Rec, Public Safety (Police and Fire), and Roadway. They are used for things that are created as a result of the growth happening in town. When someone comes to the Planning Board with a plan (residential or commercial) we assess a fee that is based on a schedule put together by a consultant, Bruce Mayberry. He determined what the fees should be based on what we have now and what is needed in the future. BHD engineering company out of Bedford (Marty Kennedy) made the impact fees for Roadway. Residential is broken down by single family, townhouse, and apartment – there is a flat fee for each type of use. Commercial and Industrial is broken up by type – grocery store, office building, etc. – based on square footage. These fees are assessed by the Planning Board and they are given an invoice – they have to pay the fees within 10 days of getting certificate of occupancy. A few people have asked for waivers over the years, some granted and some denied. If someone thought the fee was unfair, they would go to the Planning Board, request a waiver and it would be granted or not. Another process is if someone does not want to produce a check, they would do a roadway improvement. That needs consent and review of Council before final action can be taken. Impact fees have been in effect since May 8, 2001 (schools). Fire has used it for cars, rescue tools, cameras, defibrillator, software, hardware, design of station remodel. Police department has used it for roadway projects, cruiser laptop, radio repeaters. We were able to revise the current law to include that we could use roadway money for state roads. Many people voicing concerns said most towns did not keep accurate records. They complimented Hooksett for the way we are keeping track of those things.

D. Winterton: When Mr. Mayberry and Mr. Kennedy designed our rate schedule, when was that and should that be looked at to make sure we are competitive with neighboring towns?

J. Duffy: They were first set by the stock of housing that existed on the books and the growth that would happen after that. They came up with how much each new house would have an impact on the overall services of the town. The schools were adopted in 2001 and updated around 2004. The school district paid for the update. It's not based on surrounding communities; it's based on how your town is growing and what your town needs. Roadway fees are based on an area, not project-based. If you divide the town in 3 sections, those define where the money can be spent (only within that area). The roadway fees were adopted in 2005 and updated once (2008); the other 2 have not been updated. Parks and Rec were in a deficit, based on our population and what we were supposed to be providing, we were far behind where we should have been.

D. Winterton: Who are they?

J. Duffy: The consultant. It's also based on state law. If you are supposed to have 20 officers for every 10,000 people and you only have 3, you would be behind. In order to be allowed to collect fees, we need to be where we should be. We looked into collecting a fee for renovating old Town Hall. They said we needed to spend town funds to get up to where you should be before you can collect a Town Hall impact fee. It's all based on studies.

D. Winterton: It's based on an RSA?

J. Duffy: You can only use impact fees for future growth. When a developer comes into town, people think they should be paying for everything but the town has to pay for things as well – it has to be a partnership.

R. Duhaime: The Parks and Rec deficit was on the west side of the town, and there are no real parks on that side of town.

J. Duffy: The only one split is roadways.

R. Duhaime: If there is a deficit in that area, you can't make a developer pay for improvement on what already exists or supplement the infrastructure they are at.

A. Jennings: The only impact fee that's divided is the roadway fee? We talked about the Lilac Bridge only coming of one place.

J. Duffy: That is Zone 2, not District 2.

D. Ross: We went through this with the Pinnacle project. We had a lot of impact fees that were going to expire. Do we have a schedule of expiration dates on impact fees that are currently held?

J. Duffy: Yes, Christine usually brings it to us a few months ahead of time to see if we can use the money on any projects. The biggest one is Roadway, but Leo is finding projects that are needed to spend that money on. There is a little bit on the list that I saw that will be going back to the developer. You can only hold it for 6 years and it has to be in an interest bearing account. Walmart/Lowes provided money and said we could hold it for 10 years to be used along the Route 3A corridor.

J. Sullivan: Could you provide a printed list to us? I think that would be helpful.

R. Duhaime: Walmart and Lowes were supposed to cover the whole hourglass cost.

J. Duhaime: They have an estimated cost; we collected the money in 2007 so we have a little time but not too much.

R. Duhaime: It was not on the 10-year plan; the state is aware it's going to run out in 3 or 4 years so they are going to make sure the project gets done.

J. Duffy: The state is considering the hourglass as phase 2 of the same project. Money is being held by the state but we need to get the funds encumbered for that project. They told us we have to get into the

construction state of the Hackett Hill project before we start the hourglass project. We are meeting with the abutters of the Hackett Hill project on Monday.

A. Jennings: Impact fees need to be spent or earmarked within 6 years?

J. Duffy: They have to be earmarked. There is a request for impact fees on South Bow Road (14-35). Can you move that up on the agenda?

a. 14 – 035 South Bow Road Fees Discussion

J. Duffy: The developer offered to do offsite improvement work in exchange for paying money upfront. They are getting \$20,000 more in work vs. the amount of money they would take. Planning Board has already approved but the final step is to get Council approval. Leo will be overseeing the work.

R. Duhaime: Is the entrance to the development on the Hooksett side going to be widened or any other improvements?

J. Duffy: Rather than take the money and worry about it later, they are just going to do the work.

D. Ross motioned to approve the capital improvements to South Bow Road and the acceptance of \$53,960 in lieu of roadway impact fees for the Summit View project. Seconded by A. Jennings.

R. Duhaime: There is nothing saying Leo is the clerk inspecting it.

J. Duffy: there is a statement at the end of the paragraph above saying *“A specific note has been added to the plan set, specifying that all off-site improvements would be completed, inspected, and accepted prior to the issuance of the first certificate of occupancy.”*

D. Winterton: This has been a long process with the developer and this is a wonderful proposal for the town. I know Leo was excited because it is dealing with a lot of the drainage issues we would have to address anyway.

A. Jennings: It's going to save the town close to \$30,000.

Roll Call

S. Orr – Yes

A. Jennings – Yes

R. Duhaime – Yes

D. Winterton – Yes

D. Ross – Yes

J. Levesque – Yes

J. Sullivan – Yes

Vote unanimously in favor.

OLD BUSINESS

b. 14 – 031 Discussion of Main Street Bridge Project

J. Sullivan: I'm going ask that we allow Senator Boutin to speak as he helped facilitate another option to us.

Consensus to allow Sen. Boutin to speak.

Dr. Shankle: The state realized that the options were not in the best interest of the town so they went back and discussed further. The third option they are suggesting is alternating one-way traffic. They put in signals on either end. It will be slower to get through but you will be able to go either way all day long. The other thing is they say is *“Given the discussions and concerns that we have ad with the town, and lacking a clear consensus from the town otherwise, the Department is proposing to move ahead with Option 3.”* I think that's an important step as they are saying this is the preferred option and they are going to move ahead with that unless they hear otherwise.

Sen Boutin, 1465 Hooksett Rd, Hooksett, NH: There were 2 issues – the proposed suicide fence; everyone said we had to get rid of that. DOT agreed not to put up the fence but where the bridge goes over Riverside where stairs are, but they will put snow fencing so no snow will fall over the side to leave the state liable. They are putting a second fence where the railroad tracks are. The Hooksett Garden Club is ecstatic about that. The second thing – I asked the commissioner to come down and look at the situation. Option 3 was presented and I think it's a very common sense compromise for everyone. I spoke to Police and Fire Chiefs and there seems to be a consensus to proceed this way. The Department would like a vote tonight and a letter stating you support option 3 and approve the fencing so they can move forward.

D. Ross motioned to accept the 3rd option and approve the snow fencing as recommended by DOT. Seconded by S. Orr.

R. Duhaime: I think Option 3 is a great idea. The only thing I liked about closing the bridge is you'd get rid of truck traffic in the Village for 8 weeks. They would love it.

D. Ross: There is no mechanism for them to do that.

A. Jennings: When DOT engineers came down, they said Option 3 was not feasible. I think by Sen. Boutin talking to the Commissioner, we were able to get that option. My only concern is for the school buses and emergency vehicles.

Sen. Boutin: Lights will adjust in terms of peak times (northbound in the morning and southbound in the afternoon). My thought would be there is enough advance notice that the school district will have to make adjustments with the bussing. Regarding emergency response, Chief Bartlett raised the question of having an officer out there directing traffic. If a cruiser is traveling Northbound on 3 and need to cut over to 3A they can radio ahead to clear traffic for them. I haven't talked to the department about that but I think it's a worthwhile conversation to have. I don't know how they would do it otherwise. Flag people are another option for the town to consider.

R. Duhaime: Thank you Senator for getting them to back down on the fencing.

Sen. Boutin: I have to say the Commissioner was very responsive to our requests.

S. Orr: I just wanted to add my thanks for doing this. When I brought this up at the last meeting I got blank stares and I appreciate you bringing this forward.

D. Winterton: I'd like to add my thanks. It's nice to know someone knows their way to the front office.

Vote unanimously in favor.

Dr. Shankle to send letter to DOT indicating Council's support of Option 3 and agreement of snow fencing as per the DOT recommendation.

a. 14 – 042 Discussion Other Ordinances Town Charter/Town Council Rules of Procedure
Dr. Shankle: We talked to town attorney. The one thing that seems clear to me is that any single Councilor that wants to present an ordinance has the right to do that without a vote. The attorney suggested that we put in wording like *“After the public hearing the Council shall put the proposed ordinance in final form, which may include editorial revisions and textual modifications resulting from the proceedings of that hearing. An additional public hearing shall be held if the ordinance is substantively altered by the Town Council after public hearing. Subsequent public hearings shall be held at least 14 days after the prior public hearing and with the notice provided in Section 3.5 (A) of the Charter. The Council shall not take final action on any proposed ordinance until at least seven (7) days after said public hearing(s).”* You need to make sure you are having public hearings. This is something we came up with internally – *“Prior to a Council member introducing an ordinance, the Council shall discuss the contents which may include editorial revisions and textual modifications. An ordinance needing revisions based on this discussion will be brought back to the Council in a final format at their next scheduled meeting. The final version of an ordinance shall be introduced by one Councilor for a public hearing at the Council's next scheduled meeting. No second to a motion and/or vote is required to move an ordinance to a public hearing. The Council shall not take final action on any proposed ordinance until at least seven (7) days*

after said public hearing(s).” I think that if a Councilor wants to present something and doesn't want the Council to play with it in advance, they have a right to do that. Instead of a motion to move forward, you'd have a motion to discuss a possible ordinance on a certain issue then you can discuss it as a possible ordinance and decide at the end if you want to move it forward. If you want to do something, amend the rules so it's clear, I'd include both but reverse the order. Then you'd have a process in place.

J. Sullivan: I think that helps to clarify public hearing changes as well as discussion by the Council. I'd ask that we approve this now before we get to the ordinances.

D. Ross: We can't make changes to the charter without a public hearing.

J. Sullivan: This is rules of procedure so we don't need a public hearing. There was a motion under community outreach to allow the Council Chair to sign letters on behalf of Council when off-schedule to Council meetings. That was moved and seconded and discussed and changed so we can follow the same procedure in adding 12.

Dr. Shankle: It needs to be a 2/3 vote by all members – 6 positive votes.

S. Orr: The last time we made a change to the rules and procedures we wanted a full slate of Councilors. We definitely have a quorum but do we want to have everyone's voice heard before we make a change to our rules and procedures?

Dr. Shankle: I don't think you need to do this right now in order to move ahead with what you've been doing because you've been doing exactly what the rules and procedures say. You can keep discussing the way you've been doing it and put it in writing.

S. Orr: I'd like to request we put the vote to amend rules and procedures by adding #12 to the next agenda.

R. Duhaime: I'd like to know that we won't be prolonging this.

D. Ross: Article 3.6 says it may be introduced by a Councilor, not a department head. Then you take ownership of it. There is a format to follow before you can present.

D. Ross motioned to take the alarm ordinance off the table. Seconded by A. Jennings. Vote unanimously in favor.

c. 14 – 033 Discussion of Amendment to alarm ordinance
Sgt. Bouchard and Capt. Daigle, Hooksett Police Department

D. Ross: Have there been any changes since the previous version at the last meeting.

Capt. Daigle: Yes. Chief decided we would change the fee from \$25 annually to make it a one-time fee for a new permit only. Every renewal would be no charge. He reviewed the fine schedule regarding false alarms and decided not to raise those higher than they were.

J. Sullivan: Those were 2 issues you addressed correct Mr. Ross?

D. Ross: I still find the non-response to be something that puts the town potentially at risk. It's not doing what we are expected to do for our citizens. We are obligated to respond. That's where I go back to it's money that makes people move. If the homeowner made a mistake by leaving the door open, they deserve to have a response but they should have to pay for that. It should be punitive, but I have trouble with anyone being told they are not going to be responding, at least residential.

Capt. Daigle: I don't want to have to tell an officer's widow that he responded for the 28th time to an alarm to a place where the permit holder never comes out to the alarm and never has it addressed. That is a problem. The trend across the country is no responses after a certain level. I know what you are saying about the fees but I think telling someone we aren't responding until you have it fixed, that will have the same response. In section 6, the last sentence states *“If a disconnect or no-response is initiated, reinstatement can be made by the Police Chief or his/her designee upon payment of fines or penalties*

and/or a finding that a reasonable effort has been made to correct false alarms.” We’re not going to disconnect them if they are making a good faith effort.

D. Ross: I think clarification is needed. This non response would be if they fail to pay the fines? I know fines in Boston are exorbitant. I don’t know what the statistics are in Boston and I understand with commercial properties, but my concern is homeowners. If they are paying the fine and doing what they can, that’s my concern.

Capt. Daigle: If you are paying fines and doing what you are doing, we aren’t going to have a no response for them. Having an alarm permitted by the town is the responsibility of the resident as well.

S. Orr: I think that’s a valid point. Maybe it should be AND so they have to pay the fine. Does the town have a liability – if we decide a no response and the next time the alarm goes off it’s a real alarm, are we liable for any damage or injuries?

Capt. Daigle: I’m not aware of that. How many times do we respond to a false alarm? I think you can deny a permit. We have a process to get the permit back.

Dr. Shankle: We would be sued and you as a Council need to think about if you were on a jury and explained it this way, what would you think? How many officers are on the road at night? No more than 3. If you take one person for an hour to respond to a false alarm, everybody else in town is less safe.

D. Winterton: No response means no response to an alarm. If they call 911, you are going.

Capt. Daigle: Yes, we go and always ask if a keyholder or responder if someone is coming out. 99% of the time, nobody comes out if the building is secure.

D. Winterton: Definition of false alarm is it went off and everything is secure. Is there a definition of non-response only to alarms?

Capt. Daigle: In definitions, we have included *“does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user.”* We understand that due to lightning, thunder

J. Levesque: You are allowed 2 free false alarms and the third is \$75. Are the subsequent fines \$25 more than the previous fine?

Capt. Daigle: Yes. We aren’t out to harm anyone financially. If you’re at level 6, you’ll be paying the alarm company as well. Every year we average 600-700 false alarms. We spend a lot of time going to false alarm calls.

J. Levesque: If you can’t abide by the rules of the permit, then you don’t get the service. You need these people to fulfill their end of the permit bargain.

A. Jennings: Is there a permit requirement now?

Capt. Daigle: Yes but there is no fee involved currently. You can see the changes we think need to be made since inception.

A. Jennings: Does the alarm company know that they need a permit? Is there a way to contact alarm companies?

Capt. Daigle: There are a lot of them that call us that don’t know what the town ordinances are. When we go somewhere there isn’t a person, we leave alarm cards that reference the ordinance so they can go back and get informed.

A. Jennings: If someone doesn’t know about the ordinance, there would be no retroactive penalty, just a \$25 fee?

Capt. Daigle: Yes they would have to go through the permit process.

R. Duhaime: When you get into townhouses, condos, it turns into chaos when someone didn't enter the code or slide their card. I think this is a great idea.

S. Orr: You list 3rd, 4th, 5th alarm. I'd ask that you add "false alarm" to all so that it's clear. That's a lot of fees...what are they going to be used for?

Capt. Daigle: They are going to General Fund, same as the permit fees.

D. Ross: Many systems involve fire. How does this affect fire alarms? Has any thought been given to that?

Capt. Daigle: My understanding is when the call comes in, they know it's burglar or fire. Our ordinances wouldn't affect each other.

D. Ross: We might want to get that on a future agenda to review the Fire Alarm ordinance.

Capt. Daigle: I did approach them but they wanted to keep them separate.

S. Orr motioned to introduce the ordinance with the edits discussed at tonight's meeting for public hearing at the next scheduled meeting.

d. 14 – 034 Discussion of pawn shop ordinance

D. Ross: Any changes made from prior version?

Capt. Daigle: Yes, in Section 6 we added the exclusions we talked about last time.

J. Levesque motioned to introduce the pawn shop ordinance for public hearing at our next meeting.

NEW BUSINESS

b. 14 – 041 Property Liability Contract proposals

William Bald, presenting proposals from 3 different companies: Your current insurer LGC is good through June. We went to HUB, Davis and Towle (specialty carriers that do work in municipal space). Proposals received from Primex, Davis & Towle (representing Travelers). There is a high level chart of your coverage. We have a competitive quote from Davis & Towle (Travelers) but we have a couple more that I will present. Their premium is fairly close to what you were paying last year. Workers' comp is higher and their policies do not include flood coverage which is an additional \$11,388.

J. Sullivan: Unemployment is N/A with Travelers.

W. Bald: My suggestion is to split the coverage between Primex and Travelers.

D. Winterton: In the Primex and LGC quotes, flood zone is included?

W. Bald: Correct, it's included as part of the contract.

Dr. Shankle: We would need to add the \$11,388 to Christine's total of \$219, 275 correct?

W. Bald: Yes. I do have total package pricing. I'm recommending an unbundled approach with Primex handling Workers Comp and Unemployment. You do lose a discount but the savings still makes sense to go in that direction. The Davis & Towle quote does include the flood zones. I do have an addendum that we can discuss at the end. Considerations: Loss Control – Primex has a good reputation with this. I think strongly engaging with either of them and utilizing their Loss Control will benefit the town significantly over time. Pooled vs. Direct Approach – With pooled (Primex), your claims are offset by other members. It's sometimes tempered – if you do move to Travelers and have a couple bad years, they will hit you pretty hard. Having Loss Control in place will really help you. It's included in the contract price. I'd highly recommend taking advantage of that. I know you have a relationship with Davis & Towle

and leveraging that will allow them to bring things to bear from a Loss Control standpoint in addition to an insurer. Travelers is a strong program – you don't have to worry about property coming from one insurer and liability from another. My recommendation is to have Workers' Comp and Unemployment with Primex and have a finalist presentation from Davis & Towle for Property and Liability.

R. Duhaime: Davis & Towle is only using Travlurers, but they would have put it to bid?

W. Bald: Yes, the others declined. Travlerers is your only commercial option.

D. Ross: Any caps, restrictions, etc?

W. Bald: No, if rates are increased by more than 25% there are constraints for that but if you do have another couple bad years, the commercial market rates will increase significantly. They can do more than 25% but it's more of a process to increase that. If you run well there is the opportunity for reductions in the future. If you are a poor risk, the rates could be raised and the insurer could drop you. The highlighted areas are of concern with the Travelers quote. Flood coverage is capped at \$5M and earthquake is capped at \$5M. Fairly low risks but you do have some buildings in Flood Zone A (courthouse, Riverside fire station, Hooksett Rd generator building, Hooksett Rd pump station, Martin's Ferry pump). My concern is \$5M adequate from your perspective? If not, what needs to be done to make it adequate? We have a fault line in NH and the rate is low, but I think it needs to be considered.

J. Sullivan: Other than the Kmart floods, we haven't had one since 1938. Nothing that affected these areas.

D. Ross: Risk of town buildings, is \$5M total occurrence? What would be the total value based on a 100-year flood plain rise. Will it be more than \$5M?

W. Bald: That is something that can be purchased for about \$11,000 additionally. There is still a premium savings. I'd hate to see you not be prepared for natural disasters.

J. Sullivan: Sometimes FEMA provides funds for natural disasters. How would that affect that?

W. Bald: You could possibly get funding from FEMA – you can't count on that.

J. Sullivan: FEMA would apply to municipal buildings as well as private?

W. Bald: Yes.

R. Duhaime: Can you explain some of the question marks?

W. Bald: Sure. Employee related practices deductible is \$50,000. Also on umbrella (excess liability limits) is a \$10,000 deductible. My area of concern is that \$50,000 deductible on employment related practices.

S. Orr: What would fall under that?

W. Bald: Improper termination, discrimination on the town staff's part, etc. There are question marks because I don't have a copy of the current property and liability. If it was clear, I put it in. It is listed on the policy. BI is Business Income Extra Expense – if you owned a restaurant and have a fire and are out of business for 6 months. That would be loss of receipts and getting back up and running. It's part of your policy but I don't think it's as important as other areas. It's built into the cost of the policy. BPP – Business and Personal Property Value – full flood coverage.

R. Duhaime: Have we done this all along but now they are setting direct amounts or did we ask for direct amounts?

W. Bald: That's how they write policies. You were getting that coverage last year and I don't anticipate any changes. It could be a situation where you feel you need increased coverage and asking Davis & Towle to get that pricing for you.

J. Levesque: Can you explain 30 and 31?

W. Bald: 30 (Scheduled Property) is a written schedule of items and 31 (Scheduled Fine Arts) is a written schedule of fine arts with a value of \$12,000. If you don't schedule them they are covered at depreciated value.

D. Ross: We might want to look at artifacts not belonging to the town being housed in town buildings. What is Blanket Limit?

W. Bald: You have the full \$51M coverage across everything; there are no internal limits on their policy. Even if you have a partial loss, you can get up to that full value if the loss amounts to that.

D. Ross: Flood and Earthquake – is it \$5M times two if we had both?

W. Bald: Yes that is correct.

A. Jennings: Because of the blanket limit, maybe we can ask them to set Zone A flood zone to what our valued buildings are?

W. Bald: That is my recommendation. You've got some things here I'm not sure if they have been addressed over the years or just renewed as is (cameras and musical equipment).

J. Sullivan: Based on your recommendation of determining value of buildings in flood zone, do we hold off until we get a value?

Dr. Shankle: We got LGC to hold off until your next meeting so you have time to think about this and get more information.

W. Bald: We have a meeting scheduled next Wednesday, so if you can come up with some estimated values, it will give you some more accurate information to base your decisions on. You are able to make tweaks to the policy between now and July 1, the inception of the policy.

D. Winterton: I see 32 items under property and 32 under liability. Are those we currently have?

W. Bald: Yes, those are all typically included in municipal policies.

D. Winterton: Are there things we have been insuring that we can remove and are there things you think we need to add coverage to?

W. Bald: Possibly. We weren't hired to examine that. It's something we can do for you or in conjunction with your employees. I'd recommend a process or procedure for the town to review every 3 years so you can do it yourself without a consultant.

Dr. Shankle: Employment related practices deductible. Can we go over that?

W. Bald: It's per occurrence. If you were sued for \$250,000 and were found liable, you would pay the first \$50,000. We need clarification on legal fees leading up to that. More often than not you end up with frivolous suits and you have defense costs.

D. Ross: Settling vs. fighting. I think we would want clarification on that.

W. Bald: That is one of the due diligence items we would do in the finalist presentation. If you do retain the right to settle, you may have more exposure and co-insurance. We do need clarification on that and what you currently have.

D. Ross: Last time if we didn't allow the insurance carrier to settle, they wouldn't cover us for anything. The other question is sewage back up liability. Is that sewer department or the town?

W. Bald: That depends if you are brought into a suit regarding that.

J. Sullivan: You will get clarifications and then Dr. Shankle will come back with a recommendation.

W. Bald: You don't want to be pennywise and pound foolish. It's understanding coverage and risks. Property – getting our hands around earthquake and flood. Liability – fully understanding employment related practices.

R. Duhaime: It's still a cost savings if we go unbundled even if we lose the discount. Unbundling is a good thing.

W. Bald: Primex does a good job on Worker's Comp.

c. 14 – 043 Discussion on Results of Town Elections

J. Sullivan: 580 voters turned out. Budget did pass and that is a good thing. Everything passed except for the revaluation.

Dr. Shankle: I think it's a good thing the way the votes went. People thought about it and majority came down on the side of staff, Council and Budget Committee.

J. Sullivan: Congratulations to the re-elected members and Councilor Jennings who had the only competition.

A. Jennings: A lot of people didn't know about the election. At Q&A it came up there is a 3% charge for public access channel. Can we earmark funds from public access to publicize the upcoming election? Can we ask businesses to advertise voting day? A lot of people didn't know Election Day was yesterday. I'd like to see more participation in the future.

J. Sullivan: We can discuss the Comcast thing. The other thing is March is school elections and May elections are town. We've been doing it this way for 25 years. Turnout has not always been great. We have 8300 registered voters and 580 is not even close. I think we can discuss the 3% charge on a future agenda.

D. Ross: I think it expounded confidence. They voted for all the recommendations. In that regard I think it's encouraging. People seem to be hovering in a holding pattern. We haven't done anything outrageous. It was subdued. We had more turnout for school election than town. There was displeasure on one side so there was a large turnout. There was no displeasure on the other side so there was a subdued turnout.

Dr. Shankle: Banner included our letters and the lead editorial was on Mother's Day so that means they didn't talk about the elections at all.

R. Duhaime: It was mostly seniors, not a lot of younger people. I know in the past they wouldn't support the budget because they are on a fixed income.

J. Sullivan: We can discuss further combining Election Day with the school district so people don't have to come out at different times. March is a necessity for school contracts, etc. but that would have budget impacts. But we could discuss this.

R. Duhaime: Tax rate will go up because everything did pass so I'm wondering if the turnout next year will be greater.

d. 14 – 044 Discussion of newsletter being placed in tax bills

J. Sullivan: Instead of "Do You Know" can we add "Positions are open" or something similar?

D. Ross: It's at the top of the next column.

J. Sullivan: Ok, I see it. I missed it.

S. Orr: When I see "Volunteers Needed," it doesn't sound exciting or inviting like "participate in your local government." I don't have any other thoughts for what we can use.

D. Winterton: I don't think it's necessary to include specific term limits. We need to have a list of places we need residents to serve our government. Maybe just a list of boards and committees that have openings and they can go there for more information.

J. Sullivan: We want to clarify that to read Committee/Board Member Openings, and if you would like to serve, please contact administration.

D. Winterton motioned to include newsletter in the 2014 tax bill as amended. Seconded by S. Orr. Vote unanimously in favor.

SUB-COMMITTEE REPORTS

J. Sullivan: Old Town Hall: Heritage Commission and Historical Society hosting Family Feud on June 12. Old Town Hall continue to look at it – asbestos and abatement were addressed and taken care of. Finalizing issues that the architect plans will address.

A. Jennings: Nothing to report.

R. Duhaime: Nothing to report.

S. Orr: Nothing to report.

D. Winterton: Hooksett Youth Achiever of the Month presented in 2 weeks at Town Council meeting. Planning Board did not meet last week so we meet next week. We have a full agenda. Economic Development Committee has a meeting the day before our next meeting. I need some input on what the real role of that committee is.

D. Ross: Nothing to report.

J. Levesque: Board Of Assessors met and addressed a list of items – changes in taxes due to conditions of buildings. We approved most, a few denied and one sent back for more info. ZBA met last night and Lilac Park project – sign on highway was approved but still has to go to Planning before he can get the sign. It won't be put up in the near future. He has someone that has 300 species of lilacs to be planted. Nonprofit is doing study – sounds like a good start. One person wanted to build a garage – it was approved even though it was 5' under the setback. Car dealer on Rt. 3 rents a building that a variance was given to do front end alignments only, no repairs. The person wants to do inspections which mean auto repairs will have to be done. ZBA can't give a variance because of groundwater. We don't know how he was able to get the change of use from automotive sales. ZBA will write a letter to Dr. Shankle asking for direction.

PUBLIC INPUT

Dave Pearl, 79 Main St: 580 votes cast, that was the lowest in 6 years. That's the serious voters so maybe we had a good pulse of what was going on. I was thinking about how to increase voter involvement. There were a number of ex-Councilors at a recent event talking favorably about their time on Council. Maybe Council should form a type of alumni association to try to promote positive changes and experiences they've had without expending the time they spent on Council. They'd be a non-partisan group but could come up with funds if they wanted to have signs. Listening to them talk about their time on Council was inspiring to other people who wanted to do that. Particularly right before the vote to show it's more about civic duty than just showing up. If we can educate them earlier in the year, that might be a good thing.

J. Sullivan: The Hooksett Citizen of the Year celebration is the event he was referring to. It was a good event and I want to thank Councilor Lizotte for presenting the proclamation to David Dickson.

Marc Miville, 42 Main St: I like Councilor Jennings's idea of how to educate the voters. Low turnout is a concern. Everyone does know that senior citizens do vote more. We need to find out how to get younger turn out. I believe that is why the budget passed. I wanted to say it does justify and vindicate all the work that everyone does in the last 8 months to bring it to this point. For the 580 voters to approve every article but one, I feel that we did it right. Future considerations, an idea of limiting the number of warrant

articles but we still sweat if the budget will be approved or not. I'm concerned about the default budget as it relates to operating budget. Maybe get the budget passed and have more consideration for putting things on warrant articles than operating budget. Most of the time they do get approved. I believe the tax rate will increase \$1.73 according to my calculations. Regarding revaluation, I did read the voters' guide and the explanation was very good but it didn't say mandated. I don't know if it's clear to the voters that even if they vote no, it doesn't mean it's not going to happen. It will happen whether it's funded or not. Maybe in the newsletter, some wording on the revaluations should be included saying it's mandated. I think it was a good mix of warrant articles. Another consideration for CIP is a new capital reserve fund for sidewalks. Regarding the use of the term "Volunteer" – I agree the wording is a little vague. I would encourage them to learn about how town government operates.

R. Duhaime: Sign ordinance – sitting on Planning Board for years, we set up rules and sometimes enforce them and sometimes don't. We heard this tonight with the alignment shop. I hope Dr. Shankle can move forward with this – liquor store is going in and right next door we have Sullivan Tire. They started parking trailers on the property. They've run over a few of the trees by backing into them. Here is this guy spending \$34M and the place next door is getting ignored. I think it's something the town needs to do to get Plourde to fix their site. Hopefully the town engineer will get out there to do inspections on these sites.

M. Miville: I want to clarify the reference to the Lilac Bridge made during the Main St. Bridge discussion. There was a reference about money going to the Lilac Bridge and according to Sen. Boutin there is no money going to the Lilac Bridge as a result of this agreement.

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.

J. Sullivan motioned to enter non-public session at 9:05pm. Seconded by D. Winterton.

Roll call

S. Orr - Yes

A. Jennings – Yes

R. Duhaime - Yes

D. Winterton – Yes

D. Ross - Yes

J. Levesque – Yes

J. Sullivan - Yes

Vote unanimously in favor.

5 minute recess.

D. Ross motioned to exit non-public at 9:55pm. Seconded by J. Levesque. Vote unanimously in favor.

D. Ross motioned to seal the non-public minutes of 5/14/14. Seconded by D. Winterton. Vote unanimously in favor.

J. Sullivan motioned to adjourn at 9:55pm. Seconded by S. Orr. Vote unanimously in favor.

Respectfully Submitted,

Tiffany Verney