



**TOWN COUNCIL
Regular Meeting
Wednesday, September 26th, 2018
6:00 PM
Council Chambers
Minutes-Official**

CALL TO ORDER

Chairman James Sullivan called the meeting to order at 6:00 pm.

PROOF OF POSTING

Proof of posting was provided by Christine Soucie.

ROLL CALL

Chair James Sullivan, Robert Duhaime, John Durand, John Giotas, David Ross, Timothy Tsantoulis, Donald Winterton and Alex Walczyk.

Christine Soucie, Finance Director

Not in attendance: James Levesque

PLEDGE OF ALLEGIANCE

SPECIAL RECOGNITION

Chair Sullivan announced the special recognition recipients as Christine Soucie presented certificates for those in attendance. Chair Sullivan also mentioned the Employee Appreciation Picnic is scheduled for Friday, October 5th.

5.1 Town of Hooksett Longevity Employees

5 Year Anniversary

- Ann Marie White, Community Development 06/10/18
- Michael Auger, Police 05/20/18
- Valerie Lamy, Police 10/22/17
- Justin Sargent, Police 12/10/17
- James Bradley, Police 10/01/17

10 Year Anniversary

- Donna Fitzpatrick, Administration 03/10/18
- Elayne Pierson, Assessing 10/16/17
- Lee Ann Moynihan, Assessing 07/09/17
- Joshua Brehm, Fire Rescue 06/25/18
- Cynthia Ullrich, Police 04/14/18

- Richard Belanger, Police 03/24/18
- Mario Desaulniers, PW Mechanic 11/19/17

15 Year Anniversary

- Ian Tewksbury, Fire Rescue 03/31/18
- Richard David, Fire Rescue 07/22/17
- Eric Uitts, Fire Rescue 07/01/17
- Mark Glisson, Library 09/02/17

20+ Years Anniversary

- Francine Swafford, Police 12/11/17, 28 years
- Jay Wilson, Police 04/27/18, 32 years
- Gary Blanchette, Police 09/17/17, 33 years
- Diane Boyce, Public Works 07/24/17, 28 years
- Richard Blake, Public Works 10/21/17, 21 years
- Bruce Kudrick, Wastewater 01/08/18, 45 years
- Brian Towle, Wastewater 04/06/18, 31 years
- Linda O’Keefe, Wastewater 10/26/17, 30 years
- Dennis Desrochers, Fire Rescue 07/29/17, 29 years

5.2 Hooksett Municipal Employees- New Hire

No new employees to introduce.

SCHEDULED APPOINTMENTS

APPROVAL OF MINUTES

7.1 Public: 09/05/18

T. Tsantoulis motioned to approve the September 5th, 2018 public meeting minutes as amended, seconded by D. Winterton.

C. Soucie presented amendments to the minutes:

1. Under the heading Budget Overview for FY 2019-2020, the second sentence should read “The operating budget increased by 3.64%...” The third sentence should state “The operating budget was 2.1% higher than the working default.”
2. The motion under the Family Services Budget Review should include the amount of \$162,452.00.
3. The motion under the Administration Budget Review should read “D. Winterton motioned to reduce Technology support by \$5000 to \$66,100.

Vote unanimously in favor.

7.2 Public: 09/12/18

T. Tsantoulis motioned to approve the September 12th, 2018 public meeting minutes as amended, seconded by Robert Duhaime.

D. Ross presented amendments to the minutes:

1. Line 91 should say remind not reminder.
2. Line 144 should read OR lack of support, not OF.

A. Walczyk presented amendments to the minutes:

1. Line 91, add that K-9 Timber does come with a 1 year health and performance guarantee and can be exchanged if he is not a good fit.
2. Line 189, second sentence should be changed to “The advertising requirement cost us \$400 to accept the grant.”
3. Line 413, Tweeter should be Twitter.

Vote unanimously in favor.

7.3 Non-Public: 09/12/18

D. Winterton motioned to approve the September 12th, 2018 non-public meeting minutes as presented, seconded by R. Duhaime. Vote unanimously in favor. D. Ross abstained due to being absent.

AGENDA OVERVIEW

PUBLIC HEARINGS

CONSENT AGENDA

10.1 Acceptance of donation in the amount of \$3,000 from HYAA to the Town of Hooksett for the Public Works Department for Petersbrook Field per RSA 31:95-b, III. (b).

R. Duhaime motioned to accept the donation of \$3,000 from HYAA to the Town of Hooksett for the Public Works Department for Petersbrook Field per RSA 31:95-b, III. (b), seconded by A. Walczyk. Vote unanimously in favor.

D. Ross: I thought the amount was going to be \$4,000?

D. Boyce: They thought they would give us \$4,000 but I believe they gave us what they had and we do not expect an additional \$1,000.

TOWN ADMINISTRATOR’S REPORT-Presented by Christine Soucie

1. Annually the Town Council hosts an Employee Appreciation Picnic. The Council approved this year’s event to take place on Friday, October 5th, 2018. Local businesses have donated food items and gift cards/other items to be distributed to the employees via a raffle. The Town Council needs

to accept the donations of the 2018 Hooksett Employee Appreciated Picnic per RSA 31:95-b III (b) and RSA 31:95-e II.

D. Winterton made a motion to accept donations to the Town of Hooksett for the 2018 Hooksett Employee Appreciation Picnic per RSA 31:95-b III (b) and RSA 31:95-e II, seconded by J. Giotas. Vote unanimously in favor.

2. An email was received from Gayle Maddox expressing her appreciation for the mowing crew that took care of Beacon Hill Road. They did a great job and when she went out to thank them personally they were very professional and friendly. She added that their effort greatly improved the look of the street. She asked that the email gets shared with Diane Boyce.
3. An update was received from Asst. Fire Chief Colburn regarding Block 5. He stated that it was the right decision and as the end users, they have seen a significant difference in the support from Block 5 versus the previous IT Company. The transition was smooth and has made significant progress with the IT systems running smooth and more reliable.
4. There were 2 incidents at the Underhill School on the 23rd or 24th. The Fire Department and Police Department responded to a gas leak and Asst. Fire Chief Colburn stated they identified the issues and did a full test and evaluation during night, everything went smoothly. Chair Sullivan emailed Christine Soucie and stated the Superintendent was pleased with the Fire and Police.

Chair Sullivan mentioned that the Superintendent kept the School Board informed and that the Police and Fire Departments were on the ball and the issues having been resolved.

D. Ross: I was concerned as to why there were no gas detectors. The gas leak happened to the point that people smelled it at the end of the day around 3pm. That needs to be addressed.

Chair Sullivan: The Underhill School is an older school and I am not sure how the other two schools are. Christine has made a note to look into it.

D. Ross: I would like to know if they have Carbon Monoxide Detectors.

Chair Sullivan: Any other questions for the Town Administrator?

R. Duhaime: I am expecting an update of the test coring for the road project including the scheduling and what is going to happen?

D. Ross: Who was directed to do that work? I do not recall any action being taken.

D. Winterton: I believe the vendor offered to do the coring's.

D. Ross: I don't believe that is adequate. If you want to check someone's work, you do not have them check their own work.

R. Duhaime: We were going to pick the locations to be tested. I assume that the Town Administrator is following up on that. I would also like to know if the contractor has been paid.

D. Ross: I thought this would be handled at another venue, if you will, to alleviate anyone being concerned about their reputation. A total disinterested third party should be doing this work.

R. Duhaime: The Town Engineer had not started yet when this work was completed. He is a P.E. and specializes in roads. Whether Dr. Shankle has him do it or not, as long as someone follows up on this, that is what we agreed to. So if years down the road, the road does fall apart, we have recourse.

PUBLIC INPUT

Marc Miville, 42 Main Street: As the Town Moderator, I am concerned that there are still political signs up 10 days after the election. I have sought advice and the Moderator does not have a lot to do with it, it has to do with DPW and DOT departments to clean them up and we don't expect them to do that. I was advised that I could contact those candidates and remind them the signs need to be removed. Second, there was some discussion on social media regarding ZenCity, is that paid for or voluntarily given?

D. Ross: When we had the presentation on it, we were told it was a \$12,000 yearly membership.

D. Winterton: This is public input only.

NOMINATIONS AND APPOINTMENTS

15 MINUTES RECESS

OLD BUSINESS

15.1 Update on the Safety Center Improvement/Renovation Project

Chief of Police Janet Bouchard introduced Anthony Mento and Jason Lacombe from SMP Architecture. Dr. Shankle and Chief Bouchard met with Anthony and Jason to discuss how to start the project. There was discussion about who was going to oversee the project and make sure things went the way we wanted them to go. At that time, Bruce was not on board yet, so there was a discussion regarding different options and they came up with was the possibility of hiring a Construction Manager to oversee the project that person would communicate with Bruce as the liaison for the Town. Dr. Shankle wanted this brought in front of Town Council to get input on it.

Anthony Mento gave some background regarding the project. In 2016, they were engaged to look at the Safety Complex and complete a set of documents to do an interior renovation. It went to Town meeting and the funding for it was approved. At the time, there was discussion with Dr. Shankle and the Chief regarding a Construction Manager for the project. At the time, Dr. Shankle was concerned with that as opposed to putting it out to bid. There was talk about what a Construction Manager offered. Hiring a Construction Manager allows the Town to hire an independent third party person to act on their behalf to

oversee bidding for all duties to subcontractors. The Town would be able to decide who to use for subcontractor work. The Construction Manager would oversee the project and would work to get the best pricing to save money and return any savings back to the Town.

Jason Lacombe: At the time of the conversation there was no Town Engineer. We were the Architects that did the design, engineering and managed the bid process for the Fire Department next to Robies Store. That is considered a design, bid, build selection, where we have a General Contractor. A Construction Manager is engaged based on their qualifications, there are fees associated with that and they help manage the budget process. Since there is a fixed amount of money approved, and in our philosophy, we do not go back to the voters for additional money, so it is really important to have a great budget management tool and a Construction Manager is an asset. We saw that as a real benefit to the process. It is important to keep in mind that the Construction Manager is working on your behalf to save you money and those savings are returned to the Town. It is not like a General Contractor that saves money on a bid project and that is how they fill their profit margin.

T. Tsantoulis: I have some concerns. In this discussion, it was mentioned that a Construction Manager has the ability to return money back to the Town. However, that is not guaranteed in the current state of the economy and it is also hard to get good contractors to do the work and get them lined up. This project can be overrun financially with or without a Construction Manager.

J. Lacombe: The budget was set back in March, roughly a year ago so there have been significant increases in construction pricing. However, that budget has some fairly sizeable contingencies and we still feel that the overall budget can accomplish the need. There is always that risk. The difference is with a Construction Manager they assess the project and budget and give their opinion, before they do the project, of whether there is a budget concern or not. Then they bid to the sub trades on behalf of the Town. We would have an opportunity to see what those bids are and be able to talk to the Construction Manager and the sub-contractors if there is a budget issue. Every construction project has a fair amount of risks and we try to mitigate those.

T. Tsantoulis: The southern part of the country is having disasters such as flooding and hurricanes which takes the construction material costs through the roof. We already have issues against us. I am concerned about bringing on another component in the process.

Chair Sullivan asked for clarification regarding the \$762,500 for the project and if it is overrun, what happens?

C. Soucie: \$762,500 is the bottom line budget and money can be found to transfer into the project.

Chair Sullivan: If the motion was not to exceed and the warrant article specifically stated that, how can it exceed?

D. Ross: The bonds are not to exceed that amount.

R. Duhaime: What is the budget for a Construction Manager?

A. Mento: Originally when the project was developed and we had the preliminary construction budget done for the hard cost of construction, it was done with the intention that it would be a hard bid. We do not have the actual cost of what it would be as of yet. However, if it was hard bid, we have calculated in the profit and overhead.

J. Lacombe: The budget for the hard cost of construction from a year ago is \$600,000. There is a fee for us to manage the project going forward. There are some alternates within construction as well as some pricing for additional security hardware. The remaining is contingencies. There is roughly almost \$100,000 for contingencies within the budget that was allocated.

R. Duhaime: Is there just one person on site?

J. Lacombe: We would do regular site visits, about every other week.

R. Duhaime: Are you going to check to make sure the materials being used are correct?

J. Lacombe: That is what a Construction Manager would do.

R. Duhaime: We have our engineer for any contingencies. What does our engineer think of the project and what part, if any, do you want to play in it?

Bruce Thomas, Town Engineer: I would oversee the Construction Manager and visit every few days to make sure the project is on track. I think a Construction Manager is needed. I do not know about materials involved with this project.

R. Duhaime: I am gun-shy due to recent projects and I do not want it to look like we are throwing out money and not paying attention. I want to see the project go smoothly.

Chief Bouchard: The plan is to stay off the radar with this project.

A. Mento: We recommend a Construction Manager for that reason. They work on your behalf to oversee all the trades to make sure everything is done to meet the design intent and the specifications of the drawings.

D. Winterton: If we go with a Construction Manager, will that give the Town an extra level of security in terms of issues that may prevail 6 months to a year down the road. Does that give the Town someone to go after to make it right?

A. Mento: Typically, they offer a 1 year warranty on all installation and materials. There is that company to call back to repair anything.

J. Lacombe: Anthony is correct but we do have to remember the context when renovating this facility. The first question would be is it work that they put in place or is it from the original? The good Construction

Managers jobs are based on their qualifications and you are paying them a fee for the best price for the subcontractors. Their fee and reputation is how they stay in business. That is an important distinction between them and General Contractors. It is a different business model. When they are working as your advocate, it is in their best interest to make sure problems are addressed and followed through with.

D. Winterton: That is not our history with recent construction projects. You understand why I join in with Councilor Duhaime with being gun-shy.

J. Durand: Why can't the Town Engineer do the job and eliminate the fee for the Construction Manager?

B. Thomas: Construction Manager's will have specific experience related to the project. Quality Control is the most important thing.

D. Ross referred to his construction experience: Usually, there is a plan that goes out to a General contractor to bid on the project as a whole. It is then up to them to manage the project and follow those specs at that price, then the Architects come in to make sure it is being built to the plan. Sticking another person in the mix causes more than one person to blame and causes an issue. The fewer people involved the better. I believe that the Architects are responsible and should not bring in a third party. The Town has a Code Enforcement Officer that will inspect the work. If there are more people to blame, then no one is at fault. The General Contractor does the management of the project, Architects design it and they answer to the owner.

J. Lacombe: You are not wrong. That is a very traditional process that a lot of towns are used to. This is a new method. We are not opposed to a General Contractor. It has been our experience that a Construction Manager offers a better way to execute the project and save the town money. The difference is with anything that changes, everything will be a change order with a General Contractor.

Chair Sullivan: You mentioned The Village Fire Station and the approach you used for that building why would that not work this time?

J. Lacombe: We bid the project, the bids came in then the money was allocated as it was funded through impact fees. The project went smoothly. In this scenario, we completed the design and the budget is a fixed pot of money. We see construction management as an opportunity to manage that budget and address any potential changes.

J. Giotas: Who would prepare the bids if there was not a Construction Manager?

A. Mento: We would in concert with Bruce.

A. Walczyk: Thank you for coming in and proposing this as it is worth exploring. Do you have any experience working with Construction Managers?

A. Mento: The majority of our projects are with Construction Managers because of the significant cost increases. They have been able to soften the blow to communities. With design, bid, build there tends to

be more of the argumentative issues because the subcontractor bids it out so low they are trying to find money wherever possible and it becomes very challenging at times. The Construction Manager manages all of them and makes certain their contract binds them to the bid documents and there is no way to get out of them.

D. Winterton: I am not prepared to vote on this tonight as I would like to investigate more. I have not been able to research the places that have done one and are happy and the places that are not happy. I would like that information. I have no idea what percentage of that \$762,500 would be allocated to a Construction Manager. We have not discussed that. Do we bid it out to Construction Managers and see who comes in at a low bid? How is the scenario different from the Construction Managers to the bid scenario?

J. Lacombe: Most Construction Managers don't have staff to execute work so they rely on sub-contractors and their relationship has to be very good especially in a market like this. Construction Managers value those relationships. The big difference is if a drywall contractor bids a contract at \$100,000, the General Contractor is going to try to get his price down to \$95,000 and pocket the \$5,000. Everything is behind the scenes and the motivation is different.

D. Winterton: Is the Construction Manager getting a percentage of the savings? Please explain the motivation.

J. Lacombe: Not typically. The motivation is making sure the project comes in on budget, it is their reputation and it is their relationship with the Town. It is the service they provide and they are getting paid to do that. The General Contractors motivation is to come in low and come in with a change order.

T. Tsantoulis: The Construction Manager could come in with sub-contractors he has worked with in the past, what guarantees do the board and the Town gets that we won't be taken advantage of?

A. Mento: The Construction Manager will bid every sub trade. Then the Town can decide who to use. It is not always their buddy who gets the job. I can see that happening from time to time on small numbers but not on big line items.

J. Lacombe: With the Construction Management agreement, everything is an open book and transparent. Every month, invoices are received with all of the receipts down to every nail bought. What the contract says is what you will get; it is a cost plus a fee with a guaranteed max price. They assume the risk and make sure the project comes in under budget.

J. Giotas: Typically, what do Construction Managers get?

A. Mento: It varies on the size of the project. We anticipate 4-5%. That amount is carried in the number presented; it is not over and above. Having a Construction Manager would give the Town a far smoother project and that is why we recommend it. It is not our role to be on site every day. That is something the Construction Manager would be doing.

R. Duhaime: Who does the final inspection to make sure it is designed the way the plan said?

J. Lacombe: Our role is to be on site periodically. It is included in our contract to be there every other week to review the scope of work and make sure it is in compliance with the contract documents. It is the Construction Manager or General Contractors role to ensure that everything being installed is per the documents. It is Bruce's role as well as ours to be the oversight. The Construction Manager is a different form of management where they have no benefit to knowingly install something that isn't to specifications.

D. Winterton: If we went with a Construction Manager, would the next step be to bid it out?

J. Lacombe: It is not a bid process, we have a list. It is a qualification based selection process where we would also ask for fees. We want to make sure they are qualified, capable and available for the project. Your project is an all interior project and winter is coming, so it is perfect. We have already had calls from people interested in looking at the project. It takes about 6 weeks to choose a Construction Manager.

Chair Sullivan: Whether we choose to go with the Construction Manager or General Contractor, Bruce's role would be the same and the Architects roles would be the same. With the General Contractor it will be \$762,500, with the Construction Manager it is not to exceed \$762,500 and any savings would come back to the Town. General Contractors keep the savings. Dr. Shankle's recommendation is that he does not have a problem with either one. He wants the Council to feel comfortable with the process.

B. Thomas: My concern is that the Council would rely on me to oversee the mechanical and electrical work. I am not qualified for that. If there is no Construction Manager, the Architects will have to be there more often. I like the idea of a Construction Manager so someone qualified is there on a daily basis. I see it as a quality control issue to prevent any situations.

Chair Sullivan: In your previous position, were both types of projects done and what was your role in that?

B. Thomas: On a typical bridge project, the structural engineer would be there on more or less a daily basis and I would oversee that the whole thing went smoothly. This is a type of project where there are so many different subcontractors that need to be monitored and inspected and there is a need for someone who understands that.

D. Winterton: I would suggest mulling this over and take action at the next meeting.

D. Ross: There are a lot of very reputable General Contractors in this State. The General Contractor's find good subcontractors they use all the time because they trust them. I believe it is far more of an incentive because it is the General Contractors name on the line. We have a plan. If there was a change order, it must be justified and come to the Council. I would be more inclined to give a change order for the Architects to visit more frequently. We have a Code Enforcement Officer, his job is to inspect. I think we are complicating the matter by trying to over manage the project.

T. Tsantoulis motioned to table, no second.

B. Thomas: If we did go without a Construction Manager, I would like these folks to come up with what amount of time would be required to properly inspect the job.

Chief Bouchard: I understand you are comfortable with the traditional way of doing things but obviously that has not been working in Hooksett. Dr. Shankle and I requested that the Architects make us more comfortable with this process. They did not come to us saying “we want you to hire a Construction Manager.” They were nice enough to come up with that option and think outside the box.

Chair Sullivan: Bruce, can you please send clarification of pros and cons of a Construction Manager for the next meeting and this topic will be added to the next meeting agenda.

J. Lacombe: I encourage you all to do some research but be sure to research Construction Managers at risk not Construction Managers not at risk.

C. Soucie: There is a time constraint as some obligation needs to be done by December.

15.2 Budgets – Fiscal Year 2019-2020

C. Soucie: We finished the Operating Budget at the last meeting with a total of \$18,876,365. That number is 2.61% higher than our current operating budget and is 1.72% higher than the default budget with all the changes the Council had made. There was a reduction of \$5,000 from IT services; \$900 reduced for Public Official’s, Trustees of the Trust Fund, Library and Wastewater. There was a reduction of \$88,000 for the NH Retirement, increase in Police training and dues for Special Operations and the Fire Department overtime was reduced by \$50,000. Dr. Shankle asked me to remind you that there was discussion at another meeting about the Old Town Hall and whether it would be funded within the Operating Budget or a Warrant Article. Right now, there is no funding in the Operating Budget for anything on the Old Town Hall renovations, only maintenance. I did provide a list of potential warrant articles that we will be going over in next couple of meetings.

Chair Sullivan: Regarding Old Town Tall, we had discussions at previous meetings and Dr. Shankle laid out his plan for addressing the Old Town Hall and in his suggestion he recommended adding \$50,000 dedicated to that. There was a question whether the previous \$20,000, that had been approved twice, was part of that, and if we were really only approving an additional \$30,000. The \$20,000 was not in there so ultimately, there would be a \$50,000 difference.

R. Duhaime: We want to bring that warrant article forward because it is not in the budget.

C. Soucie: That is your option right now. You can put the full \$50,000 in the Operating Budget because it is no longer in the proposed budget. The other options would be to put it on a warrant article or do nothing.

Chair Sullivan: Two years ago, \$20,000 was dedicated and approved for the Old Town Hall. The budget was defaulted. So ultimately, we are asking to put \$50,000 in the Operating Budget not as a warrant article. That is what was discussed previously.

D. Ross: \$20,000 was in the budget?

C. Soucie: It was. Earlier this fall, there was discussion of putting the whole thing as a warrant article so it was removed from the Town Administrator's request.

Chair Sullivan: Dr. Shankle came back with a different approach.

D. Ross: Let's put it back in the budget.

Chair Sullivan: It was not recommended to be in this budget. Two years ago, it was in the budget and approved because we were thinking of going to a warrant article for the whole project. When Dr. Shankle presented it, he took it out of the budget. After a previous meeting, he came back with a different approach saying that instead of the \$20,000, we should recommend to increase it to \$50,000 in the budget. We weren't sure whether we would be adding \$30,000 because we did not know if the \$20,000 was still in there to bring it up to \$50,000.

C. Soucie: Dr. Shankle would prefer to put it back in the Operating budget. Currently, there is \$0 in the Council's recommended budget.

D. Ross: Is there a line item?

C. Soucie: Yes.

D. Ross: Does that particular account have money in it?

C. Soucie: Yes, it does.

Chair Sullivan: It was included in the building maintenance. We added \$20,000 two years ago to be dedicated to the Old Town Hall project.

D. Ross: I do not agree with it. The Budget Committee will shoot it down. I would be ok with keeping it what it was. This is a project that should be brought to the voters. They have been very perceptive already. The budget keeps growing and now we are presenting one that is higher than the default.

Chair Sullivan: It would either increase by \$20,000 or \$50,000.

D. Winterton: Currently under the Town Administrator's request, his suggestion is to increase it to \$120,000 or \$170,000?

C. Soucie: Dr. Shankle would like it to be \$170,000.

D. Winterton: I support Councilor Ross with a warrant article.

Chair Sullivan made a motion to add \$50,000 to the Town Building: Building Maintenance line, seconded by R. Duhaime.

Chair Sullivan: Ultimately, this will be increasing dedicated funds to \$30,000, the last two years, we added \$20,000.

R. Duhaime: With the celebration coming up in 2022, the building should be done. If we miss this warrant article, we are not in the budget for 2019-2020, and then we are down to two years. If it is a larger amount to finish it and it gets turned down again, we have missed it and won't finish it for 2022. 3 ½ years out is not that far.

D. Winterton: If we get a default budget, that money is not there correct?

C. Soucie: Yes.

D. Ross: If it was already in the budget two years ago, it should be in the default budget.

C. Soucie: The \$20,000 would be.

D. Ross: If we take the \$20,000 out, we are shooting ourselves in the foot. I would not have been in favor of taking the \$20,000 out in the first place.

Chair Sullivan: Nick has some information regarding how much we have dedicated to this project without anyone supporting it except us. We have put in (could be higher) \$91,720.00. We did get money from a grant. That \$91,720.00 does not include grants?

Nick Germain: Yes.

Chair Sullivan: The Town and the taxpayers have paid over \$100,000.

C. Soucie: Just to clarify, Dr. Shankle said that this building would not be completed by 2022 it would be functional.

R. Duhaime: This does not show the amount for the Town employees doing work. Is there a percentage or estimate of that?

N. Germain: I will talk to Diane Boyce about the estimated labor. \$9,800 is the price for the labor for the demolition. The Town did that. This is probably a low estimate.

J. Giotas: The moose grant we just received, is there a timeframe?

N. Germain: I believe it is 2 years but I will check.

D. Winterton: I just want clarification, we are changing the line item we discussed that ends in 436 from the current amount of \$120,000 to \$170,000?

C. Soucie: That is the motion.

D. Winterton: If there was already \$20,000 in there that line would have been \$140,000. The department request was \$142,000, that is where the \$20,000 came out, this motion is to put the \$20,000 back in to get it to \$140,000 plus another \$30,000 to get it to \$170,000 for 2019-2020.

D. Ross: I think we should vote this down and reintroduce a new motion.

Roll Call Vote #1

A. Walczyk Yes

J. Levesque absent

D. Ross No

R. Duhaime Yes

J. Durand No

D. Winterton No

T. Tsantoulis No

J. Giotas Yes

J. Sullivan Yes

(Tie 4-4)

D. Ross made a motion to increase the line item by adding the \$20,000 back in to bring the total to \$140,000, seconded by D. Winterton.

Roll Call Vote #2

A. Walczyk Yes

J. Levesque absent

D. Ross Yes

R. Duhaime Yes

J. Durand Yes

D. Winterton Yes

T. Tsantoulis Yes

J. Giotas Yes

J. Sullivan Yes

(8-0)

Vote unanimously in favor.

D. Ross made a motion to have the Town Administrator prepare a warrant article to add \$100,000 for the renovations and repairs related to Old Town Hall at 16 Main Street, seconded by D. Winterton.

D. Winterton proposed an amendment to the motion: \$100,000 is split to make it \$33,000 per year for the next 3 years. D. Ross did not agree. Motion remains as stated.

C. Soucie: The total estimated cost of the project is \$250,000. If the motion passes it is to instruct the Town Administrator to present wording for the warrant article at the next meeting.

Chair Sullivan: That will wait for when warrant articles are ready.

D. Ross: Would that go into the trust fund?

C. Soucie: The motion is to have the Town Administrator construct a warrant article for this purpose. There are a couple of options. One is to establish a capital project for x amount of years, that can't go in to that trust fund as that is for private donations only. We can't mix tax dollars with private donations. Another option is to do a warrant article (capital project) which does the same thing; more money can go into it but we can't divert those moneys out for another purpose.

D. Ross: That is the intent. That is where the money will go, not somewhere else.

Vote unanimously in favor.

C. Soucie: The new Operating Budget that the Budget Committee will receive is \$18,896,365. That includes the \$20,000 for the Old Town Hall. We are still under 3% for an increase from the current year budget.

15.3 Proposed Town Charter Changes for March 2019 ballot (Moderator sections tabled from Town Council's 08/22/18 meeting)

1. 7.1. C – add “...unless otherwise required or allowed by law or this Charter.”
2. 7.1. F – add new section “F” “Any person elected as Moderator shall not simultaneously be on any judicial or administrative board.”

T. Tsantoulis: I have no interest in removing this from the table.

A. Walczyk made a motion to remove the proposed Town Charter changes for the March 2019 ballot from the table, seconded by D. Ross. Motion passed. T. Tsantoulis opposed.

D. Ross made a motion not to make any changes to 7.1.C or 7.1.F, seconded by J. Durand.

D. Ross: Based on other opinions I have read and heard, I think we should leave it alone. It is not an imperative issue and there are other issues to campaign for on this ballot, specifically the Old Town Hall article. It is going to create unnecessary questions.

J. Giotas: This has come up before and the Council has voted it down.

D. Ross: I had brought it up before but realized it was not a good idea.

Motion passed. A. Walczyk opposed.

NEW BUSINESS

16.1 School Impact Fee Transfer

D. Winterton motioned to transfer \$167,910.47 from the School Impact Fee fund to the Hooksett School District, seconded by D. Ross.

D. Winterton: It seems like we are doing a little better in terms of school funded impact fees.

C. Soucie: All impact fees have increased.

D. Winterton: Do we know how much is left on the school bond?

C. Soucie: I do not know how much is left. This is a very small percentage of the bond payment.

D. Winterton: If that bond were paid off, would we still be sending them this impact fee?

C. Soucie: No. Once this project ends, we will still collect and build in that account. They will have to find an additional project related to growth that meets the standards and prove that is where the funds are going and have it approved.

Roll Call Vote #3

A. Walczyk No

J. Levesque absent

D. Ross Yes

R. Duhaime Yes

J. Durand Yes

D. Winterton Yes

T. Tsantoulis Yes

J. Giotas Yes

J. Sullivan abstained due to serving on the School Board

(6-1, 1 abstention)

Motion passed.

SUB-COMMITTEE REPORTS

J. Giotas: The Recycling & Transfer Advisory Committee met last night. Recycling is at \$108 per ton, which did come down a little, and trash is at \$73 per ton. They are preparing a RFP for privatizing collection.

A. Walczyk: We could use some Hooksett Youth Achievers nominations.

R. Duhaime: The Budget Committee met last Thursday. The School district starts Nov 2nd - Dec 30th. The committee will do the Town section first, then Sewer and Water at the end. We still need two more members for it. The Parks and Rec meeting was lively with the Fun in the Sun discussion. There was another presentation from Kiwanis regarding where they are as far as moving along in the project. The Kiwanis also did a presentation on the winter carnival, which will be an agenda in two weeks. They would like to get that going. They are thinking of a Saturday in January. The Kiwanis will be hiring an event director to run it. Some ideas they have are dog sleds, hurling, snow forts competition on Donati field and an ice skating event. There is an appreciation dinner for HYAA at American legion coming up. There is a parking issue at Clay Pond that the Conservation Commission is working with the neighbor on. The Parks and Rec had concerns of how the Town did not inform parents of the situation that occurred with the Fun in the Sun program. They would also like to see the Town Administrator hire a part time Recreation Director with the money in the fund. They thought there is a line item that contained that. I do not know if that money has ever been approved. Christine, is there a line item for that?

C. Soucie: There is nothing in the Operating Budget but that does not prevent you from adding one. There is money in the Recreation Revolving Fund to support a Part Time Recreational Director.

R. Duhaime: They could not find the PowerPoint presentation that Kiwanis did, it was not online.

C. Soucie: What meeting?

R. Duhaime: Parks and Rec or Town Council last month's meeting.

Chair Sullivan: The Heritage Commission had issues with the Veterans Park restoration and the flowers and other items that need more attention. The DPW and members of the Heritage Commission will be meeting to point out the issues and making sure that area is maintained.

D. Winterton: The Fire Union negotiations are ongoing. We are scheduled to meet with them next week. At the Planning Board's last meeting O'Reilly Auto Parts was approved. They changed their landscape plan significantly. They have at least tried to do some of what we wanted them to do. It is a pretty unsightly building coming down. On the agenda on Monday, there is a project coming before the board for the corner of Smyth road and Londonderry Turnpike. At the corner of Jacob Ave, there is a lot of construction related to the housing development off Londonderry Turnpike called Brookview. It will come down to attach to Smyth Road. Part of the site plan approval was to create a much safer corner at Jacob Ave and Smyth Road.

R. Duhaime: That is a phased plan. The first phase is already sold out. The second phase is to connect to Jacob Ave.

D. Winterton: If you haven't had the chance, just take a drive up there. The road is steep and so are some of the driveways. I am surprised that those driveways fit the grade. Projects are still ongoing in this Town and people want to come here.

D. Ross: Conservation was very busy with the Clay Pond parking plan, abutters were present. The abutter was not pleased with the plan. We requested for her to make her issues specific and then present them. This is just the beginning. Couple of good things, at the Cinemagic site, on one side will be Osbourne's Agway where the house sits and the other is CMC Urgent Care. There will be wetland impacts at both sites. I brought up something that did not have to do with Conservation but I did mention the issue with the Fire Lanes.

D. Winterton: Did they go to TRC?

D. Ross: I don't know, I think they just came to us for wetlands.

R. Duhaime: The Urgent Care is already approved. There is an ambulance lane against the building. Parking is away from the building. When they came in to ZBA and were looking for a variance for the wetland impacts, the ZBA noted to duplicate what CMC had done over on the bypass with the wetlands.

D. Ross: We had no concerns with the telecommunications pole off of bypass 28. I also wanted to mention that we are the lowest budgeted commission in town; we have put \$22,880.25 in the town general fund for timber harvest. We were able to keep up to \$25,000 on Timber harvesting so we have gone well beyond that.

Chair Sullivan: I am on the Economic Development Advisory Committee and based on the discussions we just had, I am confused a little. Under Economic Development we talked about someone going in on the first floor of the United Healthcare building, and off of Hackett Hill, a 3,000 seat dome. A lot of committees are talking about a lot of different projects and I am confused as to where they start.

D. Winterton: The Planning Board wouldn't consider anything until it is brought to the Planning Board. The things that the Economic Development Committee talks about are somewhat conceptual.

R. Duhaime: The Technical Review Committee consists of the ZBA chair, the Code Enforcement Officer, the Engineer, the Public Works Director, Police....etc. It is all staff.

D. Ross: It is a good pattern. They are checking things out first before they go to Planning Board. They check to see if the Conservation Commission has any issues with it. There are mitigation fees involved in both of the projects.

Chair Sullivan: The other thing on Economic Development was conceptually reviewing rezoning a portion of bypass 28. They also talked about a business retention survey and going after the ones they have not approached. As well as someone who approached the Economic Development regarding reviving the Farmers Market and the location of that including around the Lilac Bridge. We are sending information to the person who approached the Economic Development about that.

PUBLIC INPUT

Marc Miville, 42 Main Street: I want to clarify some comments made on the staff report regarding the moderator charter change. There are some comments on here that I spoke with Dr. Shankle about and he said I could talk to the Council about it. However, I was not given the chance to speak to the Council prior to the vote on this topic. I am not sure why I am trying so hard to volunteer in town and as a result of that vote, I will no longer try. The recent decision on the charter was “do you want a moderator, any moderator to be allowed to do any volunteer work on a board or committee to help the town determine its future.” This charter change, according to the staff report, it said “The person it would help...” It does not help me to volunteer, I am helping the Town. I was insulted by that comment on the staff report and that is why I am coming here to clarify it. Volunteers help the town; it does not help me to put up with all of this. I love doing it but I am now being precluded from doing it so I will not ask any more to do it. If you do not want my help, I will no longer offer it. The Council, to me, should not be merely dismissing years of knowledge and experience that I have generated to help this town. This charter change does not help me; I am still interested in helping the town and motivated to contribute. I spoke to Mary Farwell and Don Riley who created the charter, their response is they did not give the charter a second thought; it was a previous charter from another town. Previous moderators had no desire to serve on other boards. I still do. Other moderators in the state currently serve on other boards. I am precluded from doing that in this Town Charter. Regarding a comment on the staff report that people involved and not the principles would be a factor. If I didn't think the principles were not involved in this, I would not have spoken to Attorney Steve Buckley for an hour regarding this. I would not have spoken to the Secretary of State's Attorney and fellow moderators if it wasn't about the principles that follow RSA 669:7. The State law is more lenient than the Town Charter. My suggestion was to merely match the state law. The previous moderator who served for two years, currently still serves as an assistant moderator, I swore her in and she does admirable work. We have more women than men on the election committee. She worked from 7am to 11pm as my assistant. Hooksett has changed a lot in the last 30 years and I believe the Charter should have changed with it and it is unfortunate that it has not.

NON-PUBLIC SESSION

19.1 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.

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

Chair Sullivan motioned to enter the non-public session of 09/26/18 at 8:32pm, seconded by D. Winterton.

Roll Call Vote #4

A. Walczyk Yes

J. Levesque absent

D. Ross Yes

R. Duhaime Yes

J. Durand Yes
D. Winterton Yes
T. Tsantoulis Yes
J. Giotas Yes
J. Sullivan Yes
(8-0)

Vote unanimously in favor.

D. Winterton motioned to exit the non-public session of 09/26/18 at 9:05 pm, seconded by T Tsantoulis. Vote unanimously in favor (8-0).

Chair Sullivan motioned to seal the non-public session minutes of 09/26/18, seconded by R. Duhaime. Vote unanimously in favor (8-0).

ADJOURNMENT

Chair Sullivan motioned to adjourn the public session of 09/26/18 at 9:06pm, seconded by R. Duhaime. Vote unanimously in favor (8-0).

Respectfully Submitted

Leann Fuller
Recording Clerk