

TOWN COUNCIL MEETING MINUTES
Wednesday, November 18, 2015

ROLL CALL – ATTENDANCE

Chair James Sullivan, Donald Winterton, James Levesque, Nancy Comai, Marc Miville, Timothy Tsantoulis, David Ross, Adam Jennings and Dr. Dean E. Shankle, Jr. and Robert Duhaime (arrived 5:40pm).

NON-PUBLIC SESSION (FIRST)

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 5:30pm. Seconded by D. Winterton.

Roll Call

M. Miville – Yes
N. Comai – Yes
D. Ross – Yes
D. Winterton – Yes
A. Jennings – Yes
T. Tsantoulis – Yes
J. Levesque – Yes
J. Sullivan - Yes

Vote unanimously in favor.

R. Duhaime arrived at 5:40pm.

D. Winterton motioned to exit non-public at 6:29pm. Seconded by T. Tsantoulis.

Vote unanimously in favor.

J. Sullivan motioned to seal the non-public minutes of 11/18/15 (for time 5:30pm-6:29pm).

Seconded by M. Miville.

Vote unanimously in favor.

Respectfully submitted by,

Donna J. Fitzpatrick
Recording Clerk

ATTENDANCE

Chair James Sullivan, Donald Winterton, James Levesque, Nancy Comai, Marc Miville, Timothy Tsantoulis, David Ross, Adam Jennings and Dr. Dean E. Shankle, Jr. and Robert Duhaime.

PLEDGE OF ALLEGIANCE

SPECIAL RECOGNITIONS

a. Hooksett Youth Achiever – Will Fournier
Councilor Winterton presented certificate and pin.

PUBLIC HEARINGS

a. Public Hearing for the Town Council to accept public input regarding the revised 2015 Hazard Mitigation Plan. Presenter, Jack Munn, SNHPC.

J. Sullivan: *“The Hooksett Town Council will be holding a public hearing on Wednesday, November 18, 2015 @ 6:30pm at the Hooksett Town Hall Council Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept public input regarding the revised Hazard Mitigation Plan which*

is available for review on the town's website www.hooksett.org > Departments > Fire and Rescue > Proposed Hazard Mitigation Plan 2015 or in Administration at the address noted above. Questions should be directed to the Administration Department at 603-485-8472." On behalf of Council I declare the public hearing open.

J. Munn: This is an advisory document but it opens the town up for federal funding for disaster mitigation. FEMA looks at it as an important document for municipalities. We looked at ways to update the plan and look at new strategies for the town to consider to make improvements to save lives, reduce costs to property owners and mitigate potential disasters.

J. Sullivan: The full report is on the website and it lists all the committee members. We only have the table of contents in our packet because it was too long.

J. Munn: It is pretty comprehensive.

J. Sullivan: When was this reviewed previously and when was it established?

J. Munn: In 2010 it was adopted, and every 5 years it's reviewed.

D. Ross: FEMA has approved this?

J. Munn: They have conditionally approved it, and they wait for public hearings and input. Once the Town Council has adopted it, they will formally approve it.

M. Miville: How much money is available to the town of Hooksett?

J. Munn: Depending on the disaster. This is pre-disaster. One of the strategies is to work with the town and schools to put in backup generators at the library and one of the elementary schools. It opens the town up to the opportunity to apply for grant funding to pay for those.

J. Sullivan: Underhill School just installed a generator. Will we be able to apply for reimbursement?

J. Munn: I don't know if it's reimbursable; it's really more for first-time purchases. We'll have to check with state Homeland Security.

T. Tsantoulis: How does the town become advised of opportunities to take part in collecting money for different things, such as the generator?

J. Munn: The best way to get more information is to invite someone from the state's Homeland Security office to your meeting and they can update you on available grants. They can put you on a notice that they put out to towns, which mostly go through the Emergency Management Director.

Elicia Dowd: Who is the Emergency Management Director?

J. Sullivan: Currently it's Acting Chief Jore.

E. Dowd: Whose responsibility is it?

Acting Chief Jore: It has been with the fire chief for the last several years. In my position now, I am the acting Emergency Management Director.

E. Dowd: So it will go back to the fire chief?

Acting Chief Jore: At this time, yes.

J. Sullivan: In the past we had a standalone Emergency Management Director, a fire chief and a police chief. Over time it moved over to being included in the duties of the fire chief.

E. Dowd: I just want to be sure someone is overseeing that and it's not being put aside.

J. Sullivan: There is a person assigned as the Emergency Management Director and they are doing work throughout the year; if there is a state of emergency, the Emergency Management Director is the person in charge. As a member of the Council and the chairman I am a de facto member but the Emergency Management Director is directing operations.

E. Dowd: With everything going on in the country, I want to make sure someone is there.

Acting Chief Jore: This is more of a pre-disaster planning for different departments to identify different needs in order to mitigate disasters.

JoAnne McHugh: Just some history with regard to generators. When we built Cawley, Harold Murray was the one who got it for us. At that time we had a CIP committee. Harold, working with the fire department, was able to get the grant for us and we got it at no cost. One of the schools was used for an emergency area. That's how we got it. People owe Harold a lot of credit, he looks out for Hooksett.

Harold Murray: The generator in this building was on wheels to go between the 2 schools that didn't have one. When they got the other generator in, this generator was moved from the fire station and plumbed into this building.

R. Duhaime: How did we get here? Through CTAP or the population of the town? What are the ways we end up with this?

J. Munn: All municipalities have to have one. Grant funding is used to update and prepare these plans. I assume a few years ago, Hooksett got a grant and we prepared the document. It's all FEMA money. That's how we got here. Before that you didn't have one. We hope that Council will vote to approve the plan and sign the resolution of approval. Once that is done, we insert the public hearing, minutes, and signed resolution into the plan. We send it to the state and they send it to FEMA. You've met all the bureaucratic steps to be eligible for a disaster mitigation plan.

N. Comai: Once this gets approved, are we liable for buying equipment X, Y, Z?

J. Munn: This is an advisory document that sets forth strategies and recommendations. It's up to the Emergency Management Director to determine what needs are critical. They then go through the Town Administrator and Budget Committee. There are also grants available to use for equipment purchase.

J. Sullivan: If anyone has additional questions, please contact Acting Chief Jore. Typically we have the hearing and adopt at the following meeting. Is there any urgency that we need to do this tonight?

J. Munn: No there is no urgency; they have been more receptive to the length of time you need because they understand the process for the town to adopt a plan.

APPROVAL OF MINUTES

a. Public: October 28, 2015

M. Miville: As Council Secretary, I have reviewed the votes tallied and confirm they are accurate.

J. Levesque motioned to accept the public minutes of October 28, 2015 with edits. Seconded by A. Jennings.

Vote unanimously in favor. R. Duhaime abstained due to prior absence.

AGENDA OVERVIEW

Chair Sullivan provided an overview of tonight's agenda.

CONSENT AGENDA

a. \$205.00 donation from Eagle Scout Dylan Durazzano to Hooksett Heritage Commission

R. Duhaime motioned to accept the Consent Agenda. Seconded by M. Miville.

J. Sullivan: This was money that was raised for his Eagle Scout project. There were extra funds and since it applied to the history of the town, it's going to the Heritage Commission.

Vote unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

- Since the last meeting, I spent a lot of time on departmental budgets. You will get them sometime next week to review them at the Dec. 2 meeting.
- Spent some time on the Public Safety re-org questions.
- NH Municipal Association annual convention is tomorrow and Friday.
- Interviewing candidates for the Fire Chief position on Monday
- Tuesday, there is an event at GE on the expansion; I will send you the information if you didn't receive it.
- Tax bills went out Monday; it should have gone down a little bit from what you approved. The tax rate went down 11 cents.
- Berry Hill folks came in to talk about their road. We talked about calling the bond. We received a letter from Chris Martel saying they are satisfied with the work that was completed. At this point they are happy they got some work done that they wanted. JoAnne Duffy did a good job taking care of that.
- I got a letter from a resident at 64 Main St talking about heavy speed and traffic. She asked about sidewalks and I'm going to turn it over to the highway safety committee so they can take a look and get back to her and us.
- Safety Committee discussed the potential for stop signs on S. Bow Rd. They do not feel they are appropriate. We are going to cut some brush and try to improve the site distance. They felt stop signs could create more problems than they solve. The manhole cover was fixed also.

M. Miville: Is the brush you are cutting town property?

Chief Bartlett: I don't know; my understanding is Diane was going to see if anything was impeding the line of vision and cut it back. I did a traffic survey out there and decided stop signs would create accident data.

J. Sullivan: Is that in the right of way? For safety, can we do it without property owner approval?

- There were some advertising signs on Campbell Hill – I sent the Code Enforcement Officer up there to take care of it today. He also went out to Silver and talked to the people there. I'm not sure if it's gotten better but he's doing what he can. I'll follow up with him.

N. Comai: Can you address the CIP for the benefit of the audience so we can address what Mrs. McHugh said. Even though we don't have a CIP committee, we do have steps in place.

Dr. Shankle: The Council went back to what the Charter says – CIP is put together by the Town Administrator after discussion with the Planning Board (Section 5.7).

- We have talked about doing some work with the town forest. Conservation Commission is working on that. At your next meeting I will have a staff report from Carolyn Cronin with a recommendation from the Conservation Commission.

Dr. Shankle: If you see something on the agenda that you think I'm stalling on, I'm trying to triage it. We are trying to get time sensitive things on there first.

PUBLIC INPUT: 15 MINUTES

JoAnne McHugh, 14 Jefferson Dr: I was on the School Board before CIP, and we were told by lawyers on both sides that it was to the benefit to the School Board and the town to work together on a CIP plan. Because of working through CIP we were able to gain beneficial knowledge or we changed things on our CIP plan for the betterment of the whole community. I feel sad there is no CIP committee solely because it isn't written in the Charter. I think you can change that pretty readily. The benefits of having a CIP committee is enormous. The advice that's given, the research that takes place in order to bring forward a plan is in the best interest of the tax payers. I understand it doesn't say it in the Charter, but I know that has been changed a couple of times over the past few years. A while ago I came to Council about some unsightly property on Benton Rd. I heard from someone that we can't really do anything. Recently, all

that stuff has been moved to one side. Can we find someone to clear it out? It would make this town look a lot better. Secondly, I wasn't aware from the last Council meeting that you would be discussing the re-org. I watched the meeting, and I learned that even if something is not on the agenda, it can be discussed. Apparently both the Chair and the Town Administrator had decided since there was still work to be done they wouldn't put it on the agenda, but it was still discussed; my reason for coming here is what I observed during that meeting. There was a lot of discussion about whether the public really understood what it meant. I called other communities and spoke to people at the Town Administrator levels. They explained there are different types of re-organizations. During the meeting, I got a sense that many of the Councilors were in agreement that they would be willing to go along with a study as long as it was in the scope of what Hooksett is looking at. I am here to say that I think that's a fair compromise. There was comment made about not putting things out to a study, but you put some things out to the voters to decide without doing a study, such as recycling. There was talk about joining Recycle & Transfer, Highway, Parks & Rec and Public Works. You were at a juncture since the person who was in charge was no longer there, so you didn't have time to do a study. I feel it's in the best interest of the tax payers to have the study and take the time to make the public aware of some of the questions asked and the answers to them. There were several references to non-public; I'm not saying you divulge non-public, but as a tax payer, I'm left to wonder is this in the tax payer's best interest? What benefit is it to go in this direction? I'm asking you all to consider once again, to take the time and do the study.

Harold Murray, 311 Hackett Hill Rd: I came here a few weeks ago about perambulation and bounds in the town. Hackett Hill has not been finalized. Last week, someone took the bound out and threw it on the ground. This is the second bound Manchester has done that to on that same line. 3-4 weeks later we went back and it was there. You cannot, by state law, pull a bound without having people from all 3 areas present. This is also a county bound. I've been waiting for 14 years to get somebody to do something about that bound. Surveyors are using a witness stone as a bound; it goes through the porches of the brand new houses. They are in Hooksett, but somebody has to take the bull by the horns. It won't be Manchester, they could care less. This particular bound happens to be a corner post. It's one of the bounds in contention as to closing this off. Someone is going to be in court over this, guaranteed.

D. Winterton: I'd like to know if every bound with Manchester is also a county bound, since Manchester is Hillsborough County and Hooksett is Merrimack County. Can we direct the Town Administrator to look into that?

D. Ross: This is a significant violation of the law; it should be looked into by our town attorney or whoever as to what is the proper course of action. This can't occur and be ignored. It's ridiculous that something so significant can just disappear. We have to find a legal way to make sure it's done; let's put the bound in the ground. We have to establish where that bound is and we will prosecute anyone who tampers with it.

J. Levesque: Depending on how much they move the bound, it could change the tax maps. Those houses could end up being in Manchester, which would give them more tax money. If we move it, Manchester would have their survey crew out there; we don't have a survey crew. We should do something about this because it's pretty important.

Dr. Shankle: It's illegal to do that, and I will talk to the town attorney. I believe that the way the bound is going to be determined is the 2 municipalities will have to get together and decide on something and take it to the state to decide on the bound. I don't know there is any way to recreate that. Part of the problem is the state highway. We tried to throw it back to the state because they are county bounds, but they don't seem to care either. Someone has to spend the money and time to work with Manchester to come up with something everyone agrees on, but I don't think we will ever recreate what was there.

J. Sullivan: You'll look into this and come back with more definitive information and steps we can take.

M. Miville: I'd suggest getting a state rep and mayor to walk it at the same time. It sounds kind of urgent at this point.

D. Ross: It's more the county officials; the state doesn't care.

Dr. Shankle: State legislature is going to have to approve what we come up with.

M. Miville: And we aren't insinuating that Manchester moved the bounds; it could be a bunch of kids.

NOMINATIONS AND APPOINTMENTS

SCHEDULED APPOINTMENTS

OLD BUSINESS

- a. 15-077 Vote on Amendment to Other Ordinances #00-31 Solid Waste – Disposal Fees for Electronics

J. Levesque motioned to approve the change to the Solid Waste “other ordinance” #00-31 to increase the electronic tipping fees to \$.15 per pound. Seconded by R. Duhaime. Vote unanimously in favor.

- b. 15-080 Discussion Berry Hill Roadway Bond

J. Sullivan: This was covered under the Administrator's report.

- c. 15-043 Public Safety Administrative Consolidation

J. Sullivan: It was discussed at the last meeting, but we needed to bring it up because it was tabled. You needed additional time to address questions from the public.

Dr. Shankle: There are 3 categories of questions: administrative effect, legal and financial. The one set of issues, for various reasons, that I can't deal with is financial. Generally, if you look at what I have in mind, we are probably looking at a \$30,000-\$50,000/year savings. I can understand how people wouldn't know how that would work, so I'm asking you to authorize me to put together a financial proposal with enough financial detail to answer the questions the residents have.

R. Duhaime motioned to authorize the Town Administrator to put together a financial proposal for the administrative consolidation of the police and fire departments with enough detail to be able to answer the questions asked by the residents of the town. Seconded by N. Comai.

R. Duhaime: We have been talking about data coming in from the software we are installing. Administration should be able to tell us where all the services they perform are being done through every department. I think money-wise he will be able to show us. If there is no savings to the tax payer, why are we bothering to do this? I'm looking forward to seeing those facts.

N. Comai: What happens after that is TBD, but we can't tie his hands or sit on our hands. Let's keep this moving and see what happens.

A. Jennings: Didn't we vote a couple months ago to look into this? Why do we need to do this again when we already gave him the go-ahead to start looking into it?

Dr. Shankle: Asked a different way at the last meeting, you took a vote and you said no. I'm asking you to let me do it this way, instead of the other way.

A. Jennings: We brought it up at the last meeting, but I don't understand how we can't have the financial information already. You have a plan for how it would look and what the savings would be. What else do we need? I understand why we need to do this because of the last meeting, but prior to that why couldn't we have come up with this?

Dr. Shankle: What this will do is, some of the things we've talked about in the past in terms of things that would affect individuals we couldn't do in public. This will tell me that you want me to bring those things forward in public.

J. Sullivan: This has been a process for a while; the first official suggestion came in March. We are being very deliberate in our approach. You tweaked your initial proposal to include a 3-year sunset clause. This is another step, not a final step. Once you get the information, would there be another step before we need to make a decision on now is the time to go or not to proceed? Would that be sometime in January?

Dr. Shankle: Probably January; I'm expecting this step to be completed by December 16. I think you'll have everything you need and we'll have it on the agenda one more time. It's a very big deal to the town, departments, Council and me. I want to make sure everyone feels comfortable with this. If anyone is uncomfortable with this, you just vote no at any time during the process.

D. Ross: Everyone knows my opposition, and it's not financial. Even if it saves \$50,000, that's not enough to risk the potential downfalls, the operations and the people that do the work. Being a town government isn't a business. We are supposed to do what the townspeople trusted us to do – making sure the garbage is being picked up, fires are being put out, roads are being plowed, etc. It's not to find a new way to do things. That's why Charter changes go to the voters. I some changes we've already made should have gone to the voters. The potential downfalls far outweigh any financial savings. In the town budget, \$50,000 isn't a lot of money when weighed against what we are risking – discord among town employees in the fire and police departments. I feel strongly this is going to muddy their ability to campaign for their budgets. All the departments make their case to us, and we decide what those priorities are. When this consolidation happens, we have one person making decisions that used to come to Council. You can move things around in your department, but now it's one big group. Now we can take money from paving and move it to something which has nothing to do with roadwork. It's what makes a town a town. Some of that decision making is up to us as to what those priorities are. I think that's going to be a serious problem and that's what I read; there are different priorities for these 2 departments that are totally unrelated to each other. I'm still dead against it.

T. Tsantoulis: I haven't been able to explain very well to people what we are looking to do or why it would be advantageous because my heart's not in it. Through my position with PSNH I have had dealings with both the police and fire departments. During those times there has been a thorough and quick response by both departments. I believe the idea seems to create another layer of management, but it appears there is going to be another decision maker to muddy the waters. I don't know that's necessary in a town of 13,000 residents. We spend a lot of money on police and fire and we are getting a lot for it. Maybe over time we can trim those costs, but creating another position to be in charge of public safety, I'm not a big fan of it. I've only been on the board since July and it's taken up a fair amount of our time. I don't see the public buying it and I don't see that we need to keep beating this horse.

A. Jennings: Dr. Shankle said he had some answers to the questions; I don't know if you want to allow him to give us that information so we can let the public or other Councilors know 2 of the 3 things we are discussing.

Dr. Shankle: In general, questions were about the legality of it. According to the attorney, it's perfectly legal. We will still have a police and fire chief. They said to make sure the job descriptions needed to reflect what the RSA's said they needed to do. Some of the administrative things are already given over to the Town Administrator and the Town Administrator can assign those to anyone he wants. Most of the operational questions were related to things we weren't going to do anyway. We're not taking things away from police or fire chiefs. We're not going to cross train, we're not going to get rid of any of the chiefs. It's strictly an administrative reorganization to allow the police chief and fire chief to focus on the operations as opposed to needing to answer our questions. We don't need someone with a degree in fire science to work a computer program to get data for us. We are trying to focus administrative responsibilities on someone that can focus on budgets and other administrative tasks. Somebody is going to be the Emergency Management Director; in the past they didn't work for the town, they were part time. With what is going on in the world, you need someone who is available 24 hours a day and knows what is going on and how things work. That person has tremendous amounts of power in the town. To have someone full time, trained to do that, it's been the fire chief in the past. The acting chief has stated that it's the hardest part of his job to find time for. It's an important job whether it's done by the public safety director, or someone else. In an emergency, that person is going to be responsible. In the past, when we had a part time person, they were qualified to do neither. This is a case where someone would have time to focus on it. Given the complexity of the world, having another layer to coordinate to make sure everything is going the way it's supposed to go, and to do that without costing the town more money, we should try to do that. I understand people have some issues; to me those are political issues, not administrative issues.

R. Duhaime: I'm not the guy to expand town government; I supported the town engineer position. I see the \$31,000 we paid to Pike at the last meeting because we didn't have a town engineer. Now we do,

and we won't have to pay \$31,000 in the future. There are people good at finding software efficiencies. Things are changing in the administration. Long term, reviewing these departments we will see it's better to change things, not leave them alone. We will have an efficient operation that sees its shortcomings and come to us with facts and cost savings and we'll all look good for supporting the Town Administrator's recommendation.

D. Winterton: This is an administrative consolidation proposal. We've heard from the public that traditionally people within departments have been promoted within the department. To expect someone to work their way through promotions and dump them in an administrative job, we have a way to solve that problem with a police chief that does operational policing and a fire chief that does operational firefighting. The arguments I've heard all stray from that; this is not an attempt to change the operations. From an emergency management situation, our acting chief did a great job on this emergency mitigation plan, but that clearly took him away from operational duties. We were late and had to file for an extension, otherwise we could have been at risk of not being eligible for the FEMA funds that we deserve. I think taking some of the administrative duties away from them has the potential to make this town more efficient. We aren't voting for anything with a sunset clause or to hire anyone; we are voting to allow our Town Administrator to bring us more information.

M. Miville: Towns shouldn't run as a business, but we are trying to defend our tax payers. We decreased our tax rates by 11 cents; that's a good job by us and the school board as well. My questions have to do with costs; if what he is telling me now is we could save up to \$50,000; that's an additional 3 cents per thousand on the tax rate. I don't see it as adding another level, I see it as fine tuning and shifting of levels. My concern is citizens are sitting out there with questions, but I don't know what I can tell them, what is non-public and what isn't. I was asking for a basic financial scenario; if you are telling me it's going to save up to \$50,000 that's what I need to know.

Dr. Shankle: That is what I'm telling you, but people are not going to know how that is going to happen because they don't know what happened in non-public. So with this I'll come back and tell everybody how that is going to happen.

M. Miville: Regarding a request for a committee, it was voted down at our last meeting mainly because there is a lot of information the public doesn't know. Anyone who wants to be on a potential committee that we aren't setting up, can take a tour of the Safety Center and learn what this is all about from the current chiefs or their subordinates.

N. Comai: I think the situation is this is the group of 9 that is the committee; we are not going to put an unqualified person at the helm. It's going to strengthen safety to allow the operation to be stronger; before you know it, the 3 years are up and you can re-evaluate it. We are all in agreement that there is a long list to get to and this Council has been good about chiseling away at that. I believe this is the correct course of action to take at this point.

D Ross: The Emergency Management Director was eliminated to save money; I didn't like it then. We should have someone who does that and nothing else. There are specialties that should be left to one person. There was someone who everyone knew and trusted. We don't need to spend 6 figures to get one. I hear the issue about operations. Budgeting is an operational factor in these departments. We don't need another layer to tell them what they need so that person can tell us what they need. The Town Engineer – it's in writing that when it was proposed to the voters, it was going to cost around \$60,000. On voting day, it was written to the voters that it was a self-funding position. He wouldn't have saved that \$31,000; we should have said no to a contractor that blew his own bid. If someone did that in your house, you wouldn't pay him the money. That's where that \$31,000 got blown. Recycling is another debacle; I'm still waiting for that to come back here. Those trucks will never save enough to pay for themselves. The track record isn't good. Freezing hiring is part of the reason we voted down that committee. That was a huge lead balloon in that motion. This is interfering with the operations of these departments and the morale. We can't save enough money to risk it, that's my opinion. Let's get an Emergency Management Director, we need one. It should be a separate position, even if it is part time. We don't need to spend 6 figures to do this.

J. Sullivan: This motion is to provide answers to the questions raised by the public. It would be a disservice not to bring back answers to the questions that were posed. If we have a public input and do

not respond to the questions, what's the point of that exercise? We need to be careful in our approach; we are not rushing this. A consolidation which could impact safety, I'm the first person to make sure we have excellent service. We need to get the information to answer the questions; if not, what is the point of having public comment? This is not the final vote, but until we get some more information, I still have some remaining questions.

J. Levesque: We had a part time person before and it worked out well. I can imagine an older fireman would do a good job at a more reasonable cost and we still get the result we wanted.

J. Sullivan called the question.

Roll Call -

D. Winterton – Yes

N. Comai – Yes

T. Tsantoulis – No

J. Levesque – No

A. Jennings – Yes

R. Duhaime – Yes

M. Miville – Yes

D. Ross – No

J. Sullivan – Yes

Vote 6-3 in favor.

NEW BUSINESS

a. 15-083 Town Assessor Bid

Dr. Shankle: We have had an assessor here for 5 years and the contract is up. We went out to bid and only received 2 bids. We recommend accepting the bid from KRT Appraisals for an 18-month contract.

A Jennings motioned to award the General Assessing Services contract to KRT Appraisals for the period of 18 months, from January 1, 2016 to June 30, 2017. Seconded by D. Winterton.

A. Jennings: KRT is a flat \$60/hour; the other company is \$55/hour but goes up for commercial and industrial property appeals.

D. Ross: I searched and didn't find that in his bid anywhere. It might be a reason to hold off.

***D. Ross moved to table until more information is received. Seconded by T. Tsantoulis.
D. Ross removed the motion to table.***

J. Sullivan: We are able to pull that back because I haven't announced the result of the vote.

J. Levesque: Looking at all these prices, the one we have now is either \$47.50/hour or \$54/hour and theirs is \$60/hour. Commercial and industrial appeals is \$120/hour. Being on the Board of Assessors I never found any issue with the other company. Regarding the opt out clause of 6 months, I believe he has a clause of 15 days.

Dr. Shankle: Hopefully we will be able to move Lee Ann into that assessing job; I let her choose, but if you want more information, I can have her come next time so she can speak to it.

D. Winterton: One of these is in Haverhill, the other is in Concord. Do they get paid for travel time?

Dr. Shankle: Most of it will be done online. If you are concerned about the operational issues, she should be the one here to discuss that.

N. Comai: In the letter from Todd Hayward, I'm not sure what he is trying to say in the second paragraph: two things – required work and timely manner. The same access for this other company, is it fulfilling the job? For the money being paid to these appraisers, if our field appraiser is getting more qualified to do the job, money should be going down. The other part, in a timely manner, do you envision 18 months as the time to switch from having an appraiser contracted to having someone on staff.

Dr. Shankle: An assessor needs to double check values and that's what this is for. I let her decide which way she wanted to go, and if you want her to explain that better, she can come to your next meeting.

R. Duhaime: It's interesting on these contracts; we should have a trained employee. The \$120 is like our previous engineering firm, Stantec. I think it's time for a change and I think we should vote it through.

D. Ross: One thing to keep in mind, for commercial and industrial appeals, I don't know how many he has had to go to court, so I don't think it's an issue. I think it would be a smoother transition to have the person who has been doing it; there's a lot to be said for someone who is familiar with the community. I think he has been very thorough, and he always has the answers to our questions. I can't recall a tax payer that has had a legitimate complaint about his work habits or demeanor. He's charging less and gives us a 15-day out, where the other people need a 6-month notice. There is a lot to be said for continuity – the transition will be a lot smoother than bringing in someone new and then moving it over.

N. Comai: Then we would ask him for a deduction in pay to keep the same person on? The job of the municipal employee is starting to chisel in on what the assessor does; I'd be OK going that way if we could start to lower the cost.

D. Winterton: Under Assessing Professional Services, we budget \$43,211 for the job we are looking to fulfill. To date we have spent 11% of that budget. I don't know if that is seasonal, after taxes come out or after things are assessed. My opinion is if we are going to change, I'd like to have Lee Ann come in and explain why because I'm on the Board of Assessors too.

J. Sullivan: At this point, we'd like to have Lee Ann come in. It seems to make more sense to keep the same person on if we are transitioning to a staff person in the next 18 months. I think we should table it with the request to have Lee Ann come in.

M. Miville: I know 2 of the individuals with the current assessor's office; I've known Mr. Haywood for 25 years, prior to either of us having our current town capacities. I'm not sure if I should abstain, but I wanted to divulge that.

J. Sullivan: I don't think there is a conflict of interest, there is no direct financial benefit.

J. Sullivan motioned to table the item until the next meeting. Seconded by D. Winterton. Vote unanimously in favor.

5 Minute Recess

b. 15-084 Town Legal Services Bid

Dr. Shankle: We put out an RFP and 3 people responded; we interviewed all 3 of them (Me, Donna, Christine, JoAnne, D. Winterton). We are recommending that we go with Drummond Woodsum; the other 2 would have to send things to other law firms because they don't have a full service municipal practice.

D. Winterton motioned to allow the Town Administrator to contract with Drummond Woodsum to be our town legal services firm. Seconded by R. Duhaime.

D. Winterton: I was here for the Drummond Woodsum and Tarbell & Brodich. I couldn't be more impressed with them. We asked them questions about Hooksett and they knew the answers. I strongly recommend we contract with them.

A. Jennings: Would that be a cost savings or time savings?

Dr. Shankle: Time and convenience savings. One of the people that worked for Hage Hodes went to the firm they are going to contract out to.

D. Fitzpatrick: With Hage Hodes, I'm not finding efficiencies I'm looking for regarding Human Resources. We are finding a lot of back and forth with them; we worked with Drummond Woodsum before. The specific contact I'd had with them did not involve all the back and forth. This current firm is very

cumbersome. This is a good move for us at this time. We are the only general municipality in the state of NH that Hage Hodes works with which is why they outsource.

J. Levesque: When there was an issue with the police commission, Mr. Hodes got information from Mr. Buckley and said the opinion was wrong. The Council changed their decision based on his advice and he came back the next day and said he was wrong.

J. Sullivan: Having a legal counsel where we are the only municipal client, it is a concern to me. I wasn't aware of that. And having to be parceled out to others, concerns me too. I think the municipality experience from Drummond Woodsum makes sense to me.

D. Fitzpatrick: When we were questioning Hage Hodes, we have one individual for human resources and she was not available. The comment was they would teach the others to get up to that level. I don't want to work with someone that is in a learning capacity because we need those valid answers to keep us out of the courts.

M. Miville: I'd like to get Mr. Winterton's impression of Tarbell & Brodich.

D. Winterton: They are a small firm where only one person does municipal law. With Drummond, they have 16 people who specialize in municipal law. To me it was night and day.

Dr. Shankle: When we asked Tarbell about TIF, he asked what that stood for.

R. Duhaime: Was there any comparison on rate?

Dr. Shankle: Steve Buckley was the one who did a lot of work for the Planning Board; he is now working for NH Municipal Association. The cost comparison is Drummond and Hage Hodes were about the same at \$175/\$170 per hour. Tarbell was \$145/hour.

D. Winterton: It also was thought that sometimes paying a little more (\$5/hour) we may be able to get answers quicker so the clock isn't ticking. In my mind this is a no-brainer.

Vote unanimously in favor.

c. 15-089 Spaulding Hill IT Contract Extension

D. Winterton motioned to have the Town Administrator enter into a Memorandum of Understanding with Spaulding Hill Networks for service from December 1, 2015 through June 30, 2016 at a cost of \$22,897. Seconded by A. Jennings.

K. Ambrose: Our current one year contract is nearing completion. This time last year we went through the RFP process and it became apparent that this is a difficult time of year to coordinate that transition with a new vendor. You are rushing a process that you need to take some time with as it deals with security. We are looking to extend the contract to merge with our fiscal year to make it more convenient. We are pleased with the level of service we have received.

R. Duhaime: The extension is the only thing we are paying for?

K. Ambrose: Yes. We pay a monthly rate and that has increased a little bit. We are paying \$2,072/month and it would go up to \$2,975. We asked for an extension proposal; when you start off with a new vendor, they give you a lower price to begin with and increase it with extensions.

D. Winterton: It's about \$350/month. It's not a \$900/month increase.

K. Ambrose: It still stays under budget.

Roll Call –

T. Tsantoulis – Yes

D. Ross – Yes

R. Duhaime – Yes

A. Jennings – Yes
J. Levesque – Yes
D. Winterton – Yes
M. Miville – Yes
N. Comai – Yes
J. Sullivan – Yes

Vote unanimously in favor.

d. 15-090 Treasurer Job Description

D. Fitzpatrick: I did an inventory of job descriptions this summer and these 2 positions did not have a Council approved job description.

D. Ross motioned to accept the Town Treasurer job description as written. Seconded by D. Winterton.

A. Jennings: Are there any changes or was it just not approved by Town Council?

D. Fitzpatrick: We only had a job posting which was an overview; this is just a housekeeping item.

Vote unanimously in favor.

e. 15-091 Recording Clerk Job Description

D. Ross motioned to accept the Recording Clerk job description as written. Seconded by D. Winterton.

R. Duhaime: Under Environment – 25% of the time is outside?

D. Fitzpatrick: There is a lot of work done behind the scenes; editing the minutes, posting the minutes and getting official minutes, attachments, etc. So it's 75% in house and 25% outside.

J. Sullivan: So you mean outside the building at home, not outside.

Vote unanimously in favor.

SUB-COMMITTEE REPORTS

D. Ross: Conservation Commission has obtained a town forester that came up with a timber harvest plan for one parcel. It's very detail-oriented. There is nothing that isn't in there. The person we have is focused on responsible harvesting. We are hoping that will get approved so they can schedule it. It gets scheduled ahead of time because there is only a certain amount of time we can cut. The other concern brought up – as far as timber harvest that is under their stewardship, any proceeds remain the property of the Conservation Commission so they can use the money to maintain the properties they have. They wanted to cut this year but they ran out of time. This will give us time to get 3 bids for the opportunity. We got the medallions, the signage came in. Access to property – in order to get the wood bridge to be used as the main entrance to the Riverfront Trail project, it won't fit the way they'd like to bring it in. The chain link fence and outhouse belonging to the Rowing Club is near a tree that no one wants to cut. They are working on getting access through other properties which could prove to be costly. One of the questions is can we temporarily move the chain link fence and outhouse as that would be the most cost effective way to bring the bridge and other materials into that site. This bridge is 12' wide. They have access from one abutter already.

D. Winterton: I continue to be amazed at the level of achievers for the Hooksett Youth Achiever of the Month. I continue to ask my fellow Council members to encourage people to nominate anyone that's done something special. Fire negotiations are ongoing. Sewer rates increasing 8% on January 1. They haven't raised rates in 5 years, and they struggled with that. They are burning cash, and they are subsidizing operations with cash balance. Planning Board met Monday and Merrimack Savings Bank on the corner of bypass and Hooksett Rd has had a delay. When the state finished the work, they gave a strip of property to Mrs. Labrie. That property was deeded to John Kelly and that was not included; the project was approved conditionally. The other thing was Manchester Sand & Gravel came in – there is an easement for a southern bypass that would go through the property behind Legends Drive. On the

Master Plan, it was going to go through SNHU which isn't going to happen now. That restricts Manchester Sand & Gravel's ability to sell the property as a whole. We have them another year extension. We will have another meeting with all interested parties. There is \$68,000 in CIP money that has to be approved by the voters to be returned to the general fund.

Dr. Shankle: I did hear something about the Labrie property. We had that property at one point, and there was never a second deed there. We never gave them a tax bill for that. We showed that property as one. They were paying taxes on what we had; we never had that as a taxable piece of property.

D. Winterton: Attorney Uchida from Concord is handling that but it's Mr. Kelly's responsibility to find it so he can sell it.

Dr. Shankle: I don't know who is looking for Mrs. Labrie, but our tax collector found her so maybe you can ask Kim for her number.

D. Winterton: We had this month's Hooksett Youth Achiever because at Old Home Day I interacted with the people that run the baton twirling organization.

J. Levesque: ZBA – Pike Industries came in to expand their mining application; after a site walk it was granted. The gentleman at 1 Farwell Dr does wholesale car sales on his property; Code Enforcement Officer gave him a cease and desist letter because he has a lot of cars in the yard, some with no plates on them. He does carpools to auctions. He has a retail lot not too far away and will do all his carpooling from that lot. They granted him on the condition that he complies with the law. Harmony Place on Route 3 want to build 63 2-bedroom apartments. That didn't go over too well. They continued it and are looking for more information from the Planning Board and legal because it's a blatant change of our zoning laws.

D. Ross motioned to extend the meeting to 9:40pm. Seconded by D. Winterton. Vote unanimously in favor.

J. Sullivan: Heritage Commission – The Committee did meet to talk to Dr. Shankle about criteria for Veterans Park monuments. There is a small monument for Mr. Nadeau who lived in Hooksett and died in the Battle of the Bulge. I spoke to Mrs. Chevrette to update her on the progress.

Dr. Shankle: The town engineer went to the state about the ownership of the point which I think is theirs, to see if they had any problem with us adding to what we've already put there.

N. Comai: Nothing to report.

M. Miville: Budget met last Thursday and established our budget and calendar. We reviewed the current school budget for 15-16, and examined adjustments to find out what their logic is for future budgets. Dec. 3 default budget will be presented to us. The Superintendent coming tomorrow night to present his budget drivers; he will have budget books with him so we can start reviewing. I told them we removed the January 9 meeting off our calendar.

R. Duhaime: Nothing to report.

A. Jennings: Parks & Rec met last night; Planning Board discussed the master plan and kicking over parts of that to appropriate committees and departments. We maintain a 5-year plan for Parks & Rec and are reviewing that with DPW director next month. We discussed the Merrimack Riverfront project because of the money Parks & Rec gave us.

T. Tsantoulis: Nothing to report, however I'd like to comment on the Berry Hill issue we dealt with a couple weeks ago. It seems there was some resolution as Dr. Shankle mentioned earlier. They asked me to pass along their satisfaction and thanks. They hope that as the economy improves, it will stimulate some activity and growth in there.

D. Fitzpatrick: I'm still looking for RSA 91 acknowledgement receipts. If you could help out when you go to your meetings and remind them. We don't want to forget they are out there.

PUBLIC INPUT

Dennis Desrochers, 71 Farmer Rd: I have a concern on Auburn Rd. It's recently been paved and they've done some shoulder work. If you look at the shoulder work on that road – I don't feel the shoulder will hold through the winter. If you step off the edge of the road, the gravel sinks. If someone can look at that before the town loses money on something they have invested in. There are a lot of spots over 18" that drop off.

J. Sullivan: Seeing no further public comment, I am going to close the public hearing on the revised 2015 Hazard Mitigation Plan.

NON-PUBLIC SESSION (SECOND)

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 9:43pm. Seconded by D. Ross.

Roll Call -

R. Duhaime – Yes
M. Miville – Yes
D. Ross – Yes
J. Levesque – Yes
A. Jennings – Yes
N. Comai – Yes
D. Winterton – Yes
T. Tsantoulis – Yes
J. Sullivan - Yes

Vote unanimously in favor.

***J. Levesque motioned to exit non-public at 10:20pm. Seconded by D. Ross.
Vote unanimously in favor.***

***J. Levesque motioned to seal the non-public minutes of 11/18/15 (for time 9:43pm-10:20pm).
Seconded by D. Ross.
Vote unanimously in favor.***

Respectfully submitted by,

Donna J. Fitzpatrick
Recording Clerk

WENT BACK INTO PUBLIC SESSION AT 10:21pm

***A. Jennings motioned to authorize \$1,143.04 in ambulance collection write-offs. Seconded by D. Winterton.
Vote unanimously in favor.***

***N. Comai motioned to adjourn at 10:25pm. Seconded by D. Ross.
Vote unanimously in favor.***

NOTE: The Town website may have attachments to these Town Council minutes for documents referred to in the minutes, reading file material, and/or ancillary documents that the Town Council Chair has signed as agent to expend as a result of the Council's prior approval of the documents.

Respectfully Submitted,

Tiffany Verney
Recording Clerk