



TOWN COUNCIL AGENDA
Regular Meeting
Wednesday, July 11, 2018
5:30 PM
Council Chambers

ITEMS 1-8 LED BY TOWN ADMINISTRATOR

1. CALL TO ORDER

2. PROOF OF POSTING

3. ROLL CALL - NON-PUBLIC SESSION #1

4. NON-PUBLIC SESSION #1

4.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.

4.b NH RSA 91-A:3 II (b) The hiring of any person as a public employee.

4.c 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.

5. CALL TO ORDER - PUBLIC SESSION WILL BEGIN IMMEDIATELY FOLLOWING THE NON-PUBLIC SESSION NOTED ABOVE.

6. ROLL CALL - PUBLIC SESSION

7. PLEDGE OF ALLEGIANCE

8. TOWN COUNCIL REORGANIZATION - PART I

8.a Town Clerk swearing-in of all new Councilors as a group

8.b Election of Chair, Vice-Chair and Secretary

9. SPECIAL RECOGNITIONS

Anyone requesting auxiliary aids or services is asked to contact the Administration Department five business days prior to the meeting.

10. SCHEDULED APPOINTMENTS

10.a Town Clerk, Todd Rainier - Civil Forfeitures for Unlicensed Dogs (see new business item 21a for details)

11. TOWN COUNCIL REORGANIZATION - PART II

11.a First meeting of the New Town Council, complete section 2a 3-11 of Town Council Rules of Procedures

[TC Rules 041118.pdf](#)

[Adm Code Annual Review 063018.pdf](#)

[Admin Code 080917.pdf](#)

[Hooksett_s_Post_Issuance_Compliance_Policy.pdf](#)

11.b Town Council Board/Committee Assignments for 2018-2019

[Staff_Report - Council Assignments.docx](#)

12. APPROVAL OF MINUTES

12.a Public: 06/20/18

[TC Minutes 062018-U.docx](#)

12.b Public: 06/27/18

12.c Non-Public: 06/20/18

12.d Non-Public: 06/27/18

13. AGENDA OVERVIEW

14. PUBLIC HEARINGS

14.a Public Hearing to accept \$11,951.44 in grant funds from the Merrimack Conservation Partnership Land Transaction Grant Program to the Town of Hooksett for the Conservation Easement known as the Heroux Property "Clay Pond III" project Heroux Property 73.5 acres, Tax Map 4, Lot 9 North Candia Road per RSA 31:95-b III (a) (see New Business item 21b for details).

[071118 CONCOM GRANT PH.doc](#)

15. CONSENT AGENDA

15.a On April 25, 2018, the Town Council approved accepting donations to fund the K9 Program.

Motion to accept the donation of \$1,985.00 from citizens and business owners, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III (b) and return that amount to the Police Departments, K9 trust Fund.

Anyone requesting auxiliary aids or services is asked to contact the Administration Department five business days prior to the meeting.

[Staff Report K9 July 11.docx](#)

[20180627122211546.pdf](#)

16. TOWN ADMINISTRATOR'S REPORT

17. PUBLIC INPUT - 15 MINUTES

18. NOMINATIONS AND APPOINTMENTS

19. 15 MINUTE RECESS

20. OLD BUSINESS

20.a Budget Transfers

21. NEW BUSINESS

21.a Civil Forfeitures for Unlicensed Dogs

[staff report - Dogs 2018-1.docx](#)

[Civil Forfeiture RSA 466 14.docx](#)

21.b Accept \$11,951.44 in grant funds from the Merrimack Conservation Partnership Land Transaction Grant Program to the Town of Hooksett for the Conservation Easement known as the Heroux Property "Clay Pond III" project Heroux Property 73.5 acres, Tax Map 4, Lot 9 North Candia Road per RSA 31:95-b III (a).

[Staff Report - Clay Pond III - Staff Report.pdf](#)

[Conservation Grant - Clay Pond III.pdf](#)

21.c Street Name Approval off Post Road

[20180702143531605.pdf](#)

21.d Town Report Business

[Staff_Report - Council Report Business.docx](#)

21.e NHMA Annual Legislative Policy Process

[Staff Report NHMA Policies 2018.docx](#)

[NHMA POLICY 2018.pdf](#)

22. SUB-COMMITTEE REPORTS

Anyone requesting auxiliary aids or services is asked to contact the Administration Department five business days prior to the meeting.

23. PUBLIC INPUT

24. NON-PUBLIC SESSION #2

24.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.

24.b NH RSA 91-A:3 II (b) The hiring of any person as a public employee.

24.c 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.

25. 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 of Hooksett
Town Council Rules of Procedures
Adopted as of: 01/10/2001
Amended as of: 04/11/18

Resolved by the Town Council of the Town of Hooksett, NH that the following be and hereby are adopted as the Rules of the Hooksett Town Council.

1. The Following Rules shall be adopted by a majority of the Hooksett Town Council and these rules shall become effective immediately upon their adoption.
 - a. Riggins Rules and Parliamentary Law at a Glance by E.C. Utter should be used as a guide when proper procedure is in question except where modified herein.
 - b. Acceptable Procedure is determined by the acting Chair.
2. Procedures for electing officers are as follows:
 - a. Annually, at the first meeting of the new Town Council:
 1. The Town Clerk shall swear-in all new Councilors as a group.
The members thereof shall:
 2. Choose, from among their members, a Chair, a Vice Chair and a Secretary. In addition to the powers conferred upon the Chair, the Vice Chair and the Secretary, they shall continue to have all the rights, privileges and immunities of a member of the Town Council.
 3. Motion that the Town Council confirms by a roll call vote, that the Town of Hooksett will adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Town Councilors, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the Town of Hooksett; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification for costs of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106.
 4. Motion to have the Town Council Chair sign ancillary documents as agent to expend as a result of Town Council prior approval of the documents.
 5. Motion to have the Town Council Chair complete the Council's section of the Annual Report.
 6. Motion to have the Town Council Chair complete Tax Deed Waivers.
 7. Motion to adopt the Town Council Rules of Procedures.
 8. Motion to adopt the Administrative Code (which includes the Investment and Fund Balance Policies).
 9. Motion to have the Tax Collector sign payment plans for deedable properties.
 10. Motion to have the Town Administrator approve payment plans for deedable properties (Town Administrator cannot forgive interest or principal).
 11. Motion to have a Councilor work with the Administrative Services Coordinator to coordinate the Town Council Old Home Day booth (3rd Saturday in September) and Employee Appreciation Picnic (Friday in October prior to Columbus Day holiday)
 - b. The above election shall be by majority vote of the Town Council present at the first meeting.
 - c. Duties of Officers
 1. Chair:
 - a. The Chair with the Town Administrator shall post all meetings and set meeting agenda.

- b. Lead all meetings in an orderly manner using these procedures, Hooksett's Town Charter, Riggins Rules and Parliamentary Law as guides for appropriate protocol.
 - 2. Vice Chair:
 - a. In the absence of the Chair, the Vice Chair shall conduct the Council Meeting until such time as the Chair is present.
 - 3. Council Secretary:
 - a. The Council Secretary shall be responsible for recording the attendance of Council members by roll call. (If available taped voice vote may be used) at the beginning of each meeting.
 - b. The Council Secretary shall be responsible for polling and recording all roll call votes.
 - c. If the Council Secretary is absent, the chair shall ask for a volunteer. If there is no volunteer, the Chair shall appoint a Council member to act as Council Secretary until such time as the Council Secretary is present.
 - d. The Town Council Secretary shall act as clerk of the Council and shall review and approve (with or without edits) the draft (unofficial) minutes of the meeting recorded by the Recording Clerk. If there is no Recording Clerk present at meeting, the Town Council Secretary will be asked to keep minutes. Minutes and attachments shall be posted separately from each other. Only the minutes' section will appear in the Town Council agenda packet.
 - e. The Town Council Secretary shall perform such other duties in the meeting as may be requested by the presiding officer of Council.
 - f. In case of the absence of the Chair and the Vice Chair the Council Secretary shall call the Council to order and act as Chair.
3. Council Meetings
- a. The Council shall meet in regular session on the 2nd and 4th Wednesday of every month, except as noted on Town Calendar, at 6:00pm. When time permits, a regular meeting may be adjoined to a workshop session.
 - b. The place of meetings shall be the Council Chambers unless otherwise designated.
 - c. A quorum of the Council for the transaction of any business shall be two-thirds (2/3) of the members currently in office. The Council shall not recognize a Councilor's electronic method(s) of participation, attendance, or quorum.
 - d. The Council reserves the right to end meetings at 9:30. The Council shall motion to extend public session meetings past 9:30pm as follows "motion to extend public session until meeting is adjourned". Uncovered business will be included in the next meeting agenda. Meeting may be closed by a 2/3 roll call vote.
 - e. The Council may meet for an informal workshop session or special meetings by Council vote on an as needed basis, in accordance of Section 3.5 C of the Town Charter. The place of meeting shall be the Council Chambers.
 - f. When, after consultation with the Vice Chair and the Town Administrator, the Chair determines that the Council has insufficient business to warrant a meeting, the Chair may cancel said meeting after informing all councilors and receiving individual approval from 2/3 of the council members and shall not be inconsistent with the meeting provisions of the Town Charter. Agenda items scheduled for a meeting that is canceled shall be carried over to the next regular meeting.
 - g. Council members shall be seated in Council Chambers as determined by consensus of the Council. The Chair, Vice-Chair and Secretary shall be seated at the head of the Council table in Chambers.

- h. Council members, staff and members of the general public participating in meetings shall address all questions or remarks through the Chair confine their remarks to the merit of pending questions; and shall not engage in personalities.
- i. Any member may leave the Council Chambers while in regular session after notice to the Chair of pressing business providing there is no loss of quorum as determined by the Chair.

4. Town Employees

- a. The Town Administrator will attend all regular meetings or request representation from a Town Department to attend in their place.
- b. The Town Administrator shall be responsible for providing the Council with necessary background information on all items of business before the Council.
- c. The Town Administrator may have the head of any department or division or other employee of the Town in attendance at any meeting when items within their responsibility or knowledge is being discussed. All questions shall be directed to the Town Administrator who may, when necessary, defer to a department head or employee. Staff should be made aware of all items on the agenda to be ready to discuss items in respect to their department or area of responsibility.

5. Voting

- a. Every member present, including the Chair, when a question is put shall vote either aye (yes) or nay (no) or abstain and give reason for abstaining, in accordance with the Town Charter.
- b. Council Members wishing to abstain from voting shall so indicate and give reason for doing so.
- c. All votes shall be voice votes unless determined to be a **roll call** vote.
- d. **Roll call** votes should be used anytime there is a motion based on 1) a public hearing item, 2) any monetary item over \$10,000 and 3) at the request of any Councilor for any matter.
- e. **Roll call** votes shall be in a random order with the Chair voting last.

6. Debate

- a. Council members must raise their hand to be recognized by the Chair.
- b. Rules of Debate on all motions shall be as follows:
 - 1. The council member, who introduces a motion, may speak to that motion. Thereafter, every council member may speak to the motion two times only. The sponsoring Council member may also address the motion two times, thereby allowing the sponsor the right to address his or her their motion a total of three times.
 - 2. If by 2/3 vote it is determined additional discussion is needed each council member may only speak an additional 2 times on a motion.
 - 3. Decorum in debate: In order to assist in the carrying out of debate in an orderly and productive manner, Council members shall:
 - a. Address all questions and remarks through the Chair. Do not address audience or council members.
 - b. When commenting on another Councilor's statement or question, identify the speaker, statement and when the statement was made.
 - c. Confine remarks to the merits of the pending question.
 - d. Not engage in personalities or question the motives of other Councilors.
- c. Any member who wishes to force an end to debate must first obtain the floor by being duly recognized to speak by the chair and must then move the Previous Question. Such a motion must be seconded, and then adopted by a two-thirds vote, or by unanimous

consent. It is not in order to interrupt a speaker with cries of “Question” or “Call the question.”, and even if no one is speaking, it is still necessary to seek recognition.

7. Order of Business

a. Agenda Order of Council Meetings

- I. Call to Order
- II. Proof of Posting
- III. Roll Call
- IV. Pledge of Allegiance
- V. Special Recognitions
- VI. Scheduled Appointments
- VII. Approval of minutes
- VIII. Agenda Overview
- IX. Public Hearings
- X. Consent Agenda
- XI. Town Administrator’s Report
- XII. Public Input
- XIII. Nominations/Appointments
- XIV. 15 Minute Recess
- XV. Old Business
- XVI. New Business
- XVII. Subcommittee Reports
- XVIII. Public Input
- XIX. Non-Public Session
- XX. Adjournment

b. 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.

c. Nominations for all Board and Committee applicants may be made during the nominations/appointments portions of the Council meeting. Boards and Committees shall receive their respective applications and make recommendations for nominations.

Appointment vote for a nominee will be scheduled at the next Council meeting. Nominations and appointments for new July terms shall be at the June Town Council meetings.

d. Scheduled Appointments

1. A scheduled appointment shall have one person as a speaker when possible and follow the rules for addressing the Council.
2. A scheduled appointment shall not exceed 15 minutes to address the Council unless the Council votes to extend.
3. Board and Committee applicants shall be invited to attend a Council meeting as a scheduled appointment to state their interest. This meeting shall be either prior to or on the same night of their nomination.
4. Boards and Committees shall meet at minimum once a year as a scheduled appointment to provide an overview of their activities and member attendance reports.

e. Old Business

1. Business carried over from a previous meeting.

f. New Business

1. New Business should be submitted to the Town Administrator or Council Chair.
2. New Business submitted by noon the Wednesday before a regular meeting may be considered for the next meeting by request. The Chair may schedule the topic on the Agenda under New Business as the schedule allows. Any new business brought forward at a council meeting shall not be acted upon at that meeting except by a motion to waive this rule by vote of 2/3rd of the members present.
3. New Business submitted after noon the Wednesday preceding a regular scheduled meeting will be considered for the next meeting agenda unless time sensitivity is determined by Town Administrator or Chair.

8. Non-Public Session

- a. The Council shall motion to exit in non-public, then motion to seal the minutes of the non-public session as appropriate.
- b. Non-public sessions do not require motions to extend the meeting past 9:30pm.
- c. Non-public minutes shall consist of the subject matter and motions only. No minutes of the subject discussion shall be taken.
- d. A councilor not present at the time non-public session minutes are taken shall receive these sealed minutes along with the rest of the Council.
- e. Non-public minutes and/or material in possession of Town Councilors at a Council meeting shall be handed into the Administrative Services Coordinator at the end of the meeting for shredding of confidential information.
- f. Unsealing of the non-public session minutes for the current fiscal year (June 1st to May 31st) shall occur annually at the Council's last meeting in May when, in the opinion of a majority of members, the circumstances that sealed the minutes no longer apply in accordance with RSA 91:3 III.

9. Filing Agenda items

- a. Every item of business to come before the Council for action must be filed with the Town Administrator or Council Chair no later than noon the Wednesday prior to the regular Council Meeting.
- b. The Agenda shall be posted by the close of business on the Wednesday prior to the regular Council Meeting.
- c. It shall be the duty of the Town Administrator to mail by first class postage said agenda and any available supporting documents to each Councilor (if not already picked-up) by Thursday of the week prior to the regular Council Meeting unless a Councilor requests, in writing, to receive it in electronic format only.

10. Addressing the Council

- a. Persons other than members of the Council shall not be permitted to address the Council except during the designated agenda Public Input or by invitation of the Chair.
- b. A time limit for addressing the Council may be established by the Chair.
- c. The speaker shall not enter into a debate with any person, the Chair or Council members.

11. Amendment To Rules

- a. Council rules may be suspended by a 2/3-majority vote of all Council members. The purpose for suspension must be clearly stated before the vote is taken and 2/3 of all Council members must declare the matter one of such priority that it would be detrimental to hold over until the next regular Council Meeting.
- b. The rules may be amended or new rules adopted by a 2/3 vote of all members of the Council. Any such proposed alteration or amendment by any Councilor shall be submitted in writing at a regular Council Meeting under the order of new business.

11. Community Outreach

- a. The Council Chair has the authority to act on the Council's behalf to present and/or sign letters of achievement for community outreach to include but not limited to Town of Hooksett departments, businesses, residents, and volunteer or membership groups. This authority is for times when the community outreach happens off-schedule to Town Council meetings.

12. Procedure for Adoption of Ordinances pursuant to Section 3.6 of the Charter.

a. Prior to a Council member introducing an ordinance, the Council shall discuss the contents which may include editorial revisions and textual modifications. An ordinance needing revisions based on this discussion will be brought back to the Council in a final format at their next scheduled meeting. The final version of an ordinance shall be introduced by one Councilor for a public hearing at the Council's next scheduled meeting. No second to a motion and/or vote is required to move an ordinance to a public hearing. The Council shall not take final action on any proposed ordinance until at least seven (7) days after said public hearing(s).

b. After the public hearing the Council shall put the proposed ordinance in final form, which may include editorial revisions and textual modifications resulting from the proceedings of that hearing. An additional public hearing shall be held if the ordinance is substantively altered by the Town Council after public hearing. Subsequent public hearings shall be held at least 14 days after the prior public hearing and with the notice provided in Section 3.5 (A) of the Charter. The Council shall not take final action on any proposed ordinance until at least seven (7) days after said public hearing(s).

13. Procedure for Town Administrator Annual Evaluation

- a. Council's first meeting in May – Council will receive Town Administrator's self-evaluation to include status on his/her goals with comments for period ending June 30th of the same fiscal year along with a blank evaluation form.
- b. Council's second meeting in May = Councilors are to complete and submit the Town Administrator evaluation form via e-mail to the Council Chair and cc: Administrative Services Coordinator (or hand deliver to same at meeting).

- c. First week in June = Administrative Services Coordinator and Council Chair consolidate each Councilor's Town Administrator evaluation data into one report.
- d. Council's first meeting in June – Councilors to review consolidated Town Administrator evaluation report for edits.
- e. Council's second meeting in June – Councilors and Town Administrator to receive Town Administrator evaluation report in agenda packet and review at this meeting.
- f. Council's July Workshop meeting – New council to establish goals for new fiscal year.

14. Standing Moment of Silence

- a. The Council Chair may call a moment of silence for the deceased with ascent of the Town Council at the beginning of the meeting

15. Special Recognition

- a. Special Recognition may include but is not limited to:
 - Hooksett Youth Achiever of the Month
 - Boston Post Cane Recipient
 - Retiring employees
 - Longevity employees (at Council's last regularly scheduled meeting each September)

16. Town Administrator's Report

- a. New hires will be invited and encouraged to attend the Council meeting following his/her hire date when the Town Administrator will announce his/her Department, name and start date."

17. Approval of Minutes

- a. Council Final Acceptance (Approval) of Minutes: Council, at their next regularly scheduled meeting, reviews and accepts (with or without edits) the minutes (draft) of the prior meeting.
- b. Council Correction to Previously Accepted (Approved) Minutes: If there are errors in ***motions*** identified in previously accepted minutes, the Council shall motion in their current meeting minutes to make the correction. The older incorrect minutes shall be updated & reposted as "corrected" and showing the date of the motion for the correction. Errors in minutes of ***descriptions of subjects discussed*** may be corrected if the description would change the motion of the subject. Scrivener's errors (typos) may be corrected by the Recording Clerk without a motion of the Council. Minutes are not required to include stenographic or verbatim transcripts.
- c. Council Minutes for Town Archives: Draft, accepted and corrected minutes shall be submitted to the Town Clerk for archives.

18. Public Hearings

- a. The Town of Hooksett follows the NH State statutes (RSAs) and Town Charter in determining when a public hearing is required for agenda items before the Town Council.

Below are the items that require public hearings (these have a public notice in the Union Leader):

- **New or amended Town Ordinances** - notice is per Chapter 231:132-a of the NH Revised Statutes annotated, and section 3.6 of the Hooksett Town Charter
- **New or amended Town Charter** – notice is per NH RSA 49-B:5
- **Accept Donation/Grant/Reimbursement of Funds over \$10,000** – notice per RSA 31:95-b, III (a) (ex. 1) NHDOT Bridge Aid funds reimbursement for the Benton Road Culvert project, 2) FEMA funds for the reimbursement of February 8th, 9th, & 10th 2013 severe snowstorm expenses, 3) New Hampshire Highway Safety Agency grant to allow for 18 DWI/DUI overtime patrols)
- **Accept Donation of Property over \$5,000** – notice per RSA 31:95 e, II (ex. Catholic Medical Center in Manchester NH to the Hooksett Fire-Rescue Department and the Town of Hooksett in the amount of \$14,500.00 (Physio-Control LUCAS 2 device)
- **New or amended Hazard Mitigation Plan**
- **Town Roadway Improvements** – (ex. project alternatives for the roadway improvements design(s) at the Hooksett Hackett Hill Road and Rte. 3A intersection)
- **Discontinuance of Class VI Town Roadway**
- **Conservation Easements** – notice is per NH RSA 36-A & NH RSA 477:45-47

Note: Land use items require 10 day prior public notice in Union Leader and all other items require 7 days.

Public Hearings not required, however Town may conduct out of courtesy (these do NOT have a public notice in the Union Leader):

- **Establishing Town Roadway Speed Limits**
- **Renaming Town Roadways** - (ex. Water Works Drive, Hooksett, NH for the closed off portion/loop of Industrial Park Dr. that will be closed off due to the GE Expansion)
- **Potential Departmental Reorganizations**

Town Council Rules of Procedures

Adopted: 01/10/2001

Amendments

Date Amended	Section Amended
August 14, 2003	Added Section 7-c. Added Section 7-b-1, 2 & 3. Added Section 7-f-2.
January 27, 2010	Changed Section 7-a Scheduled Appointments – added 7 pm. Changed Section 7 - Order of Business - moved Non-Public Session towards the end of the meeting.
March 9, 2011	Changed Section 7 - Order of Business – added Consent Agenda after Agenda Overview and deleted Scheduled Appointment time (7:00 pm). Scheduled Appointments to start immediately after Nominations/Appointments.
October 12, 2011	Added Section 6-c.
November 30, 2011	Changed Section 7-a Agenda Order – Moved “Town Administrator’s Report” up before “Public Input”.
February 22, 2012	Changed Section 7-b Public Input (See file)
August 14, 2013	Changed Section 5. d. sentence 2 “The Chair” to “Any Councilor” Removed Section 5.d. sentence 3 Changed Section 7. d. “spokesman” to “speaker” Added to Section 7.d. “when possible” after “spokesman” Changed Section 7. f. 3. “only if” to “unless” Added Section 8. c. at end, “unless a Councilor requests, in writing, to receive it in electronic format only.”
December 18, 2013	Added Section 11 Community Outreach
May 28, 2014	Added Section 12 Procedure for Adoption of Ordinances pursuant to Section 3.6 of the Charter.
August 13, 2014	<ul style="list-style-type: none"> • <u>Section 2.a - Annually, at the first meeting of the new Town Council – added:</u> <ul style="list-style-type: none"> ○ 1. The Town Clerk shall swear-in all new Councilors as a group. ○ 3. Motion that the Town Council confirms by a roll call vote, that the Town of Hooksett will adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Town Councilors, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the Town of Hooksett; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification for costs of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106. ○ 4. Motion to have the Town Council Chair sign ancillary documents as agent to expend as a result of Town Council prior approval of the documents. ○ 5. Motion to adopt the Town Council Rules of Procedures. • <u>Section 2.c.3 – Council Secretary:</u> <ul style="list-style-type: none"> ○ d. Changed - Administrative Assistant to Recording Clerk and Added - The posted minutes shall have an attachment of the overview sheet of the Council reading file and Council Chair signed ancillary documents.

- Section 3 – Council Meetings:
 - c. Added - A quorum of the Council for the transaction of any business shall be two-thirds (2/3) of the members currently in office. The Council shall not recognize a Councilor's electronic method(s) of participation, attendance, or quorum.
- Section 5 – Voting
 - c. removed – ~~On roll call votes, Council Members shall vote alphabetically by last name, said name to be called on a rotating basis so that the name first called at the previous vote shall be name last called for the next vote, with the Chair voting last.~~ Added - Roll call votes shall be in a random alternate order with the last Councilor who made a motion to be the first Councilor to vote on the next roll call.
- Section 7 – Order of Business added:
 - IV. Special Recognitions (after Pledge of Allegiance) and VII. Public Hearings
 - c. changed appointments to applicants and added - Boards and Committees shall receive their respective applications and make recommendations for nominations. Appointment vote for a nominee will be scheduled at the next Council meeting. Nominations and appointments for new July terms shall be at the June Town Council meetings.
 - d. added: -
 - ✓ 2. A scheduled appointment shall not exceed 15 minutes to address the Council unless the Council votes to extend.
 - ✓ 3. Board and Committee applicants shall be invited to attend a Council meeting as a scheduled appointment to state their interest. This meeting shall be either prior to or on the same night of their nomination.
 - ✓ 4. Boards and Committees shall meet at minimum once a year as a scheduled appointment to provide an overview of their activities and member attendance reports.
- New Section 8 – Non-Public Session – Added:
 - a. The Council shall motion to exit in non-public, then motion to seal the minutes of the non-public session as appropriate.

September 10, 2014

Changed Section Section 5 – Voting c. reworded: Roll call votes shall be in a random order with the Chair voting last.

August 12, 2015

-Section 2.A.6 add: Motion to adopt Administrative Code.
 -Section 2.C.3.d add: The Town Council Secretary shall act as clerk of the Council and shall approve unofficial minutes of the meeting recorded by the Recording Clerk. The posted minutes shall include a reference of the page number where the attachment of the overview sheet of the Council reading file and Council Chair signed ancillary documents can be found.
 -Section 3.g. delete: Council members shall be seated in Council Chambers as determined by consensus of the Council ~~advice of the Chair.~~
 -Section 3.g. add: The Chair, Vice-Chair and Secretary shall be seated at the head of the Council table in Chambers.
 -Section 8.b. add: Non-public minutes shall consist of the subject matter and motions only. No minutes of the subject discussion shall be taken.
 -Section 8.c. add: A councilor not present at the time non-public session minutes are taken shall receive these sealed minutes

	<p><u>along with the rest of the Council.</u></p> <p>-Section 8.d. add: <u>Unsealing of the non-public session minutes for the current fiscal year (June 1st to May 31st) shall occur annually at the Council's last meeting in May when, in the opinion of a majority of members, the circumstances that sealed the minutes no longer apply in accordance with RSA 91:3 III.</u></p> <p>-Section 13. Add: <u>Procedure for Town Administrator Annual Evaluation</u></p>
August 24, 2016	<p>Section 2a – added 5,6, 8,9,10,11</p> <p>Section 2c1 d – “Minutes and attachments . . . agenda packet.”</p> <p>Section 3d – added “The Council shall motion . . . meeting is adjourned”</p> <p>Section 8b – added “Non-public . . . past 9:30pm.”</p> <p>Section 9a – added “no later than . . . regular Council Meeting.”</p> <p>Section 14 – new section “Moment of Silence”</p> <p>Section 15 – Clarified “Special Recognition”</p>
November 9, 2016	<p>Section 7 – Order of Business – moved Scheduled Appointments under Special Recognitions</p>
August 9, 2017	<p>Section 7 – Order of Business – added II <u>Proof of Posting</u></p> <p>Section 14 – Added “<u>Standing</u>” to Moment of Silence</p> <p>Section 16 – Reworded: New hires will be invited <u>and encouraged</u> to attend a <u>the Council meeting following his/her hire date</u> when the Town Administrator will announce his/her Department, name and start date with “Welcome to the Hooksett Family”</p>
January 24, 2018	<p>Section 8 Non-Public Session – Added: “Non-public minutes and/or material in possession of Town Councilors at a Council meeting shall be handed into the Administrative Services Coordinator at the end of the meeting for shredding of confidential information.”</p>
March 28, 2018	<p>Section 2c3d – Council Secretary – further defined responsibility to review draft (unofficial) minutes</p> <p>Section 17 – Approval of Minutes – added entire section to further defined Council process to approve minutes</p>
April 11, 2018	<p>Section 5c,d,e – Roll Call Votes – further defined Council roll call votes</p> <p>Section 18 – Public Hearings – added entire section to define Council public hearings</p>

Donna Fitzpatrick

From: Donna Fitzpatrick
Sent: Friday, June 15, 2018 9:24 AM
To: 'Abby Reeves'; 'Chief Bouchard'; 'Chief Burkush'; 'Christine Soucie'; 'Dean Shankle'; 'Diane Boyce'; 'Heather Library'; Hooksett Sewer; 'Kim Blichmann'; 'Lee Ann Moynihan'; 'Matt Lavoie'; 'Nicholas Germain'; 'Nicholas Williams'
Cc: Regina Howard (RHoward@hooksettfire.org); 'Francine Swafford'; Evelyn Horn; Elayne Pierson
Subject: ANNUAL REVIEW of Administrative Code
Attachments: Admin Code 080917.pdf; Hooksett_s_Post_Issuance_Compliance_Policy.pdf
Importance: High

Hi all,

It's that time of year again for department heads and others that may have information in the Town of Hooksett Administrative Code to review this document for any recommended changes. See attached most current version and submit your changes to me by the requested date of Friday, June 30th.

NOTE: THE FOLLOWING SECTIONS WILL BE AMENDED/ADDED PER PREVIOUS APPROVAL AT TOWN COUNCIL MEETINGS:

- **AMEND Section 5. Administrative Financial Policies and Procedures:** GSA Purchases – Federal Supply Service GSA Advantage www.GSAAdvantage.gov and www.fss.gsa.gov authorized Federal Supply Schedule Price List (Town Council Approved 01/10/18)
- **ADD New Section:** Post-Issuance Tax Compliance Policy and Procedures for Tax-Exempt Obligations (Town Council Approved 5/9/18 – see attached policy)

Thanks,

Donna

Donna J. Fitzpatrick
Administrative Services Coordinator (HR)
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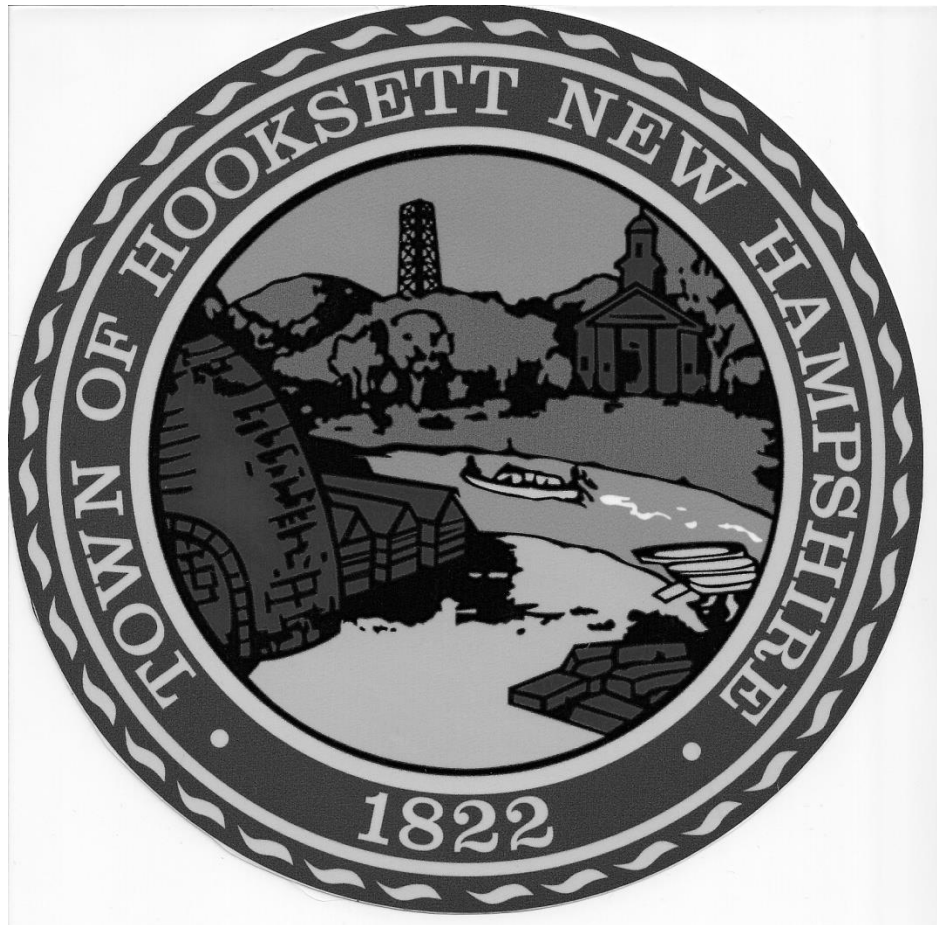
Town Hall Hours:

Monday, Tuesday, Thursday 8:00am-4:30pm
Wednesday 8:00am-6:30pm
Friday 8:00am-12:00pm

TOWN OF HOOKSETT

ADMINISTRATIVE CODE

Adopted: January 29, 1992



**Amended
August 9, 2017**

ADMINISTRATIVE CODE (Adopted January 29, 1992)

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1. PURPOSE.

This Administrative Code is hereby established for the Town of Hooksett for the purpose of dividing the administrative service of the Town into departments, divisions and bureaus, and for the purpose of defining the functions and duties of each such department, division and bureau.

1.1 Severability.

The sections of this Administrative Code and the parts hereof are separable. If any portion or section of the Code of the application thereof to any person or circumstance shall be held invalid by a court of competent jurisdiction, the remainder of the Code shall not be affected thereby. If a clause, portion of or section of this Code is so held invalid, then the applicable provisions of State law, if any, shall govern.

1.2 Review.

This document will be reviewed at the beginning of each fiscal year by all included Town organizations. Recommended changes will be submitted to the Town Administrator within 30 days.

2. DEPARTMENTAL ORGANIZATION.

Department

Administration
Assessing
Family Services
Finance
Fire-Rescue
Public Works
Library
Police
Tax Collector
Wastewater

Official Head

Town Administrator
Town Administrator or Assessor
Family Services Director
Finance Director
Fire Chief
Public Works Director
Library Director
Chief of Police
Tax Collector
Superintendent

3. DEPARTMENTAL FUNCTIONS.

3.1 Administration Department:

The Town Administrator shall supervise and be responsible for the administrative and financial affairs of the Town and shall carry out the policies enacted by the Council. His/her office shall be charged with the preservation of the health, safety and welfare of persons and property and shall see to the enforcement of the ordinances of the Town, the Town Charter and the laws of the State of NH. The Town Administrator shall supervise and direct the administration of all Town departments included under Section 3 of this ordinance and the personnel therein.

The Administration Department shall consist of the Town Administrator and other support staff as required; recommended by the Town Administrator and approved by the Council.

3.2 Assessing Department:

The Assessing Department is responsible for establishing and maintaining the value of all real property in the Town of Hooksett, for the purpose of taxation. The department is responsible for working with the Town Council, Board of Assessors and Department of Revenue Administration. This department shall prepare all tax warrants and bills, and provide assessing information to the general public.

The Department shall be under the supervision of the Town Administrator, if the Assessor position is contracted. If the Assessor position is filled by a hired employee, the department shall be under the supervision of the Assessor and shall consist of other support staff as required.

3.3 Family Services:

The Family Services Department administers General Assistance to families in need under RSA 165. It shall assess, investigate and authorize requests for assistance and refer applicants to other social services as needed.

Family Services shall be under the direction of the Family Services Director and shall consist of support staff as required.

3.4 Finance Department:

The Finance Department's major areas of responsibility include budget management, accounts payable, cash management and financial reporting.

The Department shall be under the supervision of the Finance Director and shall consist of other support staff as required.

3.5 Fire-Rescue Department:

The Fire-Rescue Department shall protect the lives and property of the inhabitants of the Town of Hooksett from the adverse effects of fire, sudden medical emergencies or exposure to dangerous conditions created by either man or nature.

The Fire-Rescue Department shall implement fire suppression, emergency response, rescue, prevention, inspection, haz-mat, Emergency Management, and investigation throughout the Town of Hooksett and as needed through Mutual Aid.

The Department shall be under the supervision of the Fire Chief with additional support staff as required.

3.6 Public Works Department:

The Public Works Department shall be responsible for the Divisions of Highway, Recycling & Transfer, Parks, Recreation, & Cemeteries, and Community Development and shall provide support services to other Town departments as necessary.

The Highway Division shall be responsible for road maintenance, fleet maintenance, building maintenance and support services to other town departments as necessary.

The Recycling & Transfer Division shall be responsible for solid waste collection, recycling and transportation to solid waste disposal sites. The division shall also maintain and operate the transfer station, recycling center and post-closure of the Town's landfill site.

The Parks & Recreation & Cemeteries Division is responsible for the maintenance of all public playgrounds, athletic fields, parks, equipment, and related facilities as well as the grounds of all Town owned property. This Division is ~~also~~ responsible for the planning and coordination of recreational activities, and providing supervision of Town sponsored recreational activities. This Division also coordinates activities with the Cemetery Commission and funeral directors, mows, trims the grass and excavates graves in town cemeteries.

The Community Development Division shall be responsible for planning, engineering, and code enforcement. Planning and engineering shall be responsible for all business relating to land use and will be instrumental in the development and implementation of a comprehensive plan for the orderly growth and development of the Town. Code Enforcement shall be responsible for addressing the enforcement of all building codes, ordinances, regulations and laws, where such enforcement is not specifically granted to other parties. Code Enforcement shall also be responsible for the review of applications and plans for all construction projects in the Town and subsequent inspections in accordance with all local and State rules and regulations.

The Highway, Recycling & Transfer, and Parks, Recreation, & Cemeteries_Divisions shall be under the supervision of the Public Works Director and shall consist of other support staff as required. The Community Development Division shall be under the supervision of the Assistant Public Works Director/Engineer and shall consist of other support staff as required. The Assistant Public Works Director/Engineer shall be under the supervision of the Public Works Director.

3.7 Library:

The Library shall provide services in accordance with RSA 202A.

The Department shall be under the supervision of the Library Director and shall consist of other support staff as required.

3.8 Police Department:

The Police Department is responsible for the enforcement of the laws, maintaining order in the community, protecting life and property, and assisting the public-at-large in a manner consistent with the rights and dignity of all persons as provided for by the law and under the Constitution of the United States and the State of New Hampshire.

The Department shall be under the supervision of the Police Chief with additional support staff as required.

3.9 Tax Collector:

The Tax Collector shall be responsible for issuing all tax notices, maintaining documents of reported payment, depositing monies in a timely fashion, assessing tax liens on delinquent accounts and issuing all licenses and permits, including motor vehicle permits, while collecting all fees and all other duties as required.

The Department shall be under the supervision of the Tax Collector and shall consist of other support staff as required.

3.10 Wastewater Department:

The Wastewater Department shall manage the treatment of wastewater within the Town of Hooksett and all collection and treatment systems.

The Department shall be under the supervision of a Superintendent, under the general supervision of the Sewer Commission, and shall consist of other support staff as required.

4. Boards, Commissions, Committees and other Officials
(to include elected or appointed officials.)

The appropriate State laws, The Town Charter, and Town Ordinances, direct the listed Boards, Commissions, Committees and other Officials. The following descriptions are for guidance only in the daily conduct of business.

- 4.1 **Budget Committee** (9 Elected and 4 Appointed) - Review annual budgets submitted by the Town Council, School Board, all Precincts and the Sewer Department. Submit recommended budgets to the Town Voters and periodically review all expenditures.
- 4.2 **Cemetery Trustees** (Elected) - Arrange for cemetery lot visits and sales, maintain vital records relative to burials, manage day-to-day care of cemeteries, and manage expenditures of allocated funds.
- 4.3 **Conservation Commission** (Appointed) - Research and catalog all open space, natural, ecological, wetland or aesthetic areas within the Town; develop a program to protect listed areas; and obtain land in the name of the Town through gift, purchase, grant, bequest or other legitimate means for continued preservation.
- 4.4 **Economic Development Committee** (Appointed) – Enhance the vitality of the local economy by retaining existing businesses and attracting new ones.
- 4.5 **Health Officer** (Appointed) – Enforce the state public health rules and laws as well as local ordinances and regulations. Serve as a liaison between state officials and the local community on issues concerning local public health.
- 4.6 **Heritage Commission** (Appointed) – Handle transactions relating to all cultural resources including hiring consultants and contractors as needed and receiving gifts of money and property, both real and personal, in the name of the Town, subject to the approval of the Town Council. Such gifts shall be managed and controlled by the commission for their proper use.
- 4.7 **Library Trustees** (Elected) - Manage the Town Library and all property of the Town Library; control expenditures of funds received from Town appropriations, fines, gifts, and copying charges; and appoint and remove with due process the Librarian and other Library staff.
- 4.8 **Moderator** (Elected) - Preside over town meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. May prescribe rules of procedure, but such rules may be altered by the town.

- 4.9 **Parks and Recreation Advisory Board** (Appointed) - Under the jurisdiction of the Town Council, assist the Public Works Department in an advisory capacity on recreational projects, recreational budgetary items, recreational capital improvements, and with the submittal of applications for federal, state, and other grant monies relating to parks and/or recreation. Develop plans and work with the Conservation Commission in obtaining and receiving land for recreational purposes.
- 4.10 **Planning Board** (Appointed) - Prepare and amend the Master Plan, review and recommend Zoning Ordinance amendments to the local legislative body and review and act on all subdivision and site plan applications.
- 4.11 **Record Retention Committee** (Appointed) - In accordance with RSA 33-A:3, The Town will establish and maintain a Municipal Records Committee charged with governing the retention and disposition of municipal records.
- 4.12 **Recycling and Transfer Advisory Committee** (Appointed) - Advise the Council on matters related to the management of municipal solid waste and recycling.
- 4.13 **Sewer Commission** (Elected) - Make regulations and decisions as may be necessary for the proper functioning of the sewer system and overall operation of the Sewer Department, levy special assessments upon land benefited by the sewer, establish sewer charge procedures for defraying the cost of plant and system operations and manage the maintenance and repair of sewer systems.
- 4.14 **Supervisor of the Checklist** (Elected) - Care for the checklist in compliance with Federal HAVA (Help America Vote Act); determine whether or not each individual is qualified to vote; and amending the districts within two (2) years of the census.
- 4.15 **Town Clerk** (Elected) - Record and maintain all permanent documents and perform all other related functions per state statute.
- 4.16 **Town Council** (Elected) - Consists of nine elected members, one from each District and three At-Large members. Is the governing body of the Town and directed by the specifications of the Town Charter. Prepares and passes ordinances, submits a proposed budget to the Budget Committee and gives direction to the Town through the Town Administrator and appointed Boards and Committees.
- 4.17 **Town Hall Preservation Committee** (Appointed) – Work toward the preservation of the old Town Hall.

- 4.18 **Town Treasurer** (Appointed) – The Treasurer shall have custody of all monies belonging to the Town, and shall pay out the same only on orders of the body designated by the Town to expend such funds. The Treasurer shall deposit such funds in institutions and in such a manner as designated by law, and according to the Town's investment policy, keep suitable records, reconcile the General Fund, and subsidiary account bank statements monthly, and perform all other related functions per state statute.
- 4.19 **Trustees of the Trust Fund** (Elected) - Maintain custody of all trust funds held by the Town. Invest the monies as limited by RSA 31 and other state statutes as they apply.
- 4.20 **Zoning Board of Adjustment** (Appointed) - Hear appeals; and administer special provisions of the Zoning Ordinance dealing with variances, special exceptions and administrative decisions. Act as the Building Code Board of Appeals per RSA 673:I-V.

5. Administrative Financial Policies and Procedures.

5.1 Cooperation between Departments. If possible, it is the duty of every department, subject to approval of the Administrator, to furnish to any other department such service, equipment, labor and materials as may be needed to perform necessary operations. Expenses will be assigned to the appropriate budget when such considerations are germane.

5.2 Payment of Monies. All monies withdrawn from the Town General Fund shall be authorized by the Town Administrator and/or his/her designee. Withdrawals may be in the form of a check, wire transfer, ACH transfer or other type of electronic banking format used by the Town Treasurer.

5.3 Purchasing Procedures. The purchase of all equipment and supplies not taken out of petty cash fund may require the use of standardized purchase orders and varying levels of control dependent upon the dollar amounts.

5.3.1 Purchase Orders. Purchase orders shall be used for all purchases of goods and services, including contractual, that in aggregate or individually are \$3,001 or more as required by the Town Administrator or recommended by the Finance Director. It is the responsibility of the department head to complete an electronic purchase order and submit it to the Town Administrator or his/her designee for approval, along with a description of, and reason for, the purchase. This applies to all items whether being purchased by grant, operating budget, warrant article, capital reserve or other funds.

5.3.2 Approval of Purchases. The level of approval required on a specific purchase shall vary depending upon its dollar amount. Total contract or job amounts should be used when determining thresholds. The thresholds do not include costs for shipping/freight.

Artificial Division Prohibited – Purchases shall not be artificially divided so as to create lower purchase amounts and therefore avoid some requirement of this policy. Whether or not a proposed purchase constitutes artificial division shall be determined by the Town Administrator.

Amount

\$0 - \$3,000

Approval Level

Department Head

Purchase up to \$3,000 – The Department Head shall have full authority to make department purchases of goods or services up to \$3,000, which are

identified within the department's annual budget. Electronic purchase orders are not required for purchases up to \$3,000.

Amount

\$3,001 - \$15,000

Approval Level

Town Administrator after three competitive quotes or bids required.

Purchases between \$3,001 and \$15,000 – The Department Head shall contact as many vendors as necessary in order to obtain at least three (3) written or verbal quotations or shall issue a request for proposals if required by the Town Administrator. All verbal quotes shall be documented by date, vendor contact information and dollar amounts. The Department Head shall prepare a purchase order for authorization by the Town Administrator, thereby requesting approval of their recommended vendor. In the event less than three (3) quotations are available; evidence of the attempt to obtain them should be attached.

Amount

\$15,001 and over

Approval Level

Town Council after three competitive bids

Purchases Above \$15,001 – Purchases having an estimated cost in excess of \$15,001 shall be bid pursuant to the Competitive Bid Process established in this regulation under Section 5.3.5.

The results of the three competitive quotes or bids required for purchases and contracts over \$15,000 shall be attached to the purchase order request to the Town Administrator. If Council's approval is required, the Town Administrator in conjunction with the requesting Department Heads shall present the bids for Council review and disposition.

If the Council has voted to make a purchase or enter into a contract, the Administrator shall carry out the vote of the Council and enter into such transaction on behalf of the Town.

5.3.3 Special Exceptions. No purchase orders are required for the following items:

- Utilities (telephone, propane, heating fuel, cable, electricity, etc.)
- Welfare payments
- Vehicle repairs
- Human service agencies and associations that have their own line item within the approved budget.

No competitive bids shall be required when only one known sources of purchase, and there is no comparable substitute product or services; written documentation supporting the sole source may be required by the Town Administrator.

No competitive bids shall be required when purchasing through the State of New Hampshire or at State of New Hampshire bid prices per Section 5.12 of the Town Charter

No competitive bids shall be required when purchasing through a Town Council approved Cooperative Purchasing Program. Cooperative purchasing programs are arrangements to agree to aggregate demand to get lower prices from selected suppliers. Co-ops are doing competitive bidding for the government. The co-op's fees are paid by the contractors. It is often used by government agencies to reduce costs of procurement and makes the procurement process more efficient.

Requirements for three competitive bids may be waived in specific instances by a 2/3 vote of the Council per Section 5.12 of the Town Charter.

5.3.4 Emergency Procurements Emergency procurements may be made when a threat to public health, welfare or safety exists, provided that such emergency procurement shall be made with such competition as is practical under the circumstances.

In case of an emergency requiring immediate purchase of materials, supplies, equipment or services, the Town Administrator hereby authorizes the Department Heads to approve such emergency purchase if the situation permits. The Town Administrator shall be notified as soon as possible as to the emergency and the associated purchases. A written determination for the basis of the emergency and for the selection of the particular contractor or vendor shall accompany the purchase order and voucher. As soon as is practicable, standard purchasing procedures will be reinstated.

5.3.5 Competitive Bid Process. A competitive bid process must be followed if the procurement of goods or services involves expenditures of more than \$15,000.

- A. The Administration Department is responsible for the release of all bids. The Town Administrator shall ensure that the requesting department provides all relevant information for the time preparation and release of bids to be forwarded to the Finance Department.
- B. The Request for Proposal (RFP) must include:
 - a. Listing of required specifications.

- b. Adequate public notice, of a minimum of seven (7) calendar days prior to the date set for the opening of the bids; notice shall include the town website and newspaper advertisement.
 - c. Dates for release of bid, return of bid and public bid opening.
 - d. A statement reserving the right to cancel or reject a bid.
- C. The bid shall be awarded to the lowest bidder that meets the specifications and submits proper bond requirements if applicable. The low bidders will receive the award unless supporting information presented recommends another bid. The Town Administrator shall make the final decision if supporting information justifies other than the low bid be awarded. Local advantage will be considered, but not mandated.
- D. The RFP, invitation to bid, as well as the bid award notices shall be sent from the Department to the Bid Winner, Finance Department and the Town Administrator.
- E. The Town of Hooksett may accept guaranteed rates for goods or services; however it is not obligated to purchase from the guaranteed rate vendor if a lower price is available.

5.4 Payment for Goods or Services. Request for payment for any product or service shall be sent to the Finance Department.

Payment for any purchase over \$3,001 will NOT be processed without a Purchase Order that must accompany the invoice.

Departments are responsible for obtaining new vendor information through form W-9.

If any item or service purchased is not acceptable, arrangements must be made for a return for credit or an exchange. A cash refund is prohibited unless the vendor insists that a refund must be by cash, and then the funds must be returned immediately to the Finance Department for deposit to the Town of Hooksett.

5.5 Budget Development. The Town Administrator will set a budget schedule for the year, to include department submittal dates, Town Administrator and Town Council review dates. Each individual department or committee shall submit their budgetary requests to the Finance Office. These requests will include the account number, account description and a written justification for each line item. This information shall be consolidated into a report to be submitted to the Town Administrator for his/her recommendations. The Council shall receive copies of each departmental budget one week before their scheduled review. All

information will be tracked and updated by the Finance Department who will ultimately produce a report for the entire Town including the following information:

Prior Year Appropriation
Prior Year Expenditures
Current Year Appropriation
Current Year Expenditures
Department Request
Town Administrator Recommended
Town Council Recommended
Budget Committee Recommended
Variance in Dollars
Variance as a percentage
Default

Town Council's submittal date to the Budget Committee is set by the Budget Committee. The Budget Committee should conclude its meetings as prescribed by the Town Charter.

- 5.6 Investment Policy.** In accordance with RSA 41:9 VII, the Council shall annually review and adopt an investment policy for the investment of public funds in conformance with applicable statutes and shall advise the treasurer of such policies. ***See exhibit B for policy details.***
- 5.7 Fund Balance Policy.** The Council shall review and adopt the Fund Balance Policy annually. The general purpose of this policy is to maintain an adequate level of Unassigned Fund Balance to mitigate financial risks that can occur from unforeseen revenue fluctuation and unanticipated expenditures. ***See exhibit C for policy details.***
- 5.8 Stipends paid to Boards, Commissions and Committees -** Stipends paid to Boards, Commissions, and Committees shall be made bi-annually in the second pay date of December and June for those members currently sitting on the Board, Commission, or Committee on that date. The amounts of the stipends are set by the Town Charter for the Town Council and by the current budget for all other Boards, Commissions and Committees.

6. Administrative Operational Policies and Procedures.

- 6.1 Departmental Records and Reports.** Reports of the major activities of each Department shall be made to the Town Administrator each month, and an annual written report shall be filed with the Administrator within ten days of the end of the fiscal year. Such reports shall be in proper form and of sufficient detail for proper control of departmental activities and for publication in the Annual Town Report.
- 6.2 Preservation of Public Records.** Each Department Head shall be responsible for the preservation of all public records under the department's jurisdiction and shall provide a system of filing and indexing of same. No public records, reports, correspondence or other data shall be removed permanently, unless authorized by law or ordinance, or without the knowledge and approval of the Administrator.
- 6.3 New Ordinances.** The Town Council approves new ordinances. The Town Clerk, or designee, codifies each new ordinance and distributes copies of the new ordinance to appropriate departments, boards and commissions.
- 6.4 Record Retention Policy.** In accordance with RSA 33-A:3, the Town will establish and maintain a Municipal Records Committee charged with governing the retention and disposition of municipal records. ***See exhibit A for policy details.***
- 6.5 Cellular Phones in the Workplace.** The purpose of this policy is to establish guidelines and administrative procedures for employees who have been identified as needing cellular phones (both Town provided and reimbursed (via allowances) personal phones) during working hours and for other times as needed for the health, safety, welfare, or operational efficiency of the Town. ***See exhibit D for policy details.***

AMENDMENTS

<u>Date</u>	<u>Section(s) Amended</u>
January 1, 1995	Section(s) 2 & 3 – Departments/Positions changes.
June 26, 2002	Section 2 – minor changes to correspond with department reorganization. Section 3 – entire section replaced. Section 4 – minor changes Section 5 – minor changes to correspond with department reorganization.
January 12, 2005	Section 3 – minor changes to correspond with Department reorganization.
April 13, 2005	Section 5.4
September 9, 2009	Section 5.5.2 – Increased Town Administrator’s approval level to \$15,000. Minor housekeeping changes.
September 8, 2010	Section 4.12 – Deleted “ <i>Appoint or remove police personnel as necessary, while make and enforce all necessary rules for the orderly running of the department.</i> ” Section 4.15 – Added “...amending the district within 2 years of the census”. Minor housekeeping items.
January 1, 2012	Changes to eliminate the Building Department and create the Code Enforcement Division under Public Works Department. Minor housekeeping items.
February 13, 2013	Section 3.6 Fire Department – addition of “Emergency Management” to first paragraph. Section 4.5 Emergency Management Director – deletion of entire section.

AMENDMENTS, Continued

<u>Date</u>	<u>Section(s) Amended</u>
June 26, 2013	<p>Section 3.1 removed Human Resource Coordinator, Section 3.3 added Code Enforcement, and section 3.7 removed Code Enforcement to correspond with Department reorganization. Section 3.9 and section 4.10 removed Police Commission to correspond with the legislative abolishment of the commission. Section 5.5.2 added contracts to correspond with Town Charter. Minor housekeeping items.</p>
August 13, 2014	<p>Section 5.5 to 5.6 reworded entire sections and increased department head approval level for purchases up to \$3,000. Section 5.9 added new section Record Retention Policy with new exhibit A</p>
September 24, 2014	<p>Section 5.10 added new section Investment Policy with new exhibit B Section 5.11 added new section Fund Balance Policy with new exhibit C</p>
May 27, 2015	<p>Section 2 removed departments Community Development AND Recycling & Transfer Section 3.3 removed Community Development Department Section 3.7 added division Recycling & Transfer AND Community Development Section 3.10 removed Recycling and Transfer Department</p>
August 12, 2015	<p>Section 4 – add: Record Retention Committee and renumber section for alphabetical listing. Section 5 – add: Stipends paid to Boards, Commissions and Committees</p>

AMENDMENTS, Continued

Date

August 24, 2016

Section(s) Amended

Section 5.3.3 – updated to add policy on Cooperative Purchasing Program

Section 5.5 – clarified Budget Development

Section 5.6 – updated Investment Policy exhibit B policy details to clarify IV Delegation of Authority

Section 5.13 – new section to add policy on Cellular Phones in the Workplace

August 9, 2017

Section 5.7 Fund Balance Policy. Remove “In accordance with Governmental Accounting Standards Board (GASB)”.

- 1) Exhibit B Investment Policy Section II. Scope. Last paragraph last sentence “This investment policy does not apply to the Town of Hooksett’s Trust Funds, Capital Reserves or Library Funds.” The Library funds are held by the Library Trustees and not the Town Treasurer per RSA 202-A:23.

Exhibit C Fund Balance Policy Section 4. Deficit Fund Balance. Remove the entire section and replace with “The Town will follow RSA 32:11 Emergency expenditures and over expenditures for situations which may cause an over expenditure of the total appropriations in the Town’s General Fund.”

Exhibit A

Record Retention Policy Town of Hooksett New Hampshire 2014

SECTION I: PURPOSE:

The purpose of this Records Retention Policy is to ensure compliance with all applicable State and Federal laws and regulations regarding record retention including, but not limited to those listed in RSA 33-A; while simultaneously recognizing the Town of Hooksett's (hereby referred to as The Town) administrative need to manage its' records and provide for their systematic destruction after all legal requirements have been satisfied and the record no longer has value to The Town or its' constituents.

SECTION II: AUTHORITY:

This policy is adopted in accordance with the Town Charter and the governing laws of the State of New Hampshire: RSA 33-A (Appendix A).

SECTION III: APPLICABILITY:

This policy applies to all physical records generated in the course of The Towns' operation, including original, traceable reproductions as recorded with the Town Clerk, and electronic records.

SECTION IV: DEFINITIONS:

MUNICIPAL RECORD – As used herein, shall refer to all municipal records, whether in paper, electronic or any other form, prepared or received by The Town in connection with the conduct of its' official governmental function. A department that creates a record shall be considered the primary owner of that particular record as defined in RSA 33-A.

SECTION V: MUNICIPAL RECORDS COMMITTEE:

- A. In accordance with RSA 33-A:3, The Town will establish and maintain a Municipal Records Committee charged with governing the retention and disposition of municipal records. Said Committee shall be comprised of the following: A member of Town Council or designee; Town Clerk; Tax Collector; Treasurer; Town Assessor, and representatives from each of the following departments:
 1. Administration
 2. Community Development
 3. Police Department
 4. Public Works
 5. Recycling & Transfer
 6. Wastewater
- B. The Town has adopted a Town-wide Record Retention Schedule (Appendix B) detailing the initial maintenance, retention and disposal schedule for municipal records of The Town in accordance with RSA 33-A. To ensure that this Schedule is followed, the Committee shall:
 1. Monitor local, State and Federal laws affecting record retention, and;

2. Modify the Record Retention Schedule as necessary to ensure that it complies with Local, State and Federal laws and/or addresses the appropriate document and record categories for the Town.
- C. The Municipal Records Committee shall monitor compliance with (Section VI - Storage, Retention, and Disposal of Municipal Records) of this policy and, if necessary, develop additional operational procedures to ensure that records are properly stored and accessible.
1. Any such additional procedures will be developed in a manner which takes into account the organizations' operational capabilities. The Municipal Records Committee may elect to use electronic methods of document storage, where appropriate.
 2. Any such additional procedures and/or storage processes will be incorporated as an Appendix to this Policy and be periodically reviewed by the Committee in order to ensure their level of efficiency and adequacy.
- D. The Committee shall monitor compliance with (Section VI, C – Destruction of Municipal Records) of this policy and, if necessary, develop additional operational procedures to ensure that records are consistently disposed of in a proper manner.
1. Any such procedures shall take into account:
 - i. Statutory requirements.
 - ii. The Towns' operational capabilities.
 - iii. That certain records contain sensitive and/or confidential information, and, as a result, must be destroyed, unless Section VII (Suspension of Record Disposal) applies, and eliminated with particular care.
 2. These destruction processes will be periodically reviewed in order to ensure their adequacy and level of efficiency.
- E. The Committee shall review, in February/March of each year, the Record Retention Policy as a whole, including the Town-wide Record Retention Schedule (Appendix B) and recommend amendments as appropriate to comply with regulatory requirements and/or procedural changes.

SECTION VI: STORAGE, RETENTION, AND DISPOSAL OF MUNICIPAL RECORDS:

- A. Minimum Storage Procedures: Each department shall store their archived records in a box or cabinet and provide the following information on the exterior of the storage device: the department name, box number, retention period, scheduled disposition date, authority granting or allowing the disposition, and a general description of the contents. It is recommended a master list of each location and box contents be maintained by each department head.
- B. Retention of Municipal Records: The Town-wide Records Retention Schedule (Appendix B) details the retention period for specific types and categories of records in order to ensure legal compliance. In addition, this schedule is designed to accomplish other objectives such as the preservation of confidential and valuable administrative information, cost effectiveness, and space management. Scheduled records are those that, by Town, State and Federal Regulations, need only be retained for a stated period.

The Municipal Records Committee may determine that such records (i.e., grants from State, Federal or private agencies) are to be maintained by The Town for a period longer than the minimum required period. If so, such determination shall be made a matter of record by incorporation into the Town-Wide Records Retention Schedule.

C. Destruction of Municipal Records:

1. Documents to be destroyed shall first be reviewed by the applicable Department Head. If no reason exists to maintain the record beyond the retention schedule, the documents shall then be destroyed as follows:
 - i. Non-Confidential Documents – shall be disposed of with other paper recycled products or shredded.
 - ii. Confidential Documents – shall be shredded or burned.
 - iii. Electronic Files – shall be deleted from the individuals' computer as well as any backup or permanent media storage.
2. Each Department Head is responsible for maintaining a Document Destruction Log which shall contain the following minimum information:
 - i. Department destroying the record
 - ii. What record was destroyed
 - iii. The date the record was destroyed
 - iv. Who destroyed the record
 - v. RSA or authority giving the right to destroy the record

- D. Unauthorized Activities: All Municipal Records belong to The Public in perpetuity and shall not be destroyed, maliciously damaged, or retained by any person not entitled to do so by local, State and/or Federal regulations.

SECTION VII: SUSPENSION OF RECORD DISPOSAL:

In the event any official or employee of The Town is served with any subpoena or Right-to-Know request; or becomes aware of an investigation or audit concerning The Town or commencement of any litigation against or concerning The Town; such individual shall ensure that all records are preserved, regardless of Retention Schedule, until The Town's legal counsel determines that the records are no longer needed.

SECTION VIII: ADOPTION:

The Town of Hooksett has adopted this Record Retention Policy effective ____August 13__ 2014.

Town of HUNTSVILLE MUNICIPAL
RECORDS LISTING
Please refer to RSA 33-A for clarification

Number	Record	Official Records Owner	Administration	Budget Committee	Community Development	Conservation Commission	Family Services	Fire-Rescue	Police	Recycling & Transfer	Town Clerk	Trustees of Trust Funds	Notes/Outdated Medium?	Location	Last Review	RSA 33-A Retention Timeline
I	Accounts	Assessing Finance														5 years
II	Accounts Receivables	Assessing Finance														until audited + 1 year
III	Aerial Photographs	Assessing Finance														permanently
IV	Animal Inspections - annual	Assessing Finance														permanently
V	Animal Inspections - quarterly including fuel storage and vehicles	Assessing Finance														permanently
VI	Animal Inbred Report	Assessing Finance														6 months
VII	Annual Reports, town warrants, deliberative session minutes	Assessing Finance														10 years
VIII	Archives	Assessing Finance														permanently
IX	Articles of Incorporation	Assessing Finance														permanently
X	Blue Prints - Architectural Plans	Assessing Finance														permanently
XI	Blue Prints - Architectural Plans	Assessing Finance														permanently
XII	Bonds and Continuation Certificates	Assessing Finance														permanently
XIII	Budgets committee-drafts	Assessing Finance														permanently
XIV	Building Permits-applications and approvals	Assessing Finance														permanently
XV	Building Permits-issued	Assessing Finance														permanently
XVI	Building Permits-withdrawn or denied	Assessing Finance														permanently
XVII	Building Permits-withdrawn or denied	Assessing Finance														permanently
XVIII	Building Permits-withdrawn or denied	Assessing Finance														permanently
XIX	Chain receipts and disbursement book	Assessing Finance														permanently
XX	Checks	Assessing Finance														permanently
XXI	Code Enforcement Specifications	Assessing Finance														permanently
XXII	Complaint Log	Assessing Finance														permanently
XXIII	Contract Unsuccessful Bids	Assessing Finance														permanently
XXIV	Contract Unsuccessful Bids	Assessing Finance														permanently
XXV	Correspondence by to Municipality - Admin. Records	Assessing Finance														permanently
XXVI	Correspondence by to Municipality - Admin. Records	Assessing Finance														permanently
XXVII	Current Use applications and maps	Assessing Finance														permanently
XXVIII	Current Use applications and maps	Assessing Finance														permanently
XXIX	Current Use release	Assessing Finance														permanently
XXX	Deeds grant/grantor listing from registry or copies of deeds	Assessing Finance														permanently
XXXI	Deeds grant/grantor listing from registry or copies of deeds	Assessing Finance														permanently
XXXII	Dredge and Fill Permits	Assessing Finance														permanently
XXXIII	Dredge and Fill Permits	Assessing Finance														permanently
XXXIV	Emergency Medical Services run reports	Assessing Finance														permanently
XXXV	Emergency Medical Services run reports	Assessing Finance														permanently
XXXVI	Emergency Medical Services run reports	Assessing Finance														permanently
XXXVII	Emergency Medical Services run reports	Assessing Finance														permanently
XXXVIII	Emergency Medical Services run reports	Assessing Finance														permanently
XXXIX	Emergency Medical Services run reports	Assessing Finance														permanently
XL	Emergency Medical Services run reports	Assessing Finance														permanently
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XLIX	Emergency Medical Services run reports	Assessing Finance														permanently
L	Health - Service Agreements with state agencies	Assessing Finance														permanently
LI	Health - Service Agreements with state agencies	Assessing Finance														permanently
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LVIII	Health - Service Agreements with state agencies	Assessing Finance														permanently
LIX	Health - Service Agreements with state agencies	Assessing Finance														permanently
LX	Health - Service Agreements with state agencies	Assessing Finance														permanently

Please refer to RSA 33-A for clarification

Page 2

TOWN OF HOOKSETT MUNICIPAL

Please refer to RSA 33-A for clarification

Towns of HOOKBETT MUNICIPAL																		
Municipal RECORDS LISTING																		
Please refer to RSA 33-A for clarification																		
Number	Record	Official Records Owner	Assessing	Budget Committee	Century Commission	Community Development	Conservation Commission	Family Services	Finance	Fire-Treasure	Police Works	Recycling & Transfer	Town Clerk	Trusts of Trust Funds	Location	Paper	Last Review	RSA 33-A Retention Timeline
CALX	School records	Community Development																related as per RSA 189:29-a
CAXX	Septic plan approvals and plans	Community Development																permanently
CAXXII	Sign Inventory	Community Development																7 years
CAXXIII	Site plan review	Community Development																life of improvement + 3 years
CAXXV	Site plan review-lapsed	Community Development																permanently
CAXXVI	Special assessment (betment of property)	Community Development																20 years
CAXXVII	Street signs	Community Development																permanently
CAXXVIII	Street signs, street lights, traffic lights, maintenance records	Community Development																permanently
CAXXIX	Subdivision applications successful and final plan	Community Development																life of improvement + 3 years
CAXXXI	Subdivision applications withdrawn or not approved	Community Development																life of improvement + 3 years
CAXXXII	Subdivision applications working drafts prior to approval	Community Development																life of improvement + 3 years
CAXXXIII	Subdivision applications working drafts prior to approval	Community Development																life of improvement + 3 years
CAXXXIV	Tax maps	Tax Office																permanently
CAXXXV	Tax Receipts paid, including taxes on land use change drop***	Tax Office																permanently
CAXXXVI	Tax-decided property (defined registered or certified receipts)	Tax Office																permanently
CAXXXVII	Tax-decided property (defined registered or certified receipts)	Tax Office																permanently
CAXXXVIII	Tax-decided property (defined registered or certified receipts)	Tax Office																permanently
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Exhibit B
Town of Hooksett

35 Main Street
Hooksett, NH 03106

INVESTMENT POLICY

I. PREFACE

The investment policy establishes a framework for the safe and prudent investment of public funds. While attempting to achieve the best possible results, an investment program must consider the safety and liquidity necessary to effectively meet the operational needs of the Town.

It also provides guidance and direction for the Town Treasurer in the daily conduct of investing activity in addition to improving consistency, creating and defining accountability and in ensuring that laws are followed.

II. SCOPE

The investment policy applies to all financial assets in the custody of the Town Treasurer of the Town of Hooksett, New Hampshire. These funds are accounted for in the Town's annual audited financial reports and include the following:

- General Fund
- Special Revenue Funds
- Capital Project Funds
- Proprietary Funds
- Fiduciary Funds
- Any new funds created by the Town, unless specifically exempted by the governing body, in accordance with law, or by-law.

Furthermore, the investment policy applies to all transactions involving the financial assets and related activity of all the foregoing funds. This investment policy does not apply to the Town of Hooksett Trust Funds, Capital Reserves or Library Funds. The Library funds are held by the Library Trustees and not the Town Treasurer per RSA 202-A:23.

III. OBJECTIVES

The priority of investment objectives shall be safety, liquidity, and yield:

1. **Safety** of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

a) **Credit Risk** is the risk of loss due to the financial failure of the security issuer or backer. The Town will minimize credit risk by:

- Limiting exposure to poor credits and concentrating the investments in the safest types of securities.
- Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the Town will do business.
- Diversifying the investment portfolio so that potential losses on individual securities will be minimized.
- Actively monitoring the investment portfolio holdings for ratings changes, changing economic/market conditions, etc.

b) **Interest Rate Risk** The Town will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
- Investing operating funds primarily in shorter-term securities or short-term investment pools.

2. **Liquidity** The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands. Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets.

3. **Yield** The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The majority of the portfolio is limited to highly rated/low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:

- A security with declining credit may be sold early to minimize loss of principal.
- A security swap would improve the quality, yield, or target duration in the portfolio.
- Liquidity needs of the portfolio require that the security be sold.

4. **Legality** The investment portfolio shall remain in conformance with Federal, State and other legal requirements.

IV. DELEGATION OF AUTHORITY

The investment policy delegation of authority is stated below:

1. In accordance with RSA 41:29 VI, the responsibility for conducting investment transactions resides with the Town Treasurer. The Town Treasurer may delegate authority, with the approval of Town Council.

RSA 41:29 VI – in addition to this state RSA language, the Town Council adds “and the Town Treasurer shall be for a specific term.”

2. No person may engage in an investment transaction except as provided under the terms of this policy and the internal procedures and controls hereby established.

V. PRUDENCE

The investment policy will be conducted in accordance with the "prudent person" standard which requires that:

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The Town Treasurer involved in the investment process shall refrain from personal business activity that could conflict (or appear to conflict) with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

The Town Treasurer shall disclose to the Town Council any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of this jurisdiction's portfolio.

The Town Treasurer shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales.

VI. INVESTMENT INSTRUMENTS

In accordance with RSA 41:29 II and IV funds of the Town of Hooksett may be invested in the following:

1. Deposits, including money market accounts or certificates of deposit, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state; or funds may be deposited in federally insured banks outside the state if such banks pledge and deliver to a third party custodial bank or the federal reserve bank collateral security for such deposits of the following types:
 - a. United States government obligations;
 - b. United States government agency obligations; or
 - c. Obligations of the state of New Hampshire in value at least equal to the amount of the deposit in each case.

2. New Hampshire Public Deposit Investment Pool (NHPDIP) established pursuant to RSA 383:22.
3. Obligations fully guaranteed as to principle and interest by the United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end management-type investment company or investment trust registered under 15 U. S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations.
4. Other instruments as may be specifically authorized by amendments to the State Law.

VII. MATURITY AND DIVERSIFICATION

Investment maturities for operating funds shall be scheduled to coincide with projected cash flow needs, taking into account large routine expenditures (school district remittances, payroll and accounts payable) as well as anticipated revenue inflows. However, the maturity characteristics of the portfolio should comply with the following schedule:

<u>Total Portfolio Investments Maturing</u>	<u>Required Minimum Percentage of Total Portfolio</u>
180 Days or Under	100%

No more than 80% of the total investment portfolio shall be invested with any one financial institution.

VIII. COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS

Competitive quotes shall be requested from qualified financial institutions for various options with regards to terms and instrument, and provided to the Finance Director. The Town Treasurer will accept the quote(s) which provide(s) the highest rate of return, within the maturity required, and within the parameters of this policy, taking into consideration all associated costs, requirements and capabilities.

IX. PERFORMANCE EVALUATION

The Town shall require, from any institution in which investing activity is conducted, sufficient routine reports/documentation to enable an accurate evaluation to be made as to the results of the Town's investment program as it relates to the Town's stated objectives, guidelines and policies, and to assist in revealing areas for potential improvement.

X. SAFEKEEPING AND COLLATERALIZATION

In accordance with RSA 41:29 V, the Town Treasurer shall ensure that prior to acceptance of any moneys for deposit or investment, including repurchase agreements, the federally insured bank shall have such funds, at the time of deposit or investment, secured by collateral having a market value at least equal to 102% of the amount deposited or invested over the FDIC limits. Such collateral shall be held by a third party custodian and segregated for the exclusive benefit of the Town. Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA 386:57 shall be eligible to be pledged as collateral.

The banking institution shall provide the Town Treasurer with at least monthly reports of the Town's collateral position. In addition, collateral agreements shall comply with provisions set forth in the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), which require that the collateral agreement be:

1. in writing;
2. approved by the Board of Directors of the depository or its loan committee;
3. has been, continuously, from the time of its execution, an official record of the depository institution.

A Certificate of Insurance is not considered to be adequate collateralization.

XI. INTERNAL CONTROLS

The internal controls for the Town of Hooksett shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, imprudent actions by employees and officers of the Town.

1. Indemnification: In accordance with RSA 41:6 (Surety Bond Required).

"Town Treasurers... Shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:

- (a) The failure of officers covered to faithfully perform their duties or to account properly for all moneys or property received by virtue of their positions, or
 - (b) Fraudulent or dishonest acts committed by the covered officers."
2. The Town Treasurer conducts investment transactions via written instructions including Internet and reviews the bank statements daily to ensure that the appropriate transactions were made per the instructions. All bank balances will be reconciled monthly by the Town Treasurer and reported to the Finance Director on a monthly basis.
3. The Finance Director, on a monthly basis, reviews and reconciles all bank account activity and records the investment transactions in the general ledger.

XII. REPORTING

The Town Treasurer shall submit quarterly to the Town Administrator an investment report that summarizes recent market conditions, economic development and anticipated investment

conditions. The report shall summarize the investment strategies employed, and describe the portfolio in terms of investment securities, maturities, risk characteristics and other features. The report shall explain the total investment return and compare the return with budgetary expectations. The report shall include an appendix that discloses all transactions during the past quarter.

XIII. OTHER

This policy shall be reviewed at least annually by Town Council, or its designee, with changes made as warranted, followed by re-adoption by the governing body.

The Town Council reserves the right to implement changes to this policy without prior notice if it is deemed in the Town's best interest.

This policy is available for public review and inspection. A copy may be obtained by contacting the Town Administrator.

XIV. POLICY APPROVAL/AMENDMENTS

The Council approved adoption of the Town of Hooksett Investment Policy at their October 12, 2005 meeting.

Town Council approved amendments of the Town of Hooksett Investment Policy at their September 9, 2009 meeting.

Town Council approved amendments of the Town of Hooksett Investment Policy at their September 8, 2010 meeting.

Town Council approved the Town of Hooksett Investment Policy at their September 14, 2011 meeting.

Town Council approved amendments of the Town of Hooksett Investment Policy at their October 10, 2012 meeting.

Town Council approved the Town of Hooksett Investment Policy at their September 25, 2013 meeting.

Town Council approved amendments of the Town of Hooksett Investment Policy at their September 24, 2014 meeting.

Exhibit C
Town of Hooksett

35 Main Street
Hooksett, NH 03106

FUND BALANCE POLICY

SECTION 1. PURPOSE

The Town hereby establishes and will maintain reservations of Fund Balance, as defined herein, in accordance with Governmental Accounting Standards Board Statement No. 54, *Fund Balance Reporting and Governmental Fund Types Definitions*. This policy shall only apply to the Town's governmental funds. Fund balance shall be composed of nonspendable, restricted, committed, assigned and unassigned amounts.

The general purpose of this policy is to improve the Town of Hooksett's financial stability by protecting itself against emergencies and economic downturns. Unassigned fund balance is an important measure of economic stability. It is essential that the Town maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances. The fund balance also provides cash flow liquidity for the Town's general operations.

SECTION 2. DEFINITIONS

2.1) Nonspendable Fund Balance - includes amounts that are not in a spendable form (such as inventory, tax deeded property subject to resale or prepaid expenses) or are required to be maintained intact (such a principal of an endowment fund).

2.2) Restricted Fund Balance – includes amounts that can be spent only for the specific purposes stipulated by external resource providers (such as grantors) or laws or regulations of other governments or imposed by law through constitutional provisions or through enabling legislation (the annual Town meeting). Restrictions may be changed or lifted only with the consent of the resource providers or the enabling legislation. Non-lapsing warrant articles, library, income portion of permanent funds and Capital Project funds would be considered restricted.

2.3) Committed Fund Balance – includes amounts that can be used only for the specific purposes determined by a formal action of the Town's highest level of decision making authority (Town Council). Commitments may be changed or lifted only by the Town Council taking the same formal action that imposed the constraint originally. The Town Council's actions must either be approved or rescinded, as applicable, prior to the last day of the fiscal year for which the commitment is made. The amount subject to the constraint may be determined in the subsequent period. This classification also includes contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual obligations.

Expendable trust funds and legislative body votes relative to the use of unassigned fund balance at year-end are included in this classification.

2.4) Assigned Fund Balance – includes amounts the Town *intends* to be used for specific purposes. For all governmental funds other than the General Fund, any remaining positive amounts are to be classified as “assigned”. The Town Council expressly delegates this authority to the Town Administrator. Items that would fall under this type of fund balance would be Police and Fire Details, Ambulance Fund and Conservation Fund etc. The Town also has assigned funds consisting of encumbrances in the general fund at year-end.

2.5) Unassigned Fund Balance – is the residual classification of the general fund and includes all amounts not contained in other classifications. Unassigned amounts are technically available for any purpose. Any deficit fund balance of another governmental fund is also classified as unassigned.

SECTION 3. SPENDING PRIORITIZATIONS

3.1) When expenditures are incurred for purposes for which both restricted and unrestricted fund balance is available, restricted fund balance is considered to have been spent first.

3.2) When expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classification can be used, committed amount should be reduced first, followed by assigned amounts and then unassigned amounts.

SECTION 4. DEFICIT FUND BALANCE

The Town will follow RSA 32:11 Emergency expenditures and over expenditures for situations which may cause an over expenditure of the total appropriations in the Town’s General Fund.

SECTION 5. UNASSIGNED FUND BALANCE – GENERAL FUND

As recommended by the New Hampshire Department of Revenue, the Town shall strive to maintain an unassigned fund balance in its General Fund equal to 8-17% of the total annual appropriations of the community (which includes the Town, County, School District and Precincts).

5.1) Minimum Balance – The Town shall maintain a minimum unassigned fund balance of 5% of the general fund’s annual appropriations of the community.

5.2) Target Balance - The Town shall work toward maintaining an unassigned fund balance of 8% of the general fund’s annual budget, including Town, School and County appropriations.

SECTION 6. ANNUAL REVIEW

Town Council shall review and approve this policy annually.

SECTION 7. POLICY APPROVAL/AMENDMENTS

Town Council approved adoption of the Town of Hooksett's Fund Balance policy at their May 13, 2009 meeting.

Town Council amended the Town of Hooksett's Fund Balance policy at their September 14, 2011 meeting.

Town Council amended the Town of Hooksett's Fund Balance policy at their October 10, 2012 meeting.

Town Council amended the Town of Hooksett's Fund Balance policy at their September 25, 2013 meeting.

Town Council amended the Town of Hooksett's Fund Balance policy at their September 24, 2014 meeting.

Exhibit D
Town of Hooksett

35 Main Street
Hooksett, NH 03106

POLICY:
CELLULAR PHONES IN THE WORKPLACE

SECTION I: PURPOSE

The purpose of this policy is to establish guidelines and administrative procedures for employees who have been identified as needing cellular phones (both Town provided and reimbursed (via allowances) personal phones) during working hours and for other times as needed for the health, safety, welfare, or operational efficiency of the Town.

SECTION II: POLICY

It is the policy of the Town that if an employee's job duties require them to be readily accessible for frequent contact or critical contact with the Town staff or public, and the accessibility extends to time away from work or involves on-call responsibilities, then the eligible employee may have a choice to either use a Town-issued cellular phone, or provide their own cellular phone for which they will be compensated for business use pursuant to this Policy. The Town shall have the discretion to determine who is eligible as well as the service plan and features that will be provided, required, or otherwise reimbursed via allowances.

SECTION III: ELIGIBILITY

Employees whose job duties include the frequent need for a cellular phone may be provided a town issued cellular phone or, in lieu thereof, use their own personal cellular phone and receive a reimbursement allowance for business-related costs. Department heads may identify employees who hold positions that include the need for a cellular phone. The Town Administrator shall have final approval on all such determinations. Generally, an employee is eligible for a town issued cellular phone or a reimbursement allowance for using a personal cellular phone if at least one (1) of the following criteria are met:

- 1) The job function of the employee requires considerable time outside of his/her assigned office or work area and it is important to the Town that she/he is accessible during those times; or
- 2) The job function of the employee requires him/her to be accessible outside of scheduled or normal working hours where time sensitive decisions/ notifications are required.

If an employee is eligible for a town issued cellular phone or a reimbursement allowance for a personal cellular phone based on satisfaction of at least one of the above criteria, then if the employee also needs data access for health, safety, welfare or operational efficiency concerns, their town issued cellular phone or reimbursement allowance shall provide data access or provide for a data plan.

SECTION IV: LIMITATIONS ON TOWN PROVIDED CELLULAR PHONES

A. Personal Use: Occasional brief personal use is allowable; however, employees should always use their own personal cellular phones for personal use, if possible.

B. Text Messaging: Shall be limited whenever possible, unless the cellular phone has a service plan that provides for unlimited messaging or a messaging allowance and in either case, is approved for such use by the employee's department head.

C. Internet Access: Employees should use discretion when using their cellular phone to not access websites that would be in violation of the Town's Computer Use Policy found in the Personnel Plan. D. Directory Assistance: Employees should avoid using cellular directory assistance so as to avoid additional charges.

E. Reimbursement to the Town for Personal Use: If an employee's personal use of the Town's cellular phone results in an unreasonable charge to the Town, the user will be responsible for reimbursing the Town. This includes charges for text messaging, long distance and/or roaming charges, overage charges, multi-media charges, and charges for directory assistance.

F. Data Downloads: Employees should attempt to download data in wi-fi networks so as to minimize costs.

G. Any cellular phone that has data capabilities must be secured based on current security standards including password protection and encryption. If a cellular phone with data capabilities is stolen or missing, it must be reported to the employee's supervisor, the service provider, and to the Administration or IT Contactor as soon as possible.

H. Misuse: Use of the cellular phone in any manner contrary to local, state, or federal laws will constitute misuse, and may result in disciplinary action up to and including immediate termination.

I. No expectation of privacy: Town issued cellular phones shall remain the sole property of the Town and shall be subject to inspection or monitoring at any time. Employees who are issued town cellular phones must understand that there is no expectation of privacy when using such phones. The Town has the right to review all records related to Town issued cellular phones, including but not limited to phone logs, text messages, and internet usage logs. Users should further be aware that such records may be subject to discovery under RSA Chapter 91-A (aka, the "Right to Know" law).

J. Upon resignation or termination of employment, or at any time upon request, the employee will produce the device for return and inspection. Employees unable to present the device in good working condition will be expected to bear the cost of a replacement.

SECTION V: REIMBURSEMENT ALLOWANCES FOR PERSONAL CELLULAR PHONES

A. Allowance Amount: The amount shall be \$11.53 per week for cellular phones utilizing an unlimited data plan, e-mail, texting and internet access features. No further reimbursement for cellular phones is available to employees who receive an allowance.

B. The allowance is neither permanent nor guaranteed. The Town reserves the right to remove a participant from this plan or cancel the allowance for business reasons.

C. To receive the allowance, a "Personal Action Form" must be completed (see Appendix A).

D. Allowance Payment: The approved cellular phone reimbursement allowance will be paid to the employee each week in the employee's paycheck.

E. The employee is responsible for purchasing the cellular phone and establishing and maintaining a service contract with the cellular phone service provider of his/her choice. The cellular phone contract shall be in the name of the employee, who shall be solely responsible for all payments to the service provider. If the employee terminates the cellular phone contract at any point, s/he must notify his/her supervisor within five (5) business days.

F. Because the cellular phone is owned personally by the employee, the reimbursement allowance is not considered taxable income and the employee may use the cellular phone for both business and personal purposes, as needed. The employee may, at his or her own expense, add extra services or equipment features, as desired. If there are problems with service, the employee is expected to work directly with the service provider for resolution.

SECTION VI: LIMITATIONS ON PERSONAL CELLULAR PHONES

A. For a personal cellular phone approved for a reimbursement allowance under this policy, support from the Town's IT Contactor is limited to connecting the cellular phone to Town-provided services, such as e-mail, calendar, and contacts.

B. The Town does not accept any liability for claims, charges or disputes between the service provider and the employee. Use of the cellular phone in any manner contrary to local, state, or federal laws will constitute misuse, and may result in disciplinary action up to and including immediate termination if misused in furtherance of Town business, and then, depending on the nature of the misuse.

C. Any cellular phone that has data capabilities must be secured based on current security standards including password protection and encryption. If a cellular phone with data capabilities is stolen or missing, it must be reported to the employee's supervisor, the service provider, and to the IT Director as soon as possible.

D. Employees are expected to delete all Town data from the cellular phone when their employment with the Town is severed, except when legally required to maintain that data (e.g., litigation).

E. Note: Unlike Town provided cellular phones, users of personal cellular phones have an expectation of privacy and accordingly, if the Town desires to review the employee's cellular phone records, it will first obtain a search warrant or subpoena the relevant records pursuant to RSA Chapter 91-A (aka, the "Right to Know" law).

SECTION VII: EMPLOYEE RESPONSIBILITIES

A. Excessive use of cellular phones during the work day for personal use can interfere with employee productivity and be distracting to others. During paid work time, employees are expected to exercise the same discretion in using cellular phones as is expected for the use of any town telephone or computer. Cellular phones may not be used at any work site where the operation of the phone would create an unreasonable distraction to the public or other employees.

B. Employees are expected to make personal communications on non-work time, when possible. However, it is understood that occasional personal communications of short duration may be accomplished without disrupting others and without having an adverse effect on one's job performance. Personal calls, incoming and outgoing, must be kept to a minimum and must be incidental to business use. Employees should use good judgment when making personal communications and should recognize that the Town incurs costs for each minute of

air time on Town issued phones. Abuse of personal communications privileges may subject the employee to discipline.

C. In order to ensure a productive work day, the following uses of any cellular phone are prohibited during working hours:

- 1) Accessing the internet for non-work related purposes;
- 2) Playing games;
- 3) Watching movies, television, sports, etc.; and
- 4) Any activity that violates town policy.

D. Employees in possession of Town issued cellular phones are expected to protect them from loss, damage, or theft.

SECTION VIII: SAFETY IN USING CELLULAR PHONES

A. This section applies to all use of Town provided cellular phones, and to all use of personal cellular phones when used for Town business.

B. If use of their cellular phone is unavoidable, employees shall use hands-free options, abiding by applicable state laws. During hands-free operation, employees are expected to keep the usage to a minimum, refrain from discussions of complicated or emotional issues, and keep their eyes on the road. Special care should be taken in situations where there is heavy traffic, inclement weather or where the employee is driving in an unfamiliar area. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

C. With the exception of extraordinary circumstances, operators of authorized emergency vehicles are to comply with this Policy while driving.

D. Engaging in text or email communications, or accessing the internet while driving is not allowable under any circumstance. Note: safely pull over to the side of the road before setting a destination and selecting a route for GPS-related applications.

E. Employees who are charged with traffic violations resulting from the use of cellular phones while driving on duty may be subject to disciplinary action.

F. Employees who are charged with traffic violations resulting from the use of their cellular phone while driving will be solely responsible for all liabilities that result from such actions.

G. Violations of this Policy will be subject to discipline, up to and including dismissal.

SECTION IX: WAIVERS

The Town Administrator or Town Council may waive any portion of this policy for good cause shown.

SECTION X: AMENDMENTS

This policy may from time to time be amended by the vote of Town Council at a regularly scheduled meeting.

SECTION XI: EFFECTIVE DATE

This policy shall be effective 08/24/16 as per vote of the Town Council.

Town of Hooksett

35 Main Street
Hooksett, NH 03106

POST-ISSUANCE TAX COMPLIANCE POLICY AND PROCEDURES FOR TAX-EXEMPT OBLIGATIONS

SECTION I: PURPOSE

The purpose of this Tax-Exempt Obligation Post Issuance Compliance Policy and Procedures is to establish policies and procedures in connection with tax-exempt bonds and notes (the “Bond” or “Bonds”) issued by the Town of Hooksett, New Hampshire (the “Issuer”) so as to maximize the likelihood that all applicable post-issuance requirements of federal income tax law needed to preserve the tax-exempt status of the Bonds are met.

SECTION II: COMPLIANCE COORDINATOR

- A. The Finance Director shall serve as the Compliance Coordinator (“Coordinator”) and be responsible for monitoring post-issuance compliance.
- B. The Coordinator will maintain a copy of the transcript of proceedings in connections with the issuance of any tax-exempt obligations. The Coordinator will obtain such records as are necessary to meet the requirements of this policy.
- C. The Coordinator shall consult with bond counsel, a rebate consultant, financial advisors, Internal Revenue Services (“IRS”) publications and other resources as are necessary to understand and meet the requirements of this policy.
- D. Training and education of the Coordinator and his/her staff will be sought and implemented upon the occurrence of new developments and upon the hiring of new personnel to implement this policy.

SECTION III: RECORD-KEEPING

- A. Financing Transcripts – The Coordinator shall confirm the proper filing with the IRS of an 8038 Series return, and maintain a transcript of proceedings for all tax-exempt obligations issued by the Issuer, including but not limited to all tax-exempt bonds, notes and lease-purchase contracts. Each transcript shall be maintained for as long as the Bonds are outstanding, plus three (3) years after the final redemption date of the Bonds. Said transcript may be maintained in electronic format and shall include at a minimum:
 - 1. Form 8038s;
 - 2. Minutes, resolutions, and certificates;
 - 3. Certifications of issue price from the underwriter, if applicable;
 - 4. Formal elections required by the IRS;
 - 5. Trustee statements, if applicable;
 - 6. Records of refunded bonds, if applicable;
 - 7. Correspondence relating to bond financing;
 - 8. Reports of any IRS examinations for bond financing;
 - 9. Documents related to governmental grants associated with construction, renovation, or purchase of bond financed facilities, if applicable;
 - 10. Publications, brochures, and newspaper articles, where applicable.

- B. Modification to Financing Documents – The Coordinator shall determine if there is any “significant modification” to bond documents resulting in reissuance under Treasury Regulation §1.1001-3, in consultation with bond counsel and any other legal counsel and financial advisor. The Coordinator shall retain proof of filing new Form 8038 and relevant documentation plus final rebate calculation on pre-modification bonds.

SECTION IV: PROPER USE OF PROCEEDS

- A. The Coordinator shall review the resolution authorizing issuance for each tax-exempt obligation issued by the Issuer and shall:
1. Obtain a computation of the yield on such issue from the Issuer’s financial advisor;
 2. Create a separate Project Fund (with as many sub-funds as shall be necessary to allocate proceeds among the projects being funded by the issue) and a separate Cost of Issuance Fund as necessary to allocate proceeds to Bond issuance costs into which the proceeds of the issue shall be deposited, as applicable;
 3. Review all requisitions, draw schedules, draw requests, invoices and bills requesting payment from the Project Fund;
 4. Determine whether payment from the Project Fund is appropriate, and if so, make payment from the Project Fund (and appropriate sub-fund if applicable);
 5. Maintain records of the payment requests and corresponding records showing payments;
 6. Maintain records showing the earnings on, and investment of, the Project Fund;
 7. Ensure that all investments acquired with proceeds are purchased at fair market value;
 8. Identify bond proceeds or applicable debt service allocations that must be invested with a yield-restriction and monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the yield to which such investments are restricted;
 9. Maintain records related to any investment contracts, credit enhancement transactions, and the bidding of financial products related to the proceeds;
 10. Monitor and maintain records of the reimbursement of costs previously expended by the Issuer to ensure that such reimbursement occurs not more than 18 months after the later of (i) the dates of the expenditures or (ii) the date the project/asset was placed in service (but not more than 3 years after the original expenditures were paid) except with respect to those expenditures for which the Issuer obtained a certificate of licensed engineer/architect to the effect that (I) at least five (5) years were necessary to complete the construction of the part of the project for which such expenditures were required; and (II) such expenditures shall be reimbursed not more than five (5) years after the date that the original expenditures were paid.

SECTION V: ARBITRAGE/REBATE COMPLIANCE AND TIMELY EXPENDITURE OF PROCEEDS

- A. The Coordinator shall review the No Arbitrage and Tax Certificate (or equivalent) (the “Certificate”) for each tax-exempt obligation issued by the Issuer and the expenditure

records provided in Section III of this policy, above, and shall ensure that the Issuer takes the following actions:

1. Monitor and ensure that proceeds of each such issue are spent within the temporary period set forth in the Certificate;
2. If at the time of issuance, it appears that the Bonds will qualify for the small issuer exception to the rebate requirement, the Coordinator will monitor the amount of subsequent tax-exempt obligations issued or proposed to be issued in the calendar year in which the Bonds closed to ensure that the Issuer does not exceed the \$5 million or \$15 million threshold, as applicable, in such calendar year;
3. If at the time of issuance, based on reasonable expectations set forth in the Certificate, it appears likely that the issue will qualify for an exemption from the rebate requirement, the Issuer may defer taking any of the actions set forth in subsection (4) below. Not later than the time of completion of construction or acquisition of the project, and depletion of all funds from the Project Fund, the Issuer shall make a determination if the expenditure of the Bond proceeds qualified for an exemption from the rebate requirements based on spending within a 6 month, 18 month or 2 year period after issuance. If a rebate exemption is determined to be applicable, the Issuer shall prepare and keep in the permanent records of the issue a memorandum evidencing this conclusion together with records of expenditure to support such conclusion. If the transaction does not qualify for rebate exemption, the Issuer shall initiate the steps set forth in (4) below;
4. If at the time of issuance it appears likely that arbitrage rebate calculations will be required, or upon determination that calculations are required pursuant to (3) above, the Issuer shall:
 - a. Engage the service of expert advisors (each a “Rebate Service Provider”) to assist in the calculation of arbitrage rebate payable in respect of the investment of Bond proceeds, or else shall ensure that it has adequate financial, accounting and legal resources of its own to make such calculations, and prior to each rebate calculation date, cause the trustee or other financial institution investing bond proceeds to deliver periodic statements concerning the investment of Bond proceeds to the Rebate Service Provider;
 - b. Provide to the Rebate Service Provider additional documents and information reasonable requested by the Rebate Service Provider;
 - c. Monitor efforts of the Rebate Service Provider;
 - d. Assure payment of required rebate amounts, if any, no later than 60 days after each 5-year anniversary of the issue date of the Bonds, and no later than 60 days after the last Bond of each issue is redeemed.
 - e. During the construction period of each capital project financed in whole or in part by Bonds, monitor the investment and expenditure of Bond proceeds and consult with the Rebate Service Provider to determine compliance with any applicable exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months, 18 months or 2 years, as applicable, following the issue date of the Bonds.
 - f. Retain copies of all arbitrage reports, trustee statements and other documents as required herein;

- g. In lieu of engaging an outside Rebate Service Provider, the Issuer may make a determination that it has sufficient capabilities using its own personnel, supported by its regular accounting and legal advisers, to be able to make the required rebate calculations. Such determination shall be evidenced in writing with specific reference to the personnel and advisers to carry out the calculations, and such written determination shall be maintained in the records of the bond transaction.

SECTION VI: PROPER USE OF BOND FINANCED ASSETS

- A. The Coordinator shall maintain appropriate records and a list of all bond financed assets. Such records shall include the actual amount of the proceeds (including investment earnings) spent on each of the bond financed assets.
- B. With respect to each bond financed asset, the Coordinator will monitor and confer with bond counsel with respects to all proposed:
 - 1. Management contracts;
 - 2. Service agreements;
 - 3. Research contracts;
 - 4. Naming rights contracts;
 - 5. Lease or sub-leases;
 - 6. Joint venture, limited liability or partnership arrangements;
 - 7. Sale of property or;
 - 8. Any other change in use of such asset.
- C. Section 141 of the Code sets forth private activity tests for the purpose of limiting the volume of tax-exempt bonds that finance activities of persons other than state and local governmental entities. These tests serve to identify arrangements that actually or reasonably expect to transfer the benefits of tax-exempt financing to non-governmental persons, including the federal government. The Coordinator shall provide to the users of any bond financed property a copy of this Compliance Policy and other appropriate written guidance advising that:
 - 1. "Private business use" means use by any person other than the Issuer, including business corporations, partnerships, limited liability companies, associations, non-profits corporations, natural persons engaged in trade or business activity, and the United States of America and any federal agency, as a result of ownership of the property or use of the property under a lease, management or service contract (except for certain "qualified" management or service contracts), "naming rights" contract, "public-private partnership" arrangement, or any similar use arrangement that provides special legal entitlements for the use of the bond financed property;
 - 2. No more than 10% of the proceeds of any tax-exempt bond issued (including the property financed with the Bonds) may be used for private business use, of which no more than 5% of the proceeds of the tax-exempt bond issued (including the property financed with the bonds) may be used for any "unrelated" private business use - that is, generally, a private business use that is not functionally related to the government's purposes of the Bonds; and no more than the lesser of \$5,000,000 or 5% of the proceeds of a tax-exempt bond issued may be used to make or finance a loan to any person other than a state or local government unit;
 - 3. Before entering into a special use arrangement with a non-governmental person that involves the use of bond financed property, the Coordinator will consult with bond counsel, provide bond counsel with a description of the proposed non-governmental

- use arrangement, and determine whether that use arrangement, if put into effect, will be consistent with the restrictions on private business use of the bond financed property;
4. In connection with the evaluation of any proposed non-governmental use arrangement, the Issuer will consult with bond counsel to obtain federal tax advice in whether that use arrangement, if put into effect, will be consistent with the restrictions on private business use of the bond financed property, and if not, whether any “remedial action” permitting under §141 of the Code may be taken as means of enabling that use arrangement to be put into effect without adversely affecting the tax-exempt status of the Bonds.
 - D. The Coordinator shall maintain a copy of any such proposed agreement, contract, lease or arrangement, together with the response by bond counsel with respect to said proposal for at least three (3) years after retirement of all tax-exempt obligations issued to fund all or any portion of bond financed assets.
 - E. The Coordinator shall consult with bond counsel and other legal counsel and advisers in the review of any change in use of bond-financed or refinanced assets to ensure compliance with all covenants and restriction set forth in the Certificate.
 - F. The Coordinator shall confer at least annually with other personnel responsible for bond-financed or refinanced assets, to identify and discuss any existing or planned use of bond-financed or refinanced assets, to ensure that those uses are consistent with all covenants and restrictions set forth in the Certificate.
 - G. To the extent that the Coordinator discovers that any applicable tax restrictions regarding use of bond proceeds and bond-financed or refinanced assets will or may be violated, the Coordinator shall consult promptly with bond counsel and other legal counsel and advisers to determine a course of action to remediate all nonqualified bonds, if such counsel advises that a remedial action is necessary.

SECTION VII: BANK QUALIFICATION

If the Bonds are issued in a par amount of \$10 million or less and designated by the Issuer as “bank qualified” under Section 265(b)(3) of the Code, the Coordinator will monitor the amount of subsequent tax-exempt obligations issued or proposed to be issued in the calendar year in which the Bonds closed to ensure that the Issuer does not exceed the \$10 million threshold in such calendar year.

SECTION VIII: GENERAL PROJECT RECORDS

- A. For each project financed with tax-exempt obligations, the Coordinator shall maintain a copy of all material documents relating to capital expenditures financed or refinanced by tax-exempt proceeds, until three (3) years after retirement of the tax-exempt obligations or obligations issued to refund those obligations including (without limitation), the following:
 1. Appraisals, demand surveys or feasibility studies;
 2. Applications, approvals and other documentation of grants;
 3. Depreciation schedules;
 4. Contracts respecting the project, including construction contracts;
 5. Purchase order;
 6. Invoices,
 7. Trustee requisitions and payment records;

8. Documents relating to costs reimbursed with Bond proceeds;
9. Records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds, including a final allocation of proceeds.

SECTION IX: ADVANCE REFUNDINGS

- A. The Coordinator, shall be responsible for the following current, post issuance and record retention procedures with respect to advance refunding bonds:
 1. Identify and select bonds to be advance refunded and advice from internal financial personnel, and a financial advisor.
 2. The Coordinator shall identify, with advice from the financial advisor and bond counsel, any possible federal tax compliance issues prior to structuring any advance refunding.
 3. The Coordinator shall review the structure with the input of the financial advisor and bond counsel, of advance refunding issues prior to the issuance to ensure:
 - a. That the proposed refunding is permitted pursuant to applicable federal tax requirements if there has been a prior refunding of the original bond issues;
 - b. That the proposed issuance complies with federal income tax requirements which might impose restrictions on the redemption date of the refunded bonds;
 - c. That the proposed issuance complies with federal income tax requirements which allows for the proceeds and replacement proceeds of an issue to be invested temporarily in higher yielding investments without causing the advance refunding bonds to become “arbitrage bonds”;
 - d. That the proposed issuance will not result in the issuer’s exploitation of the difference between tax exempt and taxable interest rates to obtain a financial advantage nor overburden the tax exempt market in a way that might be considered an abusive transaction for federal tax purposes;
 - e. That the proposed refunding complies with applicable State law.
 4. The Coordinator shall collect and review data related to arbitrage yield restriction and rebate requirements for advance refunding bonds. To ensure such compliance, the Coordinator shall engage a rebate consultant to prepare a verification report in connection with the advance refunding issuance. Said report shall ensure said requirements are satisfied.
 5. The Coordinator shall, whenever possible, purchases SLGS to size each advance refunding escrow. The financial advisor and/or bond counsel shall be included in the process of subscribing SLGS. To the extent SLGS are not available for purchase, the Coordinator shall, in consultation with bond counsel and the financial advisor, comply with IRS regulations.
 6. To the extent the Issuer elects to purchase a guaranteed investment contract, the Coordinator shall ensure, after input from bond counsel, compliance with any bidding requirements set forth by the IRS regulations.
 7. In determining the issue price for any advance refunding issuance, the Coordinator shall obtain and retain issue price certification by the purchasing underwriter at closing.
 8. After the issuance of an advance refunding issue, the Coordinator shall ensure timely identification of violations of any federal tax requirements and engage bond counsel in attempt to remediate same in accordance with IRS regulations.

SECTION X: CONTINUING DISCLOSURE

- A. The Coordinator shall assure compliance with each continuing disclosure certificate and annually, per continuing disclosure agreements, file audited annual financial statements and other information required by each continuing disclosure agreement. The Coordinator will monitor material events as described in each continuing disclosure agreement and assure compliance with material event disclosure. Events to be reported shall be reported promptly, but in no event not later than ten (10) Business Days after the day of the occurrence of the event. Currently, such notice shall be given in the event of:
1. Principal and interest payment delinquencies;
 2. Non-payment related defaults, if material;
 3. Unscheduled draws on debt service reserves reflecting financial difficulties;
 4. Unscheduled draws on credit enhancements relating to the bonds reflecting financial difficulties;
 5. Substitution of credit or liquidity providers, or their failure to perform;
 6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax-exempt status of the bonds, or material events affecting the tax-exempt status of the bonds;
 7. Modifications to rights of Holders of the Bonds, if material;
 8. Bond calls (excluding sinking fund mandatory redemptions), if material, and tender offers;
 9. Defeasances of bonds;
 10. Release, substitution, or sale of property securing repayment of the bonds, if material;
 11. Rating changes on the bonds;
 12. Bankruptcy, insolvency, receivership or similar event of the Issuer;
 13. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
 14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.

SECTION XI: DUE DILIGENCE AND REMEDIAL ACTIONS

In all activities related to the Issuer's Bonds, the Coordinator and his/her staff will exercise due diligence to comply with the Code provisions governing tax-exempt obligations. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the IRS which allows issuers to voluntarily enter into a closing agreement in the event of certain non-compliance with the Federal tax requirements and (b) the remedial actions available under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the Bonds were issued.

SECTION XII: PERIODIC REVIEW

The Issuer will monitor compliance with the guidelines contained in this policy as well as any other covenants not specifically included herein and will review and update these guidelines at least annually and whenever necessary due to changes in the law and circumstances.



TOWN COUNCIL MINUTES - UNOFFICIAL
Regular Meeting
Wednesday, June 20, 2018
6:00 PM
Council Chambers

1. CALL TO ORDER

Chairman James Sullivan called the meeting to order at 6:06 p.m.

2. PROOF OF POSTING

Dr. Dean Shankle, Town Administrator, provided proof of posting.

3. ROLL CALL #1

In attendance: Councilor Donald Winterton, Councilor John Giotas, Councilor Timothy Tsantoulis, Councilor James Levesque, Councilor Robert Duhaime, Councilor David Ross, and Chairman James Sullivan.

Absent: Councilor Alex Walczyk, Councilor John Durand

4. PLEDGE OF ALLEGIANCE

Following the pledge, Chairman Sullivan called a moment of silence on the passing of Roger Bergeron who served on the Sewer Commission for many years.

5. SPECIAL RECOGNITIONS

5.a Hooksett Municipal Employees – New Hires

6. SCHEDULED APPOINTMENTS

7. APPROVAL OF MINUTES

8. AGENDA OVERVIEW

9. PUBLIC HEARINGS

10. CONSENT AGENDA

10.a On April 25, 2018, the Town Council approved accepting donations to fund the K9 Program.

Motion to accept the donation of \$5,000.00 from PROCON, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III (b) and return that amount to the Police Departments budget, K9 trust Fund.

[Staff Report K9 June 20.docx](#)

Councilor Tsantoulis moved, second by Councilor Winterton, to accept the Consent Agenda as presented. Motion passed unanimously, 7-0.

11. TOWN ADMINISTRATOR'S REPORT

- Volunteer Appreciation dinner last Friday went well.
- If the Council wishes to look into public WIFI in town hall, Dr. Shankle suggests waiting until a new IT company has been contracted with. Interviews have begun.
- Dr. Shankle spoke with Mr. Christianson of Comcast. He is sending in writing what the town can and cannot do and when; either third or fourth quarter.
- Work on firefighters' contract is underway.
- At the request of the Council, the minutes of a meeting wherein the Council requested verbatim transcription on the bridge discussion should be done by the end of this week.
- The power went out during the last Planning Board meeting because a tree came down "on our line" and was off the entire next day.

12. PUBLIC INPUT - 15 MINUTES

Marc Miville of 42 Main Street and former Councilman came forward to say that he has attended one or two moderator forums and has been working hard to educate himself on best practices and ways to improve processes given his new duties as town moderator. He said at the last meeting Councilor Winterton asked what the cost was of replacing the bridge span that is not like the other two. He was dismayed when he heard Mr. Benoit of Dubois & King indicate they were taking the request under advisement. Mr. Miville feels this answer is non-responsive and that the town contracted with Dubois & King to complete the bridge project to the town's specifications. He said their perceived relationship issues shouldn't preclude the town's right to get cost estimates from them, despite potential litigation.

Referring to the draft minutes of the last meeting, Mr. Miville said Mr. Benoit said that once the document was signed by him and Mr. Robert, it becomes official and then the 30 day clock for the town to appeal starts. So, if the town does not approve of the work and does not sign the change order, Dubois & King waits 30 days to do the unapproved work and then bills the town for work not agreed to or approved by the Town Council. He added that this subjects the town and taxpayers to the will and whim of DuBois & King's actionable desire to raise the costs with added contingency fees.

13. NOMINATIONS AND APPOINTMENTS

Councilor Ross moved, second by Councilor Tsantoulis, to appoint the following individuals as listed for terms expiring June 2021 unless otherwise specified. Motion passed unanimously, 7-0.

Conservation Commission: Cindy Robertson, Full Member; Todd Lizotte, Alternate

Economic Development Advisory Committee: David Scarpetti, Resident Rep; Ivan Gult, Resident Rep; Roger Duhaime, Business Rep

Heritage Commission: Kathleen Northrup, Full Member

Parks and Recreation Advisory Board: Deb Miville, Full Member

Planning Board: Richard G. Marshall, Full Member; David Boutin, Alternate

Recycling and Transfer Advisory Committee: Raymond Bonney, Full Member

Zoning Board of Adjustment: Richard Bairam, Full Member; Don Pare, Alternate, Term Expires June 2020

14. 15 MINUTE RECESS

15. OLD BUSINESS

15.a Motion to allow the Hooksett Police Department to purchase from their unexpended full time wage line, FY 17-18, a Sokkia Robotic Total Station from Maine Technical Source, Yarmouth, Maine, to include accessories, and training and purchase CAD software through Dirigo Software for a combined total of \$31,334.66 (tabled from 6/13/18 Town Council Meeting).

Councilor Winterton moved, second by Councilor Giotas, to remove this item from the table. Motion passed unanimously, 7-0.

Dr. Shankle reported that counsel has advised that impact fees are to be used for capital projects only. Councilor Winterton said he was in favor of his original motion for a number of reasons; that is, it frees up officer time, opens up roads that might otherwise be closed for much longer periods of time thereby improving public safety. Councilor Levesque asked what this was all about. Chief Bouchard went over the benefits of the purchase as was discussed at the last Council meeting. The original motion made at the last Council meeting is: *Chairman Sullivan moved, second by Councilor Duhaime, to authorize the purchase from the Police Department's unexpended full time wage line for fiscal year 2017-18 a Sokkia Robotic Total Station from Maine Technical Source to include accessories, and training and the purchase of CAD (Computer Aid Design and Drafting) software through Dirigo Software for a combined total of \$31,334.66. Roll Call #2: Councilor Duhaime-yes, Councilor Ross-yes, Councilor Levesque-yes, Councilor Giotas-yes, Councilor Winterton-yes, Councilor Tsantoulis-yes, Chairman Sullivan-yes. Motion passed unanimously, 7-0.*

15.b FY 2017-18 Budget Encumbrances

Dr. Shankle said there were no changes made to the list of encumbrances from the last meeting. The last piece to come is for the structural work at the Old Town Hall that he expects on Monday. Council may want to encumber some funds for that purpose. Councilor Giotas asked if there might be three bids. Dr. Shankle said three contractors showed up at last week's walk through and all seemed inclined to submit a bid.

15.c New Pedestrian Bridge Update

Dr. Shankle stated that the town attorney will be meeting with the Council at 5:30 on June 27th.

15.d Rte. 3A & Hackett Hill Road Roundabout Update

There was nothing new to report and there is no need to continue to include this item on meeting agenda.

16. NEW BUSINESS

16.a RFP 18-05 Technology Services

Nick Germain, Project Coordinator, came forward indicating that on June 30th, Hooksett's current IT management contract with Spaulding Hill Networks will end. An RFP for technology services was put out in May. The town received five proposals as of the closing of June 4th – Acapella, Boston Systems and Solutions, Block-5, RMON, and Spaulding Hill Networks. The staff committee interviewed three of them. Mr. Germain said that staff concluded that the most flexible choice is Block 5 Technologies, though their bid is above what was budgeted. He said all bidders addressed the fundamental things and all proposals were very different.

Councilor Winterton asked "what do we have for a default budget today for that line item"? The balance of \$35,078 remains for tech services. Mr. Germain said that while Block 5 represented a substantial increase in costs, changes in the RFP were made particularly to emphasize improved future planning and to clarify expectations for particular support services. And while Spaulding has done a good job, more assistance with planning is needed going forward and the town does not have the equipment to do that right now.

Dr. Shankle said in addition to Block 5, Spaulding and Acapella were interviewed. Acapella has no experience with local government "to do what we need to do", the price range is where it needs to be. He said all his emails disappeared and they still don't know where they went. Mr. Germain said all those interviewed offered 24/7 services with Block 5 having more flexibility; RMON may impose additional costs. Mr. Germain passed out the service bids. Dr. Shankle said that committee representatives from fire and police along with Christine and Nick, unanimously agreed on Block 5.

Councilor Ross asked why the separate Fire and Police network should be put under the auspices of one. Dr. Shankle said he didn't know that it would be cheaper and that there is a lot of interaction between what they do and what we do and though the town doesn't operate 24 hours, emergencies do occur, and he said, whoever is hired, they serve as Hooksett's IT Department. Councilor Tsantoulis said IT costs are running out of control for a lot of businesses and he would be cautious about having two different providers. He said "it sounds like a good opportunity to pay for something twice".

In response to Councilor Giotas on having the provider onsite, Mr. Germain said that Block 5 will be onsite as necessary. Councilor Winterton asked why the second year costs were less than the first year. Mr. Germain said they asked for a second year option in the RFP. Councilor Winterton said he appreciated the work of the committee and likes to give as much business to Hooksett people as possible. Dr. Shankle said Acapella didn't have the necessary experience and Fire and Police were very concerned about that. Councilor Winterton said public safety is a concern and that is the information he needs to make a decision.

Councilor Duhaime moved, second by Councilor Ross, to award the technology services contract to Block 5 Technologies for one year as recommended, at a cost of \$71,100, and to

202 *authorize the Town Administrator to sign related documents to ensure compliance with*
203 *Administrative Code 5.3. Roll Call #3: Councilor Giotas-yes, Councilor Ross-yes, Councilor*
204 *Duhaime-yes, Councilor Tsantoulis-yes, Councilor Levesque-yes, Councilor Winterton-yes,*
205 *Chairman Sullivan-yes. Motion passed unanimously, 7-0.*

206
207 16.b Contract for Build-Out Analysis for Route 3A
208

209 Dr. Shankle said they have contracted with the Southern NH Planning Commission (SNHPC)
210 to continue the work on 3A that was started. Money from the Warrant Article will be run
211 down. *Councilor Winterton moved, second by Councilor Duhaime, to sign the contract with*
212 *the Southern NH Planning Commission to continue the work on Route 3A as voted on by*
213 *Warrant Article. Motion passed unanimously, 7-0. Councilor Winterton asked if this*
214 *committed the entire amount of \$100,000 to the SNHPC. Dr. Shankle said “no” and they*
215 *were told “we may want them to subcontract as necessary”.*
216

217 16.c Town of Hooksett Municipal Reorganization – **will be addressed after the non-public**
218 **session.**
219

220 **17. SUB-COMMITTEE REPORTS**
221

222 Councilor Tsantoulis had nothing to report from the Board of Assessors and said there were
223 no scheduled meetings right now for the Youth Achiever Committee.
224

225 Councilor Duhaime said the Parks and Recreation Committee met last night. The Kiwanis
226 proposed a new location for the splash pad pavilion. There was a lot of discussion about the
227 Master Plan.
228

229 Councilor Winterton said the Sewer Commission met on Monday. It was a somber meeting
230 due to the death of Roger Bergeron. Richard Byrun will take the third seat until the next
231 election. Stantec firm was hired and directed to leave the meeting and hire people to do the
232 drilling and get engineering costs and make arrangements to build a pump house. The hope
233 is to have the drilling under the river done by the end of August and Mr. Larrabee breaks
234 ground on his hotel by September. The town can't commit any funds but could do a warrant
235 article, within the TIF district. If folks could see the framing of a pump station, major hotel,
236 then going to the voters for borrowing money to be paid off by TIF would be very optimistic
237 and encouraging. Councilor Giotas asked about receipt of federal funds. Councilor
238 Winterton said there are potential grant funds available through Merrimack County but it is
239 incumbent on staff to make sure they find that money.
240

241 Councilor Winterton said the Planning Board met on Monday. Power went out and they
242 finished their meeting in the dark. University Heights came and wanted to make change to
243 the Master Plan. Their suggestion was to take land from University Heights and develop
244 apartments. The suggestion was not received favorably.
245

246 Councilor Winterton mentioned that the library was hosting a “Touch A Truck” event on
247 Saturday which is a wonderful event for kids.
248

249 Councilor Ross said the Conservation Commission met on June 6th. They received the first
250 installment of funds for Golf Road. Reviewed trail construction and got estimates on three

different access points. The Pinnacle kiosk is in place. Panels will have to be reconfigured. Looks great. The paved entrance to Pinnacle is deteriorating.

Councilor Levesque said the Zoning Board of Adjustments met. They granted a request to build out a third apartment for the owner to live in his home as well as his two daughters. The other matter involved 57 Hackett Hill Road to offer day spa and B&B services. Matter was postponed. Applicant will be back in September.

18. PUBLIC INPUT

Mr. Miville asked if there might be a conflict with Mr. Byrun serving on two committees. Chairman Sullivan said they are two separate groups so it is not a conflict.

Mr. Miville said apartments don't add money to the tax base. Dalton Brook Pond was discussed several times by Parks and Recreation. It is overrun with brush and is tick invested. Perhaps the Fire Department could do a practice burn. He said Mrs. Carter seems to claim Dalton Brook Pond and not Carter Pond. He said his wife looked at the deed and there is nothing in the deed that stipulates it should be Carter Pond. Councilor Ross said "don't ever burn brush...you'll be dead".

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 (b) The hiring of any person as a public employee.

19.c 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 of 06/20/18 at 7:47pm. Seconded by D. Winterton.

Roll Call #6

J. Levesque – yes

D. Winterton – yes

J. Giotas – yes

D. Ross – yes

T. Tsantoulis – yes

R. Duhaime - yes

J. Sullivan - yes

Vote in favor (7-0).

J. Sullivan motioned to exit non-public session of 06/20/18 at 8:20pm. Seconded by T. Tsantoulis. Vote unanimously in favor (7-0).

J. Sullivan motioned to seal the non-public session minutes of 06/20/18. Seconded by T. Tsantoulis. Vote unanimously in favor (7-0).

PUBLIC SESSION CONTINUED AT 8:20pm

16c Town of Hooksett Municipal Reorganization

D. Winterton motioned to table the Town of Hooksett Municipal Reorganization to the Town Council meeting of June 27, 2018. Seconded by T. Tsantoulis. Vote unanimously in favor (7-0).

Councilor Winterton and the Town Administrator to meet with Manchester, NH Mayor Craig.

20. ADJOURNMENT

J. Sullivan motioned to adjourn the public session of 06/20/18 at 8:25pm. Seconded by T. Tsantoulis. Vote unanimously in favor (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, July 11, 2018 @ 6:00pm at the Hooksett Town Hall Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to accept \$11,951.44 in grant funds from the Merrimack Conservation Partnership Land Transaction Grant Program to the Town of Hooksett for the Conservation Easement known as the Heroux Property "Clay Pond III" project Heroux Property 73.5 acres, Tax Map 4, Lot 9 North Candia Road per RSA 31:95-b III (a). For maps or questions contact the Community Development Department at 603-268-0279.

Staff Report
Title: K9 Program Donation
Date: 07/11/2018

Background Discussion of Issues
Citizens and business owners, have donated a combined total of \$1,985.00 to the Hooksett Police Department. The money donated is to be used to help fund the K9 Program. Attached is a list of the citizens and business owners who have donated.
Recommendation (Including Suggested motion, if appropriate)
<p>On April 25, 2018, the Town Council approved accepting donations to fund the K9 Program.</p> <p>Motion to accept the donation of \$1,985.00 from citizens and business owners, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III (b) and return that amount to the Police Departments, K9 trust Fund.</p>
Fiscal Impact
None
Prepared By: Captain Jake Robie
Town Administrator's Recommendation

Donations to be accepted at the 7/11/18 meeting

Austin Audette	Hooksett, NH	10.00
Cummings Printing	Hooksett, NH	500.00
Margaret Scribner	Hooksett, NH	5.00
Ronald Tremblay	Hooksett, NH	100.00
Tom Suckley	Goffstown, NH	20.00
Coldwell Banker Realty	Hooksett, NH	250.00
Bluebird Self Storage	Hooksett, NH	1,000.00
The Deerhead Sportsman's Club	Hooksett, NH	100.00
	TOTAL	\$ 1,985.00

Staff Report
Title: UNLICENSED DOGS
Date: 7/11/2018

Background Discussion of Issues
Per NH RSA 466:14, "Town Clerk shall present governing body a list of those owners of dogs that have failed to license or not renewed their dog licenses pursuant to RSA 466:1". Civil forfeiture notices were mailed June 8.
Recommendation (Including Suggested motion, if appropriate)
Refer to statute for guidance.
Fiscal Impact
Unknown
Prepared By: Todd Rainier
Town Administrator's Recommendation

TITLE XLV ANIMALS

CHAPTER 466 DOGS AND CATS

Unlicensed Dogs

Section 466:14

466:14 Warrants; Proceedings. – The town or city clerk shall annually, between June 1 and June 20, present to the local governing body a list of those owners of dogs that have failed to license or not renewed their dog licenses pursuant to RSA 466:1. The local governing body shall, within 20 days from June 20, issue a warrant to a local official authorized to issue a civil forfeiture for each unlicensed dog. The warrant may also authorize a local law enforcement officer to seize any unlicensed dog. The civil forfeiture may be sent by certified mail, or delivered in hand, or left at the abode of the dog owner. The cost of service shall not exceed \$7 and may be recovered by the city or town in addition to the amount of the civil forfeiture. If the unlicensed dog is seized, it shall be held in a town or city holding facility for a period of 7 days, after which time full title to the dog shall pass to the facility, unless the owner of the dog has, before the expiration of the period, caused the dog to be licensed. The owner shall pay the facility a necessary and reasonable sum per day, as agreed upon by the governing body of the town or city and the facility, for each day the dog has been kept and maintained by the facility, plus any necessary veterinary fees incurred by the facility for the benefit of the dog. Before a local law enforcement officer seizes any unlicensed dog, a written warning shall be given to the dog owner.

Source. RS 127:5. CS 133:5. GS 105:5. GL 115:7. PS 118:8. 1891, 60:11. PL 150:18. RL 180:18. RSA 466:14. 1965, 325:2. 1967, 150:1. 1977, 559:1. 1983, 198:1. 1987, 91:1. 1994, 353:7. 1995, 298:10. 1996, 67:5. 2000, 128:1. 2001, 274:7, eff. July 16, 2001. 2014, 178:1, eff. July 1, 2014.

Staff Report

Title: Accept \$11,951.44 in grant funds for the Conservation Easement Deed on the Town Land previous known as the Heroux Property "Clay Pond III" from Merrimack Conservation Partnership Land Transaction Grant Program

Date: 07/11/2018

Background Discussion of Issues
<p>The "Heroux Property" consists of 73.5 acres, Tax Map 4 Lot 9 on North Candia Road is presently owned by the Town of Hooksett and the Hooksett Conservation Commission.</p> <p>On 11/15/17 the Town Council approved a Conservation Easement Deed to Bear-Paw Regional Greenways (BPRG) on this property. Subsequently a warranty deed granting a conservation easement on Heroux property from the Town and Conservation Commission to Bear Paw Regional Greenway and a Warranty Deed with Executory Interest granting to LCHIP was recorded at the Merrimack County Registry of Deeds.</p> <p>The \$11,951.44 grant from Merrimack Conservation Partnership (MCP) Land Transaction Grant Program to the Town was conditional upon the recording of these two deeds.</p>
Recommendation (Including Suggested motion, if appropriate)
<p>Recommend to motion to accept \$11,951.44 from the Merrimack Conservation Partnership Land Transaction Grant Program under RSA 31:95-b, III (a) for the purpose of the Conservation Clay Pond III project.</p>
Fiscal Impact
<p>No Fiscal Impact</p>
Prepared By: Leann Fuller
Town Administrator's Recommendation

Project name: Clay Pond III (Heroux)
 Applicant: Town of Hooksett
 Acres: 73.5
 Amount Requested: \$11,951.44

**Merrimack Conservation Partnership (MCP) Land Transaction Grant Program
 2015 Land Conservation Grants
 Grant Report**

Project Financial Report:

Project Expenses:

Acquisition Cost - value of fee/easement interest to be acquired. An estimated value of the land or interest to be acquired is <u>required</u> , and must include an explanation of how the number was derived.	\$91,000
Eligible Transaction Costs - these expenses may include cost of surveys, appraisals and appraisal reviews, attorney's services to applicant related to the acquisition of fee/easements, title searches, closing services, deed preparation and negotiation, baseline document preparation, easement and land recording, and other professional services. Eligible expenses also include project-related applicant staff time, benefits, mileage, etc.	\$8,500.00 Survey \$1,000.00 Appraisal Update \$995.00 Attorney Fees (Bear-Paw) \$250.25 Title Insurance \$190.00 Recording Fees \$500.00 Environmental Assess. (Bear-Paw) \$1,000.00 Easement Drafting (Bear-Paw Fee)
Other Non-eligible Transaction Costs -- Grant funds may NOT be used to cover fundraising-related expenses, but you may include these costs here.	\$122.54 Other
Stewardship -- Grant funds may NOT be used for land or easement management funds or endowments, but please include any planned stewardship funds here.	\$2,500.00
Total Uses of Funds	\$109,557.79

Sources of Funds:

Public funding (municipal, state, federal)	\$97,606.35
Private funding (foundations, corp., individuals)	\$0
Landowner donation of land value (please note source of estimated value: appraisal, town assessor, etc.)	\$0
Other donated (in kind services etc.)	\$
Grant (cannot be more than 75 % of eligible transaction costs above)	\$11,951.44
Total Sources of Funds	\$109,557.79

Staff Report

Title: Street Name Approval off of Post Road

Date: 07/11/2018

Background Discussion of Issues

A new home being built off of Post Road at Map 6, Lot 22-39 has a driveway between 15 and 17 Post Road. Instead of renumbering lots, the owner would like to name the driveway. The two options supplied were Sunset Drive and Pond View Drive. Fire, Police and Code Enforcement agree that Sunset Drive is too similar to other road names in town and recommend Pond View Drive as an acceptable name.

Recommendation (Including Suggested motion, if appropriate)

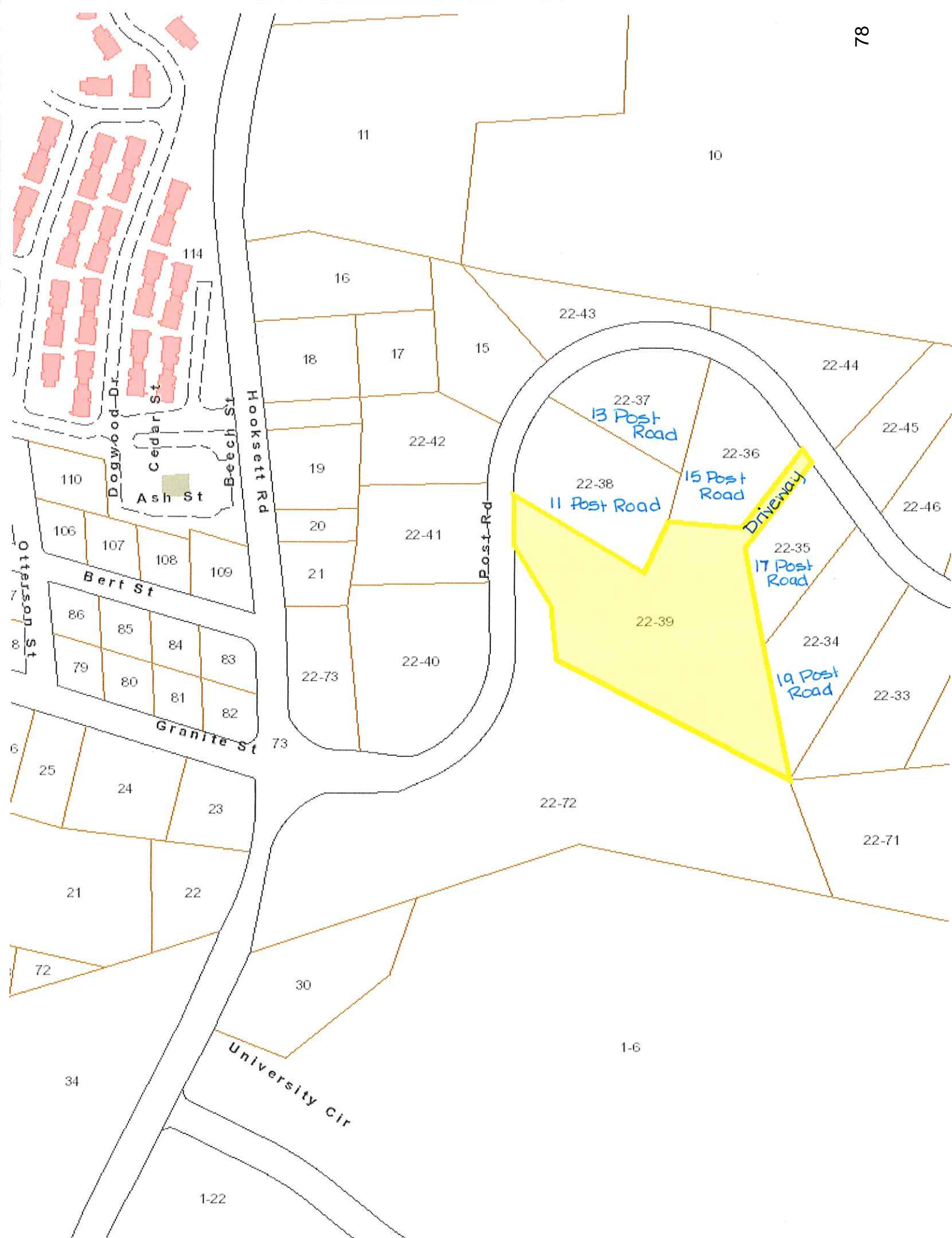
Recommend to motion to approve Pond View Drive as the road name to access Map 6, Lot 22-39.

Fiscal Impact

No Fiscal Impact

Prepared By: Leann Fuller, Administrative Assistant

Town Administrator's Recommendation



STREET NAME

APPROVAL FORM

To: Hooksett Town Council

Date: June 26, 2018

Please review the following name (s) being proposed for new streets in Hooksett. The names have been reviewed for 9-1-1 compatibility and are with the established guidelines. The applicant is presently preparing a submission for the Planning Board and the street names must be approved, by you, prior to being deemed "complete" by the Planning Board.

NAME OF DEVELOPMENT: Carriage Hill Estates

NAME OF DEVELOPER: SPRINGWOOD HOMES & DEV. CORP

<u>PROPOSED NAME (S)</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>	
<u>Sunset Drive</u>	<u>Off of Post Road</u>	<u>Driveway</u>	<u>NO</u>
<u>POND VIEW DRIVE</u>	<u>"</u>	<u>"</u>	<u>Yes</u>

Approved by the Hooksett Town Council _____
(Date)

Town Council Chair _____
 Police Department _____
 Highway Department _____
 Fire Department Steve Colburn _____
 Code Enforcement _____

Amended: March 17, 2004

STREET NAMEAPPROVAL FORM

To: Hooksett Town Council

Date: June 26, 2018

Please review the following name (s) being proposed for new streets in Hooksett. The names have been reviewed for 9-1-1 compatibility and are with the established guidelines. The applicant is presently preparing a submission for the Planning Board and the street names must be approved, by you, prior to being deemed "complete" by the Planning Board.

NAME OF DEVELOPMENT: Carriage Hill EstatesNAME OF DEVELOPER: SPRINGWOOD HOMES & DEV. CORP

<u>PROPOSED NAME (S)</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>
<u>Sunset Drive</u>	<u>Off of Post Road</u>	<u>Driveway</u>
<u>POND VIEW DRIVE</u>	<u>"</u>	<u>"</u>

Approved by the Hooksett Town Council _____
(Date)

Town Council Chair _____
 Police Department _____
 Highway Department _____
 Fire Department _____
 Code Enforcement [Signature]

Amended: March 17, 2004.

STREET NAMEAPPROVAL FORM

To: Hooksett Town Council

Date: June 26, 2018

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NAME OF DEVELOPMENT: Carriage Hill EstatesNAME OF DEVELOPER: SPRINGWOOD HOMES & DEV. CORP

<u>PROPOSED NAME (S)</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>
<u>Sunset Drive</u>	<u>Off of Post Road</u>	<u>Driveway</u>
<u>POND VIEW DRIVE</u>	<u>"</u>	<u>"</u>

Approved by the Hooksett Town Council _____
(Date)

Town Council Chair _____

Police Department Pond View Drive

Highway Department _____

Fire Department _____

Code Enforcement _____

Amended: March 17, 2004.

STREET NAMEAPPROVAL FORM

To: Hooksett Town Council

Date: June 26, 2018

Please review the following name (s) being proposed for new streets in Hooksett. The names have been reviewed for 9-1-1 compatibility and are with the established guidelines. The applicant is presently preparing a submission for the Planning Board and the street names must be approved, by you, prior to being deemed "complete" by the Planning Board.

NAME OF DEVELOPMENT: Carriage Hill Estates
 NAME OF DEVELOPER: SPRINGWOOD HOMES & DEV. CORP

<u>PROPOSED NAME (S)</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>
<u>Sunset Drive</u>	<u>off of Post Road</u>	<u>Driveway</u>
<u>POND VIEW DRIVE</u>	<u>"</u>	<u>"</u>

Approved by the Hooksett Town Council _____
 (Date)

Town Council Chair _____
 Police Department _____
 Highway Department James Bayce
 Fire Department _____
 Code Enforcement _____

Amended: March 17, 2004.

Staff Report

Title: Town Report Business

Date: 6/28/2018

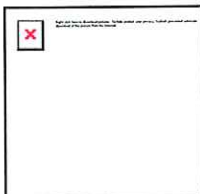
Background Discussion of Issues
<p>Council provides input for the town report on a variety of subjects. Project Coordinator will present details available to council as needed. Generally, topics include, but are not necessarily limited to:</p> <ul style="list-style-type: none">• The Council Chair's Report• Dedications• Cover Pictures or Themes.
Recommendation (Including Suggested motion, if appropriate)
Approve Council Chair's Annual Report and other relevant details presented
Fiscal Impact
Prepared By: Nick Germain, Project Coordinator
Town Administrator's Recommendation
Concur

Staff Report
Title: NHMA Policies 2019-2020
Legislative Policy Process
Date: 7/11/2018

Background Discussion of Issues
<p>Annually, the New Hampshire Municipal Association (NHMA) requests members to review and vote on legislative policies:</p> <p>Floor Policies (07/11/18 Town Council Meeting): Our Town, approved by a majority vote of the governing body, may propose a policy to include: 1) to see if the NHMA will support/oppose, 2) the municipal interest to be accomplished by the proposal and 3) an explanation on the proposal. These floor policies are due to the NHMA by 08/10/18. See attached Floor Policy Proposal form.</p> <p>Voting on NHMA Policies (08/22/18 Town Council Meeting): The Town Council will vote on the attached “Final Policy Recommendations for Legislative Policy Conference” and provide direction to a Council delegate who will attend the Friday, September 14, 2018 9:00am conference and cast our municipality’s vote.</p>
Recommendation (Including Suggested motion, if appropriate)
<p>07/11/18 1) receive NHMA policy packet and begin reviewing, and 2) create any floor policies from the Town of Hooksett, if applicable.</p> <p>08/22/18 1) Vote on all NHMA policies in packet, 2) identify who will be the Council delegate to the 09/14/18 NHMA conference, and 3) provide Council delegate direction on voting at the conference.</p>
Fiscal Impact
To be determined based on final outcome of 09/14/18 NHMA conference.
Prepared By: Donna Fitzpatrick, Administrative Services Coordinator
Town Administrator’s Recommendation

Donna Fitzpatrick

From: NH Municipal Association <governmentaffairs@nhmunicipal.org>
Sent: Wednesday, June 20, 2018 11:57 AM
To: Donna Fitzpatrick
Subject: NHMA 2019-2020 Legislative Policy Process Important Dates!



NEW HAMPSHIRE MUNICIPAL ASSOCIATION

2019-2020 Legislative Policy Process Important Dates!

FLOOR POLICIES DUE: August 10 ♦ **POLICY CONFERENCE: September 14**

7/11/18 Council Meeting

June 20, 2018

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The Legislative Policy Process is moving forward! Please click [here](#) to see the policy recommendations made by NHMA's three policy committees. This document will be posted on NHMA's website, www.nhmunicipal.org, and we also have sent a hard copy of this memo and the policy recommendations to each member municipality.

The policy recommendations are listed by committee: (1) General Administration and Governance; (2) Finance and Revenue; and (3) Infrastructure, Development, and Land Use. Each committee's recommendations are listed in order of priority, as "action," "priority," or "standing" policy recommendations. Click [here](#) for a list of NHMA's Legislative Principles, which also will be considered for re-adoption.

We urge each municipality's governing body, prior to the Legislative Policy Conference, to vote a position on the recommendations and floor proposals (see below) to provide direction to your voting delegate at the conference. Otherwise, your delegate is free to cast your municipality's vote as he or she chooses. For more information about the legislative policy process and the Legislative Policy Conference, please click [here](#).

NOTE: Please do not send your governing body's vote results or opinions to NHMA. Your governing body's discussions and votes are only for the direction

8/22/18 Council Meeting

of your voting delegate. The only way a municipality may vote on these policies is to send a voting delegate to the policy conference on September 14.

Floor Proposals

The deadline for submitting floor proposals is **Friday, August 10**. A floor proposal will be accepted only if it is *approved by a majority vote of the governing body* (Board of Selectmen, Aldermen, or Council) of the town or city submitting the proposal, is submitted in writing, and is received **no later than August 10**. We will mail all floor proposals to each municipality so there will be an opportunity to take a position on them before the Policy Conference. Floor proposals should be in the same format as proposals submitted to the policy committees.

You can find the floor policy form [here](#). To submit a floor proposal, please send it to NHMA, 25 Triangle Park Drive, Concord, NH 03301, or e-mail it to governmentaffairs@nhmunicipal.org.

Legislative Policy Conference

The 2019-2020 Legislative Policy Conference is scheduled for **Friday, September 14, 2018, at 9:00 a.m. at NHMA's office, 25 Triangle Park Drive in Concord**. We will include with the floor proposal mailing a card for each town or city to return indicating who has been appointed as the municipality's voting delegate.

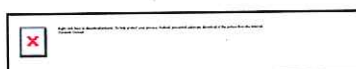
Please call the Government Affairs Department at 800-852-3358 if you have any questions.

NH Municipal Association, 25 Triangle Park Drive, Concord, NH 03301

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**New Hampshire Municipal Association
2019-2020 Legislative Policy Process**

Floor Policy Proposal

Submitted by (name) _____ Date _____

City or Town _____ Title of Person Submitting Policy _____

Floor Policy Proposal approved by vote of the governing body on (date) _____

To see if NHMA will SUPPORT/OPPOSE:

Municipal interest to be accomplished by proposal:

Explanation:

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Mail to 25 Triangle Park Drive, Concord, NH 03301; or email to governmentaffairs@nhmunicipal.org.
Must be received by August 10, 2018.

**New Hampshire Municipal Association
Legislative Policy Process 2019-20**

**Final Policy Recommendations for Legislative Policy Conference
September 14, 2018**

General Administration and Governance

Action Policy Recommendations

1. Funding for the Police Standards and Training Council

To see if NHMA will SUPPORT the continued operation of the New Hampshire Police Academy and the high-quality uniform training it provides for all law enforcement officers in the state, including municipal police officers, which aids in the delivery of quality policing services and interagency cooperation to the benefit of all citizens. As part of this, **to see if NHMA will SUPPORT** continued funding at the state level for the Police Academy and the Police Standards and Training Council. Local law enforcement agencies produce considerable funds through fines and penalty assessment monies which accrue to the State and are used for State purposes. Further, **to see if NHMA will OPPOSE** any increase in municipal costs for police officers to participate in the training, recognizing that municipalities now pay salary, benefits, and all employment-related costs for trainees while at the Academy, as well as providing staff and instructors at no cost to the Academy. **Existing policy, revised by the committee.**

2. Absentee Voting Expansion

To see if NHMA will SUPPORT allowing absentee voting without requiring a reason.

Explanation: At present, 27 states plus the District of Columbia permit absentee voting without requiring an excuse. Maine and Vermont are among the 27. Why not New Hampshire? People are kept from the polls because they are reluctant to say they are “disabled” (especially when they are just elderly) or otherwise find it difficult to vote in person. Voting should not require having to struggle with one’s conscience over whether they fit into one of the state-approved “legitimate” reasons for an absentee ballot. **Submitted by Gail Cromwell, Co-chair, Temple Select Board.**

3. Electronic Poll Books

To see if NHMA will SUPPORT legislation that would enable the use of electronic poll-books for municipalities, with funding coming from the HAVA funds made available to the New Hampshire Secretary of State by the United States Election Assistance Commission specifically for the purpose of improvement to the administration of federal elections in the state, as well as supporting legislative changes to statutes to make the use permissible under state laws. **Existing policy.**

Priority Policy Recommendations

4. Building Plans Under RSA Chapter 91-A

To see if NHMA will **SUPPORT** an amendment to RSA 91-A:5, IV to specifically add building plans/construction drawings contained within a building permit file and/or building plans/construction drawings submitted as part of a building permit application as an exempt record under the statute. **Existing policy.**

5. Municipal Regulation of Firearms

To see if NHMA will **SUPPORT** legislation that would allow for limited local authority regarding possession and use of firearms on municipal property.

- Legislation that would allow municipalities to regulate or limit the use of firearms on municipal property.
- Legislation that would allow municipalities to regulate the carrying of firearms by employees while they are performing the functions of their office or employment.

Explanation: Local governing bodies are best positioned to determine the most appropriate use of municipal land and the actions of their employees. **Submitted by Joan Dargie, Town Clerk, Milford, and revised by the committee.**

6. Welfare Lien Priority

To see if NHMA will **SUPPORT** legislation to give liens for local welfare payments arising under RSA 165:28 a higher priority position, so that those liens fall immediately after the lien for the first mortgage. **Existing policy.**

7. Municipal Departments and MV Information

To see if NHMA will **SUPPORT** legislation to make it clear that municipalities may obtain information about motor vehicles registered to an individual for all governmental purposes such as verifying asset levels when the individual is applying for general assistance or asset-based tax relief and in order to determine the ownership of vehicles for official purposes. **Existing policy.**

Standing Policy Recommendations

8. SB 2 Adoption Process

To see if NHMA will **SUPPORT** amending RSA 40:14, III, regarding adoption of the official ballot referendum (SB 2) form of town meeting, to provide that the question shall be voted on by ballot at the annual meeting, but shall not be placed on the official ballot.

Explanation: Adoption of the official ballot referendum form of town meeting is a fundamental change in a town's governance. It is an action that should be undertaken only after thorough discussion and debate, with an opportunity for the legislative body to be fully informed. Current law requires that the question be placed on the official ballot, so that it is voted on in the voting booth on election day, with no opportunity for discussion or debate. The statement of the question is simply, "Shall we adopt the provisions of RSA 40:13 (known as SB 2) to allow official ballot voting on all issues before the town on the second Tuesday of March?" This provides almost no information about how the SB 2 form of meeting works.

Although the current law does require a public hearing on the question between 15 and 30 days before town meeting, those hearings are poorly attended, so the overwhelming majority of those voting on the question will have heard little or no discussion, and many of them will have a very poor understanding of the issue. Other matters of profound importance to town governance—such as establishing a budget committee and adoption of a tax cap—are voted on at the business session, rather than by official ballot. Adoption of SB 2 is an even more serious step and should be subject to at least a similar level of consideration. Discussion and debate at the business session will help to ensure that voters understand the issues better before voting on the question. **Submitted by Jim Belanger, Moderator, Hollis, and Frank Sterling, Selectman, Jaffrey.**

9. Allowing Towns to Adopt Ordinances Under City Statutes

To see if NHMA will SUPPORT legislation giving towns the same authority to adopt ordinances that cities have under RSA 47:17.

Explanation: State law (RSA 44:2, 47:1) gives cities all of the authority that towns have, but there is no reciprocal statute giving towns the authority that cities have. City councils have broad authority to adopt ordinances under RSA 47:17. Town ordinance authority is governed primarily by RSA 31:39, which grants more limited authority. There seems to be no logical reason for cities to have broader ordinance authority than towns. When towns want to exercise authority that cities already have, it is necessary to amend RSA 31:39 or add a new section in RSA 39. This policy would avoid that necessity and eliminate illogical distinctions between municipal ordinances, which are especially troublesome when a town is unable to adopt the same ordinance that the city next door has adopted. This would not eliminate all distinctions between cities and towns—just the difference between their respective ordinance powers. **Submitted by Tom Irving, Planning Director, Conway.**

10. Public Area "No Smoking" Local Option

To see if NHMA will SUPPORT legislation to authorize the designation of "No Smoking" zones in public areas by local option.

Explanation: Municipalities are charged with the responsibility for provision of the services and to ensure safe secure access to those services. Currently, some services may not be as accessible as they should due to the presence of smoke. There are also the associated costs in keeping areas litter free. The legislation would allow municipalities to define No Smoking zones in a way that meets the community's needs and would include the ability to implement them for health purposes.

Currently New Hampshire permits municipalities to enact ordinances for fire safety and sanitation purposes, but not health purposes, and New Hampshire's state smoking law preempts local

governments from doing so. Access to services is obstructed by the presence of smokers and their associated litter, and that litter might constitute a sanitation issue. The presence of smoke where non-smokers need to pass is objectionable and not supportive of a community's healthy community goal. Each community would have the opportunity for itself to enact local legislation on this issue. Submitted by Andrew Bohanan, Parks, Recreation, and Facilities Director, and Nancy Vincent, Library Director, Keene.

11. Public Notice Requirements

To see if NHMA will SUPPORT legislation to amend all public notice requirements to allow the choice of electronic notification and/or newspaper print, as well as posting in public places, for official public legal notification. Existing policy.

12. Appointment of Town Clerks or Town Clerk/Tax Collectors

Legislative Body: To see if NHMA will SUPPORT legislation to allow the legislative body to authorize the governing body to appoint town clerks and town clerk/tax collectors.

Charter Towns: To see if NHMA will SUPPORT legislation allowing towns that have adopted a charter under RSA chapter 49-D to determine how the town will choose its town clerk.

Existing policy, revised by the committee.

13. Consolidated Policy on Collective Bargaining Items

Evergreen Clause: To see if NHMA will OPPOSE legislation to enact a mandatory so-called "evergreen clause" for public employee collective bargaining agreements.

Binding Arbitration: To see if NHMA will OPPOSE mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining.

Right to Strike: To see if NHMA will OPPOSE a right to strike for public employees.

Mandated Employee Benefits: To see if NHMA will OPPOSE any proposals to mandate employee benefits, including any proposal to enhance retirement system benefits that may increase employer costs in future years, for current or future employees.

Contracted Services: To see if NHMA will SUPPORT legislation to give public employers greater flexibility to privatize or use contracted services.

Existing policy, revised by the committee.

14. Maintenance and Policing of State-Owned Property

To see if NHMA will SUPPORT legislation requiring the State to maintain and adequately support operations on state properties so those properties do not place undue burdens on the host municipalities. This would include legislation

- to enable municipalities to recover expenses of providing municipal services on state-owned property, such as policing relative to illegal activities and allowing municipalities to receive reimbursement/compensation from individuals engaged in the illegal activity; and
- to require the state to adequately maintain its property, including the removal/remediation of abandoned, deficient, hazardous, or blighted structures/facilities.

Existing policy, revised by the committee.

15. Independent Redistricting Commission

To see if NHMA will **SUPPORT** the establishment of an independent redistricting commission for the appointment of representative, senatorial, executive council, and congressional districts. **Existing policy.**

Finance and Revenue

Action Policy Recommendations

1. Use of RSA 83-F Utility Values

To see if NHMA will:

- a) **SUPPORT** legislation that clarifies, under RSA 83-F, that no determination of utility value by the Department of Revenue Administration can be used in any way by the utility taxpayer in any application for abatement of tax under RSA 76:16 or any appeal thereof under RSA 76:16-a or RSA 76:17;
- b) **OPPOSE** any mandate that calls for the exclusive use of the unit method of valuation in the appraisal of utility property, by either administrative or legislative action; and
- c) **SUPPORT** the continuing right of municipalities to use any method of appraisal upheld by the courts.

Revised by the committee to combine two existing policies.

2. New Hampshire Retirement System (NHRS)

To see if NHMA will **SUPPORT** the continuing existence of a retirement system for state and local government employees that is strong, secure, solvent, fiscally healthy, and sustainable, that both employees and employers can rely on to provide retirement benefits for the foreseeable future. Further, to see if NHMA will **SUPPORT** continuing to work with legislators, employees, and the NHRS to accomplish these goals.

To that end, to see if NHMA will:

- a) **SUPPORT** legislation that will strengthen the health and solvency of the NHRS, ensure the long-term financial sustainability of the retirement system for public employers, and consider options and alternatives that provide reasonable changes in contribution rates;
- b) **OPPOSE** any legislation that: 1) expands benefits and would result in increases to municipal employer costs; 2) assesses additional charges beyond NHRS board-approved rate changes on employers; or 3) expands the eligibility of NHRS membership to positions not currently covered;
- c) **SUPPORT** the restoration of the state's 35% share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan;
- d) **SUPPORT** the inclusion of municipal participation on any legislative study committee or commission formed to research alternative retirement system designs and the performance of a complete financial analysis of any alternative plan proposal in order to determine the full impact on employers and employees; and
- e) **OPPOSE** any action to further restrict municipalities' ability to employ NHRS retirees in part-time positions, either through hours restrictions or through imposition of new fees/costs.

Existing policy, revised by the committee.

3. Expansion of Local Authority to Institute Fees

To see if NHMA will **SUPPORT** legislation that allows a municipality to exercise local control of non-property tax revenue streams with local legislative body approval to meet demands for services and/or infrastructure. Examples of such legislation may include such actions as: (a) allowing a municipal to adopt an additional surcharge under the meals and rooms tax on hotel occupancy within the municipality; and (b) allowing a municipality to increase the maximum optional fee for transportation improvements when collecting motor vehicle registration fees. **Existing policy, revised by the committee (existing policy supports a local option meals and rooms tax surcharge).**

Priority Policy Recommendations

4. Enforcement of Motor Vehicle Registration Laws

To see if NHMA will **SUPPORT** amending motor vehicle registration laws to strengthen the enforcement of those laws (through stepping up law enforcement and increasing penalties, including fines) to ensure collection of all state and local registration fees owed by New Hampshire residents.

Explanation: Municipalities are realizing a significant and growing annual revenue loss of motor vehicle permit fees and other fees, due to NH residents registering their automobiles, trucks and all other types of trailers through non-government agents in the State of Maine. Currently, RSA 261:140

only requires a \$100 fine for these violations, an insignificant amount when compared to the much greater savings a resident realizes when obtaining low-cost “multi-year” registrations (up to a 12-year period) through the State of Maine. Municipalities all over the state are vulnerable to online registrations. Businesses with fleets are specifically targeted. **Submitted by Portsmouth City Council.**

5. Lien for Uncollected Ambulance/EMS Billings

To see if NHMA will SUPPORT legislation to ensure the collection of unpaid bills for ambulance and other emergency services.

Explanation: Municipal EMS, unlike hospitals and home health care providers, have no remedy available for the collection of unpaid billing for ambulance service except through a collection agency (@33% fee) or small claims court. These mechanisms do not guarantee the municipality will be made whole and can be punitive to the responsible party when they can least tolerate it. Ambulance service has evolved dramatically from simply transporting individuals to the hospital. Today, early medical intervention significantly increases a patient’s survival probability; therefore municipal EMS is expected to provide costly basic and advanced life support before and during transport. Currently when faced with an unpaid ambulance billing, municipalities have to choose between sending the bill to collections, small claims court, or writing off the bill. Collections or small claims potentially exposes the responsible party to a burden at an inopportune time. To write off the debt unfairly places the financial burden on the taxpayers of the responding municipality. **Submitted by: Barbara Lucas, Town Administrator, and Neil Irvine, Selectman, Town of New Hampton.**

6. Ownership Name Changes

To see if NHMA will SUPPORT legislation requiring entities to file name changes and ownership changes at the registry of deeds to ensure that property taxes are assessed to the proper owner.

Explanation: Presently, name changes and property acquisitions by stockholders are not filed at the registry of deeds. Municipalities don’t know if ownership has changed, resulting in bills and other notices going to improper property owners. **Submitted by: Kathryn Temchack, Director of Real Estate Assessments, City of Concord**

7. Collection of Delinquent Taxes on Manufactured Housing

To see if NHMA will SUPPORT legislation to create a study commission to address municipal concerns regarding delinquent property taxes and/or municipal utility fees on manufactured housing on land of another. Such commission to include appropriate interested stakeholders. **Existing policy.**

8. Tax Exemptions for Charitable Organizations

To see if NHMA will SUPPORT creating a commission to study reimbursement through payments in lieu of taxes (PILOTs) for municipal services provided to exempt charitable properties, including charitable non-profit housing projects under RSA 72:23-k, and **SUPPORT** reimbursement from the state for the costs of municipal services provided to state-owned properties. **Revised by the committee to combine two existing policies.**

9. Clarification of Elderly Exemption, Prorating Disabled, Deaf and Blind Exemptions

To see if NHMA will SUPPORT

- a) Changes in RSA 72:39-a, 72:29, and 72:39-b to define “household income” for elderly exemption qualification consistent with the definition of “household income” used by the state in qualifying residents for the Low & Moderate-Income Homeowners Property Tax Relief Program under RSA 198:56-57 and Rev 1200; and
- b) Legislation prorating the disabled, deaf and blind exemptions under RSA 72:37, 37-b, and 38-b when a person entitled to the exemption owns a fractional interest in the residence, in the same manner as is allowed for the elderly exemption under RSA 72:41.

Revised by the committee to combine two existing policies.

Standing Policy Recommendations

10. Assessment Methodology for Big Box Stores

To see if NHMA will SUPPORT legislation clarifying the assessment methodology for big box stores if used and occupied for the purpose for which they were built. This methodology would not employ comparisons to “dark store” properties abandoned or encumbered with deed restrictions on subsequent use.

Explanation: Large box stores such as Walmart, Lowe’s, Home Depot, Target, etc. have been successful in other states in obtaining large assessment reductions by using comparable sales or rentals of abandoned or deed-restricted properties. **Submitted by: Kathryn Temchack, Director of Real Estate Assessments, City of Concord.**

11. Income Approach on Appeal

To see if NHMA will SUPPORT legislation that prohibits the use of the income approach by a taxpayer in any appeal of value if the taxpayer, after request by the municipality, has not submitted the requested information. **Existing policy.**

12. Charitable Definition and Mandated Property Tax Exemptions

To see if NHMA will OPPOSE legislation that expands the definition of “charitable” in RSA 72:23-1, unless the state reimburses municipalities for the loss of revenue. **Existing policy.**

13. Sale of Tax Deeded Property

To see if NHMA will SUPPORT amending RSA 80:89 to require proof that the municipality *sent* the required notice of impending tax deed rather than proof that the taxpayer actually *received* the notice. **Existing policy.**

14. State Revenue Structure and State Education Funding

To see if NHMA will **SUPPORT** asking the state to use the following principles when addressing the state's revenue structure in response to its responsibility to fund an adequate education:

- That revenues are sufficient to meet the state's responsibilities as defined by constitution, statute, and common law;
- That revenue sources are predictable, stable, and sustainable and will meet the long-term needs and financial realities of the state;
- That changes to the revenue structure are least disruptive to the long-term economic health of the state;
- That the revenue structure is efficient in its administration;
- That changes in the revenue structure are fair to people with lower to moderate incomes.

Further, to see if NHMA will **SUPPORT** legislation prohibiting retroactive changes to the distribution formula for adequate education grants after the notice of grant amounts has been given. **Existing policy.**

15. Changes to the Official Ballot Process and Default Budget

To see if NHMA will **OPPOSE** changes to the official ballot process (SB2) including changes to the calculation of the default budget, unless such changes are a local option presented to the legislative body for approval. **Revised by the committee (existing policy opposed any increase in the 60% bond vote requirement in SB 2 municipalities).**

Infrastructure, Development and Land Use

Action Policy Recommendations

1. Municipal Use of Structures in the Right-of-Way

To see if NHMA will **SUPPORT** legislation granting municipalities a designated space to use for any purpose, including leasing to a private entity, upon all poles, conduit, and other structures within the rights-of-way without paying make-ready costs. This includes a requirement that the owners of utility poles and conduit do the necessary work to make that space available. **Existing policy, revised by the committee.**

2. Municipal Authority to Adopt More Recent Codes

To see if NHMA will SUPPORT legislation enabling municipalities at their discretion to adopt more recent editions of national/international building and fire codes than the current state-adopted editions.

Explanation: Allowing municipalities to adopt current codes will promote best practices for health, safety, and welfare. **Submitted by Portsmouth City Council.**

3. Municipal Cooperation

To see if NHMA will SUPPORT legislation clarifying that municipalities and other political subdivisions may cooperate to perform together any functions that they may perform individually, including but not limited to providing services, raising revenue, constructing and maintaining infrastructure, and engaging in economic development efforts. **Existing policy.**

Priority Policy Recommendations

4. Regulation of Short-Term Rentals

To see if NHMA will SUPPORT legislation authorizing municipalities to regulate short-term rental of residential properties, including licensing requirements and health and safety protections. This should not be interpreted to limit existing authority to regulate such uses through municipal zoning ordinances and land use regulations.

Explanation: Municipalities across the country are increasingly forced to address problems associated with short-term rental of residential housing units, which are typically facilitated through the online platforms of AirBnB, VRBO, Home Away, and others. Problems arise often in single-family residential neighborhoods, in which transient residential occupancy introduces instability and conflict (e.g., noise complaints with no recourse other than to call the police).

Some jurisdictions have already addressed this through legislation, sometimes accompanied by comprehensive agreements with the online platform operators to submit to regulation. A related issue is whether the state is able to collect meals and rooms tax for such temporary uses, which are similar in some regards to B&B operations and hotels/motels. **Submitted by Ben Frost, Planning Board Chairman, Town of Warner.**

5. Highway Funding

To see if NHMA will SUPPORT a state transportation policy that ensures adequate and sustainable funding for state and municipal highways and bridges to promote safe and reliable transportation and corridors and economic development for the citizens of our state and for the travelling public. The policy should include:

- Maintenance of the proportionate share of the state highway fund that is distributed to cities and towns under current law;

- No further diversion of state highway funds for non-highway purposes; and
- Increased funding, which may include the state road toll, highway tolls, local option fees, user assessments, and other revenue sources as necessary.

Existing policy, revised by the committee.

6. Water Quality and Infrastructure

To see if NHMA will SUPPORT legislation that ensures adequate and sustainable investment to maintain or make necessary improvements to the state's critical water infrastructure (public drinking water, wastewater, and stormwater systems, and dams); that works to provide affordable water, wastewater, and stormwater services; that encourages regional and innovative solutions to water, wastewater, and stormwater issues; that supports decisions that rely on science-based standards; that supports local decision making; and that supports economic progress in the state while protecting public health and safety. **Combination of existing policies, revised by the committee.**

7. State Adoption of Building and Fire Codes

To see if NHMA will SUPPORT a policy encouraging the state to: (1) adopt updated editions of national/international building and fire codes; (2) streamline the code adoption process while facilitating examination of changes that benefit the state economy; (3) encourage training opportunities for local code enforcement personnel.

Explanation: Multiple versions of codes are confusing for all parties. The state's adoption of updated codes would simplify municipal decision making in scheduling code ordinance updates. The quality of enforcement varies significantly among municipalities due to different levels of experience and training. Better training would lead to more consistent enforcement. **Submitted by Portsmouth City Council.**

Standing Policy Recommendations

8. Current Use

To see if NHMA will OPPOSE any legislative attempt to undermine the basic goals of the current use program and **OPPOSE** any reduction in the 10-acre minimum size requirement for qualification for current use, beyond those exceptions now allowed by the rules of the Current Use Board. **Existing policy.**

9. Scientific/Technical Standards for Regulatory Legislation

To see if NHMA will OPPOSE regulatory legislation that is not based on relevant scientific and technical standards that are broadly accepted by peer review and feasibly achieved.

Explanation: In the past legislative session, bills were filed that attempted to supersede standards set by regulatory agencies without the applicable deliberation and processes associated with creating regulations. **Submitted by Portsmouth City Council.**

10. Land Use and Environmental Regulation and Preemption

To see if NHMA will SUPPORT legislation that (a) recognizes municipal authority over land use and environmental matters, (b) limits the establishment of comprehensive statutory schemes that supersede local regulation, and (c) recognizes that even when local environmental regulation is preempted, compliance with other local laws, such as zoning and public health ordinances and regulations, is still required. **Existing policy.**

11. Energy, Renewable Energy and Energy Conservation

To see if NHMA will SUPPORT legislation encouraging state and federal programs that provide incentives and assistance to municipalities to adopt energy use and conservation techniques that will manage energy costs and environmental impacts, promote the use of renewable energy sources, and promote energy conservation, and **OPPOSE** any legislation that overrides local regulation. **Existing policy.**

12. Oppose Statewide Zoning Mandates

To see if NHMA will SUPPORT a policy recognizing the legislature's authority to establish statewide priorities in zoning and land use regulation, but **OPPOSE** legislation that limits reasonable local control in implementing those priorities, or that unreasonably mandates specific criteria that municipalities must follow. **Existing policy, revised by the committee.**

13. Conservation Investment

To see if NHMA will SUPPORT permanent funding for the Land and Community Heritage Investment Program and **OPPOSE** any diversion of such funds to other uses. **Existing policy.**