



AGENDA

Town of Hooksett Town Council

Wednesday, September 25, 2019 at 6:00 PM

A meeting of the Town Council will be held Wednesday, September 25, 2019 in the Hooksett Municipal Building commencing at **6:00 PM**.

	Page
1. CALL TO ORDER	
2. PROOF OF POSTING	
3. ROLL CALL	
4. PLEDGE OF ALLEGIANCE	
5. AGENDA OVERVIEW	
6. PUBLIC HEARINGS	
7. SPECIAL RECOGNITION	
7.1. Town of Hooksett Longevity Employees Staff Report - SR-19-163 - Pdf	3 - 4
7.2. Hooksett Youth Achiever of the Month	
7.3. Hooksett Police - Swearing-in ceremony	
7.4. Hooksett Municipal Employee - New Hire	
8. SCHEDULED APPOINTMENTS	
8.1. Old Home Day Committee Chairperson, Carrie Hyde - request for additional Town donation to support Old Home Day event	
9. CONSENT AGENDA	
9.1. Course Reimbursement - EMS in the Warm Zone Staff Report - SR-19-148 - Pdf EMSITWZ reimbursement-check	5 - 7
9.2. Surety Release-DAR Builders, LLC Well Radius Surety Staff Report - SR-19-159 - Pdf	9 - 12
10. TOWN ADMINISTRATOR'S REPORT	
11. PUBLIC INPUT - 15 MINUTES	
12. NOMINATIONS AND APPOINTMENTS	
12.1. September Nominations and Appointments Staff Report - SR-19-162 - Pdf	13 - 27
13. BRIEF RECESS	
14. OLD BUSINESS	

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

14.1.	FY 2020-21 Budget and Warrant Articles Staff Report - SR-19-161 - Pdf	29
15.	NEW BUSINESS	
15.1.	Old Home Day Committee Request for Additional Donation Staff Report - SR-19-164 - Pdf	31
15.2.	School Impact Fee Transfer to School District Staff Report - SR-19-160 - Pdf	33 - 34
15.3.	Resource Management Ins. - biosolids on farmland - DES Permit	
16.	APPROVAL OF MINUTES	
16.1.	Public: 09/04/19 Budget Review TC Budget Workshop Minutes 9.4.19 - U	35 - 44
16.2.	Public: 09/11/19 TC Minutes 09.11.19-U	45 - 59
16.3.	Non-Public: 09/11/19	
17.	SUB-COMMITTEE REPORTS	
18.	PUBLIC INPUT	
19.	NON-PUBLIC SESSION NH RSA 91-A:3 II	
20.	ADJOURNMENT	
	PUBLIC INPUT	
1.	Two 15-minute Public Input sessions will be allowed during each Council Meeting. Time will be divided equally among those wishing to speak, however, no person will be allowed to speak for more than 5 minutes.	
2.	No person may address the council more than twice on any issue in any meeting. Comments must be addressed to the Chair and must not be personal or derogatory about any other person.	
3.	Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Council and Town Administrator, will determine if the question can be answered at that time. Questions cannot be directed to an individual Councilor and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Administrator who will be responsible for researching and responding to the comment directly during normal work hours or by bringing to the Council for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.	
4.	Council members may request a comment be added to New Business at a subsequent meeting.	
5.	No one may speak during Public Input except the person acknowledged by the Chair. Direct questions or comments from the audience are not permitted during Public Input.	

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

Town Council **STAFF REPORT**



To: Town Council
Title: Town of Hooksett Longevity Employees
Meeting: Town Council - 25 Sep 2019
Department: Administration
Staff Contact: Donna Fitzpatrick, Administrative Services Coordinator

BACKGROUND INFORMATION:

The Town Council Rules of Procedures has a Special Recognition section of Council agendas "Longevity Employees (at Council's last regularly scheduled meeting each September)". At the Council's September 25, 2019 meeting, Administration will recognize those Town of Hooksett employees with consecutive employment anniversaries of 5 years, 10 years, 15 years or 20 years or more within this last fiscal year (July 1, 2018– June 30, 2019).

At the annual Employee Appreciation Picnic on October 11, 2019 12:00pm-1:30pm at the Town Hall gymnasium, these same longevity employees will be recognized and celebrated amongst their co-workers.

RECOMMENDATION:

Join Administration in recognizing and celebrating Town of Hooksett employees for their length of service with the Town.

ATTACHMENTS:

[2019 LONGEVITY EMPLOYEES](#)

2019 LONGEVITY EMPLOYEES

5 YEAR ANNIVERSARY

Matthew T. Lavoie, Community Development 8/13/2018
Daniel J. Byers, Police 2/24/2019
Joseph L. Ducharme, Police 2/24/2019
Sheryl A. Kiley, Policy 7/1/2018
David A. Scarpino, Police 8/19/2018
Dale A. Cutter, PW-Highway 12/9/2018
James F. King, PW-Highway 10/28/2018
Jason A. Picott, PW-Highway 10/28/2018

10 YEAR ANNIVERSARY

Robert J. Wolinski, Fire-Rescue 12/1/2018
Christine Barry, Police 5/4/2019
Paul G. Devarenne, PW-Parks, Rec, Cementary 7/1/2018
Sandra J. Soule, PW-Facilities/Custodians 6/2/2019

15 YEAR ANNIVERSARY

Joshua M. Grover, Fire-Rescue 4/12/2019
Kristofer E. Dupuis, Police 3/1/2019
Evelyn F. Horn, PW 3/29/2019
Philip A. Arnone, PW-Parks, Rec, Cementary 9/2/2018
Robert S. Hebert, PW-Parks, Rec, Cementary 8/4/2018
Gregory B. Moyer, Recycle-Transfer Drivers 3/15/2019

20+ YEARS ANNIVERSARY

Scott Tremaine, Wastewater 5/24/2019 = 20 years
Richard Blake, Public Works 10/21/2018 = 22 years
Francine Swafford, Police 12/11/2018 = 29 years
Linda O'Keefe, Wastewater 10/26/2018 = 31 years
Brian Towle, Wastewater 4/6/2019 = 32 years
Jay Wilson, Police 4/27/2019 = 33 years
Gary Blanchette, Police 9/17/2018 = 34 years
Bruce Kudrick, Wastewater 1/8/2019 = 46 years

Town Council
STAFF REPORT



To: Town Council
Title: Course Reimbursement - EMS in the Warm Zone
Meeting: Town Council - 25 Sep 2019
Department: Fire and Rescue
Staff Contact: Joseph Stalker, Captain

BACKGROUND INFORMATION:

In late 2017, a grant was approved by the town council for a Warm Zone EMS grant, which funded ballistic equipment and training for Firefighters to respond to active shooter events. The training program required was held in March of 2019 and was attended by six (6) firefighters from the department. This reimbursement check refunds the costs associated with the overtime of these six (6) firefighters from the State of NH - Homeland Security and Emergency Management (HSEM).

FINANCIAL IMPACT:

Overtime costs reimbursed totaling \$1,578.83 to be returned to the department overtime line.

POLICY IMPLICATIONS:

N/A

RECOMMENDATION:

Recommend the town council accept the reimbursement check from the NH-HSEM and be deposited into the departments overtime line.

SUGGESTED MOTION:

Motion to accept the the reimbursement check from NH-HSEM totaling \$1,578.83 and the funds be returned to the department's overtime line.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[EMSITWZ_reimbursement-check](#)

State of New Hampshire
Vendor Payments

Check Number: 2966149
STATEMENT OF REMITTANCE

VOUCHER NUMBER	INVOICE NUMBER	DESCRIPTION	CONTACT INFORMATION	DATE	AMOUNT
4371933	HOOKSETTFIRE060319	**PROGRAM REIMBURSEMENT	(603) 271-7668 Sharon Waterman	06/03/19	1,578.83



If you have further payment questions, reference the contact information provided next to the line item in question. Page 1 of 1 TOTAL 1,578.83

INFORMATIONAL MESSAGE

Questions On Your Payment?

Please use the contact information provided above in the fourth column from the left.

REMOVE DOCUMENT ALONG THIS PERFORATION

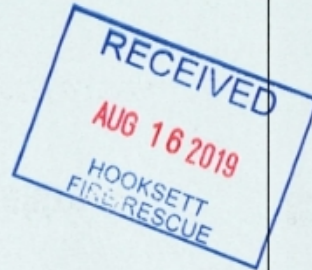
State of New Hampshire Office of State Treasurer 25 Capitol Street - Rm. 121 Concord, NH 03301	State of New Hampshire Vendor Payments	Bank of America Concord, NH 51-44 / 119
PAY EXACTLY <i>One Thousand Five Hundred Seventy Eight and 83/100 Dollars</i>		\$ *****1,578.83
PAY TO THE ORDER OF TOWN OF HOOKSETT FIRE RESCUE DEPT 15 LEGENDS DR HOOKSETT NH 03106		VOID AFTER 365 DAYS Authorized Signature

⑈02966149⑈ ⑆011900445⑆ 000000011123⑈

State of New Hampshire
Vendor Payments

Check Number: 2966149
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Questions On Your Payment?

Please use the contact information provided above in the fourth column from the left.

REMOVE DOCUMENT ALONG THIS PERFORATION

State of New Hampshire
Office of State Treasurer
25 Capitol Street - Rm. 121
Concord, NH 03301

State of New Hampshire
Vendor Payments
08/14/19

Bank of America
Concord, NH
51-44 / 119

2966149

PAY EXACTLY *One Thousand Five Hundred Seventy Eight and 83/100 Dollars*

PAY TO THE ORDER OF TOWN OF HOOKSETT
FIRE RESCUE DEPT
15 LEGENDS DR
HOOKSETT NH 03106

\$ *****1,578.83

VOID AFTER 365 DAYS

William E. Dyer
Authorized Signature

⑈02966149⑈ ⑆011900445⑆ 000000011123⑈

Town Council
STAFF REPORT



To: Town Council
Title: Surety Release-DAR Builders, LLC Well Radius Surety
Meeting: Town Council - 25 Sep 2019
Department: Community Development
Staff Contact: Leann Fuller, Community Development Clerk

BACKGROUND INFORMATION:

Prior to the issuance of a Certificate of Occupancy a certified plot plan is required to be submitted to the Building Department. At this time, it was found that the 75-foot protective well radius was outside of the property line for 39 Churchill Drive. This is prohibited per the Town of Hooksett Development Regulations 11.13 (3) "Private wells shall include a 75-foot protective well radius....The entire well radius must be contained within the property lines." The developer was then informed they must submit a \$6,000 surety to ensure compliance with the Development Regulations. Compliance with the Development Regulations required receiving a waiver from the Planning Board and signing and recording the Release Form for Protective Well Radii provided by the State of NH Department of Environmental Services.

The Planning Board approved the well radius waiver at their meeting on Monday, September 9, 2019. The Release Form for Protective Wall Radii was signed and recorded on August 19, 2019.

RECOMMENDATION:

Recommend the release of the \$6,000 cash surety to DAR Builders, LLC.

SUGGESTED MOTION:

Motion to release the \$6,000 cash surety to DAR Builders, LLC.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[39 Churchill Bond Release Request, As-Built and Well Radii Form](#)

Leann Fuller

From: Nicholas Moreau <nmoreau15@yahoo.com>
Sent: Tuesday, September 10, 2019 8:12 AM
To: Leann Fuller
Subject: Request to release bond for 39 Churchill Drive

Hello Leann,

This is a formal request to release the bond held for the well radius exemption at 39 Churchill Drive. The amount of the bond was \$6,000.00. Please remit the check to,

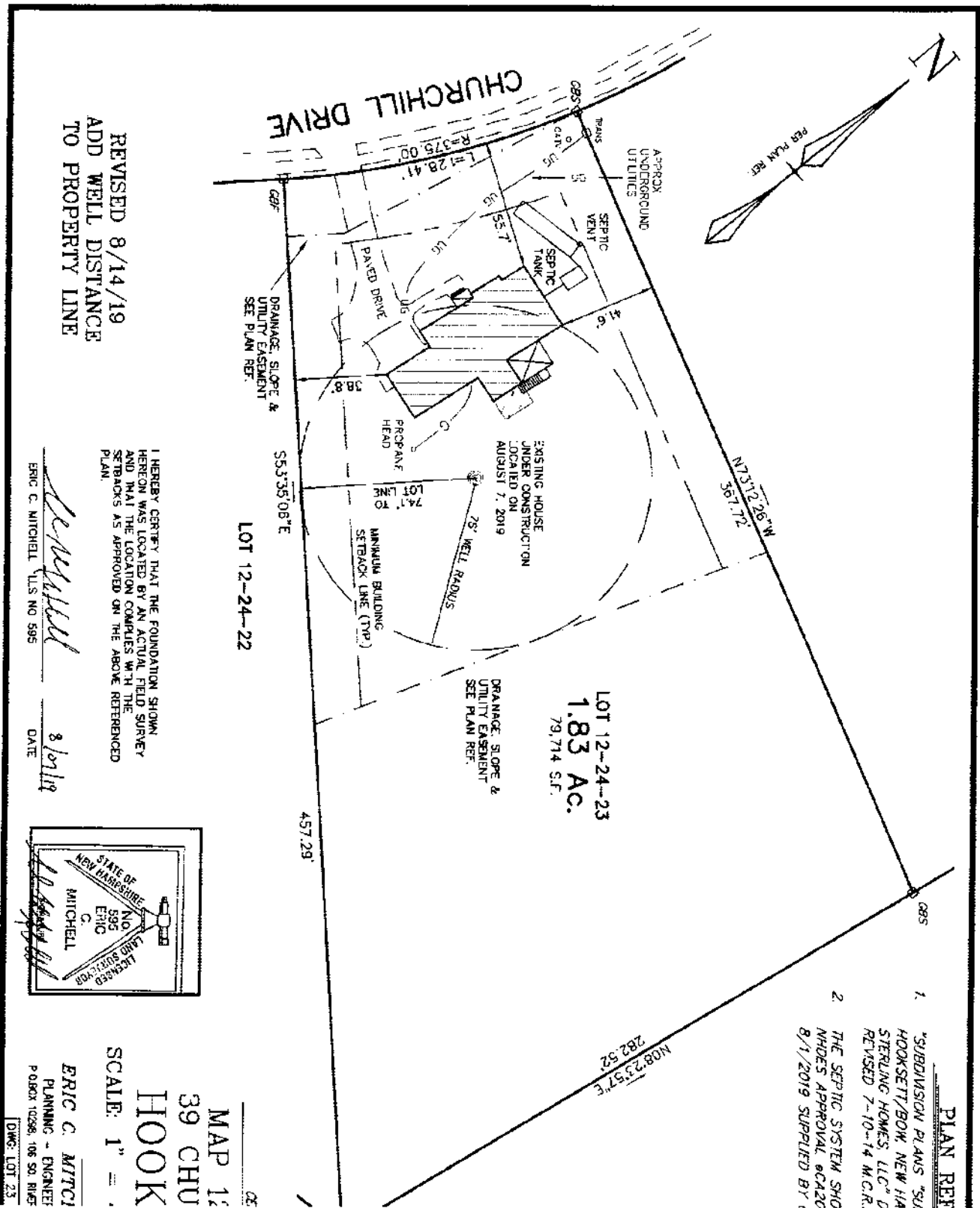
DAR Builders, LLC
305 Massabesic Street
Manchester, NH 03103

Thanks,

Nicholas J. Moreau

Project Manager
D.A.R. Builders, LLC
R.J. Moreau Communities, LLC
Signature Homes, LLC

Cell: 603-682-0603



EFiled 201900014622 Recorded in Merrimack County, NH In the Records of Susan Cragin, Register
BK: 3642 PG: 2774, 8/19/2019 12:31 PM RECORDING \$10.00 SURCHARGE \$2.00



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
Subsurface Systems Bureau
29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
603-271-3501 FAX 603-271-6683



Release Form For Protective Well Radii
RSA 485-A:30-b

This form must be typewritten and all signatures must be in black ink

CHECK ONE: ☐ Non-conforming Original Placement ☒ Change in Well Location

For Property owned by **DAR BUILDERS, LLC**

Owner mailing address **305 MASSABESIC STREET, MANCHESTER, NH 03103**

Property location **39 CHURCHILL DRIVE** Town/City **HOOKSETT**

County of **MERRIMACK** ;as described in deed dated **9/5/2018**

Recorded at Book **3607**, Page **615**, Tax Map **12**, Lot **24-23**

Subdivision Approval No. **201400015387** Construction Approval No. **eCA2018041314**

- I understand that my well will be located closer than the recommended extent of a protective well radius to my property line. (75' for up to 750 GPD if a dug/shallow or drilled well.)
- I understand that current state law does not protect my well beyond the boundary of my property and that the rules of the Department of Environmental Services allow a leachfield to be installed as close as 10 feet to the property line which may result in a leachfield on abutting property being installed closer than 75 feet to my well.
- I understand that I cannot prevent a leachfield from being installed on abutting property within 10 feet of the property boundary solely on the basis of my well location.
- I understand that with proper well construction, including drilling the well into bedrock, casing the well and sealing the casing, the risk of contamination from any leachfield closer than 75 feet to my well can be minimized.
- I understand that I have no cause of action against the State of New Hampshire or any owner of the abutting property if my well becomes contaminated as a result of the decreased setback distance.

Owner's Signature:  8/19/2019
Type or Print Name Réginald Morcau Date

Owner's Signature: _____ Date _____
Type or Print Name

*** IF THE ON-LOT PROTECTIVE WELL RADIUS IS LESS THAN THE OPTIMUM PRESCRIBED STANDARD, THIS RELEASE FORM SHALL BE RECORDED IN THE REGISTRY OF DEEDS. A COPY OF THE RECORDED FORM MUST BE SENT TO THE DEPARTMENT OF ENVIRONMENTAL SERVICES AND TO THE CODE ENFORCEMENT OFFICER OR OTHER MUNICIPAL OFFICIAL.

Rev. 11/99

Town Council

STAFF REPORT



To: Town Council
Title: September Nominations and Appointments
Meeting: Town Council - 25 Sep 2019
Department: Administration
Staff Contact: Nick Germain, Project Coordinator

BACKGROUND INFORMATION:

In late August two individuals were referred to the Administration Department for consideration for appointed positions on the Conservation Commission and Planning Board. Since

William Herlicka is seeking to appointment to the Planning Board and Conservation Commission.

James Fortin is seeking an appointment to the Planning Board.

There is currently one Alternate position open on the Planning Board, while the Council may choose to appoint someone as an Alternate the Conservation Commission. The Conservation Commission has more Alternates than it has traditionally had previously, but that number is still under the theoretical limit recommended by legal counsel; at or below the total number of the main board.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None. There is currently one Planning Board Alternate position while Council has the legally appropriate ability to appoint another Conservation Commission Alternate. Quorums seem to be a challenge on occasion.

RECOMMENDATION:

Nominate Mr. Herlicka as an Alternate to the Conservation Commission and Mr. Fortin as the Planning Board Alternate.

SUGGESTED MOTION:

"I nominate Mr. Herlicka to a term as an Alternate to the Conservation Commission to expired 6/30/2022."

"I nominate. Mr.Fortin to a term as an Alternate to the Planning Board to expire 6/30/2020"
 No seconds required.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[September 2019 Nominations, Appointments, and Openings](#)

[Herlicka Application](#)

[James Fortin - Board Application](#)

September Nominations

None

September Appointments

None

Available Appointed Town Positions

Entity	Available	Available Positions	Expiration	Contact Town Staff
Heritage Commission	James Sullivan	(x2) Commissioner	6/30/2021	Administration
		(x2) Alternate	6/30/2021	Administration
Town Hall Preservation Committee	James Sullivan	(x4) Committee Member	6/30/2021	Administration
Planning Board	Robert Duhaime	(1)Alternate Member	6/30/2022	Community Development
Parks and Recreation Advisory Board	Alex Walczyk	1 Member	6/30/2022	Public Works
Zoning Board of Adjustment	James Levesque	(1) Alternate	6/30/2021	Community Development
				Last updated 9/9/2019



Town of Hooksett

APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: 9.2.19
Name: William Herlich Phone: 603 244-8593
Address: 59 Stirling Ave Hooksett NH
Email Address: bherlich@gmail.com
Signature: [Signature]

Return completed form to: Town of Hooksett, 35 Main Street, Hooksett NH 03106,
Attn: Administration Department or email to NGermain@hooksett.org

I am willing to serve on the following Town Boards/Committees/Commissions. I understand if appointed, I am required to attend the regular meetings.

BOARDS, COMMISSIONS & COMMITTEES

	Role Preference Alternate, Regular, or None?
<input checked="" type="checkbox"/> Conservation Commission	<u>Regular</u>
<input type="checkbox"/> Economic Development Advisory Committee	
<input type="checkbox"/> Heritage Commission	
<input type="checkbox"/> Parks & Recreation Advisory Board	
<input checked="" type="checkbox"/> Planning Board	<u>Regular</u>
<input type="checkbox"/> Recycling & Transfer Advisory Committee	
<input type="checkbox"/> Town Hall Preservation Committee	
<input type="checkbox"/> Zoning Board of Adjustment	
<input type="checkbox"/> Other (Please specify.)	

2

How long have you been a resident of Hooksett?

17 years

Why are you seeking this position?

I'd like to become involved with our town

Do you have any specific goals or objectives?

balanced review of issues and keeping the discussion and town growth positive

Please list special skills, talents or experience pertinent to the position sought:

I have extensive experience managing projects, clients and events.

Please list any potential conflicts of interest you may have if appointed for a board or commission:

I have no current conflicts

Please list any work, volunteer, and/or educational experience you would like to have considered:

I work for Spectrum Marketing and run the Manchester Brew Festival for the past 7 years

Please list any current/prior Town board membership and the dates of service:

n/a

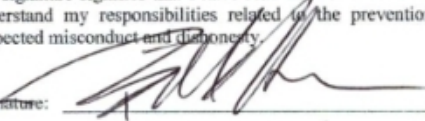
Town of Hooksett
35 Main Street
Hooksett, NH 03106

FRAUD POLICY

Recognition & Awareness Form

Acknowledgement:

My signature signifies that I have read the Town of Hooksett's Fraud Policy and that I understand my responsibilities related to the prevention, detection and reporting of suspected misconduct and dishonesty.

Signature: _____

Print Name: Bill Herlihy

Date Signed: 9-1-19

Department Head Signature: _____



Town of Hooksett

APPLICATION FOR APPOINTED TOWN BOARD POSITION

Date Submitted: _____

Name: _____ Phone: _____

Address: _____

Email Address: _____

Signature: *[Handwritten Signature]* _____

Return completed form to: Town of Hooksett, 35 Main Street, Hooksett NH 03106,

Attn: Administration Department or email to NGermain@hooksett.org

I am willing to serve on the following Town Boards/Committees/Commissions. I understand if appointed, I am required to attend the regular meetings.

BOARDS, COMMISSIONS & COMMITTEES

Role Preference

Alternate, Regular, or None?

___ Conservation Commission	_____
___ Economic Development Advisory Committee	_____
___ Heritage Commission	_____
___ Parks & Recreation Advisory Board	_____
___ Planning Board	_____
___ Recycling & Transfer Advisory Committee	_____
___ Town Hall Preservation Committee	_____
___ Zoning Board of Adjustment	_____
___ Other (Please specify.)	_____

How long have you been a resident of Hooksett?

Why are you seeking this position?

Do you have any specific goals or objectives?

Please list special skills, talents or experience pertinent to the position sought:

Please list any potential conflicts of interest you may have if appointed for a board or commission:

Please list any work, volunteer, and/or educational experience you would like to have considered:

Please list any current/prior Town board membership and the dates of service:

Town of Hooksett

35 Main Street
Hooksett, NH 03106

FRAUD POLICY

Recognition & Awareness Form

Acknowledgement:

My signature signifies that I have read the Town of Hooksett's Fraud Policy and that I understand my responsibilities related to the prevention, detection and reporting of suspected misconduct and dishonesty.

Signature: 

Print Name: _____

Date Signed: _____

Department Head Signature: _____

Town of Hooksett

35 Main Street
Hooksett, NH 03106

FRAUD POLICY

Section 1. Introduction

1.1 Financial accountability is a top priority for the Town of Hooksett. The Town's fraud policy formalizes the expectations of personal honesty and integrity required of Town officials and employees. The Town of Hooksett is committed to protecting its revenue, property, information and other assets from any attempt, either by members of the public, contractors, sub-contractors, agents, intermediaries or its own officials and employees, to gain by deceit, financial or other benefits at the expense of the Hooksett taxpayers.

Section 2. Purpose

2.1 The purpose of this document is to communicate municipal policy regarding the deterrence and investigation of suspected misconduct and dishonesty by officials or employees, and to provide specific instructions regarding appropriate action in case of suspected violations.

Section 3. Definition

3.1 There are three major categories of fraud, Asset Misappropriation, Corruption and Fraudulent Statements.

1) Asset Misappropriations – Theft or misuse of an asset.

- Cash
 - Fraudulent Disbursements – Perpetrator causes the Town to disburse funds through some trick or device (e.g. submitting false invoices, timesheets, expense reimbursement schemes, check tampering, etc.), or prevents the timeliness of the disbursement of funds.
 - Embezzlement – Perpetrator appropriates monies fraudulently to one's own use, as money or property entrusted in one's care.
 - Skimming – Cash is stolen from the Town before it is recorded on the Town's books and records.
 - Cash Larceny – Cash is stolen from an organization after it has been recorded on the Town's books and records.

- Inventory and all other assets.
 - Misuse – Misuse, misappropriation, misapplication, destruction, removal, or concealment of the Town's inventory or assets for personal use (e.g. Town vehicles, computers, supplies, etc.)
 - Larceny – Inventory or other assets are stolen from the Town.

2) **Corruption** – Wrongfully use influence in a business transaction in order to procure some benefits for themselves or another person, contrary to duty to employer or the rights of another.

- Conflicts of Interest – An undisclosed economic or personal interest in a transaction that adversely affects the Town.
- Bribery – The offering, giving, receiving or soliciting of anything of value to influence an official act or a business decision.
- Illegal Gratuities – A party who benefits from an official act or a business decision gives a gift to a person who made the decision. An illegal gratuity does not require proof of intent to influence.
- Economic Extortion – An official or employee demands that a vendor/contractor/etc. pay to influence an official act or a business decision.

3) **Fraudulent Statement** – Falsification of a Town record. Other similar irregularities is defined as any activity involving questionable behavior or business dealings by member of the public, contractors, vendors, agents or Town officials and employees, that put Town revenue, property, information and other assets at the risk of waste or abuse.

Section 4. Zero Tolerance

4.1 The Town of Hooksett has adopted a zero tolerance policy regarding fraud. No official or employee of the Town shall remove any Town of Hooksett assets from the property without proper authorization from the Town Administrator, misuse any Town assets for ones personal gain, or willfully misappropriate any Town of Hooksett asset. Any evidence supporting fraud, theft or embezzlement of Town of Hooksett assets and equipment may be subject to the following personnel actions including but not limited to: suspension, termination, and restitution.

Section 5. Reporting of Fraud or Corruption

5.1 Officials and employees shall read and understand this policy. Department Heads shall be responsible to communicate this policy to their staff.

5.2 Any Town of Hooksett official or employee who suspects or is aware of fraud being committed against the Town by anyone shall immediately report such activity to the Town Administrator. (If the Town Administrator is the alleged perpetrator the report shall be directed to the Hooksett Police Chief. If this occurs, the Chief will take the place of the Administrator in the process described below.)

Upon receiving such a report, the Town Administrator will immediately take the allegation to the Town's Legal Counsel and the Hooksett Police Prosecutor. The Administrator, Counsel and Prosecutor will decide the most prudent way to proceed. This may include, for example, parallel investigations for personnel or criminal issues or a decision that the investigation should be completely turned over to the Hooksett Police Department or the NH State Police.

Once a plan of action has been developed, the Town Council will be apprised of the situation in a non-public session.

5.3 All investigations will be conducted in confidence insofar as reasonably possible. The names or names of those communicating information about a fraudulent act or the name or names of those suspected of a fraudulent act will only be revealed when required by law in conjunctions with the investigation or legal action.

Section 6. False Allegations

6.1 False allegations of suspected fraud with the intent to disrupt or cause harm to another may be subject to disciplinary action up to and including termination of employment.

6.2 NH Whistleblowers' Protection Act (RSA 275-E) was established to protect the rights of officials or employee who report violation of law, or refuse to execute illegal directives, participate in investigations or hearings. For a full explanation of these rights the remedies, officials and employees should review this policy which should be displayed in a prominent location in their place of work.

Section 7. Prevention

7.1 Each department will maintain an internal control environment to protect the department and the Town from loss or other damages as a result of a fraudulent act.

Section 8. Corrective Actions and Discipline

8.1 Appropriate and timely action will be taken against those proven to have committed fraudulent act. These remedial actions may include, but are not limited to:

1. Disciplinary action (up to and including immediate termination of employment).
2. Restitution for all losses, including investigation and legal expenses, to the fullest extent of the law.
3. Institution of civil action to recover losses.
4. Where the Town of Hooksett elects to take corrective or disciplinary action, it will proceed under the procedures in place under the Personnel Plan or under any collective bargaining agreement for the respective employment classification.
5. The Town of Hooksett may take corrective or disciplinary action without awaiting the resolution of criminal or civil proceedings arising from fraudulent conduct.

Adopted by vote of the Council on this date, 5.23.12

James A Sullivan
McComa
V. H. H.
Richard A. Boswell
Mr. James
Levin
James J. Levesque
John E. Lyth

Town Council

STAFF REPORT



To: Town Council
Title: FY 2020-21 Budget and Warrant Articles
Meeting: Town Council - 25 Sep 2019
Department: Finance
Staff Contact: Christine Soucie, Finance Director

BACKGROUND INFORMATION:

Update and review budget and warrant articles.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Continue Review of Budget from 9/18/19

Town Council
STAFF REPORT



To: Town Council
Title: Old Home Day Committee Request for Additional Donation
Meeting: Town Council - 25 Sep 2019
Department: Administration
Staff Contact: Nick Germain, Project Coordinator

BACKGROUND INFORMATION:

The Town of Hooksett currently budgets \$5000 to donate to the Hooksett Old Home Day Committee to help pay for insurance and other costs associated with the Old Home Day Event. Town staff also work in various capacities including set-up, clean-up, and coordination, while the vast majority of event activities take place on town property.

On Sunday, September 15th, Carrie Hyde of the Hooksett Old Home Day Committee submitted a request to town staff for an additional \$3850.

Mrs. Hyde states, "With the rising cost this additional contribution would be applied to ther bus shuttles, our entertainment and children's amusements for the enjoyment of the community. We would like to please ask the town to donate an additional amount of \$3850. This will ensure a free event for the community." She also notes that the Old Home Day Committee has solicited donations, but have not found sufficient support to make up the difference.

FINANCIAL IMPACT:

\$3800

RECOMMENDATION:

Consider Mrs. Hyde's request. Listen to any Hooksett Old Home Day Committee members that may be at the meeting.

SUGGESTED MOTION:

None

Town Council
STAFF REPORT



To: Town Council
Title: School Impact Fee Transfer to School District
Meeting: Town Council - 25 Sep 2019
Department: Finance
Staff Contact: Christine Soucie, Finance Director

BACKGROUND INFORMATION:

The Town of Hooksett collects school impact fees at the time the Town issues occupancy permits. These fees are collected in order to offset the cost of growth for the new developments.

Each year at this time, the Town transfers the fees collected during the year to the School District to offset the cost of the new middle school and renovations at Memorial School. Back in 2003, these two projects were funded with a 20-year bond and it was determined they met the criteria for impact fees use.

As of August 31, 2019, the school impact fee special revenue fund had a balance of \$240,302.56. A transfer of the full amount is recommended at this time.

FINANCIAL IMPACT:

None to the Town, but this transfer will reduce the amount of property taxes needed to support the School District.

RECOMMENDATION:

SUGGESTED MOTION:

Motion to transfer \$240,302.56 from the School Impact Fee to the Hooksett School District.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[School Impact Fees History](#)

Town of Hooksett's Impact Fee Summary

9/11/2019

SCHOOL IMPACT FEE

Zoning Ordinance posted on 3/9/01

Use or return date: September 2024

Revenue Collected	\$ 2,499,780.48
Interest Earned	18,969.57
Amount Refunded	(16,227.00)
School Funding Dec 2003	(500,000.00)
September 22, 2004 School Funding Nov 2004	(250,000.00)
December 14, 2005 School Funding Jan 2006	(75,000.00)
September 13, 2006 School Funding	(75,000.00)
September 26, 2007 School Funding	(80,000.00)
September 24, 2008 School Funding	(85,000.00)
September 23, 2009 School Funding	(43,000.00)
September 8, 2010 School Funding	(55,000.00)
September 28, 2011 School Funding	(118,107.31)
September 12, 2012 School Funding	(85,964.17)
September 25, 2013 School Funding	(250,511.30)
September 10, 2014 School Funding	(124,223.25)
October 15, 2015 School Funding	(94,812.32)
September 14, 2016 School Funding	(91,274.36)
October 11, 2017 School Funding	(171,417.31)
October 18, 2018 School Funding	(167,910.47)
Balance as of August 31, 2019	<u>\$ 240,302.56</u>

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**Town of Hooksett
Town Council Budget Review Meeting Minutes - Unofficial
Wednesday, September 4, 2019**

2

3

The Hooksett Town Council met on Wednesday, September 4, 2019 at 6:00 in the Hooksett Municipal Building.

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CALL TO ORDER

7

Chair Sullivan called the Budget Review meeting of September 4, 2019 to order at 6:04 pm.

8

9

PROOF OF POSTING

10

Town Administrator Andre Garron provided proof of posting.

11

12

ROLL CALL

13

In Attendance: Councilor James Sullivan, Councilor John Durand, Councilor Avery Comai, Councilor Timothy Tsantoulis, Councilor Clark Karolian, and Councilor Alex Walczyk

14

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16

Missed: Councilor Robert Duhaime, Councilor Clifford Jones and Councilor James Levesque

17

18

PLEDGE OF ALLEGIANCE

19

Chair Sullivan called for the Pledge of Allegiance.

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21

BUDGET OVERVIEW OF FISCAL YEAR 2020-2021

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A. Garron: This is my first budget for Hooksett, and my presentation includes the cuts I have made. I want to commend the department heads for coming in with reasonable requests. The Town Administrator's recommendation of \$16,891,119, excluding Wastewater and Library, is an increase of \$433,064 or 2.2% from the current FY2019-20 budget. Contractual items outside of the Administrator's control make up more than \$268,000 of the \$433,064 increase and are as follows: approximately \$233,000 to repay bonds and \$35,000 in approved raises for the DPW union employees. There is revenue in the amount of \$222,500 from the TIF district to pay for the bond. This is in your budget books under revenue Tab 18. The Administrator's recommendation includes level funding the employee health and dental insurance. We anticipate receiving the new rates in October or November.

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34

Chair Sullivan: Have you had a preview of insurance rates?

35

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37

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43

A. Garron: No, we have not.

A. Garron: My recommendation includes 116 full-time employees, which is the same as the current year. It also includes 28 part-time employees, which includes two additional call fire staff.

44

45

46

47

48

T. Tsantoulis: Regarding the additional call staff for the Fire Department, how does that affect the budget?

C. Soucie: They are current employees, added to the fire call staff this fiscal year, and it carries over into the new budget. We do not bring part-time appointments to the Town Council; these are approved by the Administrator and department heads.

A. Garron: The second chart shows not much movement in the budget compared with the

TC BUDGET REVIEW MINUTES 09-04-19 - U 1

previous two years. New Equipment is down slightly. Next are my recommendations versus the current year's budget. The Administration budget increased in total approximately \$56,000, primarily from salary, vehicle maintenance (new), software and programs, telephone (new lines) and legal. The Assessing budget reflects an increase of approximately \$5,000 mainly due to an increase in professional services and equipment. The Community Development budget reflects an increase of \$8,000 from last year. The increase is mainly due to vehicle maintenance. The Finance budget reflects an increase of approximately \$13,000. This is directly related to the cost of the annual audit and five hours per week for additional part-time help. The Family Services budget reflects a small decrease of \$975 from the current year. This decrease is due to an exact dollar amount for the phone line, a FICA tax decrease to a more approximate amount and a decrease in the dollar amount allotted for printing, as software is now used to produce vouchers and notices, as opposed to triplicate hard copy prints. There is also a decrease for the part-time employee pay line. The Fire-Rescue budget has increased approximately \$79,000. The amount of \$59,350 is attributed to an increase in rentals and leases for hydrant rentals. The remaining increases are spread throughout the operating budget. The Police budget has increased by approximately \$79,000. The Public Works budget increased approximately \$23,000 over the current year's budget. Changes include an additional \$35,000 for union raises approved by the voters. The Highway Division includes an additional \$15,000 for salt and \$10,000 for construction materials. Also included is \$300,000, which is the fifth year of the Town's road reconstruction article approved by the voters in 2016, and \$20,000 for the Old Town Hall's restorations. The Parks, Recreation and Cemeteries Division has a decrease of \$14,500 for cemetery projects. The Recycling and Transfer Division reflects approximately \$11,000 in decreases related to savings in the fuel and vehicle maintenance lines. This savings is due to the end of the curbside single stream recycling program. The Tax Collector budget reflects an increase of \$2,200, of which \$1,496 is due to approved wage changes. Office supplies also increased \$1,000. The Town Clerk and Elections budget increase is \$9,000 for the upcoming year. The State and Federal elections line increased for the 2020 State Primary and the Presidential/General Election in November. The budget is based upon a best-guess utilizing the 2016 fall election season as a guide. Turning to the default budget, the recommended operating budget is \$262,959 or 1.3% higher than the working default. The main changes in the default are increases for the DPW union contract, the repayment of the TIF Sewer & Other Infrastructure bond approved by the voters and a decrease for a one-time cemetery project. In 2018, House Bill 1307 changed Chapter 241 by changing the definition of "Contracts" for default budget calculations. The new law limits "contracts" to only those "previously approved, and in the amount so approved, by the legislative body in either the operating budget authorized for the previous year or...a separate warrant article for a previous year."

C. Soucie: This means that the Council cannot enter new contracts to affect default budget.

A. Garron: The next slide lists possible warrant articles, including contributions to ten Capital Reserve funds: Fire Apparatus, Public Works Vehicles, Town Building Maintenance, Fire, Emergency Radio Communications, Drainage Upgrades, Automated Collection Equipment, Revaluation, Parks & Rec Facilities Development and Conservation Land Improvements. Other possible warrant articles include R&T Track Tractor, R&T Administrative Assistant from part-time to full-time, DPW Salt Storage (new, larger building), and a Town Pavilion at Lambert Park. I did not offer a recommendation regarding the Pavilion because I have only attended one meeting on this project and don't feel I have enough information to make a recommendation. This project would be offset by \$50,000 from Recreation Impact Fees. The last page of my presentation is the Budget Development Timeline. September 27th is the deadline for the Town Council to present the operating budget to the Budget Committee.

100 **BUDGET REVIEWS**

101

102 **Family Services**

103 Abby Reeves, Family Services: There is a small decrease in the Family Services budget line.
104 After going over the budget with Mr. Garron and taking a closer look at actuals, we reduced the
105 phone, FICA, and printing lines. I don't use labels or send certified letters, so these were
106 eliminated.

107

108 Chair Sullivan: Is \$90,000 sufficient for Town Welfare?

109

110 A. Reeves: It's hard to tell ahead of time. Since the beginning of the new fiscal year, there has
111 been a huge increase compared to the same time last year. The cost of rent has increased, due
112 in part to the fact that people are selling two and three family homes which they have rented out
113 for years. The new owners are renovating and then charging a higher rent.

114

115 Chair Sullivan: Is \$9,900 sufficient for the bus transportation?

116

117 A. Reeves: Yes, that is what it will be each year. It was initially budgeted for \$25,000 because
118 we were not sure what it would be.

119

120 ***T. Tsantoulis motioned to approve the Town Administrator's requested budget for Family***
121 ***Services of \$162,352 for FY 2020-21. J. Durand seconded the motion.***

122 ***Voted unanimously in favor.***

123

124 **Public Works**

125 Earl Labonte, Director of Public Works: Public Works is flat compared with previous years.
126 Minor adjustments have been made. Union wages are up. For the Highway Division, Mr. Garron
127 cut back on the rental equipment line because the copier machine rental is less than was
128 budgeted. One telephone line exists which is not being used, so that was eliminated.

129

130 C. Karolian: Under safety supplies, \$2,600 is budgeted for first aid. Would you explain that?

131

132 E. Labonte: An outside vendor comes in once a month and checks the two first aid supplies
133 locations, refilling them as needed. This includes bandages, aspirin, lotion for poison ivy, and
134 items such as that. They also service the eye wash station.

135

136 C. Karolian: This is \$216.66 per month. Couldn't an employee do that? The fee is to come in
137 and check that?

138

139 A. Garron: Actually, that amount was reduced to \$2,000.

140

141 E. Labonte: You cannot buy single dose packages of aspirin at a drug store. There are no
142 monthly fees if no supplies are needed. We only incur costs if supplies are needed.

143

144 T. Tsantoulis: What has the usage been?

145

146 E. Labonte: Two years ago, it was \$1,400.

147

148 T. Tsantoulis: So, it depends upon how many items are used?

149

150 C. Karolian: With due respect, that goes without saying. Why not have someone in

151 administration do this, or the Safety Committee? The town could save \$2,000. Granger would
152 have these items.

153

154 A. Garron: We would still have to pick up supplies and pay for them.

155

156 E. Labonte: Under maintenance, Mr. Garron reduced overtime by \$10,000, resulting in FICA
157 and retirement reductions as well. With a better estimate of fuel costs, this was cut in all
158 accounts.

159

160 A. Garron: I changed the fuel cost from \$3.00 per gallon to \$2.75 per gallon for all departments,
161 based on actual and projected usage and cost.

162

163 C. Karolian: On page six of nine in the back-up section, catch basin and drain cleaning is
164 \$2,000. At the last Town Council meeting, we approved \$291,000 for a VACALL vehicle for this.

165

166 A. Garron: I removed the \$2,000 from that line but added it to the line above for professional
167 engineering services. This is for wetland scientists. The total is the same.

168

169 C. Karolian: Under maintenance, is that for the old sweeper?

170

171 A. Garron: No, but the new sweeper, which is part of the VACALL, will require maintenance.

172

173 E. Labonte: No bridge work is planned, so the budget amount is one dollar.

174

175 C. Karolian: The \$100,000 for the MS-4 permit should be broken down somewhat.

176

177 E. Labonte: This is for annual monitoring and compliance. It involves community outreach, an
178 IDEE plan and stormwater pollution plans. Some of this involves consultants. The website
179 needs updating. Some items have not been done and others were done under the old
180 requirements.

181

182 Chair Sullivan: More detail for the Budget Committee would be helpful.

183

184 C. Karolian: I can't be the only one needing more explanation.

185

186 Chair Sullivan: Will the budget be updated after changes are made?

187

188 C. Soucie: There is a limited amount of time for that. We could do that if more help is hired. We
189 list the changes on the first page for each budget so that you can see all of the changes without
190 redoing all of the backup.

191

192 E. Labonte: The fleet budget is a flat line. There was software here that should not have been. It
193 has been put where it should be. Street lighting was budgeted for \$62,000 and the actual was
194 \$65,000. Under building maintenance, the electric bill is also higher. We plan to issue an RFP
195 for a heating and air conditioning service contract. We need a maintenance schedule to reduce
196 the number of return cycles.

197

198 Chair Sullivan: Regarding the boiler inspection, does Old Town Hall have a boiler?

199

200 E. Labonte: No, it does not, but there is a heating system in the Historical Society Building.
201 Turning to Parks & Rec, Mr. Garron reduced the overtime from \$11,000 to \$10,000. Electricity is

TC BUDGET REVIEW MINUTES 09-04-19 - U 4

202 up and fuel is down. We have paid the electric bill for HYAA and have been trying to get them to
203 update their payments.

204
205 Chair Sullivan? What about part-time employees?

206
207 E. Labonte: We planned to have two but have not been able to hire anybody. We have not had
208 these two part-time positions filled since the first of July.

209
210 Chair Sullivan: What would this be for?

211
212 E. Labonte: They need to do fall cleanup in preparation for winter and then spring cleanup at the
213 end of the winter.

214
215 Chair Sullivan: Are there questions about Cemeteries? (No questions were asked.)

216
217 E. Labonte: We were able to fill the part-time position at the Recycling and Transfer Station. The
218 telephone bill was cut, based on historical usage. Under Collections, fuel was reduced with the
219 elimination of single-stream recycling. There were two trucks on every run and now there is only
220 one. This reduces fuel and manhours. Tipping fees are up but the cost has dropped since the
221 elimination of single-stream recycling. We are looking at ways to reduce that even more.

222
223 T. Tsantoulis: With the elimination of single-stream recycling, it would seem that maintenance
224 should drop as well.

225
226 E. Labonte: We are still catching up on maintenance since that change. The trucks are older,
227 being five years into their ten-year life cycle. The maintenance costs will eventually drop, as we
228 continue using one truck instead of two.

229
230 Chair Sullivan: I would expect tipping fees to be reduced more since single-stream recycling has
231 been discontinued.

232
233 E. Labonte: The tipping fee for trash is at \$73.20 and is expected to go up to \$75.00. The single-
234 stream tipping fee was \$143.00. I don't have the tonnage figures with me for single-stream, but
235 it is not high. We have 5,200 tons of residential, 75 tons for commercial, and the condo
236 reimbursement fees.

237
238 **A. Walczyk motioned to approve the Town Administrator's requested budget for Public**
239 **Works of \$4,826,344 for FY 2020-21. T. Tsantoulis seconded the motion.**
240 **Voted in favor (5-0) C. Karolian abstained because he needs more information.**

241
242 **Tax Collector**

243 Kimberly Blichmann, Tax Collector: I met with Mr. Garron and he made some adjustments to my
244 budget. I am fine with his revisions. Under new equipment, we have State-issued printers which
245 are eleven years old and the State will no longer service them. We need a replacement plan, or
246 we cannot register vehicles. I plan to replace one each year for about three years. We also have
247 a networked printer which deals with confidential information. It is old, and according to Block 5,
248 it is not secure enough any longer and needs to be replaced.

249
250 T. Tsantoulis: Can you do boat registrations on the printers you have?

251
252 K. Blichmann: Yes. That is in our current budget.

TC BUDGET REVIEW MINUTES 09-04-19 - U 5

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Chair Sullivan: Do you have dollars in this budget for boats?

K. Blichmann: It is just \$60 each year for maintenance.

J. Durand: Do you use the same printer for boats as for other vehicles?

K. Blichmann: Yes, we do.

A. Comai: What is the cost for the new printers?

K. Blichmann: They are about \$500 each.

T. Tsantoulis motioned to approve the Town Administrator's requested budget for the Tax Collector of \$261,005 for FY 2020-21. J. Durand seconded the motion. Voted unanimously in favor (6-0).

Town Clerk & Elections

Todd Rainier, Town Clerk: The significant increase in the Elections budget this year is overtime for the Primary and Presidential Elections. The Deputy Town Clerk/Tax Collector is allocated 10% to the Town Clerk and 90% to the Tax Collector. Also, all election-related postage has been moved to the Town Clerk because the postage machine has only one code. The mailing of absentee ballots is costly because of their weight. Our Deputy Town Clerk/Tax Collector should attend the certification program offered by Primex. It is an excellent four-year program for one week each year in August.

Chair Sullivan: It should be noted that the extra postage expense is due to the registered mailings related to dog licensing. This amount of \$2,400 could be saved by the town if people would register their dogs on time.

T. Rainier: The dog owners do pay the cost if they finally come in.

A. Walczyk: Will you have new tablets for the checklist?

T. Rainier: Unfortunately, we will not have them in time for the elections coming up. No company has been approved yet. They need to be certified through a state process. With the enhanced technology come extra security concerns.

A. Walczyk motioned to approve the Town Administrator's requested budget for Town Clerk and Elections of \$46,087. T. Tsantoulis seconded the motion. Voted unanimously in favor (6-0).

Budget Committee

A. Garron: The adjustment I made was to cut the hours for the minutes-taker.

T. Tsantoulis motioned to approve the Town Administrator's requested budget for the Budget Committee of \$10,121. J. Durand seconded the motion. Voted unanimously in favor (6-0).

Cemetery Commission

A. Walczyk motioned to approve the Town Administrator's requested budget for the

304 **Cemetery Commission of \$1,011. T. Tsantoulis seconded the motion.**
 305 **Voted unanimously in favor (6-0).**
 306

307 **Conservation Commission**

308 **T. Tsantoulis motioned to approve the Town Administrator's requested budget for the**
 309 **Conservation Commission of \$1,817. J. Durand seconded the motion.**
 310 **Voted unanimously in favor (6-0).**
 311

312 **OTHER BUDGET REVIEWS**
 313

314 **Administration**

315 A. Garron: Administration wages will increase for the FY 2020-21 budget, based on the current
 316 complement. There is a slight increase for training and dues because of my memberships
 317 included in my contract. One is the American Planners Association and another is the American
 318 Institute of Certified Planners. Vehicle maintenance is increased because I am using a town
 319 vehicle; my assumption is that the previous Town Administrator did not. We have added two
 320 phone lines for the part-time secretary, who works upstairs in my office and downstairs with
 321 Donna Fitzpatrick and Nick Germain. Bonnie Smith is doing a fantastic job, and, as I get more
 322 settled in my position, I will be giving her more tasks.
 323

324 Chair Sullivan: The Budget Committee will probably want an explanation for the increases in
 325 vehicle maintenance and phone lines.
 326

327 A. Garron: That would be for the vehicle I am using, which has 133,000 miles, and for phone
 328 lines for Bonnie Smith for both administration offices.
 329

330 C. Karolian: Can you explain the computers and new equipment?
 331

332 Nick Germain, Project Coordinator: Block 5 has a five-year schedule, and 15 computers is the
 333 bare minimum for this year. Computers for all departments are now centralized into
 334 administration.
 335

336 Chair Sullivan: You have listed 13 computers. Where are the other two?
 337

338 N. Germain: Those will be in Town Hall.
 339

340 A. Garron: The software used by Community Development is going from an up-loadable to a
 341 cloud-based program. There is a charge to Administration for the migration and thereafter an
 342 annual cost.
 343

344 T. Tsantoulis: Can you explain the \$5,000 for Amoskeag Rowing?
 345

346 C. Soucie: Amoskeag Rowing pays the town \$5,000 for their rental at the boat launch. An
 347 agreement with Amoskeag Rowing states that the town will pay up to \$5,000 each year to
 348 provide scholarships to residents. It is not clear if this is for membership or classes. No one has
 349 ever participated in this.
 350

351 C. Karolian: How many Hooksett residents are members?
 352

353 C. Soucie: I do not know.
 354

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355 C. Karolian: How long is this in effect?

356

357 C. Soucie: It is in effect until one party wishes to cancel.

358

359 C. Karolian: I would like to table this until we check the agreement.

360

361 T. Tsantoulis: We don't really have time for tabled motions.

362

363 **Chair Sullivan motioned to reduce the amount for Amoskeag Rowing to \$2,000. T.**

364

365

366 Chair Sullivan: My reason for reducing the amount is because the information is unclear.

367

368 A. Comai: How did you choose \$2,000? Why not make it one dollar?

369

370 Chair Sullivan: There is no specific reasoning for the amount of \$2,000. I would like to withdraw my motion.

371

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Community Development

A. Garron: The Planning budget is lean. There is nothing to cut. Under vehicle maintenance, they have a hand-me-down vehicle.

Matt Lavoie, Code Enforcement Officer: That is Bruce Thomas's vehicle. It was a DPW vehicle previously.

T. Tsantoulis: What is the \$2,000 under Public Health?

M. Lavoie: That would be for mosquito control or some other emergency. The Town Council is the Board of Health, not me. I am the Health Officer.

C. Karolian: Why does the ZBA have to advertise?

Chair Sullivan: That would be for appeal hearings.

M. Lavoie: The Planning Board does not often hold public hearings, but all ZBA meetings are public hearings.

T. Tsantoulis motioned to approve the Town Administrator's budget request for Community Development of \$473,280 for FY 2020-21. J. Durand seconded the motion. Voted unanimously in favor (6-0).

Finance

C. Soucie: Four years ago, we issued an RFP for an auditor. We selected Angell and Company. In the second year, this auditor left the business, so we issued another RFP. Vachon Clukay was selected and we now have a three-year contract with them, along with a two-year renewal option. The annual cost with Angell was \$10,700; Vachon's fee is \$16,500, so we are short about \$5,000 this year. We are also increasing the hours of our part-time Accounts Payable clerk from 15 to 20 per week, so that is a budget increase.

T. Tsantoulis motioned to approve the Town Administrator's budget request for the Finance Department of \$240,124 for FY 2020-21. A. Walczyk seconded the motion. Voted unanimously in favor (6-0).

Debt & Capital Leases

C. Soucie: These are amounts which we are obligated to pay.

T. Tsantoulis motioned to approve the Town Administrator's budget request of \$36,456 for the excavator lease. A. Walczyk seconded the motion. Voted unanimously in favor (6-0).

C. Soucie: This is the final payment on the excavator.

T. Tsantoulis: What is the value of the excavator now?

C. Soucie: It has not been used much. The value is still there.

C. Soucie: Next is the principal payment of \$230,000. This is for the TIF Sewer and Other Infrastructure. It is the gross expense, which is offset by the TIF District, so there is no impact

TC BUDGET REVIEW MINUTES 09-04-19 - U 9

457 on the tax rate.

458

459 ***T. Tsantoulis motioned to approve the Town Administrator's requested budget for***
460 ***principal payments of \$230,000. A. Walczyk seconded the motion.***

461 ***Voted unanimously in favor (6-0).***

462

463 C. Soucie: Next is the interest payment.

464

465 ***T. Tsantoulis motioned to approve the Town Administrator's requested budget for***
466 ***interest payments in the amount of \$139,448. A. Walczyk seconded the motion.***

467 ***Voted unanimously in favor (6-0).***

468

469 C. Soucie: The Bond Tax Anticipation Note has not been used for years, but we need to keep it
470 in the budget.

471

472 ***T. Tsantoulis motioned to approve the Town Administrator's requested budget for a Tax***
473 ***Anticipation Note of one dollar. A. Walczyk seconded the motion.***

474 ***Voted unanimously in favor (6-0).***

475

476 Chair Sullivan: At our next Budget Review meeting on September 18th, we will review budgets
477 for Fire, Police, Library, CIP and Warrant Articles. I would also like to have a presentation on the
478 proposed Pavilion.

479

480 ***C. Karolian motioned to adjourn at 8:31 pm. T. Tsantoulis seconded the motion.***

481 ***Voted unanimously in favor (6-0).***

482

483 Respectfully submitted,

484

485 *Kathleen Donnelly*

486 Kathleen Donnelly

487 Recording Clerk

488

489

490

**Town of Hooksett
Town Council Meeting Minutes - Unofficial
Wednesday, September 11, 2019**

The Hooksett Town Council met on Wednesday, September 11, 2019 at 6:00 in the Hooksett Municipal Building.

CALL TO ORDER

Chair Sullivan called the meeting of 11 Sep 2019 to order at 6:02 pm.

PROOF OF POSTING

Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.

ROLL CALL

In Attendance: Councilor James Sullivan, Councilor John Durand, Councilor Avery Comai, Councilor James Levesque, Councilor Clifford Jones, Councilor Timothy Tsantoulis, Councilor Clark Karolian, and Councilor Alex Walczyk.

Counselor Robert Duhaime arrived at 6:06 pm.

PLEDGE OF ALLEGIANCE

Chair Sullivan called for the Pledge of Allegiance and a moment of silence for the 18th anniversary of 911.

Chair Sullivan: May we never forget.

SPECIAL RECOGNITION

Hooksett Municipal Employee - New Hire

A. Garron: I want to introduce Jon Duhamel, our new Town Assessor. He has 18 years of experience in Nahua and Laconia. We welcomed him.

J. Duhamel: I want to thank you. It has been a long time since I was in Hooksett on a regular basis. It looks nothing like it did 25 years ago. It will be fun getting reacclimated, and I look forward to working here.

SCHEDULED APPOINTMENTS

Tom Archer, Granite YMCA - Day Camp at Hooksett Summer 2019

Bob McKinney: I am the Executive Director of the Granite YMCA, and I would like to introduce Camp Director Dennis Rosa. Tom Archer is on his way, but is stuck in traffic. We would like to present a short video of the summer camp experience and want to thank you for selecting us to run the program. We had almost 100 kids, which is fewer than we expected, but we are thinking that our late start was a factor. Dennis and his team assembled a really good staff. Moving to Hooksett Memorial was a game changer, and we are grateful for all that the staff at Hooksett Memorial did to help. We are fully on board if you want us to come back, and would suggest that getting an earlier start with registrations will be important. Our character virtues of caring, honesty, respect and responsibility were the basis of the program.

49 Chair Sullivan: What was your ratio of campers to councilors?

50

51 D. Rosa: We had a ratio of one to ten.

52

53 A. Garron: I would like to thank the Public Works Department for their contributions of equipment, set
54 up and maintenance work. Cori Wilson also deserves our thanks for the great job she did.

55

56 **APPROVAL OF MINUTES**

57 **Public: 08/28/19**

58

59 *T. Tsantoulis motioned to approve the minutes of the August 28, 2019 public meeting. J. Levesque seconded the motion.*

60

61 Chair Sullivan: We are requesting that the Recording Clerk list those abstaining from a vote, along with
62 their reasons for abstaining.

63

64 A. Walczyk: I want to say that we do not have to abstain from approving meeting minutes unless we
65 choose to. I will likely not be abstaining.

66

67 Chair Sullivan called for a vote on the motion to approve the amended minutes of the August 28, 2019
68 meeting.

69

70 ***Voted unanimously in favor.***

71

72 **Non-Public: 07/24/19 (1st & 2nd motion to approve at the 8/28/19 Town Council meeting; no
73 vote pending amendments)**

74

75 *R. Duhaime motioned to approve the amended minutes of the July 24, 2019 non-public meeting.
76 C. Jones seconded the motion.*

77

78 ***Voted unanimously in favor.***

79

80 C. Karolian: I want to be sure that my fellow Councilors are aware that additions to what is in their
81 packets were distributed at the beginning of the meeting.

82

83 D. Fitzpatrick: Yes, I just handed those out.

84

85 **Non-Public: 08/28/19**

86

87 *T. Tsantoulis motioned to approve the minutes of the August 28, 2019 non-public meeting. A. Walczyk seconded the motion.*

88

89 ***Voted in favor (6-0). C. Jones and R. Duhaime abstained due to absence. J. Levesque also
90 abstained because he had left the meeting prior to the non-public session.***

91

92 **CONSENT AGENDA**

93

94 **Motion to accept donations totaling \$369.14 from the Hooksett Library (Collected at National
95 Night Out), t-shirt sales through the Hooksett Police Association, and the Chevette family to the
96 Town of Hooksett for the Hooksett Police Department per RSA 31:95-b, III (b) and return that
97 amount to the Police Departments, K9 Trust Fund.**

98

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105 **A. Walczyk motioned to accept the Consent Agenda as presented. R. Duhaime seconded the**
 106 **motion.**
 107 **Voted unanimously in favor.**
 108

109
 110 **TOWN ADMINISTRATOR'S REPORT**
 111

112 A. Garron: A group named Resource Management Inc. has been holding a permit to use town-owned
 113 land since 2004. They distribute biosolids on a piece of farm land. This permit has been renewed every
 114 five years since 2004, the last time being in 2014. The DES rules changed recently from five years to
 115 ten years. I would like to bring this back to the Town Council at a future meeting.
 116

117 A. Garron: I met yesterday with Mark Vattes of the US Census Bureau. The 2020 census is coming up
 118 next year, and they want to get the word out about that. The census count sets the number of
 119 representatives we get and also influences such things as block grants. Getting it right is important to
 120 everybody. The Community Development department completed the preliminary census. Mr. Vattes
 121 and I looked at the demographics of Hooksett. We are unique because we have SNHU. I gave him
 122 contact information for SNHU. He will continue to work with us and use our website. That will be helpful.
 123

124 A. Garron: The CIP was presented to the Planning Board on Monday, September 9, 2019, and they
 125 approved it. I told them it is going to be enhanced – more robust and thoughtful. It will reflect all of our
 126 capital plans and reconstitute the CIP committee.
 127

128 A. Garron: The Valentino versus Hooksett case was dismissed in our favor, as was the
 129 Trimbur versus Louise Marple versus Hooksett case.
 130

131 **OLD BUSINESS**
 132

133 **Project Status Report**
 134

135 B. Thomas: I want to give you a brief update on the Police Station project and the Library Columns.
 136 Both went smoothly. We did not have a single complaint. The dispatch center has been operational
 137 since May. The project came in under budget. A little over \$7,000 will be returned from the construction
 138 portion; \$12,500 will be returned for the architectural budget. This was a savings of about \$20,000. The
 139 Guaranteed Maximum Price (GMP) process, about which some were skeptical, worked excellently.
 140 Rooftop units delayed the project a bit. The lockers were ordered later than they should have been, but
 141 this did not delay the project.
 142

143
 144 C. Jones: What type of warranty do you have?
 145

146 Chief Bouchard: I believe it is a one-year warranty.
 147

148 C. Jones: Sometimes problems don't arise until after the first year. Can you get a three-year warranty?
 149

150 Chair Sullivan: We will ask the Administration to look into a three-year warranty.
 151

152 Chief Bouchard: One small item for the architect is on back order. He was careful about checking
 153 everything. There was a leak in the kitchen, and Meridian has already come in. I want to thank Bruce
 154 Thomas for all that he did on this project. His attention to the project budget and other details saved me
 155 a lot of time.
 156

157 B. Thomas: The Hooksett Library columns project presented a challenge at the beginning because they
 158 were made of concrete and reinforced steel, and we had to get a structural engineer involved, adding

159 an extra \$1,000 to the project. Another \$1,400 was needed for the extra materials. They had to remove
160 all of the damaged concrete two inches below the rebar. So, this was a bigger project than initially
161 thought.

162
163 C. Jones: The problem I have is that the rebar will rust and it will follow all the way up.
164

165 B. Thomas: That's why we had a structural engineer. That could happen, but this minimizes the risk.
166 The damage was mostly on the bottom.
167

168 R. Duhaime: A lot of concrete work is sealed now and it extends the life.
169

170 B. Thomas: The engineer was Hoyle Tanner. I have full confidence in them. All of the materials were
171 recommended by the structural engineer.
172

173 J. Levesque: Is that regular concrete?
174

175 B. Thomas: No, it is a special concrete. I don't remember the name of it. The back was plaster and
176 plywood over steel columns. The railing looks brand new. They did everything they said they would do
177 and within the budget. They had a delay on the start but kept going once they started. There were no
178 complaints.
179

180 R. Duhaime: Do they seal the walkway also?
181

182 B. Thomas: I don't think there is money in the budget for that. The Library would like to have it done.
183

184
185
186 **Surety Release- Summit View of Hooksett, LLC Well Radius Surety (tabled at 8/28/19 TC**
187 **meeting)**
188

189 ***R. Duhaime motioned to remove this item from the table. T. Tsantoulis seconded the motion.***
190 ***Voted unanimously in favor.***
191

192 Nicholas Williams, Town Planner: This is a request to release the bond for 24 Churchill. If the CO had
193 been withheld, it would have displaced the new homeowners coming from Florida. We have a similar
194 situation for 39 Churchill. Regarding the waiver process, the abutters are notified, and we did notify
195 them in this case. We are required to do that. All requirements have been met. All of the required
196 documents with NHDES have been recorded with the deed. These lots are tight. There is hardly any
197 wiggle room. We have informed the developers, Martel and Dar Builders, that we will not be issuing
198 temporary CO's or bonds going forward without a waiver in place. They understand this.
199

200 C. Karolian: Thank you for your explanation. I have questions. Looking at the map – I asked that these
201 maps be made for all Councilors – the blue outlines indicate homes with CO's and which are occupied,
202 correct?
203

204 N. Williams: I did not make the map; I am not sure. It appears that the ones highlighted in blue are built.
205

206 C. Karolian: My understanding is that #26 (Lot 24-33) has a CO but does not have a waiver.
207

208 N. Williams: That is not my understanding at all for #26.
209

210 Chair Sullivan: That should be in the Planning Board minutes if they did.

211

212 C. Karolian: I made inquiries today. You saw me as you were going in and out. My understanding is
213 that 26 Churchill needs a waiver, and it already has a CO. Also, 39 Churchill needs a waiver, and I think
214 that's in the works.

215

216 N. Williams: A waiver for 39 Churchill was granted by the Planning Board on September 9, 2019.

217

218 C. Karolian: Looking at the subdivision, there are seven lots on one side; four are occupied. Five of
219 these lots have 150 feet of street frontage and are 275 feet deep. If they are perfect rectangles, they
220 are 150 feet wide in the rear as well. The overlap is going to continue and more waivers are going to be
221 required unless the wellhead is put directly dead center.

222

223 N. Williams: That's true. I think you are implying that there is some kind of ripple effect. Well radii can
224 overlap, but they cannot cross a lot line without a waiver.

225

226 C. Karolian: That is currently happening with well radii. They are going over the lot line.

227

228 N. Williams: By inches, yes.

229

230 C. Karolian: This one is almost two feet; not inches. I am concerned about people coming in...Lot 24-
231 34...This came to light to the Town Planner after the Land Surveyor certification.

232

233 N. Williams: No, this is the way it works. When requesting a CO, they will issue a plot plan to the Code
234 Enforcement Officer (CEO) prior to the request for the CO. This is what alerted us, the plot plan
235 showing what is on the ground after the well was drilled.

236

237 C. Karolian: The CEO viewed the plot plan and said, 'We can't have this'. This was almost an
238 emergency situation. The closing was postponed until the day the waiver application was submitted to
239 the DES in the morning and kicked back in the afternoon for a waiver. A temporary CO was given on
240 that day until the waiver came through. Am I getting the sequence correct?

241

242 N. Williams: Correct. The bond was in place.

243

244 C. Karolian: On the DES form, people with a waiver have no recourse if their well is contaminated. If the
245 well radii are closer than recommended, State law does not protect them beyond their property
246 boundaries. Leach fields can be placed no closer than ten feet from a property boundary. Proper well
247 construction minimizes the risk. There is no cause of action against the State of New Hampshire or any
248 owner of the abutting property if the well is contaminated as a result of the decreased setback. This
249 was signed by the developer or the contractor?

250

251 N. Williams: Yes. It was signed by Martel.

252

253 C. Karolian: In reality, at that point in time, the abutter on both sides was the developer.

254

255 N. Williams: Martel is the developer who put up the bond. He owns the lots on both sides of the
256 property. The bond dollars would be used to re-center the well, if necessary. That is why we collected
257 the bond. The waiver was recorded with the deed, so the buyer will be aware.

258

259 C. Karolian: The homeowner wouldn't pay, right?

260
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309

N. Williams: Right.

C. Karolian: This means more waivers because, in fairness to the developer, it's almost impossible to center the wells within 150 feet.

N. Williams: Yes, because the wells are not centered with enough precision. They were centered on the original plans but are not on the plot plan made after the construction.

C. Karolian: It's perhaps in the best interest of the town and future homeowners that the lines be moved, having two lots instead of three.

N. Williams: Are you suggesting redrawing the lot lines?

C. Karolian: I am suggesting that Hooksett should not authorize this type of tight building permits. Our role is to release the money.

Chair Sullivan: It is important that our role as the Town Councilors is not impacting on others, and vice versa.

C. Karolian: We are to release the money.

N. Williams: We will not be collecting any more bonds on this. They sprung this on us. The new owners were on their way from Florida. They will have the waiver in place before the CO is issued from now on. Redrawing property lines is under the purview of the Planning Board.

T. Tsantoulis: This is way overstepping the Planning Board. We have to deal with only the one lot before us. If the Planning Board is requesting the release of a bond, it is not within our purview to re-litigate the whole subdivision. This should be handled by the Administrator, the Planner and the developer.

R. Duhaime: It is up to the CEO to issue a CO. This developer is from Bow, and in fact this subdivision crosses town lines to create a loop road. The Planning Board would take this up. The developer is used to Bow where he has plenty of room. This is up to the Town Administrator and the Planning Department. This is a conservation (cluster) subdivision.

A. Garron: Nick Williams hit the nail on the head. This is something the Planning Board can look at in the future, perhaps changing lot lines all the way down if they are too tight. However, as has been noted, this is a conservation subdivision, where the purpose is to reduce lot size to gain open space. Maybe there is a middle ground.

C. Jones: What is the minimum road frontage?

N. Williams: Since it is a conservation development, it is 100 feet unless it is in a cul-de-sac, where it is 50 feet. This subdivision was approved in 2013 or 2014, before the revisions made in 2015. This is vested.

R. Duhaime: Some clusters share wells and septic systems.

C. Karolian: How many waivers are out there in this process? We have #24 and #39. Are there others?

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310

311 N. Williams: There are #24 and #39 that I know of. I will check on the status of #26 tomorrow. This
312 subdivision was in the works many years ago. I don't know of any waivers prior to these. The developer
313 is now aware they need waivers well before closing.

314

315 C. Karolian: What is the purpose of the 75-foot well radius?

316

317 N. Williams: It is for protection from contamination by the leach field.

318

319 C. Karolian: If it does happen, can another well be built if it is necessary? Or could it possibly
320 contaminate other wells?

321

322 N. Williams: I suppose it is possible.

323

324 C. Karolian: I understand that this is the purview of the Planning Board. For clarification purposes, I did
325 indicate that the builder...it is almost impossible for the builder. This has nothing to do negative that I'm
326 saying about the builder. I acknowledge that having 150 feet, it is nearly impossible to get the well
327 exactly where it needs to be. The spirit and the purpose of this all is to make sure it is done correctly,
328 and we don't keep giving waivers to violate that. Councilor Tsantoulis talked about that this is a one-
329 time thing to deal with tonight. Now we are dealing with another one.

330

331 N. Williams: That is #39.

332

333 C. Karolian: And we are probably going to have to deal with #26, another one.

334

335 N. Williams: We will not be issuing any more waivers or collecting any more bonds.

336

337 C. Karolian: This is the one, I believe I was advised today, they have a CO and are living there. They
338 need a waiver; it could not be located. There isn't one.

339

340 Chair Sullivan: Mr. Williams, you said that you would be checking on that, right?

341

342 J. Williams: Right.

343

344 C. Karolian: This is something that's going to keep coming up at another meeting and another meeting.
345 I am trying to bring this to light. I am not trying to interfere with the Planning Board. They do what they
346 want to do. Our job is to release the money or not, but this is not going to go away. This is going to be
347 recurring. I am hoping something is going to be done to protect future homeowners, protect the
348 environment, and protect the wells. With the waiver, there is no recourse on the homeowner against
349 anybody's leach field on an abutting property destroying or contaminating their well. That needs to be
350 out there. If it opens discussion, great. If it goes back to the Planning Board and they have discussion,
351 great. What I see here...hopefully this will be taken care of and we won't have to go any further with it.
352 It needs to be brought to light. The whole purpose of this is in the interest of protecting the homeowner.
353 I understand what happened with those people coming up, hence the reason for the emergency waiver.
354 It was recommended, I believe, by the CEO, as opposed to telling the contractor to either fix the well or
355 get a waiver. There was no mention of fixing the well; it was, 'Get a waiver'. I understand the urgency of
356 that, to get that homeowner in, but it is being multiplied. I have taken up enough time. I appreciate what
357 you have done and I appreciate the conversation. Hopefully, we don't see too much of this in the future.

358

359 ***R. Duhaime motioned to recommend the release of the \$6,000 cash surety to Summit View of***
 360 ***Hooksett, LLC. J. Durand seconded the motion.***
 361 ***Voted in favor (8-1). C. Karolian voted No.***

362
 363

364 **NEW BUSINESS**

365 **Replacement of 2 DPW Pickups and Fleet Reduction**

366 E. Labonte: We are trying to replace two pickup trucks and reduce the fleet by eliminating others. We
 367 created a vehicle inventory and have assigned life cycles to our vehicles as a planning and budgetary
 368 tool. Ten years is the normal life cycle for pickups, but we assigned 13 years because of the age of our
 369 vehicles. In 2008, Hooksett bought a lot of trucks and other vehicles. Two in the fleet now have major
 370 problems. In one, the engine blew. It will cost \$16,000 just for the engine and possibly another \$10,000
 371 for other items such as turbos and an exhaust system. Another truck is badly rusted, needing a new
 372 bed, rust repair, brake lines and several other components underneath. It doesn't make sense to spend
 373 a lot of money to fix a 2008 pickup or to spend 50% or more of the cost of buying a replacement.
 374 These new vehicles are State-bid trucks. We are adding one tommy gate, as recommended by the
 375 Safety Board to prevent back injuries. We are also adding a utility bed so that the tools and equipment
 376 are in the truck. We also have former police and fire vehicles which are all old and need repairs. They
 377 are all due for inspection and repairing them is not practical. We don't utilize them, so they will be used
 378 to offset the cost of the new ones. The pickup with the engine blown will go to govdeals.com. Annual
 379 review of the fleet is a good thing to do. We have the money for the new vehicles in the Public Works
 380 Capital Reserve Fund, and the maintenance records and costs are in your packets.

381

382 R. Duhaime: Are the tommy gate and the utility bed included in the price?

383

384 E. Labonte: They are.

385

386 ***C. Karolian made a motion to approve the purchase of two pickup trucks as presented from***
 387 ***Grappone Ford for a price not to exceed \$74,169, funding to come from the Public Works***
 388 ***Vehicle Capital Reserve fund, and to consent to the purchase. T. Tsantoulis seconded the***
 389 ***motion.***

390

391 C. Karolian: Thank you for providing information to make an educated decision. Job well done. Thank
 392 you.

393

394 T. Tsantoulis: I have no questions. I agree that there is a need for the vehicles. I have seen these
 395 vehicles.

396

397 Chair Sullivan: The record should reflect that these are from the State bid process and therefore three
 398 bids are not required.

399

400 R. Duhaime: I notice that you are getting away from diesel engines.

401

402 E. Labonte: Diesels have a lot more problems at the ten-year mark. We are going to gas, except for the
 403 very large trucks. We are also looking at alternative fuel vehicles.

404

405 **Roll Call Vote #2**

406 ***R. Duhaime - Yes***

407 ***J Durand Yes***

408 ***C. Jones Yes***

409

411 **J. Levesque Yes**

412 **A. Walczyk Yes**

413 **A. Comai Yes**

414 **C. Karolian Yes**

415 **T. Tsantoulis Yes**

416 **J. Sullivan Yes**

417 ***Voted unanimously in favor (9-0).***

418

419 Chair Sullivan: Thank you for providing the details we need. The information in the packet is good. That
420 reduces the number of questions.

421

422 A. Garron: Department heads are listening to what the Councilors want for information. Your packets
423 may be thicker.

424

425 **Administrative Code Updates - Cellular Phones in the Workplace - Reimbursement Allowances**
426 **for Personal Cellular Phones (8/28/19 TC Mtg. motion & vote to revisit)**

427

428 A. Garron: We have two issues. One is about fixing the rounding error. It should be \$11.54, not \$11.53.

429

430 ***C. Karolian motioned to correct the Administrative Code figure regarding the stipend for use of***
431 ***personal cell phones from \$11.53 to \$11.54. T. Tsantoulis seconded the motion.***

432 ***Voted unanimously in favor (9-0).***

433

434 A. Garron: I have my marching orders from the last meeting. Regarding town-issued phones versus
435 those for which the town pays a stipend. We have town-issued cell phones and we offer a stipend to
436 employees wishing to use their personal phones for town work. Of the 16 town-owned phones, four are
437 flip phones used in the Police Department. The rest are Smart Phones. Nine employees are reimbursed
438 for use of personal phones. Concerns were expressed regarding right-to-know requests. According to
439 the town's legal counsel, if a town-owned phone has information relevant, we will provide it. It is
440 possible to tie work email to your personal phone, and I have done that in places I have worked. The
441 advantage is that all town email is in the town database. If an employee does not do that, and uses a
442 personal email account for town business, that phone is subject to right to know if it has information
443 necessary to the request. What if the employee leaves the town? Legal counsel says it can be difficult
444 to get information from a personal phone, especially if the employee has left town. A subpoena is an
445 option. A policy provision could state that town email may be tied to a personal phone, and that texts
446 should only be used to say, "I am on my way." Another option is for every employee needing one to be
447 issued a town phone.

448

449 C. Karolian: We've all seen in the news that people are relying more on texting than emailing. If it is
450 inappropriate, and the employee quits, the town can't access it. There is a serious risk involved.

451

452 R. Duhaime: We should ask our youngest Councilor if this is an issue.

453

454 A. Comai: People are at risk of being subpoenaed. This is what Councilor Karolian wants to prevent.

455

456 Chair Sullivan: It is easiest if everyone has a town phone.

457

458 J. Durand: Yes, the safest bet is for everyone to have a town phone.

459

460 **Chair Sullivan made a motion to direct the administration to review the cell phone policy,**
 461 **eliminate reimbursement for personal phones, and allow only town-owned phones for town**
 462 **business. C. Karolian seconded the motion.**

463

464 C. Karolian: Just because we can subpoena a phone doesn't mean we can obtain it. It could be lost or
 465 erased.

466

467 R. Duhaime: There are issues about usage and cost. I would like the Town Administrator to include that
 468 data in his report.

469

470 A. Walczyk: I don't think we should throw out the possibility of one phone. Perhaps a legal waiver could
 471 be signed. Is this applicable to Town Councilors?

472

473 Chair Sullivan: We would be subject to right to know.

474

475 T. Tsantoulis: Regardless of what we do, we are not going to solve all issues with cell phones and
 476 social media in general. We can 'what if' every step we take in life. We have a solution looking for a
 477 problem. The policy is working. Most people don't want multiple phones.

478

479 C. Karolian: Haven't there been a lot of right to know requests?

480

481 A. Garron: I have been here 90 days and there have been a couple.

482

483 C. Karolian: When I was with the Police Commission, we had a separate email. This is coming. It's
 484 going to happen, even if it has not yet happened.

485

486 Chair Sullivan called for a vote on the motion.

487

488 **Voted in favor (7-2). A. Walczyk and T. Tsantoulis voted no.**

489

490 **Town Council Rules of Procedures Updates (Tabled at 8/28/19 TC Mtg)**

491

492 **R. Duhaime made a motion to remove this item from the table. A. Walczyk seconded the**
 493 **motion.**

494 **Voted unanimously in favor (9-0).**

495

496 A. Garron: Regarding the first item, you want Roberts not Riggins. There is such a thing as Riggins
 497 Rules, but the Council wants Roberts Rules.

498

499 C. Karolian: We are supposed to have all read this and made notations regarding what we like and
 500 don't like. In lieu of having Donna Fitzpatrick, the Administrative Assistant, go through each one, I
 501 suggest we approve or deny what we have and make corrections thereafter.

502

503 **R. Duhaime motioned to amend the Town Council Rules of Procedure as presented. C. Karolian**
 504 **seconded the motion.**

505

506 D. Fitzpatrick: Before you made your motion, I wanted to let you know that there is some attorney's
 507 information here.

508

509 A. Garron: Yes, the Council wanted legal clarification on certain items, and Donna is prepared to
510 provide that to you.

511
512 Chair Sullivan: The items for which we requested clarification are #2 and the citation regarding non-
513 public agenda items.

514
515 C. Karolian: I stand corrected regarding the posting of non-public agenda items, and I am glad you got
516 that information on 91-A regarding posting the exact citation (a – l) on the agenda. As I said a month or
517 two ago, I got the impression we could go into non-public at any time as long as there is a motion and
518 we stated the reason without prior posting. That has been clarified and it is allowed.

519
520 R. Duhaime: I like that it says the Council has broad latitude. That is just beautiful stuff right there.

521
522 Chair Sullivan: I would like to call for a vote on the motion to approve the recommended updates to the
523 Town Council Rules of Procedure.

524
525 ***Voted unanimously in favor (9-0).***
526

527 C. Karolian: On page 57, #8, I think we need to strike "...based on the subject matter as previously
528 discussed with the Town Administrator." If we don't, the way I'm understanding it is... It says, "The
529 Council Chair shall motion for the appropriate non-public section of NH RSA 91-A:3, II (a – l) when
530 entering the non-public based on the subject matter as previously discussed with the Town
531 Administrator." Otherwise, we can't go into any one of those if we haven't discussed it with the Town
532 Administrator.

533
534 D. Fitzpatrick: The reason that was added is that the Chair looks to the Town Administrator for what
535 letter under which to go into non-public.

536
537 Chair Sullivan: I want to know the context at the same time as the other Councilors, with a couple of
538 exceptions.

539
540 C. Karolian: Perhaps it should say that the Chair "or any other Councilor" shall motion. We can't discuss
541 the subject with the Town Administrator in public.

542
543 Chair Sullivan: If we enter non-public session under the wrong citation, we can't talk about it. It is
544 important to go under the right citation. We don't want to prevent anyone from going into non-public.

545
546 C. Karolian: With all due respect to all of us here, we should all know what the letters (a – l) stand for.
547 The Councilor should know without talking with the Town Administrator.

548
549 R. Duhaime: It is written just fine the way it is. Technically, we are volunteers. We shouldn't go into
550 non-public without consulting with the Town Administrator. He has a staff of paid employees at hand.
551 Why would any Councilor risk anything without consulting with the Town Administrator? A Town
552 Councilor can't talk with an attorney without the permission of the Town Administrator. I don't think we
553 should touch this rule. It is in effect for a good reason.

554
555 Chair Sullivan: I would suggest adding language saying "Any other Councilor may request to enter a
556 non-public session at any time as long as the citation is noted correctly."
557

558 A. Garron: What you have doesn't preclude a Councilor from asking for the correct citation. Also, there
559 is no time frame indicated for 'previously discussed.'

560
561 C. Karolian: If we look at keeping that, the way I'm reading it...I don't know if anyone else is reading it
562 that way, and I am more than happy to admit when I am wrong, in order for me or any other Councilor
563 to want to go into non-public at a meeting, I would have to previously discuss it with the Town
564 Administrator, according to what I'm reading. I would have to discuss it with him and then go into non-
565 public.

566
567 Chair Sullivan: It only says that the Chair – that only refers to me - must have previously discussed the
568 citation with the Town Administrator.

569
570 C. Karolian: It is incumbent upon the Councilors to know the citations, or they shouldn't be sitting here.
571

572 **C. Karolian motioned to add to Section 8a the following: "This by no means restricts any**
573 **Councilor from motioning to go into non-public session with the appropriate citation." and**
574 **further motioned to change "may be" to "are" in Section 8g. Chair Sullivan seconded the**
575 **motion.**

576 **Voted in favor (8-1). R. Duhaime voted no.**

577
578 R. Duhaime: As a safety net, before discussing anything in non-public, I would hope Town Councilors
579 would consult with the Town Administrator, as a safety issue of getting into legalities. It's the reason we
580 have a staff. If the Town Administrator doesn't have an answer, he can get it.

581
582 D. Fitzpatrick: To finish with the Rules of Procedure, now that you have approved the section regarding
583 approval of minutes, that changes our current protocol because you are going with the NHMA
584 recommended protocol. We are looking for a time frame. We need to go out to all boards and
585 committees to start the new process, to roll this out, and to educate them We recommend by the end of
586 this year.

587
588 A. Garron: I want to give the other boards and committees time to be educated and to phase this in. We
589 should be all set for the first of the year.

590
591 Chair Sullivan: We should act on the new procedures now for the Town Council, and we should give
592 the boards and committees an indication that we want them to mimic our rules so that we are all under
593 the same rules.

594
595 **Chair Sullivan motioned that the Council directs all committees, boards and commissions under**
596 **the authority of the Town Charter, of which the Town Council is the governing body, with the**
597 **exclusion of the Budget Committee, to adhere to the rules adopted by the Town Council on**
598 **September 11, 2019 regarding the procedure for approval of meeting minutes and to adopt said**
599 **rules by December 31, 2019. R. Duhaime seconded the motion.**

600 **Voted unanimously in favor (9-0).**

601
602

603 **Town Administrator Goals FY 2019-2020**

604
605
606 A. Garron: I hope that I have captured what you wanted to see. I reworded the first one because this is
607 about business retention and expansion – encouraging businesses to stay and grow in Hooksett.

608

609 A. Walczyk: I am curious what your thoughts are, Andre. I am not sure if maybe we should get the
610 EDAC involved and create a charge for them. Perhaps saying you are doing it includes them.

611
612 Chair Sullivan: It would include the EDAC, the Planning Board, the Zoning Board and the Town
613 Council.

614
615 A. Garron: I assume all boards would help. I will work with and through them to achieve this goal. This
616 is not a one-man job.

617
618 R. Duhaime: Regarding an inventory of town land, Sewer, the Schools and Water each own land and
619 can sell it. The previous town administrator was to do an inventory. We need representation of the
620 Town Administrator when there are discussions of future use. There are no parks on the west side of
621 the river. There is town-owned land there, and we know of one development paying impact fees. These
622 fees could be used to build a park. The questions are where the park would be located and when it
623 would be built.

624
625 Chair Sullivan: We can add an eighth goal to re-inventory town land and review if for future use or
626 possible elimination.

627
628 R. Duhaime: Or trade.

629
630 T. Tsantoulis: Let's start with baby steps. Completing the inventory could be a goal for the first year.
631 Developing a plan could be for the second year.

632
633 A. Walczyk: I would like to add this to the second goal: "Save the bee population." And for the fifth goal,
634 I intended that this would be about getting the school more involved so that the town and the school are
635 working together, not so much regarding the CIP.

636
637 A. Garron: The school should be part of the planning.

638
639 Chair Sullivan: I think that the fourth goal should not refer only to the performance zone. It should
640 include other commercial and industrial zones.

641
642 ***T. Tsantoulis motioned to approve the Town Administrator written goal sheet for effective date***
643 ***September 11, 2019 through June 30, 2020 as presented and authorize Council Chair Sullivan to***
644 ***execute this goal sheet. A. Walczyk seconded the motion.***
645 ***Voted unanimously in favor (9-0).***

646
647
648
649 **Hooksett Old Home Day - September 21, 2019 - Town Council Booth**

650 A. Walczyk: Everyone should go to Old Home Day. It will be on September 21st and is being advertised
651 throughout the town. We need Town Council members to man the booth on behalf of the Town Council.
652 There will be topics for constituents to check out, including the TIF District, the six largest
653 developments, the new Agway building on Hooksett Road, information for Seniors, educational material
654 on Recycling and vacancies on boards and committees. We might provide an update on the Police
655 Station. Mr. Thomas's presentation tonight was excellent. We will have the results of the Master Plan.
656 We need pictures of Councilors Durand, Karolian and Jones. We also need your t-shirt size if you will
657 be manning the booth.

658
659 **Hooksett Employee Appreciation Picnic – October 11, 2019 – Hosted by Town Council**

660 A. Walczyk: The Employee Appreciation Picnic will be held on October 11th, exactly one month from
 661 today. This is hosted by the Town Council to show our appreciation of town employees. We have been
 662 doing this for years. We are asking Town Councilors to solicit gift certificates and donations such as
 663 beauty products from hair salons. Donna Fitzpatrick has the forms to thank them. This is a tax-write-off,
 664 and feedback indicates that this gives local businesses great exposure. Some get more business and
 665 say the gift certificate they donated paid for itself tenfold.

666
 667 D. Fitzpatrick: The list of those who donated last year is circulating now.

668
 669 A. Walczyk: I recommend that you don't go at the last minutes because most have to go back to their
 670 managers. We need donations of water, Coke, Orange soda, Ginger ale and/or Sprite. The food needs
 671 to be picked up from the Puritan, and we thank them for donating the food once again. We have to set
 672 up the kitchen and serve the employees. Longevity awards are presented, and there are raffle prizes.
 673 Employees do not have to be present to win. We will need to clean up and take additional food to the
 674 Safety Center.

675
 676 C. Jones: My granddaughter has a table at Old Home Day, and I will shuttle back and forth between her
 677 table and the Town Council table.

678

679 **SUB-COMMITTEE REPORTS**

680 Chair Sullivan: You have been provided an updated committee assignment list, and we thank Nick
 681 Germain for that.

682

683 R. Duhaime: I still need an alternate for the Planning Board.

684

685 C. Karolian: Do alternates only attend meetings when the regular member cannot be there?

686

687 Chair Sullivan: Alternates are free to attend any meeting, but the reason for the alternate is to attend
 688 when the representative can't be there.

689

690 T. Tsantoulis: We will be making a Hooksett Youth Achiever Presentation at the September 25th
 691 meeting. We have other pending candidates and will be scheduling a meeting date.

692

693 Chair Sullivan: I have a note from the Heritage Commission. They have been involved in a project using
 694 21st century technology to enhance your visit to Head Cemetery via a virtual tour. It includes highlights
 695 of famous people interred there.

696

697 N. Germain: This was done by Mackenzie Conner for her Girl Scout Gold Star. There was money left
 698 from the project for cleaning of headstones.

699

700 **PUBLIC INPUT**

701 Andy Janosz, 39 Main Street: I was listening to the August 14th video and was shocked to hear
 702 discussion of the Parks & Rec Director position. The people voted "no." Not 'maybe' and not 'let's talk
 703 about it.' My thanks to the Councilors who reminded everyone that this has been voted down three
 704 times. This is a dead issue; take it off of your ten-year Master Plan. The online surveys are not accurate
 705 because there is no control over one person taking it multiple times, and people who are not Hooksett
 706 residents can take it. Discussion always swayed to Fun in the Sun. We are very lucky that it was taken
 707 over by the YMCA. As was stated, the sports and other activities take care of themselves. There is not
 708 enough to justify even a part-time position. Let's listen to the voters.

709

710 **NON-PUBLIC SESSION NH RSA 91-A:3 II**

TC MINUTES 09-11-19 - U

711
 712 ***J. Sullivan motioned to enter non-public session of 09/11/19 at 8:57 pm per NH RSA 91-A:3 II (a).***
 713 ***Seconded by A. Walczyk.***
 714
 715 RSA 91-A:3, II (a) The dismissal, promotion or compensation of any public employee or the disciplining
 716 of such employee or the investigating of any charges against him or her, unless the employee affected
 717 (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the
 718 request shall be granted.
 719
 720 **Roll Call Vote #3**
 721 ***A. Comai Yes***
 722 ***C. Jones Yes***
 723 ***A. Walczyk Yes***
 724 ***J. Durand Yes***
 725 ***R. Duhaime Yes***
 726 ***T. Tsantoulis Yes***
 727 ***J. Levesque Yes***
 728 ***C. Karolian Yes***
 729 ***J. Sullivan Yes***
 730 ***Vote unanimously in favor (9-0).***
 731
 732 ***J. Sullivan motioned to exit non-public session of 09/11/19. Seconded by J. Levesque.***
 733 ***Vote unanimously in favor (9-0).***
 734 **Back in public session at 9:14 pm**
 735
 736 ***J. Sullivan motioned to seal the minutes of the non-public session because it is determined that***
 737 ***divulgence of this information likely would render a proposed action ineffective. T. Tsantoulis***
 738 ***seconded the motion.***
 739 ***Voted unanimously in favor (9-0).***
 740
 741 **ADJOURNMENT**
 742 ***J. Levesque motioned to adjourn the public session of 09/11/19 at 9:14 pm. Seconded by T.***
 743 ***Tsantoulis.***
 744 ***Vote unanimously in favor (9-0).***
 745
 746 Respectfully submitted,
 747
 748 *Kathleen Donnelly*
 749 Kathleen Donnelly
 750 Recording Clerk