

# TOWN COUNCIL AGENDA Regular Meeting Wednesday, March 14, 2018 6:00 PM Council Chambers

- 1. CALL TO ORDER
- 2. PROOF OF POSTING
- 3. ROLL CALL
- 4. PLEDGE OF ALLEGIANCE
- 5. SPECIAL RECOGNITIONS
  - 5.a Hooksett Municipal Employees New Hires
- 6. SCHEDULED APPOINTMENTS
  - 6.a Town Clerk, Todd Rainier and Moderator March 13, 2018 Elections
  - 6.b Annual Board Activity Update Economic Development Advisory Committee Delivered by Chairman David Scarpetti
- 7. APPROVAL OF MINUTES

7.a Public: 02/28/18 TC Minutes 022818-U (2).docx

- 8. AGENDA OVERVIEW
- 9. PUBLIC HEARINGS
  - 9.a Public Hearing to accept the grant and overtime reimbursement of \$60,000.00 from the Department of Justice, Division of Public Protection, to the Town of Hooksett for the Hooksett Police Department for a public hearing at the Town Council meeting for the acceptance of this grant under RSA 31:95-b, III (a) and to return that amount to the police department's 2017-2018 fiscal budget salary and overtime lines.

031418 DOJ Public Hearing.doc

DTF\_staff\_report\_2018.docx

9.b Public Hearing to accept the grant of up to \$10,686.37 from the NH Department of Safety Homeland Security and Emergency Management, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b: III(a) and to return the funds to the Police Department's 2017-2018 or 2018-2019 fiscal budget under the overtime line.

031418 HSEEP Public Hearing.doc

Staff Report - Active Shooter.docx

Audit Grant terms.pdf

### 10. CONSENT AGENDA

10.a Site Surety Release - \$56,620 – SNHU Gustafson Welcome Center Project staff report - Mar 14 2018 Site Surety Release \$56620 SNHU Gustafason Welcome Site project.docx

- 11. TOWN ADMINISTRATOR'S REPORT
- 12. PUBLIC INPUT 15 MINUTES
- 13. NOMINATIONS AND APPOINTMENTS
- 14. 15 MINUTE RECESS

#### 15. OLD BUSINESS

- 15.a Town Personnel Plan Professional Development Policy for Town Employees (tabled from 02/28/18 Town Council Meeting)
- 15.b Community Profile 1) Pavilliion and 2) Blight Properties (tabled from 02/28/18 Town Council Meeting)

Community Profile.pdf

# 16. NEW BUSINESS

- 16.a March 13, 2018 Elections
- 16.b Discussion on Recycling Markets Staff Report - Recycling Markets-Glass.docx
- 16.c discussion of SNHU proposed large sign and ZBA application for a variance staff report march 14 2018 Discuss SNHU large sign application for a variance to ZBA.docx

SNHU Sign ZBA application 3-13-18 public hearing.pdf

# 17. SUB-COMMITTEE REPORTS

# 18. PUBLIC INPUT

### 19. NON-PUBLIC SESSION

19.a 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.

19.b 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.

# 20. ADJOURNMENT

# **Public Input**

- 1. Two 15-minute Public Input sessions will be allowed during each Council Meeting. Time will be divided equally among those wishing to speak, however,no person will be allowed to speak for more than 5 minutes.
- 2. No person may address the council more than twice on any issue in any meeting. Comments must be addressed to the Chair and must not be personal or derogatory about any other person.
- 3. Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Council and Town Administrator, will determine if the question can be answered at that time. Questions cannot be directed to an individual Councilor and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Administrator who will be responsible for researching and responding to the comment directly during normal work hours or by bringing to the Council for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.
- 4. Council members may request a comment be added to New Business at a subsequent meeting.
- 5. No one may speak during Public Input except the person acknowledged by the Chair.

  Direct questions or comments from the audience are not permitted during Public Input.



# TOWN COUNCIL MINUTES - UNOFFICIAL Regular Meeting Wednesday, February 28, 2018 6:00 PM

Safety Center 15 Legends Drive Hooksett NH 03106

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# 1. CALL TO ORDER

Chairman James Sullivan called the meeting to order at 6:04 p.m.

# 2. PROOF OF POSTING

Donna Fitzpatrick provided the proof of posting.

A quorum was not yet available. Chairman Sullivan called on Fire Chief Burkush to provide a brief narrative about the Safety Center and the artifact placed outside of the center. Chief Burkush welcomed everyone on behalf of himself and Police Chief Bouchard. He was accompanied by Assistant Chief Colburn and Captain Robie. He said that several years ago the Fire Fighters Association worked with the Hooksett Happy Helpers in sponsoring an outside park that includes a piece of the fallen World Trade Center on 9/11/01. He said the work is still in progress. \$18,000 was given to the project and they hope to include the artifact as part of a commemorative monument. Assistant Chief Colburn said a number of communities in NH were successful in getting pieces from the World Trade Center. It is unknown whether the piece received by Hooksett was from the first or second tower but it did support a building window.

 Chief Burkush said the Safety Center doubles as an Emergency Operations Center when needed that Fire and Police share. When activated, town officials have direct contact with the state WEBEOC. Assistant Chief Colburn said EOC has to have backup and be sustainable for an undetermined amount of time. He said a year ago they applied for a grant of \$67,000 for equipment. The building required substantial upgrades in IT, furniture and the like, and they wanted the ability to use the room for training so the tables can be stacked as necessary. Some equipment was donated and DPW helped with painting. The building had to be rewired for new computers and communications systems.

Assistant Chief Colburn said that Al Dion, former EOC Director, was very instrumental in setting up and designing WebEOC which was considered state-of-the-art technology in the 1990s. He said they are now trying to get one more grant from the state to add an additional dispatch terminal. Chairman Sullivan asked if the town has ever had to activate the system. Assistant Chief Coburn said the system was activated for the Mother's Day flood a few years back and two or three other times.

# 3. ROLL CALL #1

**In attendance:** Councilor John Giotas, Councilor Timothy Tsantoulis, Councilor James Levesque, Councilor Alex Walczyk, Councilor Robert Duhaime, Councilor David Ross [arrived at 6:30 p.m.], and Chairman James Sullivan.

Missed: Councilor Donald Winterton, Councilor Marc Miville

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# 4. PLEDGE OF ALLEGIANCE

After the pledge, Chairman Sullivan adjusted the agenda to take up Scheduled Appointments, the Public Hearing, Consent Agenda, and the tour of the center.

# 5. SPECIAL RECOGNITIONS

5.a Hooksett Municipal Employees - New Hires

# 6. SCHEDULED APPOINTMENTS

6.a Town Clerk, Todd Rainier and Moderator - March 13, 2018 Town Elections

Todd Rainier, Town Clerk, and Cindy Robertson, Moderator, came forward stating that ballots have arrived for the March 13<sup>th</sup> election; absentee ballots have all been sent out. The Supervisors of the Checklist will hold their mandatory meeting on Saturday before the election where people can register to vote. Registering to vote will then only be possible at the polls. Voting will take place at the Cawley Middle School from 6:00 a.m. to 7:00 p.m. Mr. Rainier said he will need one Councilor at the polls during the day and three at the end of the day. Councilor Duhaime said he will be at the polls during the day since he is not on the ballot.

At 6:27 p.m., Chairman Sullivan opened the public hearing (**Agenda Item 9.a**) and read the public hearing notice to notify and explain to the public that the following warrant article has been placed on the March 13<sup>th</sup>, 2018 ballot for the town elections: Article 22 "To see if the town will vote to allow the operation of KENO within the town pursuant to the provisions of NH RSA 284:41 through 51". No comments were made on the matter. Chairman Sullivan will close the hearing later in the meeting.

The Chairman adjusted the agenda to receive **Public Input (Agenda Item 12).** 

John Cooperider, along with two of his neighbors, all residents of Brook Side Community, came forward to ask the Council to consider installing a traffic regulating device at the junction of State Route 3 and either Dartmouth Street or Hunt Street. Dartmouth Street is adjacent to the Brick House. Mr. Cooperider said that Brook Side is a 55-plus community with 93 homes. Most residents are in their 70s. He said getting in and out onto Route 3 has become more hazardous with the increased traffic, and especially so in the wintertime. Mr. Cooperider said he understood Route 3 is a state road and asked for the Council's guidance in the matter. Chairman Sullivan asked Mr. Cooperider to get in touch with Administration who can help him and his neighbors work through the process. Administration can then get back to the Council with recommendations. Mr. Cooperider left a petition which is attached to these minutes.

Chairman Sullivan then took up Agenda Item 10 Consent Agenda.

Councilor Duhaime moved to remove item 10.c from the Consent Agenda.

Councilor Giotas moved, second by Councilor Levesque to approve Consent Agenda items 10.a and 10.b as presented. Motion passed unanimously, 7-0.

Councilor Duhaime moved, second by Councilor Ross to approve Consent Agenda item 10.c to approve the recommendation of the Board of Assessors for Case Nos. 17-002 and 17-003. Motion passed unanimously, 7-0.

Chairman Sullivan adjusted the agenda to address **Agenda Item 16.b Well Radius Encroachment Easement Request by Lamontagne Builders, Inc. on a town Right of Way – 48 Pine Street.** 

Jim Donison, Assistant Director of Public Works and Town Engineer, through the staff report, indicated that a request was made for a well radius encroachment easement by Lamontagne Builders, Inc. (LBI) onto the Pine Street right-of-way as part of the construction of a residential house located at 48 Pine Street, Map/Lot 5/86. The existing lot is narrow and the 75 foot well radius will extend onto the roadway right-of-way.

Steven Keach, President of Keach-Nordstrom Associates came forward stating that 48 Pine Street came to exist in its current dimension and configuration several decades ago as a result of takings by the state for construction of I-93 and associated realignment of Pine Street. An entity of LBI acquired the parcel in 2017 with the intent of constructing a single family dwelling on the land. Prior to taking title, LBI contracted with a local septic system designer who updated the design plan which was approved by the NH Department of Environmental Services (NHDES). Hooksett's Code Enforcement Officer issued LBI a building permit for residential construction in 2017.

Mr. Keach does not believe that either NHDES or the town erred. He suggested a remedy could entail LBI executing and recording a NHDES Standard Release Form which both acknowledge the protective well radius at 48 Pine Street extending beyond the boundaries of the parcel and holds the owners of the abutting property harmless in the event the well becomes contaminated as a result of the decreased setback distance. Mr. Keach asked that the Council review and approve a draft copy of the Easement Deed. If acceptable, he will have LBI sign and record the original at the Merrimack County Registry of Deeds. Mr. Keach said this action is consistent and fully compliant with applicable statute.

Councilor Ross moved, second by Councilor Duhaime, to approve a water well radius encroachment easement on the Pine Street right-of-way, with easement language to be approved by the Town Attorney, for a proposed well to be located on Map/Lot 5/86, 48 Pine Street. The well is to be constructed by Lamontagne Builders, Inc. as part of a new residential house. Councilor Tsantoulis asked if there could be ramifications later for the homeowner and whether septic was private. Mr. Keach said it's a sanitary radius; if road is discontinued it would foreclose the ability of the successor owner and that the septic is private. A vote on the motion was called. Motion passed unanimously, 7-0.

Chairman Sullivan than took up **Agenda Item 16.d Hooksett Village Water Precinct Easement Across Town Land, Map 7/Lot 18.** 

Mike Heidorn, Superintendent of the Hooksett Village Water Precinct, came forward. He was accompanied by Todd Smith, Chair of the Water Precinct, and Kent Brown of Brown Surveying and Engineering, who remained in the audience. Mr. Heidorn sought the Council's support in approving an agreement between the Hooksett Village Water Precinct and the town to acquire an easement across the town land designated at Tax Map 7, lot 18. The

easement will provide for the construction of a proposed water main extension from a new tank on the west side of Route 93 to Route 3A. Councilor Duhaime said he appreciated the precinct coming before the Council and asked for more cooperation from the precinct going forward. Mr. Heidorn said they do want to get out in front of the Council a lot more than has been the case in the past. He said they have also had public information sessions held at the library. In response to Councilor Tsantoulis, Mr. Heidorn said the purpose for the construction is twofold: pressure and storage. He said the tank will hold one million gallons – five times what they currently have – and water use triples in the summertime.

Councilor Ross moved, second by Councilor Duhaime, to approve a 30-foot wide water main easement with Hooksett Village Water Precinct across town land, Map 7, Lot 18, upon review and approval by the town attorney. Motion passed unanimously, 7-0.

6.b Town of Hooksett Fire-Rescue Dept. Administration - Emergency Operations Center Tour and CPR/AED/First Aid Town Council Training

6.c Town of Hooksett Police Dept. Administration - Proposed Renovations Tour

Councilors toured the facility and were provided with abbreviated CPR/AED training by Captain Stalker. Captain Stalker went over what CPR does and that CPR is used 360,000 a year countrywide; Hooksett does approximately 24 to 30 per year. He said increased research has shown that chest compressions, and not so much mouth-to-mouth, are keeping people alive. He said the Fire Department conducts 15 to 20 classes for the public every year and that CPR instruction is now built into the curriculum at Cawley Middle School, done when students are in the 7<sup>th</sup> grade.

 Captain Stalker said that AEDs help the chance of survival when someone goes into cardiac arrest. He said if an AED is deployed within the first minute of cardiac arrest, chances are 90 percent. Hooksett has doubled the number of AEDs; they are at the town offices, in patrol cars, schools, courthouse, library and at SNHU. Chris McMurray came up to provide a demonstration on how AEDs work. He said the first thing to do is call 911 for help; they will know if an AED is accessible, then check for responsiveness; and position hands one over the other and compress to the beat of the song Staying Alive.

### 7. APPROVAL OF MINUTES

7.a Public: 02/14/18 TC Minutes 021418-U.docx

Councilor Levesque moved, second by Councilor Tsantoulis, to approve the Town Council meeting minutes of February 14, 2018, as amended. Motion passed, 6-0 [Councilor Giotas abstained].

7.b Non-Public: 02/14/18

Councilor Levesque moved, second by Councilor Duhaime, to approve the Town Council meeting minutes of February 14, 2018, as presented. Motion passed 6-0 [Councilor Giotas abstained].

# 8. AGENDA OVERVIEW

# 9. PUBLIC HEARINGS

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Public Hearing for the Town Council to notify and explain to the public that the following warrant article has been placed on the March 13, 2018 ballot for the town elections: Article 22 "To see if the town will vote to allow the operation of KENO within the town pursuant to the provisions of NH RSA 284:41 through 51".

022818 KENO Public Hearing.doc

KENO 2018.pdf

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# 10. CONSENT AGENDA

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Accept the donation of a \$250.00 donation from the Vietnam Veterans of America, Inc. to 10.a the Town of Hooksett, NH for the Hooksett Fire Rescue Department under RSA 31:95-b III (b). Staff Report - VVA donation.docx

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10.b Motion to accept the reimbursement of \$972.98 from the State of New Hampshire Department of Safety, Homeland Security and Emergency Management Training & Exercise, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b: III(b) and to return the funds to the Police Department's 2017-2018 fiscal budget under the training and dues line 400-4210-294-000.

Staff Report - Reimbursement.docx

20180215134656402.pdf

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10.c Assessing - Abatement(s) & Deferral(s)

226 Abatements 02282018.docx

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### 11. TOWN ADMINISTRATOR'S REPORT

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In Dr. Shankle's absence, Christine Soucie, Finance Director, reported the following:

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1) Health Trust will be hosting two meetings.

NH will be reaching out separately.

232 233 2) The age-friendly community project went to Bedford, Chester, and Goffstown. AARP

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Lee Ann Moynihan said the revaluation will start shortly, within the next couple of weeks. A press release will be issued to explain the process to the public and information will be available on the town website.

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12. PUBLIC INPUT - 15 MINUTES

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13. NOMINATIONS AND APPOINTMENTS

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14. 15 MINUTE RECESS

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15. OLD BUSINESS

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16. NEW BUSINESS

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- 16.a RFP for Telephone Services
- 251 SR Telephone Services 2018.docx 252 OTT Communications.pdf

254 Councilor Ross moved, second by Councilor Levesque, to waive the Council rules requiring 255 three bids. Motion passed unanimously, 7-0.

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Councilor Tsantoulis moved, second by Councilor Duhaime, to accept OTT Communications' three year bid for telephone services and have the Town Administrator enter into a contract with them. Motion passed unanimously, 7-0.

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Well Radius Encroachment Easement Request by Lamontagne Builders, Inc. (LBI) on 16.b Town Right of Way – 48 Pine Street – Taken Up Earlier

staff report - 2-28-18 Well Radius Encroachment easement on Town right-of-way Pine Street - for lot 48 Pine Street.docx

48PineStreet.Well.020218.pdf

ISDS eCA2017060501 Approved Plan.pdf

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16.c Accept College Park Drive Sidewalk Project as complete staff report - feb 28 2018 Accept College Park Drive Sidewalk project as Complete.docx

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Councilor Tsantoulis moved, second by Councilor Duhaime, to accept the College Park Drive Sidewalk Project as complete. Motion passed unanimously, 7-0.

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16.d Hooksett Village Water Precinct easement across Town of Hooksett land - Tax Map 7 Lot 18 – **Taken Up Earlier** 

staff report - feb 28 2018 HVWP easement across town land.docx

4100-02 Overall Proposed Pipeline 50-scale.pdf

4100-02 Overall Proposed Pipeline 100-scale.pdf

Letter to JDonison.pdf

Town of Hooksett Easement .pdf

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16.e Town Personnel Plan - Professional Development Policy for Town Employees

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16.f Community Profile - 1) Pavillion and 2) Blight Properties Community Profile.pdf

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Councilor Levesque moved, second by Councilor Tsantoulis, to table agenda items 16.e and 16.f until such time that Councilor Miville is in attendance since these items were placed on the agenda at his request. Motion passed unanimously, 7-0.

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Councilor Ross brought up the fact that the Animal Crackers building that has been vacant since 2001 has a roof hanging by itself and what is left of the building is a danger and something must be done about it. Chairman Sullivan asked that Administration review the regulations on properties considered abandoned and report back to the Council.

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Chairman Sullivan closed the public hearing on KENO at 8:57 p.m.

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## 17. SUB-COMMITTEE REPORTS

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Councilor Levesque said the Recycle and Transfer Committee met last night. A gentleman from Casella attended and reported they changed their rules on what they will accept in recycled material. He said everyone is stuck with what to do with recycled material. They discussed a number of ideas but will continue with two separate pick ups. The feeling is that eventually things will ease up. Perhaps there will be no more recycling of glass because of its weight which is more expensive - \$45 a ton. Councilor Giotas said the town never made

money on glass and Diane Boyce, DPW Director, is working up some sort of public notification.

Councilor Ross again expressed his disagreement with having taken the recycling program in-house. He said it has been a "big waste of money" and has not "saved the town a dime". He asked if any research had been done to privatizing the program. Councilor Levesque said that "once we privatize, we will never go back because we won't have the set-up in place". In addition, a private company will have to make a profit. Chairman Sullivan said the matter will require more discussion with Administration and the Advisory Committee and, at an appropriate time, he'll ask the committee to be prepared for a discussion with the Council on the issue.

Councilor Giotas said that Kathie Northrup, Chair of the Heritage Commission, has done a lot of work on getting medallions done of the Lilac Bridge that come in three different colors and are for sale at \$10 each. Chairman Sullivan said the funds raised from the sale of the medallions and other items are used to finance other endeavors that the Heritage Commission has done over the years. Councilor Giotas also reported that the town has the copyright for the Hardy Book and the Commission has authorized 100 copies be printed. Chairman Sullivan said that May 20th has been designated Hooksett Heritage Day with activities planned from 11:00 to 2:00 to include a tour of the Old Town Hall and acknowledgement of Governor Head's 100th birthday. He said Governor Head kept all the records on all veterans who served in the Civil War, he was friendly with a number of presidents, and instrumental in changing child labor laws while he was Governor. He ran for State Senate in 1878 and lost because people were writing in the wrong name Nate instead of Nathaniel, and those votes for Nate were not valid. Councilor Giotas said Joymark will convert DVDs to digital files at a lesser (more than half) cost than previously expected. Kathie Northrup has done a lot of work on this. Chairman Sullivan said Administration has been very helpful on working out the copyright issue.

Councilor Walczyk said they met with SNHU on February 15<sup>th</sup>. Brought up the issue of lights at nights and they were not aware; they are going to look into it. It was a good meeting that lasted about an hour. Toured the facilities to see what they may have to offer the town. They do want to work with the town more and keep the dialogue open. They have Career Services which might be an area to leverage. Dr. Shankle and Councilor Winterton were also in attendance.

Chairman Sullivan said two windows at the Old Town Hall came out very nice; a third window will be in very soon. The committee is looking at next steps and cost estimates for electrical, wall, and plumbing work before the end of the year. Things are moving along at a good pace.

Councilor Duhaime thanked Nick Germain for his presentation to the Parks and Recreation Advisory Committee who have a number of new members. There was a lot of emotion surrounding the fact that the Hooksett Youth Association has no one running for office. The survey is finished; there were 130-plus respondents.

Chairman Sullivan thanked Chiefs Burkush and Bouchard for hosting the meeting.

18. PUBLIC INPUT

19. NON-PUBLIC SESSION

20. ADJOURNMENT Councilor Tsantoulis moved, second by Chairman Sullivan, to adjourn the meeting at 9:20 p.m. Motion passed unanimously, 7-0. Note: The town website may have attachments to these Town Council minutes for documents referred to in the minutes, reading file materials, and/or ancillary documents that the Town Council has signed as agent to expend as a result of the Council's prior approval of the documents. Respectfully submitted, Suzanne Beauchesne Recording Clerk 

# TOWN OF HOOKSETT PUBLIC HEARING NOTICE

The Hooksett Town Council will be holding a public hearing on Wednesday, March 14, 2018 @ 6:00pm at the Hooksett Town Hall Chambers, 35 Main Street, Hooksett, NH. The purpose of the hearing is to accept the grant and overtime reimbursement of \$60,000.00 from the Department of Justice, Division of Public Protection, to the Town of Hooksett for the Hooksett Police Department per RSA 35:91-b: III(a) and to return the funds to the Police Department's 2017-2018 fiscal budget salary and overtime lines. These documents are available for viewing at the Hooksett Police Department. Questions should be directed to the Administration Department at 603-485-8472.

# Staff Report

Title: Acceptance of Donations Date: March 14<sup>th</sup>, 2018

# **Background Discussion of Issues**

The Hooksett Police Department has experienced additional calls for service regarding criminal activity around the sale, possession with intent to sell, and possession of Controlled Drugs. The town of Hooksett has not been immune to the devastating effects that the Heroin crisis has on the State of NH. Hooksett Police responded to twenty-six drug overdose calls with seventeen that resulted in revival, five uses of NARCAN and four overdose related deaths in 2017-2018. Our community continues to deal with burglaries, car break-ins, and thefts that have a direct connection to the purchase and sale of narcotic drugs. The Town of Hooksett will continue to pay the officers salary and benefits who will be assigned to the NH Attorney General's Drug Task Force. In return will receive a \$60,000.00 grant plus any overtime reimbursement. This grant money, including any overtime reimbursement, should be placed back in the Hooksett Police Department's budget for fiscal year 2017-2018 in both the salary and overtime lines. The \$60,000.00 grant is for the fiscal year of 2017-2018 and expires on June 30th, 2018.

# Recommendation (Including Suggested motion, if appropriate)

Motion to accept the donation of \$60,000.00 from the Department of Justice, Division of Public Protection, to the Town of Hooksett for the Hooksett Police Department for a public hearing at the Town Council meeting for the acceptance of this grant under RSA 31:95-b, III (a) and to return that amount to the police department's 2017-2018 fiscal budget salary and overtime lines.

# Fiscal Impact

The donation is a grant to the Hooksett Police Department for a total amount of \$60,000.00, no fiscal impact.

Prepared By: Lieutenant James Bradley

Town Administrator's Recommendation

Concur

# TOWN OF HOOKSETT PUBLIC HEARING NOTICE

The Hooksett Town Council will be holding a public hearing on Wednesday, March 14, 2018 @ 6:00pm at the Hooksett Town Hall Chambers, 35 Main Street, Hooksett, NH. The purpose of the hearing is to accept the grant of up to \$10,686.37 from the NH Department of Safety Homeland Security and Emergency Management to the Town of Hooksett for the Hooksett Police Department per RSA 35:91-b: III(a) and to return the funds to the Police Department's 2017-2018 fiscal budget under the overtime line. These documents are available for viewing at the Hooksett Police Department. Questions should be directed to the Administration Department at 603-485-8472.

# Staff Report

Title: Acceptance of Donation Date: 3/14/18

The NH Department of Safety Homeland Security and Emergency Management has awarded the Hooksett Police Department an HSEEP (Homeland Security Exercise and Evaluation Program) grant for active shooter training. The total amount awarded by this grant will not exceed \$10,686.37. This money will be used to reimburse the Town of Hooksett the cost associated with the sworn personnel's overtime rate of pay working overtime to attend and cover shifts as a result of this exercise. This exercise is scheduled to be held on April 24, 25 and 26, 2018.

Recommendation (Including Suggested motion, if appropriate)

Motion to accept the donation of up to \$10,686.37 from the NH Department of Safety Homeland Security and Emergency Management, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b: III(a) and to return the funds to the Police Department's 2017-2018 or 2018-2019 fiscal budget under the overtime line.

Fiscal Impact

No fiscal impact

Prepared By: Lt. Sargent

Town Administrator's Recommendation

Concur

# ACCEPTANCE OF AUDIT REQUIREMENTS Homeland Security Exercise and Evaluation Program (HSEEP)

We agree to have an audit conducted in compliance with OMB Circular A-133, *if applicable*. If a compliance audit is not required, at the end of each audit period we will certify in writing that we have not expended the total amount of federal funds that would require a compliance audit (\$750,000). If required, we will forward for review and clearance a copy of the completed audit(s) to the following:

NH Department of Safety
Homeland Security and Emergency Management
Attn: Exercise Training Officer
33 Hazen Drive, Concord, NH 03305

The following is information on the next organization-wide audit which will include this agency:
1. Name of Grantee: Hooksert Pouce Project Title: ACTIVE ShootER
2. Audit Period (Grantee's fiscal or calendar year to be audited)
Beginning: 1/1/7 Ending: 6/30/18 Date Date
3. Audit will be submitted to NH HSEM by:  (Date must be no later than the ninth month after the end of the audit period)  Date: 2/1/19
Additionally, we have or will notify our auditor of the above requirements prior to performance of the audit for the period listed above. We will also ensure that, if required, the entire grant period will be covered by a compliance audit which in some cases will mean more than one audit must be submitted. We will advise the auditor to cite specifically that the audit was done in accordance with OMB Circular A-133. We will also ensure that all records concerning this grant will be kept on file for a minimum of 4 years from the end of this audit period.
Information concerning the OMB Circular audit requirements can be obtained at: <a href="http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2011">http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2011</a>
FAILURE TO COMPLETE THIS FORM WILL RESULT IN YOUR GRANT AWARD BEING DELAYED AND/OR CANCELLED.
Signatures:  Lem & Sharkl, Ja  Authorized Local Official
Print Name  Dead E. SHANKLE, TR  Date Signed

# **Grant Terms and Conditions 2015**

NOTE: The grant terms and conditions must be submitted with the grant application.

- Allowable Costs: The allowability of costs incurred under any grant shall be determined in accordance with the general
  principles of allowability and standards for selected cost items as set forth in the applicable OMB Circulars and the FFY
  2015 U.S. Department of Homeland Security, Grant Program Guidance and Application Kit.
- 2. Freedom of Information Act (FOIA): FEMA recognizes that much of the information submitted in the course of applying for funding under this program or provided in the course of its grant management activities may be considered law enforcement sensitive or otherwise important to national security interests. While this information under Federal control is subject to requests made pursuant to the Freedom of Information Act (FOIA), 5. U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office, and may likely fall within one or more of the available exemptions under the Act. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application, needs assessment and strategic planning process. The applicant may also consult FEMA regarding concerns or questions about the release of information under State and local laws. The grantee should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it may provide additional protection to certain classes of homeland security information.
- Americans with Disabilities Act of 1990 (ADA): The sub grantee must comply with all requirements of the Americans
  with Disabilities Act of 1990 (ADA), as applicable.
- 4. <u>Integrating Individuals with Disabilities into Emergency Planning:</u> Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against people with disabilities in all aspects of emergency mitigation, planning, response, and recovery by entities receiving financial assistance from FEMA. In addition, Executive Order #13347, "Individuals with Disabilities in Emergency Preparedness" signed in July 2004, requires the Federal Government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism. Executive Order 13347 requires the Federal government to encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.

FEMA has several resources available to assist emergency managers in planning and response efforts related to people with disabilities and to ensure compliance with Federal civil rights laws:

Comprehensive Preparedness Guide 301 (CPG-301): Interim Emergency Management Planning Guide for Special Needs Populations: CPG-301 is designed to aid tribal, State, territorial, and local governments in planning for individuals with special needs. CPG-301 outlines special needs considerations for: Developing informed Plans; Assessments and Registries; Emergency Public Information/Communication; Sheltering and Mass Care; Evacuation; Transportation; Human Services/Medical Management; Congregate Settings; Recovery; and Training and Exercises. CPG-301 is available at http://www.fema.gov/pdf/media/2008/301.pdf.

Guidelines for Accommodating Individuals with disabilities in Disaster: The Guidelines synthesize the array of existing accessibility requirements into a user friendly tool for use by response and recovery personnel in the field. The Guidelines are available at http://www.fema.gov/oer/reference/.

Disability and Emergency Preparedness Resource Center: A web-based "Resource Center" that includes dozens of technical assistance materials to assist emergency managers in planning and response efforts related to people with disabilities. The "Resource Center" is available at http://www.disabilitypreparedness.gov.

Lessons Learned Information Sharing (LLIS) resource page on Emergency Planning for Persons with Disabilities and Special Needs: This resource page provides more than 250 documents, including lessons learned, plans, procedures, policies, and guidance, on how to include citizens with disabilities and other special needs in all phases of the emergency management cycle. LLIS.gov is available to emergency response providers and homeland security officials from the Federal, State, and local levels. To access the resource page, log onto http://www.LLIS.gov and click on Emergency Planning for Persons with Disabilities and Special Needs under Featured Topics.

- Applicable Federal Regulations: The Sub grantee must comply with the Office of Management and Budget (OMB)
   Circulars, as applicable: A-21 Cost Principles for Educational Institutions; A-87 Cost Principles for State and Local
   Governments; A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions; and, Λ-122 Cost
   Principles for Non-Profit Organizations.
- 6. Audit Requirements: The sub grantee agrees to comply with the requirements of OMB Circular A-133.
  - Non-Federal entities that expend \$500,000 or more in federal funds (from all sources including pass-through sub awards) in the organizational fiscal year shall have a single organization-wide audit conducted in accordance with the provisions of OMB Circular A-133.

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- discrimination, including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The recipient agrees it will ensure that requirements of the Rehabilitation Act of 1973 shall be included in the agreements with and be binding on all of its sub grantees, contractors, subcontractors, assignces or successors.
- 16. Confidential Information: Any reports, information, data, etc., given to, prepared or assembled by the sub grantee under this grant (which DOS requests to be kept confidential) shall not be made available to any individual or organization by the sub grantee without prior written approval of DOS.
- 17. Protected Critical Infrastructure Information (PCII): The PCII Program, established pursuant to the Critical Infrastructure Information Act of 2002 (Public Law 107-296) (CII Act), created a new framework, which enables State and local jurisdictions and members of the private sector to voluntarily submit sensitive information regarding critical infrastructure to DHS. The Act also provides statutory protection for voluntarily shared CII from public disclosure and civil litigation. If validated as PCII, these documents can only be shared with authorized users who agree to safeguard the information.
- 18. 'The recipient must promptly refer to DHS/OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any sub recipient.
- 19. Conflict Of Interest: Personnel and other officials connected with this grant shall adhere to the requirements given below:

  Advice: No official or employee of a state or unit of local government or of non-government grantees/sub grantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative agreement, claim, controversy, or other particular matter in which these funds are used, where to his knowledge he or his immediate family, partners, organization other than a public agency in which he is serving as officer, director, trustee, partner, or employee or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

Appearance: In the use of these grant funds, officials or employees of state or local units of government and non-governmental grantees/sub grantees shall avoid any action which might result in, or create the appearance of the following:

- Using his or her official position for private gain;
- · Giving preferential treatment to any person;
- · Losing complete independence or impartiality;
- · Making an official decision outside official channels; and/or
- Adversely affecting the confidence of the public in the integrity of the government or the program.
- 20. Consultants: Billings for consultants who are individuals must include at a minimum: a description of services; dates of services; number of hours for services performed; rate charged for services; and, the total cost of services performed. Individual consultant costs must be within the prevailing rates, not to exceed the maximum of \$550.00 per day. Permission for costs that exceed \$550 per day in total will need to be granted by DOS who must seek approval for DHS/FEMA for an increased rate.
- 21. Continuation: The applicant agrees that if the requested project is funded continuation is not guaranteed.
- 22. Contract Requirements: The applicant agrees that no contract or agreement may be entered into by the sub grantee for execution of project activities or provision for services to a sub grant project (other than the purchase of supplies or standard commercial or maintenance services) which is not incorporated in the approved application. Any such arrangements will provide that the sub grantee will retain ultimate control and responsibility for the project and that the contractor will be bound by these conditions as well as the sub grantee.
- 23. Data Collection: The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
- 24. Debarment Certification: With the signing of the grant application, the sub grantee agrees to comply with Federal Debarment and Suspension regulations as outlined in the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions" form.
- 25. **Deobligation of Grant Funds:** All grants must be deobligated at the end of the end of the grant period. Failure to deobligate the grant in a timely manner will result in an automatic deobligation of the grant by DOS.

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- 32. Fiscal Regulations: The applicant assures that it will comply and all its sub grantees and contractors will comply, with the applicable provisions of the U.S. Department of Homeland Security, FFY 2014 Homeland Security Grant Program Guidance and Application Kit, and all other applicable federal laws, orders, circulars or regulations.
- 33. Fraud: The applicant understands that whoever embezzles, willfully misapplies, steals or obtains by fraud any funds, assets or property which are the subject of a sub grant or contract or other form of assistance, whether received directly or indirectly from DOS, may be fined or imprisoned or both. Whoever knowingly falsifies, conceals or covers up by trick, scheme or device, any material fact in any application for assistance or in any record required to be maintained, will be subject to prosecution under the provisions of Section 1001 of Title 18, United States Code. Any program or project underwritten in whole or in part by any subgrantee, or contract or other form of assistance, whether received directly or indirectly form DOS will be subject to the provisions of Section 371 of Title 18, United States Code.
- 34. Interest and Other Program Income: The applicant agrees to be accountable for all interest or other income carned by the subgrantee with respect to sub grant funds or as a result of conduct of the project (sale of publications, registration fees, service charges, etc.) All program income generated by this grant during the project must be reported to DOS quarterly and must be put back into the project or be used to reduce the grantor participation in the program. The use or planned use of all program income must have prior written approval from DOS.
- 35. Interoperable Equipment: Grantee is responsible for all license requirements resulting from a potential grant. Equipment must meet DHS/FEMA recommended P-25 compatible standards
- 36. Legal Action: The applicant agrees that should the NII Department of Safety Grants Management Unit determine that it needs to take legal action against the applicant for actions arising out of the grant, the applicant will waive jurisdiction and have the case heard in either state or federal court in Concord, New Hampshire.
- 37. National Energy Policy: Compliance with the National Energy Conservation Policy and Energy Policy Acts. In accordance with the FY 2008 DHS Appropriations Act, all FY 2008 & forward grant funds must comply with the following two requirements:
  - None of the funds made available shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order No. 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).
  - None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).
- 38. **Non-Supplanting Agreement:** The subgrantee shall not use grantor funds to supplant state or local funds or other resources that would otherwise have been made available for this program.
- 39. Obligation of Grant Funds: Grant funds may not be obligated prior to the effective date of the approved grant application and without advance written approval by DOS. No obligations are allowed after the end of the grant period and the final request for payment must be submitted no later than 30 calendar days before the end of the grant period.
- 40. Performance: This grant may be terminated or fund payments discontinued by DOS where it finds a substantial failure to comply with the provisions of the legislation governing these funds or regulations promulgated, including those grant conditions or other obligations established by DOS. In the event the subgrantee fails to perform the services described herein and has previously received financial assistance from DOS, the subgrantee shall reimburse DOS the full amount of the payments made. However, if the services described herein are partially performed, and the subgrantee has previously received financial assistance, the subgrantee shall proportionally reimburse DOS for payments made.
- 41. *Political Activity:* None of the funds, materials, property or services provided directly or indirectly under this contract shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office, or otherwise in violation of the provisions of the "Hatch Act."
- 42. **Project Implementation:** The subgrantee agrees to implement this project within 60 days following the grant award effective date or be subject to automatic cancellation of the grant.
- 43. **Property Control:** Effective control and accountability must be maintained for all personal property. Sub grantees must adequately safeguard all such property and must assure that it is used solely for authorized purposes. Sub grantees should exercise caution in the use, maintenance, protection and preservation of such property.
- (a) Title. Subject to the obligations and conditions set forth in this section, title to equipment acquired under a grant or sub grant will vest upon acquisition in the grantee or sub grantee respectively.
  - (b) States. A State will use, manage, and dispose of equipment acquired under a grant by the State in accordance with State

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Government or a third part named by the awarding agency when such a third party is otherwise eligible under existing statutes. Such transfers shall be subject to the following standards:

- (1) The property shall be identified in the grant or otherwise made known to the grantee in writing.
- (2) The Federal awarding agency shall issue disposition instruction within 120 calendar days after the end of the support of the project for which it was acquired. If the Federal awarding agency fails to issue disposition instructions within the 120 calendar-day period the grantee shall follow? 13.32(e).
  - (3) When title to equipment is transferred, the grantee shall be paid an amount calculated by applying the percentage of participation in the purchase to the current fair market value of the property.
  - 44. *Publications:* The subgrantee agrees that all publications created with funding under this grant agreement shall prominently contain the following statement: "This document was prepared under a grant from the NH Department of Safety Grants Management Unit (DOS) and the United States Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of DOS or the U.S. Department of Homeland Security." Additionally, any publication created with funding under this agreement shall bear on it the logos of the NH Department of Safety Grants Management Unit and U.S. Department of Homeland Security.

The subgrantee also agrees that one copy of any such publication will be submitted to DOS to be placed on file and distributed as appropriate to other potential sub grantees or interested parties. DOS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the subgrantee.

All recipients of financial assistance will comply with requirements that publications or other exercise of copyright for any work first produced under Federal financial assistance awards hereto related unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations). For any scientific, technical, or other copyright work based on or containing data first produced under this award, including those works published in academic, technical or professional journals, symposia proceedings, or similar works, the recipient grants the Government a royalty-free, nonexclusive and irrevocable license to reproduce, display, distribute copies, perform, disseminate, or prepare derivative works, and to authorize others to do so, for Government purposes in all such copyrighted works. The recipient shall affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under an award

All recipients of financial assistance must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

- 45. **Records:** The applicant will give the grantor agency or the Comptroller General, through any authorized representative, the access to and the right to examine all records, books, papers or documents related to the grant.
- 46. Recording and Documentation of Receipts and Expenditures: Sub grantee's accounting procedures must provide for accurate and timely recording of receipt of funds by source of expenditures made from such funds and unexpended balances. These records must contain information pertaining to grant awards, obligations, unobligated balances, assets, liabilities, expenditures and program income. Controls must be established which are adequate to ensure that expenditures charged to the sub grant activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, grant award documents, etc.
- 47. Reports: 'The subgrantee shall submit, at such times and in such form as may be prescribed, such reports as DOS may reasonably require, including financial reports, progress reports, final financial reports and evaluation reports.
- 48. <u>Final and fiscal close-out Report</u>: The report is in addition to the cumulative progress reports and is also due 30 days after the end of the grant period.
- 49. Copyright: Except as otherwise provided in the terms and conditions of this grant, the sub-grantee or a contractor paid through this grant is free to copyright any books, publications or other copyrightable materials developed in the course of or under this grant. However, the federal awarding agency and/or state funding agency (NH DOS) reserve a royalty-free,

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2. Debarment, Suspension, and Other Responsibility Matters (Sub-Recipient)

As required by Executive Order 12549, Debarment and Suspension, and implemented under the applicable CFR, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510.

The applicant certifies that it and its principals:

- A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- B. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- C. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph A(2) of this certification; and
- D. Have not within a three-year period preceding this application had one or more public transactions (Federal, State or Local) terminated for cause or default; and
- 2. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

# 3. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Federal Drug-Free Workplace Act of 1988 and implemented at 28 CFR Part 67, Subpart F. The applicant certifies that it will or will continue to provide a drug-free workplace by:

- Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- 2. Establishing an on-going drug-free awareness program to inform employees about -
  - A. The dangers of drug abuse in the workplace;
  - B. The grantee's policy of maintaining a drug-free workplace;
  - C. Any available drug counseling, rehabilitation and employee assistance programs, and
  - D. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- 3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);
- Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will
  - A. Abide by the terms of the statement; and
  - B. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- 5. Notifying the agency, in writing within 10 calendar days after receiving notice under subparagraph (4) (b), from an employee or otherwise receiving actual notice of such conviction. Employers or convicted employees must provide notice, including position title, to the State Funding Agency. Notice shall include the identification number(s) of each affected grant;
- 6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (4)(b), with respect to any employee who is so convicted
  - A. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - Requiring such employee to participate satisfactorily in a drug abuse assistance rehabilitation program
    approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate
    agency;
- 7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5) and (6).

# 2014 Article I - Financial Guidelines

The recipient and any subrecipient shall comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit Requirements. A non-exclusive list of regulations commonly applicable to FEMA grants are listed below:

A. Administrative Requirements

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- 2. Our right to terminate unilaterally that is described in paragraph A.2 or B of this section:
- a. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
- b. Is in addition to all other remedies for noncompliance that are available to us under this award.
- 3. You must include the requirements of paragraph A.1 of this award term in any subaward you make to a private entity.
- D. Definitions. For purposes of this award term:
- 1. "Employee" means either:
- a. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
- b. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
- 2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
- 3. "Private entity" means:
- a. Any entity other than a State, local government, Indian Tribe, or foreign public entity, as those terms are, defined in 2 CFR 175.25.
- b. Includes:
- A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian Tribe at 2 CFR 175.25(b).
- ii. A for-profit organization.
- 4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

#### Article V - Classified Security Condition

- A. "Classified national security information," as defined in Executive Order (ISO) 12958, as amended, means information that has been determined pursuant to EO 12958 or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.
- B. No funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information if the award recipient has not been approved for and has access to such information.
- C. Where an award recipient has been approved for and has access to classified national security information, no funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information by the contractor, subawardce, or other entity without prior written approval from the DHS Office of Security, Industrial Security Program Branch (ISPB), or, an appropriate official within the Federal department or agency with whom the classified effort will be performed.
- D. Such contracts, subawards, or other agreements shall be processed and administered in accordance with the DHS "Standard Operating Procedures, Classified Contracting by States and Local Entities," dated July 7, 2008; EOs 12829, 12958, 12968, as amended; the National Industrial Security Program Operating Manual (NISPOM); and/or other applicable implementing directives or instructions. All security requirement documents are located at: <a href="http://www.dhs.gov/xopnbiz/grants/index.shtm">http://www.dhs.gov/xopnbiz/grants/index.shtm</a>
- F. Immediately upon determination by the award recipient that funding under this award will be used to support such a contract, subaward, or other agreement, and prior to execution of any actions to facilitate the acquisition of such a contract, subaward, or other agreement, the award recipient shall contact ISPB, or the applicable Federal department or agency, for approval and processing instructions.

DHS Office of Security ISPB contact information:

Telephone: 202-447-5346

Email: DD254AdministrativeSecurity@dhs.gov

Mail:Department of Homeland Security
Office of the Chief Security Officer
ATTN: ASD/Industrial Security Program Branch
Washington, D.C. 20528

#### Article VI - Central Contractor Registration and Universal Identifier Requirements

A. Requirement for Central Contractor Registration (CCR)

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- Applicability and what to report. You must report total compensation for each of your five most highly compensated
  executives for the preceding completed fiscal year, if-
- a. the total Federal funding authorized to date under this award is \$25,000 or more;
- b. in the preceding fiscal year, you received-
- i. 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Pederal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
- ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
- c. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (I'o determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <a href="http://www.sec.gov/answers/execomp.htm">http://www.sec.gov/answers/execomp.htm</a>.)
- 2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:

  a. As part of your registration profile at http://www.ccr.gov.
- b. By the end of the month following the month in which this award is made, and annually thereafter.
- C. Reporting of Total Compensation of Subrecipient Executives.
- Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier
  subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most
  highly compensated executives for the subrecipient's preceding completed fiscal year, if-
- a. in the subrecipient's preceding fiscal year, the subrecipient received-
- i. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
- ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- b. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <a href="http://www.sec.gov/answers/execomp.htm">http://www.sec.gov/answers/execomp.htm</a>.
- Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
- a. To the recipient.
- b. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.
- D. Exemptions
- If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:
- a. Subawards, and
- b. The total compensation of the five most highly compensated executives of any subrecipient.
- E. Definitions. For purposes of this award term:
- 1. Entity means all of the following, as defined in 2 CFR part 25:
- a. A Governmental organization, which is a State, local government, or Indian tribe;
- b. A foreign public entity;
- c. A domestic or foreign nonprofit organization;
- d. A domestic or foreign for-profit organization;
- e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- 2. Executive means officers, managing partners, or any other employees in management positions.
- 3. Subaward:
- a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_\_.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
- c. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
- 4. Subrecipient means an entity that:
- a. Receives a subaward from you (the recipient) under this award; and
- b. Is accountable to you for the use of the Federal funds provided by the subaward.

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All award recipients who collect PH are required to have a publically-available privacy policy that describes what PH they collect, how they use the PH, whether they share PH with third parties, and how individuals may have their PH corrected where appropriate.

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments:

http://www.dhs.gov/xlibrary/assets/privacy/privacy pia guidance june2010.pdf

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http://www.dhs.gov/xlibrary/assets/privacy/privacy pia template.pdf, respectively.

### Article XVI - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

#### Article XVII- Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

#### Reporting Requirement: Typing of Equipment and Training:

The FY 2011 HSGP Guidance and 2014 FOA require that all grantees report equipment purchases and the typed capability the equipment supports (where such typing guidance exists); the number of people trained in a given capability to support a reported number of defined resource typed teams (e.g., 63 responders were trained in structural collapse to support 23 Type 2 USAR Teams); and the total number of a defined type of resource and capabilities built utilizing the resources of this grant. Grantees will specify the number of resources, capability supported, whether it is a NIMS or State/local typed resource, the cost, and whether the resource sustains current capabilities or adds new capabilities. The resources should be reported only after equipment is delivered or after training has occurred and the corresponding grant funds have been expended. GMU will advise further on format for reporting upon grant award.

#### As a condition of the receipt of these funds:

Funding may be suspended or terminated for filing a false certification in this application or other reports or document as part of this program.

#### Tracking of Equipment:

Upkeep, maintenance, and training of and for equipment procured as part of the Homeland Security grant program is a local and/or grantee responsibility. The inventory of this equipment is a local responsibility and the recipient of such understands that inspections, auditing, and inventory accounting of this equipment may occur as a condition of this grant either from Federal, State or other appropriate level agency and agent.

# Equipment valued over \$5,000:

To comply with OMB circular A-87 and 44 CFR 1, equipment valued at this level must inventoried and tracked locally and be reported to the State Department of Safety (DOS) - Grants Management Unit for 2 years or until the item carries a depreciated value of less than \$250. The disposition of the equipment must be reported. DOS recommends consulting with local auditors for GASB-34 compliance and disposition rules governing equipment procured with Federal funds.

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# CERTIFICATION BY PROGRAM MANAGER/CONTACT\*

I certify that: (1) I understand and agree to comply with the general and fiscal provisions of this grant application including the terms and conditions; (2) I understand and agree to comply with provisions of the regulations governing these funds and all other federal and state laws; (3) all information presented is correct; (4) there has been appropriate coordination with affected agencies; (5) I am duly authorized by the applicant to perform the tasks of Program Manager/Contact as they relate to the requirements of this grant application; (6) costs incurred prior to Grantee approval may result in the expenditures being absorbed by the sub-grantee; and, (7) the receipt of these grant funds through the Grantee will not supplant state or local funds.

Name: Ganet Bouchard Agency: Hooksett Police Department	Title: Chief of Police
Agency: Hooksett Police Department	Mailing Address: 15 Legend's Drive
Phone Number: (603 634-1560 × 303-	Hooksett, NHO3034
	dress: JBoucharde Hoksett Police org
Signature: Janet & Bove Rand	
CEDITIFICATION DV FINANCIAL OFFICED*	

I certify that: (1) I understand and agree to comply with the general and fiscal provisions of this grant application including the terms and conditions; (2) I understand and agree to comply with provisions of the regulations governing these funds and all other federal and state laws; (3) all information presented is correct; (4) there has been appropriate coordination with affected agencies; (5) I am duly authorized by the applicant to perform the tasks of Financial Officer as they relate to the requirements of this grant application; (6) costs incurred prior to Grantee approval may result in the expenditures being absorbed by the sub-grantee; and, (7) the receipt of these grant funds through the Grantee will not supplant state or local funds.

iocai funds.	
Name: Christine Souche	Title: Finance Director
Agency: Town of Hookse	Mailing Address: 35 Wash 84
Phone Number: 603-485-2017	Hooksett, WH 03106
Fax Number:	E-Mail Address: CSOUCIE @ hooksett.org
Signature: White	

Page 17 of 18

Initials Date DEL

Staff Report
Title: Site Surety Release - \$56,620 – SNHU Gustafson Welcome Center Project Date: 3/14/2018

Background Discussion of Issues
SNHU has requested the release of their site surety of \$56,620 for their project (File 2015-
12). All site work has been completed, a Certificate of Occupancy was issued in December
2016 and a 2-year landscape bond for the amount of \$63,000 was recently received and is in
place with the Town.
Recommendation
Recommend the release of the \$56,620 site surety for the SNHU Gustafson Welcome Center
project.
Fiscal Impact
None.
Notic.
Prepared By: James J. Donison, P.E., Assistant Director of Public Works/Town Engineer
Town Administrator's Recommendation
Concur

# Hooksett-How we envision our FUTURE.

- Formal relationship with SNHU Hooksett not leveraging it
- Community support system that's self-funded and integrates all components of community
- Education system that gets how mind works to improve education
- Sustainable plan for seniors transitioning out of homes but staying in town – aging in community
- Tracking abusers of women and children
- More non-sports related activities for kids
- Want street lights on Rt. 3 that all work
- Needs good quality senior center
- More compassion for special needs children
- Bicycle routes needed
- Sidewalks 3 + 3A
- Traffic lights Exit 11/Rt 3A and Hackett Hill Rd.
- Public access channel
- Community calendar open access
- Bowling alley and leagues
- Senior center
- More positive dialogue with Pinkerton so students get better education
- Hooksett high school
- Rt. 28 Bypass rezoned as commercial

- Pool like they have in Livingston Park (Manchester)
- Public transportation options especially for elderly
- Being more connected more walkable neighborhoods
- Bridge halfway between north and south bridges
- Clean up unsightly areas of town
- More professional office space and manufacturing facilities
- Teen community center with games
- State take more effort to clean up Exits 10 and 11
- Lower taxes
- More positive dialogue with City of Manchester re: high school kids
- More participation from younger citizens on town boards and communities
- Picnic tables, covered pavilion
- Improvements along river side
- Expand pedestrian and bicycle access esp. 193 corridor
- Transportation: seniors who don't drive

# Mosaic

We spent a few minutes meeting each other, learning how long we lived in town, some history and current demographics. We were then asked to offer descriptions of what our town was like right now and what we would like it to be like in the future. Adjectives and phrases were called out and recorded on easels at the front of the room labeled NOW and FUTURE.

# Staff Report Discussion on Recycling 3/14/18

Information .....

The Recycling markets have totally crashed. As Communities everywhere struggle to figure out what to do about budgets, and the continuance of recycling, the recycling of glass is a problem throughout New England. The only glass recycling market has closed it's doors. Since glass recycling has always been an issue, it does not make since at this junction to continue. Glass if it can't be used will ultimately be landfilled or incinerated. It is time for a discussion to decide if it is time to ask residents to start throwing glass away with trash instead of recycling it.

Recommendation (Including Suggested motion, if appropriate)

Information ....

I would recommend that the Town begin to inform residents that glass waste be disposed of with the trash. This will presently save us money and ultimately when the recycling markets pick up again, the glass won't be considered a contaminate.

Fiscal Impact

No impact ???????

With the high cost of recycling this will save the Town money

Prepared By: Diane Boyce, DPW

Town Administrator's Recommendation

Concur

Staff Report
Title: Discuss SNHU ZBA application for a variance for large sign
Date: 3/14/2018

Background Discussion of Issues
A Zoning Board of Adjustment application for a variance for a large sign on top of the new dormitory has been submitted by SNHU.
See attached details.
Recommendation (Including Suggested motion, if appropriate)
Town Council to make a recommendation to ZBA
Fiscal Impact
No Fiscal Impact
No riscai impact
Prepared By: James Donison
Town Administrator's Recommendation
Concur

HOOKSETT ZONING BOARD OF ADJUSTMENT
Tuesday, March13, 2018
HOOKSETT MUNICIPAL BUILDING
35 Main Street
AGENDA
6:30PM

**CALL TO ORDER** 

**PLEDGE OF ALLEGIANCE** 

**ATTENDANCE** 

**APPROVAL OF MINUTES** 02/13/2018

**CONTINUED PUBLIC HEARING:** 

Blue Sky Towers, LLC #Z18-01
14 Mammoth Road Map 47 Lot 27
MDR

**Section 3. Application for a Variance:** 

A variance is requested from Article 5 Section A of the Zoning Ordinance to permit a Wireless Communication Facility in the MDR District consisting of 12 panel antennas mounted at 145' above ground level on a 150' monopole within a 12' x 30' lease area with telecommunication equipment cabinets and a back-up generator on concrete pads within a 50' x 100' fenced compound area.

**NEW PUBLIC HEARING:** 

SNHU Z18-2 2500 North River Road Map 38 Lot 1 MUD4

Section 3. Application for a Variance:

A variance is requested from Article 20 Section D.2 of the Ordinance to permit the installation of one 200.8 SF roof sign. Sign shall be above the roof line.

# ZONING BOARD OF ADJUSTMENT APPLICATION FEB 2 0 2018

CASE # Z18-2 DATE FILED

Name of Applicant SNHU	Telephone_ <sup>645</sup> <sup>9613</sup>
(Must be owner (s)	•
Address 2500 RIVER ROAD MANCHESTER NH 03	
	*
Representative BARLO SIGNS	Telephone_ <sup>882</sup> <sup>2638</sup> X 333
(Please attach letter of authoriza	tion signed by the owner)
Location of Property 2500 NORTH RIVER RD	
(street address	)
Tax Map38	1 ZoneMUD4
Homeowners'/Condo Association: Yes Association Name and Address	
NOTE: Fill in Section 1,2, or 3, as appropriat acceptable unless all required statements ha information may be supplied on a separate sinadequate.	ve been made. Additional
Has this property ever received a variance of If so, please list date and type of approval	or special exception in the past?
\ An	
SIGNATURE BARLO SIGNS/JENN ROBICHAUD AG	GENT DATE 21518
SIGNATURE BARLO'SIGNS/JENN ROBICHAUD AC	GENT DATE 2 15 18

# 8 | ZBA APPLICATION FORM

SECTION 3. APPLICATION FOR VARIANCE 20 (D) SIGNS PERMITTED IN COMMERCIAL, INDUSTRIAL AND
A variance is requested from Article Section of the Zoning STANDARDS
Ordinance to permit
THE INSTALLATION OF ONE 200.8 SF ROOF SIGN; SIGN SHALL BE LOCATED ABOVE THE ROOF LINE.
THE WOLLES WOLLD TO SEE THE SECOND TO SEE THE SECOND TO
Facts supporting this request:
1. The Variance will not be contrary to the public interest because:
THE PROPOSED SIGN AIDS IN THE IDENTIFICATION OF SNHU, ATTRACTIVE TO SCALE SIGNS INFORMS
THE WAYFINDING PUBLIC
2. The spirit of the ordinance is observed because:
OUR PROPOSAL IS TO SCALE WITH THIS SIGNIFICANT CONSTRUCTION PROJECT; THE UNIQUENESS
OF THIS LOCATION REQUIRES WAIVERS TO BE CONSIDERED.
3. Substantial justice is done because:
OUR PROPOSAL WILL ALLOW SNHU THE SIGNAGE IT NEEDS TO COMPLIMENT THE NEW CONSTRUCTION AT THEIR RIVER ROAD LOCATION, WITHOUT HARM TO PUBLIC;
4. The value of surrounding properties are not diminished because:
4. The value of surrounding properties are not diminished because:
ATTRACTIVE CONSTRUCTION AND COMPLIMENTARY SIGNAGE POSSITIVELY AFFECTS SURROUNDING
PROPERTIES:
AND THE PROPERTY OF THE PROPER

- 5. Literal enforcement of the provision would result in an unnecessary hardship:
  - (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

THE VERY SIZE, HEIGHT, AND LOCATION OF THE SNHU BUILDING, SPEAKS TO ITS UNIQUENESS AND NEED FOR SIGNAGE ABOVE AND BEYOND WHAT IS ROUTINELY ALLOWED WITHIN THE SIGN ORDINANCE.

(ii) The proposed use is a reasonable one

IT IS REASONABLE, GIVEN THE SCOPE OF THE SNHU PROJECT, AND ITS PROXIMITY TO NEIGHBORING HIGHWAYS, THAT THE UNIVERSITY WOULD

WANT DISTINCTIVE SIGNAGE AT THIS LOCATION.

(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

# 11 ZBA APPLICATION FORM

Section 5: DETAIL DESCRIPTION

Please provide a <u>detailed</u> description of you proposal:
PROPOSAL IS FOR THE INSTALLATION OF ONE 200.8 SF INTERNALLY ILLUMINATED ROOF SIGN. ROOF SIGN IS TO BE INSTALLED AT 2500 NORTH RIVER ROAD, PLACING IT PARTIALLY WITHIN HOOKSETT AND PARTIALLY WITHIN MANCHESTER. A VARIANCE WAS GRANTED, FOR THE MANCHESTER PORTION OF SAID SIGN, FEBRUARY 8TH, 2018.
VARIANCE REQUIRED WITHIN HOOKSETT, FOR SIGN SIZE AND HEIGHT ABOVE ROOF LINE, WITH ONLY APPROXIMATELY 52' FEET OF BUILDING FRONTAGE LOCATED WITHIN HOOKSETT.
·



ITEM A - FACE-LIT LED CHANNEL LETTERS ON ROOFTOP RAIL SYSTEM



P7 11 1		Design Specifications Acc	cepted By:
Sales:		***	
Client:			
Landlord:			
Drawn By:	MGB	Sales Rep: DM	рм: HL
THIS DESIGN CO THIS PRINT IS DE	NCEPT IS THE PROPERT	SONAL USE AND IS NOT TO BE USED OUTSIDE Y	DUPLICATION RIGHTS ARE RESERVED BY THE BARLO GROUP OUR ORGANIZATION OR EXHIBITED IN ANY FASHION.

JOB#:	sq. Ft. = 5	99.78	Date: 12/29/2017
Project Name: S	NHU		**
Project Address:	2500 River Rd. Ma	anchester, NI	1
	PROJECT	APPROVAL	
Design: MGB	Date: 12/29/17	e: 12/29/17 Sales:	
Engineering: Date:		Production:	Date:
Estimating:	Date:	e: Installation:	
File Name: SNHU	Kingston Hall 1712	203434 CO 1	-16
B-17-12-	03434		SHEET: 1.0



ITEM A - FACE-LIT LED CHANNEL LETTERS ON ROOFTOP RAIL SYSTEM

NORTH WEST ELEVATION - SIGN OPTIONS

5K-7.2 1/16"=1'-0"



	Design Specifications Accepted By:						
	Sales:						
	Client:						
	Landlord:						
	Drawn By:	MGB	Sales Rep: D	M	PM: HL		
)	© COPYRIGHT 2017 THE BARLO GROUP THIS DESIGN CONCEPT IS THE PROPERTY OF THE BARLO GROUP, ALL PRODUCTION AND DUPLICATION RIGHTS ARE RESERVED BY THE BARLO GROUP. THIS PRINT IS DESIGNED FOR YOUR PERSONAL USE AND IS NOT TO BE USED OUTSIDE YOUR ORGANIZATION OR EXHIBITED IN ANY FASHION.  Underwriters Laboratories Inc.						

	LETTERS - SNHU
	Faces: White Polycarbonate w/
	Digitally printed perforated vinyl to
	match PMS 2757C Blue
	Returns: PTM 4132SP Silver
-	Trim: 4132SP Silver
	Backs: PTM 4132SP silver
×	LEDs: White
	Mounting: Angle Clip Mounting

	LETTERS - "QUILL"
	Faces: White Polycarbonate w/
l to	3630-25 sunflower yellow vinyl
	Returns: PTM 4132SP Silver
	Trim: 4132SP Silver
	Backs: PTM 4132SP silver
	LEDs: White
	Mounting: Angle Clip Mounting

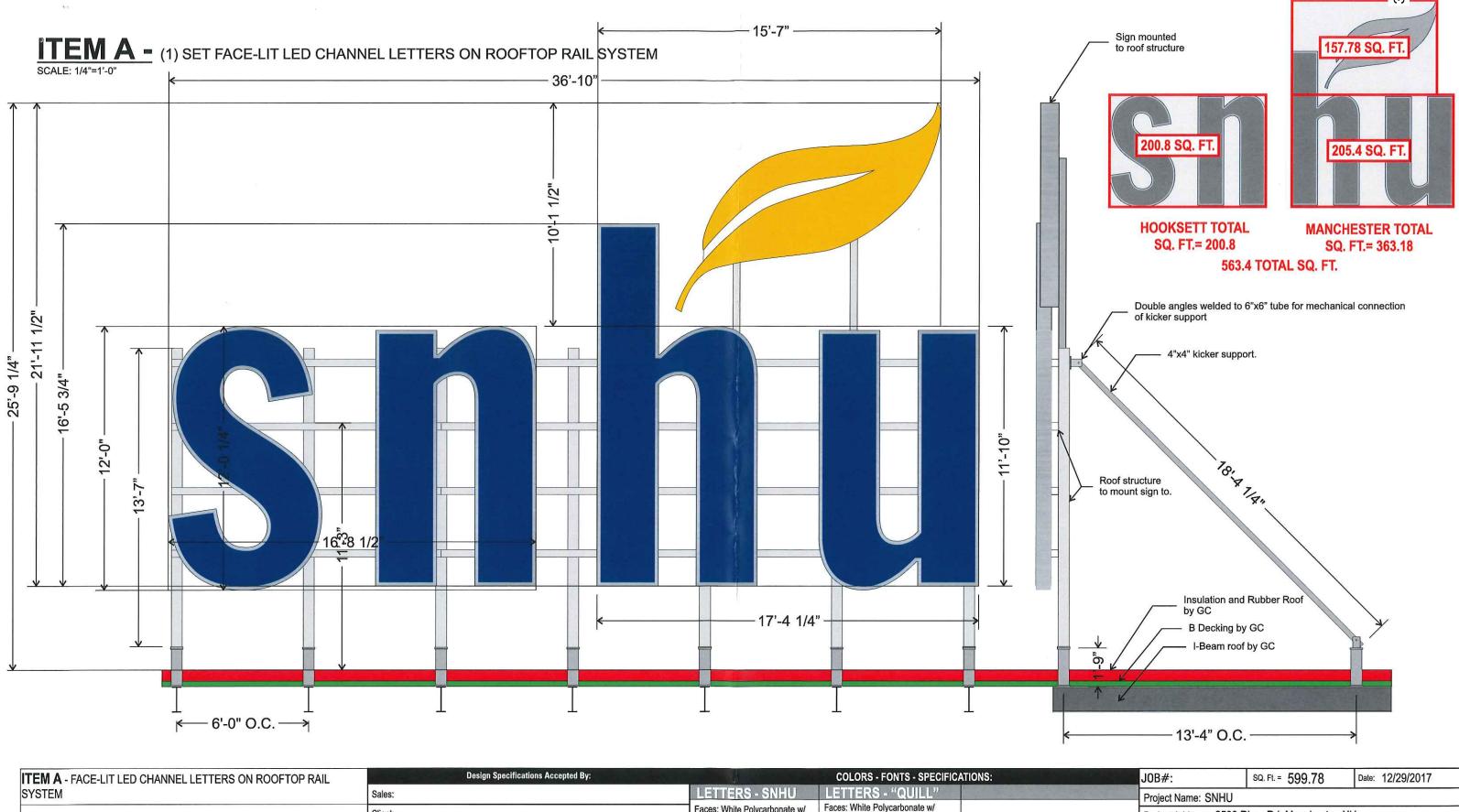
COLORS - FONTS - SPECIFICATIONS:

J0B#:	sq. Ft. = 5	99.78	Date: 12/29/2017					
Project Name: S	Project Name: SNHU							
Project Address: 2500 River Rd. Manchester, NH								
	PROJECT	APPROVAL						
Design: MGB	Date: 12/29/17	Sales:	Date:					
Engineering:	Date:	Production:	Date:					
Estimating:	Date:	Inctallation	Date:					

SHEET: 1.0.1

File Name: SNHU Kingston Hall 171203434 CO 1-16

B-17-12-03434





# Memo

**To:** Zoning Board of Adjustment

**From:** Jim Donison, P.E., Assistant Public Works Director/Town Engineer

**Cc:** Diane Boyce, Dr. Dean Shankle and Christine Soucie

**Date:** 3/5/18

Re: ZBA Hearing 3/13/18 – "Application for a Variance: SNHU Z19-2, 2500

North River Road Map 38 Lot 1 MUD4"

Application for a Variance: A variance is requested from Article 20 Section D.2 of the Ordinance to permit the installation of one 200.8 SF roof sign. Sign shall be above the roof line.

As a notified abutter to the proposed application for a variance, the Town is requesting that the public hearing be continued to the April 10, 2018 ZBA meeting. This postponement of a decision by the ZBA will allow the Hooksett Town Council to review the request at their March 28, 2018 meeting and formulate a Town Council response to the application.

Please contact me if you have any questions or comments pertaining to this request.