



# **AGENDA**

## **Town of Hooksett Town Council**

### **Wednesday, November 6, 2019 at 5:00 PM**

A meeting of the Town Council will be held Wednesday, November 6, 2019 in the Hooksett Municipal Building commencing at **5:00 PM**.

Page

1. **CALL TO ORDER**
2. **PROOF OF POSTING**
3. **ROLL CALL - ATTENDANCE**
4. **NON-PUBLIC SESSION #1 NH RSA 91-A:3 II**
5. **PUBLIC SESSION WILL BEGIN IMMEDIATELY FOLLOWING THE NON-PUBLIC SESSION NOTED ABOVE**
6. **PLEDGE OF ALLEGIANCE**
7. **AGENDA OVERVIEW**
8. **PUBLIC HEARINGS**
9. **SPECIAL RECOGNITION**
  - 9.1. Hooksett Youth Achiever of the Month
  - 9.2. Hooksett Municipal Employee - New Hire
10. **SCHEDULED APPOINTMENTS**
  - 10.1. Sandra Mack, President, Hooksett Kiwanis, Regarding Winter Carnival 5  
[Staff Report - SR-19-190 - Pdf](#)
11. **CONSENT AGENDA**
  - 11.1. Surety Release for 36 Churchill Drive-DAR Builders, LLC 7 - 11  
[Staff Report - SR-19-183 - Pdf](#)
12. **TOWN ADMINISTRATOR'S REPORT**
13. **PUBLIC INPUT - 15 MINUTES**
14. **NOMINATIONS AND APPOINTMENTS**
15. **BRIEF RECESS**
16. **OLD BUSINESS**
  - 16.1. Removal of TAXICAB Ordinance, Other Ordinances, #00-20 13 - 25  
[Staff Report - SR-19-184 - Pdf](#)
  - 16.2. Energy Efficiency Exemption (ie Solar Energy) (tabled at 10/09/19 Town Council Meeting) 27 - 35  
[NH SOLAR AND WINDS](#)
  - 16.3. Town of Hooksett Health Insurance for Elected Officials (tabled at 10/23/19 37 - 51  
**Anyone requesting auxiliary aids or services is asked to contact the Administration Department five business days prior to the meeting.**

Town Council Meeting)

[Staff Report - SR-19-189 - Pdf](#)

[ADM CODE ELECTED 110619](#)

[2020 NON-UNION HEALTH INSURANCE RATE SHEET](#)

[2020 DENTAL INSURANCE RATES](#)

[2020 retiree health ins premiums 010120](#)

[2020 retiree dental ins premiums 010120](#)

16.4. FY 2020-21 Budget and Warrant Articles 53 - 55

[Staff Report - SR-19-188 - Pdf](#)

## 17. NEW BUSINESS

17.1. Winter Carnival - Hooksett Kiwanis Sponsored Event 57

[Staff Report - SR-19-191 - Pdf](#)

17.2. Quarterly Financial Report for September 30, 2019 59 - 67

[Staff Report - SR-19-187 - Pdf](#)

17.3. Lambert's Park Pavilion Project 69 - 81

[Staff Report - SR-19-185 - Pdf](#)

## 18. APPROVAL OF MINUTES

18.1. Public: 10/23/2019 83 - 96

[tc\\_minutes\\_102319](#)

18.2. Non-Public: 10/23/2019

## 19. SUB-COMMITTEE REPORTS

## 20. PUBLIC INPUT

## 21. NON-PUBLIC SESSION #2 NH RSA 91-A:3 II

## 22. 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.

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



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**To:** Town Council  
**Title:** Sandra Mack, President, Hooksett Kiwanis, Regarding Winter Carnival  
**Meeting:** Town Council - 06 Nov 2019  
**Department:** Administration  
**Staff Contact:** Nick Germain, Project Coordinator

### **BACKGROUND INFORMATION:**

Last year, Town Council approved the use of municipal property for a Winter Carnival event organized by the Hooksett Kiwanis.

this year, Sandra Mack, President of the Hooksett Kiwanis, has requested to meet with Council to again discuss a Winter Carnival.

Minutes say that last year Council approved the Town Administrator to work with Department heads and Kiwanis regarding the event. There was also talk of referring Kiwanis to the Parks and Recreation Advisory Board.

Kiwanis apparently provided a debrief and met with the Parks and Recreation Advisory Board last year to discuss things that worked well and some challenges.

### **FINANCIAL IMPACT:**

n/a - may require staff time to facilitate set-up for the event at some level

### **POLICY IMPLICATIONS:**

N/A

### **RECOMMENDATION:**

Listen to Hooksett Kiwanis President talk about the event.

### **SUGGESTED MOTION:**

N/A - If required, act on the request later under new business.

### **TOWN ADMINISTRATOR'S RECOMMENDATION:**

Concur



## Town Council

# STAFF REPORT



**To:** Town Council  
**Title:** Surety Release for 36 Churchill Drive-DAR Builders, LLC  
**Meeting:** Town Council - 06 Nov 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 that time, it was found that the 75-foot protective well radius was out of the property line by 0.7 feet at 36 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 submitted a \$6,000 surety because the Planning Board waiver had not been attained yet. The Development Regulations require a waiver be granted by the Planning Board and the Release Form for Protective well Radii form provided by the State of NH Department of Environmental Services must be recorded at the Merrimack Registry of Deeds.

The Planning Board waiver was granted at their meeting on Monday, October 21st, 2019. The abutters were notified for that meeting. The abutter at lot 12-24-29 is owned by someone other than the developer and did not present any comments at the Planning Board meeting. The Release Form for Protective Well Radii was signed and recorded at the Merrimack Registry of Deeds on August 18, 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- The Council chairman was called and asked to see if his ( 39 churchill) CO could be issued on 10/11 instead of having to wait till 10/21 for the Planning board to waive the well radius issue and that the only way for this to happen was requesting the 6,000 bond from developer. I believed that since CO had been issued previously before that to accommodate this future citizen we should assist.

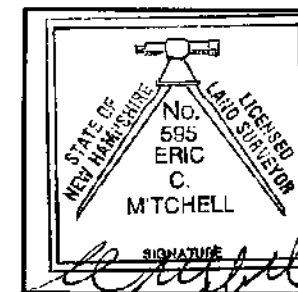
### ATTACHMENTS:

[36 Churchill As-Built](#)  
[36 Churchill Drive E-mail to Release TCO](#)  
[36 Churchill Drive NHDES Waiver](#)





1. "SUBDIVISION PLANS "SUMMIT VIEW" SOUTH BOW ROAD, HOOKSETT/BOW, NEW HAMPSHIRE PREPARED FOR STERLING HOMES, LLC" DATE: AUGUST 19, 2013, LAST REVISED 7-10-14 M.C.R.D. PLAN #201400015387.
2. THE SEPTIC SYSTEM SHOWN HEREON IS BASED UPON NHDES APPROVAL @CA2019010807



I HEREBY CERTIFY THAT THE FOUNDATION SHOWN  
HEREON WAS LOCATED BY AN ACTUAL FIELD SURVEY  
AND THAT THE LOCATION COMPLIES WITH THE  
SETBACKS AS APPROVED ON THE ABOVE REFERENCED  
PLAN.

ERIC C. MITCHELL LLS NO 595 9/17/19  
DATE

**CERTIFIED PLOT PLAN**

MAP 12 LOT 24-30  
36 CHURCHILL DRIVE  
HOOKSETT, NH

SCALE: 1" = 40' • SEPT. 17, 2019

PREPARED BY

**ERIC C. MITCHELL AND ASSOC. INC.**

PLANNING - ENGINEERING - SURVEYING - ENVIRONMENTAL  
P.O.BOX 10298, 106 SO. RIVER RD., BEDFORD, NH 03110-0298 (603) 627-1181

DWG: LOT 30	FLD. BK/PG: 560/62	JOB NO. 18-45
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**Leann Fuller**

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**From:** Andre Garron  
**Sent:** Tuesday, October 15, 2019 8:57 AM  
**To:** Nicholas Williams; Leann Fuller  
**Cc:** Matthew Lavoie; Kathy Lawrence  
**Subject:** RE: 36 Churchill Well Radius Bond

Nicholas,

On Friday, October 11, at the employee picnic, Chairman Jim Sullivan, shared his conversation with Matt Lavoie, Kathy Lawrence and me regarding Mr. O'Malley, 36 Churchill Road, about a well radius issue. The issue being that Mr. O'Malley's well radius, due to the placement of the well, overlaps onto the abutting parcel. This issue has been before Town Council before because Council has the authority to release the bond. This item has been debated at length at Council meetings and it was recommended by staff not accept a bond for the well radius and allow the planning board to decide whether not to grant a waiver for the well radius.

Unfortunately, the situation has presented itself again. I spoke with the homeowner and explained the history of the well radius bond and voice my disappointment with the developer for putting the homeowner in this situation. Mr. and Mrs. O'Malley are currently residing in a hotel awaiting our decision about granting a temporary certificate of occupancy (TCO). I have decided to authorize the Community Development Department and Building Department to grant the TCO. The well radius waiver request for 36 Churchill Road is scheduled for the October 21, 2019 Planning Board meeting. The TCO will be granted until October 22, 2019.

*André*

Andre L. Garron, Town Administrator  
 Town of Hooksett  
 35 Main Street  
 Hooksett, NH 03106  
 603-485-1184 office  
[agarron@hooksett.org](mailto:agarron@hooksett.org)

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**From:** Nicholas Williams  
**Sent:** Tuesday, October 15, 2019 8:06 AM  
**To:** Leann Fuller  
**Cc:** Andre Garron  
**Subject:** RE: 36 Churchill Well Radius Bond

EFiled 201900016920 Recorded in Merrimack County, NH In the Records of Susan Cragin, Register  
BK: 3646 PG: 2701, 9/18/2019 11:09 AM RECORDING \$10.00 SURCHARGE \$2.00

Return to: Accurate Title, 170 S. River Rd, Bedford, NH 03110



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 36 CHURCHILL DRIVE Town/City HOOKSETT

County of MERRIMACK ; as described in deed dated JUNE 29<sup>TH</sup>, 2017

Recorded at Book 3561, Page 760, Tax Map 12, Lot 24-30

Subdivision Approval No. 201400015387 Construction Approval No. eCA2019010807

- 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: \_\_\_\_\_

Type or Print Name

Reginald J. Moreau

Date

Owner's Signature: \_\_\_\_\_

Type or Print Name

Date

\*\*\* 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:** Matthew Lavoie  
**Title:** Removal of TAXICAB Ordinance, Other Ordinances, #00-20  
**Meeting:** Town Council - 06 Nov 2019  
**Department:** Community Development  
**Staff Contact:** Kathy Lawrence, Community Development Clerk

### BACKGROUND INFORMATION:

In 2017 HPD found it unlawful to conduct such "motor vehicle record check and criminal background check" as required with ordinance #00-20 section 2.5. Queen City Taxi has been Hooksett's only applicant for 13 years and paid in excess of \$300.00. The change in "Ride Share" has evolved to many other options for residents and those ride share options come to Hooksett from out of town do not have to comply. It has been the opinion of past administrators and HPD that the Other Ordinance #00-20 is out dated.

### FINANCIAL IMPACT:

\$300.00

### POLICY IMPLICATIONS:

Has been determined that section 2.5 is unlawful

### RECOMMENDATION:

Other Ordinance #00-20 TAXICAB Ordinance: This is a 3 step process for Town Council to introduce the following:

1. Council 1st meeting: October 9th - Staff report with "Other Ordinance" new ordinances, amendments or removal. Councilor introduces item, then go to (#2) or item has failed.

#### **Action-Moved to #2**

2. Council 2nd meeting: October 23rd- Staff report and public hearing as posted in local newspaper and distributed, if Council moves forward after public hearing input, then go to (#3) or item has failed.

#### **Action-Moved to #3**

3. Council 3rd meeting: November 6th staff report and Council vote on "Other Ordinance", new ordinances, amendments or removals - if majority vote, item passes, if not item fails

End results, the removal of Other Ordinances #00-20 TAXICAB Ordinance with Strikethrough

### SUGGESTED MOTION:

Motion to approve the removal of, Other Ordinance #00-20 TAXICAB Ordinance, effective November 6th 2019.

### TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

**ATTACHMENTS:**

[Taxicab Ordinance](#)

[Taxicab Ordinance with strikethrough](#)

[Taxicab ordinance legal opinion](#)

TAXICAB  
ORDINANCE # 00-20

The Town of Hooksett ordains that, pursuant to the authority granted under section 3.6 of the Hooksett Town Charter, the following ordinance is hereby enacted in the Town of Hooksett:

SECTION 1  
DEFINITION

1.1 The word "taxicabs" as used in this section shall mean any rubber-tired motor vehicle, having a manufacturers rated capacity of not more than ten (10) passengers, used in the call and demand transportation of passengers for compensation to or from points chosen or designated by the passengers and not operated on a fixed schedule, between fixed termini, or any such vehicle leased or rented, or held for leasing or renting, with or without driver or operator.

SECTION 2  
APPLICATION

2.1 Applications for a Town of Hooksett Taxicab Permit for the purpose of engaging in the business of operating a taxicab or taxicabs shall be made to the Town of Hooksett upon a form to be determined by the Town of Hooksett.

2.2 Applications for a Town of Hooksett Taxicab permit shall include:

- (a) The applicants name
- (b) The applicants home address
- (c) The applicants home telephone number
- (d) The trade name under which the applicant proposes to do business
- (e) The business address
- (f) The business telephone number

2.3 Each motor vehicle to be used as a taxicab in the applicants Town of Hooksett Taxicab Permit will include:

- (a) The vehicle owners name
- (b) The vehicle owners address
- (c) The vehicle owners telephone number
- (d) A complete description of each vehicle to be used including proof of motor vehicle registration

2.4 Each taxicab operator to be used in the applicants Town of Hooksett Taxicab Permit for the purpose of engaging in the operation of a taxicab or taxicabs in the Town of Hooksett will include:

- (a) The operators full name
- (b) The operators home address
- (c) The operators home telephone number
- (d) Proof of a valid New Hampshire Operators License

2.5 Upon receipt of the Town of Hooksett Taxicab Permit Application, the Town of Hooksett shall submit the list of taxicab operators to the Hooksett Police Department for a motor vehicle record check and a criminal record check.

2.6 After a review of the Town of Hooksett Taxicab Permit Application to determine its compliance with this ordinance, and, within thirty working days of the receipt of the application, the Town shall either issue a Town of Hooksett Taxicab Permit or notify the applicant that the application information does not comply with the requirements of this ordinance, specifically identifying what information has not been furnished which is required before a Town of Hooksett Taxicab Permit can be issued.

### SECTION 3 OUT OF TOWN TAXICABS

3.1 Taxicab businesses located outside of the Town of Hooksett who operate taxicab services in the Town of Hooksett by picking up passengers, will be required to apply for, submit and complete all of the requirements in the Town of Hooksett taxicab Ordinance.

### SECTION 4 INSURANCE

4.1 Before a Town of Hooksett Taxicab Permit is issued by the Town of Hooksett, each applicant must submit to the Town of Hooksett:

A certificate of insurance shall be provided to the Town of Hooksett showing that the applicant has been issued an insurance policy by an insurance company licensed to do business in the State of New Hampshire, protecting the licensee and taxicab operators from all claims for damages to property and bodily injury, including death which may arise from operations under or in connection with the Town of Hooksett Taxicab Permit. Such insurance shall provide that the policy shall not terminate or be canceled prior to the expiration date except with thirty (30) days advance written notice to the Town of Hooksett. Such policy shall provide coverage in the amounts of at least one half million dollars (\$500,000.00) per single occurrence.

### SECTION 5 PERMIT FEES

5.1 For each applicant applying as a trade name for a Town of Hooksett Taxicab Permit, a fee of fifty dollars (\$50.00) shall be submitted with the application.

5.2 For each vehicle to be utilized in the Town of Hooksett Taxicab Permit, the applicant shall submit with the application a fee of twenty-five dollars (\$25.00).

5.3 For each operator listed in the Town of Hooksett Taxicab permit, the applicant shall submit with the application a fee of ten dollars (\$10.00).

5.4 All fees are to be paid to the Town of Hooksett with the application when it is submitted to the Town of Hooksett.

### SECTION 6 PERMIT EXPIRATIONS AND RENEWALS

6.1 The Town of Hooksett Taxicab Permit is an annual permit and all of the requirements in the permit will expire on December 31st at 11:59 pm of each year.

6.2 When original application or renewal application is made after July 1st of each year, one half of each required fee amount is paid rather than the full amount.

6.3 When renewing the Town of Hooksett Taxicab Permit, all fees are required with the submission of the renewal of the application with the exception of section 5.1 only.

#### SECTION 7 RECORD REQUIREMENTS

7.1 Each taxicab business with a Town of Hooksett Taxicab Permit shall be required to keep a log detailing, at the minimum on a daily basis the time and place of each pickup, the time and place of each discharge and the fare charged therefore. The log shall be maintained in order by date at the principal place of business of each taxicab business for the current calendar year and for the calendar year immediately preceding the current calendar year and shall be made available, upon request for review by any law enforcement agency.

#### SECTION 8 DISPLAY OF PERMIT

8.1 The Town may prescribe the form of permit for the Town of Hooksett Taxicab Permit. The Town of Hooksett Taxicab Permit shall bear the name of the applicant, the trade name and address of the taxicab business, each vehicle listed on the application to be used as a taxicab, each taxicab driver listed on the application and shall have printed permanently thereon: "This Town of Hooksett Taxicab Permit is not an endorsement by the Town of Hooksett or any of its officers or employees".

8.2 The Town of Hooksett Taxicab Permit shall at all times be conspicuously displayed in the cab of the taxicab so that it can be seen by a passenger in either day or night.

8.3 The applicant shall indicate the number of permit copies needed, as one is needed for each vehicle utilized.

8.4 Along with each permit and permit copy required, the Town may prescribe a colored sticker to be placed on the rear bumper of each taxicab utilized. The sticker shall be issued annually along with the application and/or renewal of the application. The color of the sticker shall change annually indicating the new year and the validity of the sticker.

#### SECTION 9 TAXIMETERS

9.1 Every taxicab in the Town of Hooksett shall be equipped with a mechanical instrument or device commonly called a taximeter, approved by the Sealer of Weights and Measurers, by which the charge for hire of such taxicab is mechanically calculated and on which such charge is shown by clear and distinct figures under adequate light.

9.2 Each taximeter shall be inspected by the State Sealer of Weights and Measurers on an annual basis. Inspection shall also be required whenever the tire size changes during replacement of a tire or tires.

9.3 The taximeter utilized in each taxicab shall have an inspection expiration of September 30th of each year. Each taximeter must be inspected within ninety (90) days of September 30th of each year, but not after September 30th of each year. The inspection shall be conducted by the State of New Hampshire Division of Weights and Measures, Sealer of Weights and Measures. The only other time during the year when the taximeter shall be inspected is if the tire or tires are changed to a different size. If the tire or tires are changed, but remain the same size, it is not necessary to have the taximeter inspected.

9.4 Cars for hire used for conveying passengers for attendance at marriages, funerals, christenings, or for use in ceremonial parades need not be equipped with a taximeter.

#### SECTION 10 RATE CARDS

10.1 Upon the issuance of a Town of Hooksett Taxicab Permit, the trade name owner shall issue to each taxicab listed on his/her application a rate card which shall have the rates of the taxicab business.

10.2 The rate card shall be conspicuously displayed in every taxicab so that it can be seen by a passenger in either day or night.

#### SECTION 11 RATES

11.1 Taximeter rates shall be determined only by mileage and not by time with the exception of being required to wait for a period of time by the passenger employed.

11.2 Mileage rates shall remain the same from the origination point to the destination point even when crossing Hooksett boundary lines.

11.3 Surcharge rates shall remain at a reasonable rate.

11.4 The surcharge rate which is charged at the origination point shall be the only surcharge rate incurred. When entering Hooksett there will not be an additional surcharge added onto the mileage rate.

#### SECTION 12 CONSENT OF PASSENGER NEEDED FOR CARRYING OTHERS

12.1 No taxicab operator shall carry any person other than the passenger first employing the taxicab without the consent of the first passenger.

12.2 Any taxicab agent at any railroad station, bus terminal, or public place, before directing a second passenger to a taxicab employed, shall ask the person first employing the taxicab if they consent to another passenger or passengers.

#### SECTION 13 PROHIBITIONS

13.1 It shall be unlawful for any person, partnership, cooperation or association to engage in the business of operating a taxicab in the Town of Hooksett without first having secured the required Town of Hooksett Taxicab Permit.

13.2 It shall be unlawful for any taxicab, who has obtained a Town of Hooksett Taxicab Permit, to operate in the Town of Hooksett while violating any of the sections in this ordinance.

**SECTION 14  
PENALTY**

14.1 Any violation of the terms in this ordinance shall be punishable by a fine of fifty dollars (\$50.00) for each day that such violation is found to continue.

ADOPTED: 12/8/93

AMENDED: 05/28/03

**TAXICAB  
ORDINANCE # 00-20**

The Town of Hooksett ordains that, pursuant to the authority granted under section 3.6 of the Hooksett Town Charter, the following ordinance is hereby enacted in the Town of Hooksett:

**SECTION 1  
DEFINITION**

\_\_\_\_\_ 1.1 The word "taxicabs" as used in this section shall mean any rubber-tired motor vehicle, having a manufacturers rated capacity of not more than ten (10) passengers, used in the call and demand transportation of passengers for compensation to or from points chosen or designated by the passengers and not operated on a fixed schedule, between fixed termini, or any such vehicle leased or rented, or held for leasing or renting, with or without driver or operator.

**SECTION 2  
APPLICATION**

\_\_\_\_\_ 2.1 Applications for a Town of Hooksett Taxicab Permit for the purpose of engaging in the business of operating a taxicab or taxicabs shall be made to the Town of Hooksett upon a form to be determined by the Town of Hooksett.

\_\_\_\_\_ 2.2 Applications for a Town of Hooksett Taxicab permit shall include:

- \_\_\_\_\_ (a) The applicants name
- \_\_\_\_\_ (b) The applicants home address
- \_\_\_\_\_ (c) The applicants home telephone number
- \_\_\_\_\_ (d) The trade name under which the applicant proposes  
\_\_\_\_\_ to do business
- \_\_\_\_\_ (e) The business address
- \_\_\_\_\_ (f) The business telephone number

\_\_\_\_\_ 2.3 Each motor vehicle to be used as a taxicab in the applicants Town of Hooksett Taxicab Permit will include:

- \_\_\_\_\_ (a) The vehicle owners name
- \_\_\_\_\_ (b) The vehicle owners address
- \_\_\_\_\_ (c) The vehicle owners telephone number
- \_\_\_\_\_ (d) A complete description of each vehicle to be used  
\_\_\_\_\_ including proof of motor vehicle registration



~~2.4 Each taxicab operator to be used in the applicants Town of Hooksett Taxicab Permit for the purpose of engaging in the operation of a taxicab or taxicabs in the Town of Hooksett will include:~~

- ~~(a) The operators full name~~
- ~~(b) The operators home address~~
- ~~(c) The operators home telephone number~~
- ~~(d) Proof of a valid New Hampshire Operators License~~

~~2.5 Upon receipt of the Town of Hooksett Taxicab Permit Application, the Town of Hooksett shall submit the list of taxicab operators to the Hooksett Police Department for a motor vehicle record check and a criminal record check.~~

~~2.6 After a review of the Town of Hooksett Taxicab Permit Application to determine its compliance with this ordinance, and, within thirty working days of the receipt of the application, the Town shall either issue a Town of Hooksett Taxicab Permit or notify the applicant that the application information does not comply with the requirements of this ordinance, specifically identifying what information has not been furnished which is required before a Town of Hooksett Taxicab Permit can be issued.~~

### SECTION 3 OUT-OF-TOWN TAXICABS

~~3.1 Taxicab businesses located outside of the Town of Hooksett who operate taxicab services in the Town of Hooksett by picking up passengers, will be required to apply for, submit and complete all of the requirements in the Town of Hooksett taxicab Ordinance.~~

### SECTION 4 INSURANCE

~~4.1 Before a Town of Hooksett Taxicab Permit is issued by the Town of Hooksett, each applicant must submit to the Town of Hooksett:~~

~~A certificate of insurance shall be provided to the Town of Hooksett showing that the applicant has been issued an insurance policy by an insurance company licensed to do business in the State of New Hampshire, protecting the licensee and taxicab operators from all claims for damages to property and bodily injury, including death which may arise from operations under or in connection with the Town of Hooksett Taxicab Permit. Such insurance shall provide that the policy shall not terminate or be canceled prior to the expiration date except with thirty (30) days advance written notice to the Town of Hooksett. Such policy shall provide coverage in the amounts of at least one half million dollars (\$500,000.00) per single occurrence.~~

### SECTION 5 PERMIT FEES

~~5.1 For each applicant applying as a trade name for a Town of Hooksett Taxicab Permit, a fee of fifty dollars (\$50.00) shall be submitted with the application.~~

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#### ~~SECTION 6 PERMIT EXPIRATIONS AND RENEWALS~~

~~6.1 The Town of Hooksett Taxicab Permit is an annual permit and all of the requirements in the permit will expire on December 31st at 11:59 pm of each year.~~

~~6.2 When original application or renewal application is made after July 1st of each year, one half of each required fee amount is paid rather than the full amount.~~

~~6.3 When renewing the Town of Hooksett Taxicab Permit, all fees are required with the submission of the renewal of the application with the exception of section 5.1 only.~~

#### ~~SECTION 7 RECORD REQUIREMENTS~~

~~7.1 Each taxicab business with a Town of Hooksett Taxicab Permit shall be required to keep a log detailing, at the minimum on a daily basis the time and place of each pickup, the time and place of each discharge and the fare charged therefore. The log shall be maintained in order by date at the principal place of business of each taxicab business for the current calendar year and for the calendar year immediately preceding the current calendar year and shall be made available, upon request for review by any law enforcement agency.~~

#### ~~SECTION 8 DISPLAY OF PERMIT~~

~~8.1 The Town may prescribe the form of permit for the Town of Hooksett Taxicab Permit. The Town of Hooksett Taxicab Permit shall bear the name of the applicant, the trade name and address of the taxicab business, each vehicle listed on the application to be used as a taxicab, each taxicab driver listed on the application and shall have printed permanently thereon: "This Town of Hooksett Taxicab Permit is not an endorsement by the Town of Hooksett or any of its officers or employees".~~

~~8.2 The Town of Hooksett Taxicab Permit shall at all times be conspicuously displayed in the cab of the taxicab so that it can be seen by a passenger in either day or night.~~

~~8.3 The applicant shall indicate the number of permit copies needed, as one is needed for each vehicle utilized.~~

~~8.4 Along with each permit and permit copy required, the Town may prescribe a colored sticker to be placed on the rear bumper of each taxicab utilized. The sticker shall be issued annually along with the application and/or renewal of the application. The color of the sticker shall change annually indicating the new year and the validity of the sticker.~~

#### ~~SECTION 9 TAXIMETERS~~

~~9.1 Every taxicab in the Town of Hooksett shall be equipped with a mechanical instrument or device commonly called a taximeter, approved by the Sealer of Weights and Measurers, by which the charge for hire of such taxicab is mechanically calculated and on which such charge is shown by clear and distinct figures under adequate light.~~

~~9.2 Each taximeter shall be inspected by the State Sealer of Weights and Measurers on an annual basis. Inspection shall also be required whenever the tire size changes during replacement of a tire or tires.~~

~~9.3 The taximeter utilized in each taxicab shall have an inspection expiration of September 30th of each year. Each taximeter must be inspected within ninety (90) days of September 30th of each year, but not after September 30th of each year. The inspection shall be conducted by the State of New Hampshire Division of Weights and Measures, Sealer of Weights and Measures. The only other time during the year when the taximeter shall be inspected is if the tire or tires are changed to a different size. If the tire or tires are changed, but remain the same size, it is not necessary to have the taximeter inspected.~~

~~9.4 Cars for hire used for conveying passengers for attendance at marriages, funerals, christenings, or for use in ceremonial parades need not be equipped with a taximeter.~~

#### SECTION 10 RATE CARDS

~~10.1 Upon the issuance of a Town of Hooksett Taxicab Permit, the trade name owner shall issue to each taxicab listed on his/her application a rate card which shall have the rates of the taxicab business.~~

~~10.2 The rate card shall be conspicuously displayed in every taxicab so that it can be seen by a passenger in either day or night.~~

#### SECTION 11 RATES

~~11.1 Taximeter rates shall be determined only by mileage and not by time with the exception of being required to wait for a period of time by the passenger employed.~~

~~11.2 Mileage rates shall remain the same from the origination point to the destination point even when crossing Hooksett boundary lines.~~

~~11.3 Surcharge rates shall remain at a reasonable rate.~~

~~11.4 The surcharge rate which is charged at the origination point shall be the only surcharge rate incurred. When entering Hooksett there will not be an additional surcharge added onto the mileage rate.~~

#### SECTION 12 CONSENT OF PASSENGER NEEDED FOR CARRYING OTHERS

~~12.1 No taxicab operator shall carry any person other than the passenger first employing the taxicab without the consent of the first passenger.~~

~~\_\_\_\_\_ 12.2 Any taxicab agent at any railroad station, bus terminal, or public place, before directing a second passenger to a taxicab employed, shall ask the person first employing the taxicab if they consent to another passenger or passengers.~~

SECTION 13  
PROHIBITIONS

~~\_\_\_\_\_ 13.1 It shall be unlawful for any person, partnership, cooperation or association to engage in the business of operating a taxicab in the Town of Hooksett without first having secured the required Town of Hooksett Taxicab Permit.~~

~~\_\_\_\_\_ 13.2 It shall be unlawful for any taxicab, who has obtained a Town of Hooksett Taxicab Permit, to operate in the Town of Hooksett while violating any of the sections in this ordinance.~~

SECTION 14  
PENALTY

~~\_\_\_\_\_ 14.1 Any violation of the terms in this ordinance shall be punishable by a fine of fifty dollars (\$50.00) for each day that such violation is found to continue.~~

ADOPTED: 12/8/93  
AMENDED: 05/28/03

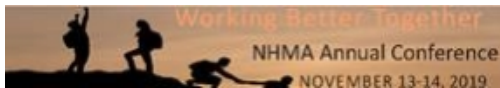
**From:** Legal Inquiries [mailto:legalinquiries@nhmunicipal.org]  
**Sent:** Thursday, October 03, 2019 11:03 AM  
**To:** Kathy Lawrence  
**Subject:** Hooksett: Removal of Taxi Cab Ordinance

Good morning Kathy,

I'm not aware of any other towns removing their Taxi Ordinance, but, I assume, with the rise of Uber and Lyft that some have considered updating their ordinance to reflect changes in the taxi industry. Obviously, however, if the ordinance no longer has any real effect or targets an industry which has so changed that it no longer is useful, there is no point in keeping it on the books.

Please let me know if I can provide any further information.

Natch Greyes, Esq.  
Municipal Services Counsel  
NH Municipal Association  
25 Triangle Park Drive  
Concord NH 03301  
Tel: (603) 224-7447  
Email: [legalinquiries@nhmunicipal.org](mailto:legalinquiries@nhmunicipal.org)



**From:** Kathy Lawrence <[KLawrence@hooksett.org](mailto:KLawrence@hooksett.org)>  
**Sent:** Wednesday, October 2, 2019 5:22 PM  
**To:** Legal Inquiries <[legalinquiries@nhmunicipal.org](mailto:legalinquiries@nhmunicipal.org)>  
**Subject:** Removal of Taxi Cab Ordinance

Good afternoon,

We are in the process of requesting our Town Council remove the Taxi Cab ordinance. Hooksett has had the ordinance for more than 35 years and most aspects of the ordinance are outdated. Do you know of any precedence of other towns removing this ordinance or reason why not to remove it. I am trying to prepare for any questions Town Council may have in this request.

*Thank you*

*Kathy Lawrence*

Community Development  
Administrative Assistant



## References to NH Solar and Wind Laws

Items highlighted in **yellow** are what is being proposed for adoption in Hooksett. These are for solar and wind (turbines / mills). This document captures the other references to laws.

New Hampshire Statutes

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CHAPTER 72: PERSONS AND PROPERTY LIABLE TO TAXATION

<http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-V-72.htm>

Procedure for Adoption (excerpt below)

<http://www.gencourt.state.nh.us/rsa/html/V/72/72-27-a.htm>

### TITLE V - TAXATION - CHAPTER 72

#### PERSONS AND PROPERTY LIABLE TO TAXATION - Property Taxes

##### **Section 72:27-a**

**72:27-a** Procedure for Adoption, Modification, or Rescission. –

I. Any town or city may adopt the provisions of RSA 72:28, RSA 72:28-b, RSA 72:29-a, RSA 72:35, RSA 72:37, RSA 72:37-b, RSA 72:38-b, RSA 72:39-a, **RSA 72:62**, **RSA 72:66**, RSA 72:70, RSA 72:76, or RSA 72:82 in the following manner:

(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3.

(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

II. The vote shall specify the provisions of the property tax exemption or credit, the amount of such exemption or credit, and the manner of its determination, as listed in paragraph I. If a majority of those voting on the question vote "yes," the exemption or credit shall take effect within the town or city, on the date set by the governing body, or in the tax year beginning April 1 following its adoption, whichever shall occur first.

III. A municipality may modify, if applicable, or rescind the exemption or credits provided in paragraph I in the manner described in this section.

IV. An amendment to a statutory provision listed in paragraph I related to an exemption or credit amount or to the eligibility or application of an exemption or credit, shall apply in a municipality which previously adopted the provision only after the municipality complies with the procedure in this section, unless otherwise expressly required by law.

**Source.** 2003, 299:1; 299:23. 2004, 170:3. 2008, 224:3, eff. July 1, 2008. 2016, 217:2, eff. Aug. 8, 2016. 2017, 179:1, eff. Aug. 28, 2017.

## References to NH Solar and Wind Laws

### **72:27-a Procedure for Adoption, Modification, or Rescission. –**

I. Any town or city may adopt the provisions of RSA 72:28, RSA 72:28-b, RSA 72:29-a, RSA 72:35, RSA 72:37, RSA 72:37-b, RSA 72:38-b, RSA 72:39-a, **RSA 72:62, RSA 72:66**, RSA 72:70, RSA 72:76, RSA 72:82, or RSA 72:85 in the following manner:

(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3.

(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

II. The vote shall specify the provisions of the property tax exemption or credit, the amount of such exemption or credit, and the manner of its determination, as listed in paragraph I. If a majority of those voting on the question vote "yes," the exemption or credit shall take effect within the town or city, on the date set by the governing body, or in the tax year beginning April 1 following its adoption, whichever shall occur first.

III. A municipality may modify, if applicable, or rescind the exemption or credits provided in paragraph I in the manner described in this section.

IV. An amendment to a statutory provision listed in paragraph I related to an exemption or credit amount or to the eligibility or application of an exemption or credit, shall apply in a municipality which previously adopted the provision only after the municipality complies with the procedure in this section, unless otherwise expressly required by law.

**Source.** 2003, 299:1; 299:23. 2004, 170:3. 2008, 224:3, eff. July 1, 2008. 2016, 217:2, eff. Aug. 8, 2016. 2017, 179:1, eff. Aug. 28, 2017. 2019, 327:3, eff. Oct. 15, 2019.

## **CHAPTER Rev 400 PROPERTY TAX CREDITS, EXEMPTIONS AND DEFERRALS**

[http://www.gencourt.state.nh.us/rules/state\\_agencies/rev400.html](http://www.gencourt.state.nh.us/rules/state_agencies/rev400.html)

### **Definition:**

Rev. 401.27 "Solar energy system" means "solar energy system" as defined in RSA 72:61, namely "a system which utilizes solar energy to heat or cool the interior of a building or to heat water for use in a building and which includes one or more collectors and a storage container. 'Solar energy system' also means a system which provides electricity for a building by the use of photovoltaic panels."



References to NH Solar and Wind Laws

PART Rev 402 GENERAL INFORMATION

Rev 402.02 Types of Optional Property Tax Credits and Exemptions. A municipality may adopt, rescind, or modify, if applicable, the following property tax credits and exemptions pursuant to RSA 72:27-a:

- (a) Optional veterans' tax credit pursuant to Rev 403;
- (b) All veterans' tax credit pursuant to Rev 404;
- (c) Optional service-connected total and permanent disability tax credit pursuant to Rev 405;
- (d) Optional surviving spouse tax credit pursuant to Rev 406;
- (e) Exemption for the disabled pursuant to Rev 410;
- (f) Exemption for deaf or severely hearing impaired persons pursuant to Rev 411;
- (g) Exemption for the blind pursuant to Rev 413;
- (h) Exemption for solar energy systems pursuant to Rev 414;
- (i) Exemption for wind-powered energy systems pursuant to Rev 415; and
- (j) Exemption for woodheating energy systems pursuant to Rev 416.

**Source.** #5911, eff 10-14-94; ss and moved by #7410, eff 11-23-00 (from Rev 402.03); (See Revision Note at chapter heading for Rev 400) #9309, eff 10-30-08 (from Rev 402.04); ss by #12027, eff 10-28-16

PART Rev 414 EXEMPTION FOR SOLAR ENERGY SYSTEMS

Rev 414.01 Exemption for Solar Energy Systems.

- (a) An applicant shall not be entitled to the exemption for solar energy systems pursuant to RSA 72:62 unless:
  - (1) The applicant's real estate is located in a municipality that has adopted the exemption for solar energy systems; and
  - (2) The applicant owns real estate which is equipped with a solar energy system.
- (b) The amount of the exemption for solar energy systems shall be equal to:
  - (1) 100% of any increase in the assessed value of the applicant's residential real estate resulting from the solar energy system; or
  - (2) A dollar amount adopted by the municipality.
- (c) The exemption for solar energy systems shall apply only in the tax years during which the solar energy system is functioning.

**Source.** #12027, eff 10-28-16

PART Rev 415 EXEMPTION FOR WIND-POWERED ENERGY SYSTEMS

Rev 415.01 Exemption for Wind-Powered Energy Systems.

- (a) An applicant shall not be entitled to the exemption for wind-powered energy systems pursuant to RSA 72:66 unless:
  - (1) The applicant's real estate is located in a municipality that has adopted the exemption for wind-powered energy systems; and

# References to NH Solar and Wind Laws

- (2) The applicant owns real estate which is equipped with a wind-powered energy system.
- (b) The amount of the exemption for wind-powered energy systems shall be equal to:
  - (1) 100% of any increase in the assessed value of the applicant's residential real estate resulting from the wind-powered energy system; or
  - (2) A dollar amount adopted by the municipality.
- (c) The exemption for wind-powered energy systems shall apply only in the tax years during which the wind-powered energy system is functioning.

## Section 72:29

### 72:29 Definitions. –

- I. The word "resident" as used in RSA 72:28 , RSA 72:28-b, and RSA 72:28-c shall mean a person who has resided in this state for at least one year preceding April 1, in the year in which the tax credit is claimed.
- II. The term "residential real estate" for the purposes of RSA 72:28-34, inclusive, shall mean the real estate which the person qualified for an exemption or a tax credit thereunder occupies as his principal place of abode together with any land or buildings appurtenant thereto and shall include manufactured housing if used for said purpose.
- III. "Exemption" as used in RSA 72 shall mean the amount of money to be deducted from the assessed valuation, for property tax purposes, of real property.
- IV. The term "tax credit" as used in RSA 72 shall mean the amount of money to be deducted from the person's tax bill.
- V. The term "surviving spouse" as used in RSA 72 shall not include a surviving spouse that has remarried, but if the surviving spouse is later divorced, his or her status as the surviving spouse of a veteran is regained. If the surviving spouse remarries and the new husband or wife dies, he or she shall be deemed the widow or widower of the latest spouse and shall not revert to the status of a surviving spouse of a veteran.
- VI. For purposes of RSA 72:28, 28-b, 28-c, 29-a, 30, 31, 32, 33, 35, 36-a, 37, 37-a, 37-b, 38-a, 39-a, 62, 66, and 70, the ownership of real estate, as expressed by such words as "owner," "owned" or "own," shall include those who have placed their property in a grantor/revocable trust or who have equitable title or the beneficial interest for life in the subject property.
- VII. The term "theater of operations service medal" for the purposes of RSA 72:28-34 shall mean any medal, ribbon, or badge awarded to a member of the armed forces which establishes that the member served in a theater of war or armed conflict, as determined by the director of the division of veterans services with written notification to the department of revenue administration.

References to NH Solar and Wind Laws

**Source.** 1947, 240:1, par. 29-g. RSA 72:29. 1955, 289:4. 1963, 118:2. 1991, 70:9, 10. 1993, 73:4. 1994, 102:1; 390:7. 1995, 265:12. 2004, 170:2; 238:1. 2010, 119:7. 2011, 138:1, eff. April 1, 2011. 2016, 217:3, 5, eff. Aug. 8, 2016. 2018, 151:2, 3, eff. Jan. 1, 2019. 2019, 273:7, eff. Sept. 17, 2019.

TITLE V - TAXATION - CHAPTER 72  
PERSONS AND PROPERTY LIABLE TO TAXATION - Property Taxes

**Section 72:33**

<http://www.gencourt.state.nh.us/rsa/html/V/72/72-33.htm>

**72:33 Application for Exemption or Tax Credit. –**

I. No person shall be entitled to the exemptions or tax credits provided by RSA 72:28, 28-b, 28-c, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-b, 39-b, 62, 66, and 70 unless the person has filed with the selectmen or assessors, by April 15 preceding the setting of the tax rate, a permanent application therefor, signed under penalty of perjury, on a form approved and provided by the commissioner of revenue administration, showing that the applicant is the true and lawful owner of the property on which the exemption or tax credit is claimed and that the applicant was duly qualified upon April 1 of the year in which the exemption or tax credit is first claimed, or, in the case of financial qualifications, that the applicant is duly qualified at the time of application. The form shall include the following and such other information deemed necessary by the commissioner:

- (a) Instructions on completing and filing the form, including an explanation of the grounds for requesting tax exemptions and credits pursuant to RSA 72.
- (b) Sections for information concerning the applicant, the property for which the relief is sought, and other properties owned by the person applying.
- (c) A section explaining the appeal procedure and stating the appeal deadline in the event the municipality denies the tax relief request in whole or in part.
- (d) A place for the applicant's signature with a certification by the person applying that the application has a good faith basis and the facts in the application are true.

I-a. If any person, otherwise qualified to receive an exemption or credit, shall satisfy the selectmen or assessors that he or she was prevented by accident, mistake, or misfortune from filing a permanent application or amended permanent application on or before April 15 of the year in which he or she desires the exemption to begin, said officials may receive the application at a later date and grant an exemption or credit for that year; but no such application shall be received or exemption or credit granted after the local tax rate has been approved for that year.

I-b. Notwithstanding the April 15 application deadline in paragraph I, a person may apply for the tax credit for combat service under RSA 72:28-c at any point during the tax year in which the person is engaged in combat service. If the application is received and granted after the tax rate for the city or town is set, the credit shall be applied to the balance of tax payments due for that year. If a

## References to NH Solar and Wind Laws

person is deemed eligible for the tax credit after taxes have been billed and paid for the tax year in which the person served, the credit shall be applied in the following year.

II. Any person who changes residence after filing such a permanent application shall file an amended permanent application on or before December 1 immediately following the change of residence. The filing of the permanent application shall be sufficient for said persons to receive these exemptions or tax credits on an annual basis so long as the applicant does not change residence.

III. If the selectmen or assessors are satisfied that the applicant has willfully made any false statement in the application to obtain an exemption or tax credit, they may refuse to grant the exemption or tax credit.

IV. [Repealed.]

V. In addition to the above requirements, applicants for exemption who claim ownership pursuant to RSA 72:29, VI shall file with their application an additional statement signed under penalty of perjury, on a form approved and provided by the commissioner of revenue administration, showing they meet the requirements of RSA 72:29, VI.

VI. The assessing officials may require applicants for any exemption or tax credit to file the information listed in RSA 72:34, or the statement required by RSA 72:33, V periodically but no more frequently than annually. Failure to file such periodic statements may, at the discretion of the assessing officials, result in a loss of the exemption or tax credit for that year.

**Source.** 1947, 240:1, par. 29-d. RSA 72:33. 1969, 55:1. 1973, 544:8. 1977, 502:1. 1983, 155:8; 385:1. 1987, 325:1. 1991, 70:14. 1994, 102:2; 390:3, 8. 1995, 265:3, 20. 1996, 140:7. 1997, 281:1. 2003, 131:1; 299:6, 25, 26. 2007, 182:3, eff. April 1, 2007. 2016, 217:6, eff. Aug. 8, 2016. 2018, 151:4, 5, eff. Jan. 1, 2019.

## Section 72:34

<http://www.gencourt.state.nh.us/rsa/html/V/72/72-34.htm>

### **72:34 Investigation of Application and Decision by Town Officials. –**

I. On receipt of an application provided for in RSA 72:33 or RSA 72:38-a, the selectmen or assessors shall examine it as to the right to the tax exemption, tax deferral or tax credit, the ownership of the property listed, and, if necessary, the encumbrances reported.

II. For those exemptions having income or asset limitations, the assessing officials may request true copies of any documents as needed to verify eligibility. Unless otherwise provided for by law, all documents submitted with an application or as requested, as provided for in paragraphs I and II, and any copies shall be considered confidential, handled so as to protect the privacy of the individual, and not used for any purpose other than the specific statutory purposes for which

# References to NH Solar and Wind Laws

the information was originally obtained. All documents and copies of such documents submitted by the applicant shall be returned to the applicant after a decision is made on the application.

III. The assessing officials shall grant the exemption, deferral, or tax credit if:

- (a) They are satisfied that the applicant has not willfully made any false statement in the application for the purpose of obtaining the exemption, deferral, or tax credit; and
- (b) The applicant cooperated with their requests under paragraph II, if it applies.

IV. On or before July 1 prior to the date of notice of tax under RSA 72:1-d, the selectmen or assessors shall send by first class mail a written decision to any taxpayer who timely requests an exemption or tax credit. On or before July 1 following the date of notice of tax under RSA 72:1-d, the selectmen or assessors shall send by first class mail a written decision to any taxpayer who timely requests a deferral. This decision shall be sent on a form to be prepared by the department of revenue administration. The decision shall advise the taxpayer of the municipality's decision and shall inform the taxpayer of the appeal procedure set forth in RSA 72:34-a. Failure to respond shall constitute denial. Municipalities may, at their option, require the taxpayer to furnish a self-addressed envelope with sufficient postage for the mailing of this written decision.

**Source.** 1947, 240:1, par. 29-e. RSA 72:34. 1969, 183:1. 1981, 188:1. 1991, 70:15, 16. 1995, 265:4. 2003, 299:7. 2004, 170:4. 2006, 30:1, eff. June 3, 2006.

## Section 72:34-a

<http://www.gencourt.state.nh.us/rsa/html/V/72/72-34-a.htm>

### **72:34-a Appeal From Refusal to Grant Exemption, Deferral, or Tax Credit. –**

Whenever the selectmen or assessors refuse to grant an applicant an exemption, deferral, or tax credit to which the applicant may be entitled under the provisions of RSA 72:23, 23-d, 23-e, 23-f, 23-g, 23-h, 23-i, 23-j, 23-k, 28, 28-b, 28-c, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-a, 38-b, 39-a, 39-b, 41, 42, 62, 66, or 70 the applicant may appeal in writing, on or before September 1 following the date of notice of tax under RSA 72:1-d, to the board of tax and land appeals or the superior court, which may order an exemption, deferral, or tax credit, or an abatement if a tax has been assessed.

**Source.** 1969, 183:2. 1973, 544:13. 1975, 127:2. 1982, 42:88. 1983, 155:9. 1987, 325:2. 1991, 70:17; 306:8. 1994, 390:5. 1995, 265:5. 1996, 140:8. 2003, 131:2, eff. April 1, 2003. 2016, 217:7, eff. Aug. 8, 2016. 2018, 151:6, eff. Jan. 1, 2019.



## *Town of Hooksett*

### WARRANT ARTICLE REQUEST FORM

**Date of Request:** November 6, 2019      **Date of Town Meeting:** November 6, 2019

**Name of Department Submitting Request:** TBD

**1. Please provide the wording of the proposed article.**

Shall the town adopt the provisions of RSA 72:61 through RSA 72:64 inclusively, which provide for an optional property tax exemption from the property's assessed value, for property tax purposes, for persons owning real property, which is equipped with solar energy systems intended for use at the immediate site. Such property tax exemption shall be in the amount equal to 100% of the assessed value of qualifying solar energy system equipment under these statutes, not to exceed \$30,000. (Majority vote required)

**2. What is the intent and purpose of article?**

The intent of this article is to provide a tax incentive for the development of renewable energy, specifically solar energy.

The goal of the exemption is to create a tax neutral policy within the town of Hooksett that neither increases an individual's property tax, nor decreases the municipality's property tax revenues.

By implementing it as a tax neutral policy, homeowners do not have a disincentive of higher property taxes for installing a renewable energy system, and since there is no net reduction in municipal tax revenues, other taxpayers in a municipality are not affected.

**3. If this article is not passed at Town Meeting or approved by the Town Council, what affect would this have on your department goals and programs?**

If this article is not passed, the town will continue to ignore incentives made available by state statutes for adopting renewable resources.

**4. Estimated cost?**

No cost to the town of Hooksett.

**5. Is any further information necessary for the deliberation?**

None.





## Town Council STAFF REPORT



**To:** Town Council  
**Title:** Town of Hooksett Health Insurance for Elected Officials  
**Meeting:** Town Council - 06 Nov 2019  
**Department:** Administration  
**Staff Contact:** Donna Fitzpatrick, Administrative Services Coordinator

### BACKGROUND INFORMATION:

The Town Council, at their meeting of 10/23/19, discussed an agenda item for active Town Council members "governing body elected officials" to be added as a new group on the Town's health insurance (medical and dental). This agenda item was added at the request of a sitting Councilor. HealthTrust (the Town's insurance broker for our Anthem medical plans and Delta dental plans) provided their current by-laws on elected officials being offered municipal health insurance coverage. As a result of a lengthy discussion on this subject matter with many unknowns, the Council directed the Town Administrator to look into the cost, policy and procedure for offering health insurance (medical and dental) to elected officials in Hooksett, NH. This item was then tabled for the Council's next meeting of 11/06/19.

### Additional information for the 11/06/19 Council meeting:

#### A. HealthTrust "all eligible list" for municipal health insurance:

"Employee" means in whole or in part as each Member in HealthTrust may determine, any individual (but not including an independent contractor) described in the categories below and on whose behalf Contributions are made to HealthTrust by a Member: 4 HealthTrust, Inc.  
 Bylaws Effective: January 26, 2017

- (a) An **employee** within the meaning of Sub-Title C of the Code;
  - (b) Any person who has been an employee described in the immediately preceding subsection (a) but is on leave of absence or is **retired**;
  - (c) Any publicly **elected official** of a Member whose term of office is at least one (1) year's duration (or official appointed to fill the unexpired term of a publicly elected official) regardless of his or her scheduled work week if such official is described in one of the categories as follows:
    - (i) Individuals serving on the **Governing Body** of a Member; or
      - (ii) Officials who serve in an **administrative position** of a Member which position is comparable in status to a department-head level appointed administrator, but which, by law or option of the Member, is an elected position. Such position shall include, but not be limited to, clerks, treasurers, tax collectors, road agents and police chiefs.
    - (d) **Volunteer firefighters and part-time firefighters** of a Member's fire department, regardless of his or her scheduled work week, upon satisfaction of the following criteria ("firefighters"):
      - (i) The Member's fire department or service is subject to RSA 154:1;
      - (ii) It is determined by resolution of the Governing Body of a Member that its firefighters shall be eligible for participation in HealthTrust;
      - (iii) The firefighter has continuously served as a firefighter in the Member's fire department for one year;

(iv) The firefighter meets and maintains State of New Hampshire, Division of Fire Standards & Training, Firefighter I certification as a firefighter.

(e) **Any elected or appointed official** serving on a permanent board or commission of a Member which board or commission is established pursuant to a statute of the State of New Hampshire and whose term of office is at least one (1) year's duration regardless of his or her scheduled work week.

(f) **Any spouse or dependent, including a surviving spouse or dependent, of any of the foregoing persons.**

**B. HealthTrust will add a newly eligible employee group (ie elected officials) to our existing contracts any point during our calendar year contract, as long as they have the Town Council meeting minutes with a motion of approval by the governing body.**

**C. HealthTrust does not track which groups within the municipal pool have elected or appointed officials as eligible employees being offered health and dental benefits. Pending Town Attorney comments.**

**D. Total # of Town of Hooksett Elected Officials = 37 (see attached Administrative Code section 4)**

**E. 01/01/2020 Non-Union medical and dental rate sheet (see attached)**

Cost to Town for All Elected Officials 37 (only 9 Councilors) if using non-union rate sheets = premium, HRA, FSA - **bolded comparison for two-person plan option**

1. **Access Blue HMO AB201PDED \$250/\$750 deductible:** single \$339,671.47 (\$82,622.79), **two-person \$679,346.27 (\$165,246.39)**, family \$917,116.04 (\$223,082.28)

2. **Access Blue HMO ABSOS20/40 \$1,000/\$3,000 deductible:** single \$324,781.56 (\$79,000.92), **two-person \$649,567.56 (\$158,002)**, family \$876,913.32 (\$213,303.24)

Option #2 has a HRA (health reimbursement arrangement); Town funds, pay toward those services requiring a deductible after employee meets initial contribution:

single employee \$700 & Town \$300 (\$11,100), **two-person employee \$1,375 & Town \$625 (\$23,125)**, family employee \$2,000 & Town \$1,000 (\$37,000)

3. **Lumenos 2500 \$2,500/\$5,000 deductible:** single \$339,451.32, **two-person \$678,898.20**, family \$916,513.68

**Note:** All plans above have a FSA (Flexible Spending Account) an employee may add as an option to the base insurance plan. Minimum \$480 Maximum \$2,400 deducted over 48 pay periods.

**F. 01/01/2020 Retiree medical and dental rate sheet (see attached)**

**Cost to Town for All Elected Officials (37) or Town Council Members Only (9) if using retiree rate sheets =** elected officials would pay 100% of their insurance premiums for medical and dental; therefore **only the claims experience exposure** that may impact the Town's annual rate renewals. Policy would need to be set for elected officials paying direct for premiums to HealthTrust via ACH (auto checking withdrawal).

**G. Would a Charter change be needed if elected officials were offered Town of Hooksett health insurance? Pending Town Attorney comments.**

#### **HOOKSETT TOWN CHARTER**

##### **Sec. 3.4. Compensation.**

Councilors shall receive as compensation the sum of one thousand five hundred dollars (\$1,500.00) per year. The Chair shall receive an additional five hundred dollars (\$500.00) per year.

Councilors shall receive reimbursement for reasonable mileage and expenses incurred in the performance of Town business outside the Town limits of Hooksett according to rules of the Council.

##### **Sec. 6.3. Compensation.**

A. The compensation of all elected and appointed officials and department heads shall be established and modified by express resolution of the Council.

B. The rate of compensation of Council members may be changed by an ordinance approved by a majority of the Council subject to an assenting vote of the Town at the next election.

Compensation paid any member of the Council may not be initiated until the assenting vote is received.

C. The compensation of all Town employees not fixed by other provisions of this Charter or collective bargaining shall be fixed in the Personnel Plan by a schedule of pay which shall include

a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said plan.

D. In recommending the Town budget, the Council shall not increase or decrease any individual compensation item but shall act solely with respect to total salaries in the various departments of the Town.

**H. Do the Town Councilors vote on this item, when they may be the ones enrolling onto this insurance? Recuse for personal gain? Pending Town Attorney comments.**

I. When conducting further research on "elected" officials on municipal health insurance, HealthTrust provided their full by-laws - see (d) (e) (f) above for additional groups the Town may consider. At this time the Town does not offer Health Insurance to any part-time employees, elected or appointed officials, or volunteer or part-time firefighters. Retiree's surviving spouse may continue insurance based on the rate sheet attached. Continuation coverage is available for surviving covered family members via COBRA and HealthTrust's Survivor Care and Transition Care Programs.

**FINANCIAL IMPACT:**

To be determined based on non-union rate sheet or retiree rate sheet AND all elected officials (37) or only Town Council members (9) - see above background for details.

**POLICY IMPLICATIONS:**

To be established based on all elected officials or only Town Council members for "active member", "attendance", etc.

**RECOMMENDATION:**

If the Town Council motions to add elected officials to the Town of Hooksett Health Insurance: 1) use the retiree rate sheet model and 2) add a HealthTrust Domestic Partner Rider to our existing active employee medical plans (no cost to add rider, however cost is when employee upgrades from single to two-person plan and claims experience exposure of domestic partner):

***Domestic Partner***

If your Group offers a Domestic Partner Rider, a domestic partner of an employee who resides at the same legal residence for at least 12 months is eligible to enroll.

If the domestic partnership is terminated, the former domestic partner may be eligible for continuation coverage if such continuation coverage is elected under federal or state law. (See the "COBRA and Other Continuation Coverage Rights" section for a detailed description of eligibility.)

**SUGGESTED MOTION:**

To be determined by Town Council.

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Information provided at the request of the Council.



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

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

- 9 4.1 **Budget Committee** (9 Elected and 4 Appointed) - Review annual budgets submitted by the Town Council, School Board, all Precincts and the Sewer Department. Submit recommended budgets to the Town Voters and periodically review all expenditures.
- 3 4.2 **Cemetery Trustees** (Elected) - Arrange for cemetery lot visits and sales, maintain vital records relative to burials, manage day-to-day care of cemeteries, and manage expenditures of allocated funds.
- 4.3 **Conservation Commission** (Appointed) - Research and catalog all open space, natural, ecological, wetland or aesthetic areas within the Town; develop a program to protect listed areas; and obtain land in the name of the Town through gift, purchase, grant, bequest or other legitimate means for continued preservation.
- 4.4 **Economic Development Committee** (Appointed) – Enhance the vitality of the local economy by retaining existing businesses and attracting new ones.
- 4.5 **Health Officer** (Appointed) – Enforce the state public health rules and laws as well as local ordinances and regulations. Serve as a liaison between state officials and the local community on issues concerning local public health.
- 4.6 **Heritage Commission** (Appointed) – Handle transactions relating to all cultural resources including hiring consultants and contractors as needed and receiving gifts of money and property, both real and personal, in the name of the Town, subject to the approval of the Town Council. Such gifts shall be managed and controlled by the commission for their proper use.
- 5 4.7 **Library Trustees** (Elected) - Manage the Town Library and all property of the Town Library; control expenditures of funds received from Town appropriations, fines, gifts, and copying charges; and appoint and remove with due process the Librarian and other Library staff.
- 1 4.8 **Moderator** (Elected) - Preside over town meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. May prescribe rules of procedure, but such rules may be altered by the town.



- 4.9 **Parks and Recreation Advisory Board** (Appointed) - Under the jurisdiction of the Town Council, assist the Public Works Department in an advisory capacity on recreational projects, recreational budgetary items, recreational capital improvements, and with the submittal of applications for federal, state, and other grant monies relating to parks and/or recreation. Develop plans and work with the Conservation Commission in obtaining and receiving land for recreational purposes.
- 4.10 **Planning Board** (Appointed) - Prepare and amend the Master Plan, review and recommend Zoning Ordinance amendments to the local legislative body and review and act on all subdivision and site plan applications.
- 4.11 **Record Retention Committee** (Appointed) - In accordance with RSA 33-A:3, The Town will establish and maintain a Municipal Records Committee charged with governing the retention and disposition of municipal records.
- 4.12 **Recycling and Transfer Advisory Committee** (Appointed) - Advise the Council on matters related to the management of municipal solid waste and recycling.
- 3 4.13 **Sewer Commission** (Elected) - Make regulations and decisions as may be necessary for the proper functioning of the sewer system and overall operation of the Sewer Department, levy special assessments upon land benefited by the sewer, establish sewer charge procedures for defraying the cost of plant and system operations and manage the maintenance and repair of sewer systems.
- 3 4.14 **Supervisor of the Checklist** (Elected) - Care for the checklist in compliance with Federal HAVA (Help America Vote Act); determine whether or not each individual is qualified to vote; and amending the districts within two (2) years of the census.
- 1 4.15 **Town Clerk** (Elected) - Record and maintain all permanent documents and perform all other related functions per state statute.
- 9 4.16 **Town Council** (Elected) - Consists of nine elected members, one from each District and three At-Large members. Is the governing body of the Town and directed by the specifications of the Town Charter. Prepares and passes ordinances, submits a proposed budget to the Budget Committee and gives direction to the Town through the Town Administrator and appointed Boards and Committees.
- 4.17 **Town Hall Preservation Committee** (Appointed) - Work toward the preservation of the old Town Hall.

4.18 **Town Treasurer** (Appointed) – The Treasurer shall have custody of all monies belonging to the Town, and shall pay out the same only on orders of the body designated by the Town to expend such funds. The Treasurer shall deposit such funds in institutions and in such a manner as designated by law, and according to the Town's investment policy, keep suitable records, reconcile the General Fund, and subsidiary account bank statements monthly, and perform all other related functions per state statute.

3 4.19 **Trustees of the Trust Fund** (Elected) - Maintain custody of all trust funds held by the Town. Invest the monies as limited by RSA 31 and other state statutes as they apply.

4.20 **Zoning Board of Adjustment** (Appointed) - Hear appeals; and administer special provisions of the Zoning Ordinance dealing with variances, special exceptions and administrative decisions. Act as the Building Code Board of Appeals per RSA 673:I-V.

37 elected





Town of Hooksett  
2020 Health Insurance  
Non Union  
Effective 1/1/2020

	Monthly Premium	Annual Premium	Annual 85% Town Share	Annual 15% Employee Share	4 Times per Month Employee's Co-pay
<b>Access Blue HMO AB20IPDED \$250/\$750 deductible</b>					
Single	\$ 900.03	\$ 10,800.36	\$ 9,180.31	\$ 1,620.05	\$ 33.75
Two-person	\$ 1,800.07	\$ 21,600.84	\$ 18,360.71	\$ 3,240.13	\$ 67.50
Family	\$ 2,430.09	\$ 29,161.08	\$ 24,786.92	\$ 4,374.16	\$ 91.13

<b>Access Blue HMO ABSOS20/40 1KDED \$1,000/\$3,000 deductible</b>					
Single	\$ 731.49	\$ 8,777.88	Town pays 100% of premium and 50% of deductible after the first \$400		
Two-person	\$ 1,462.99	\$ 17,555.88	Town pays 100% of premium and 50% of deductible after the first \$750		
Family	\$ 1,975.03	\$ 23,700.36	Town pays 100% of premium and 50% of deductible after the first \$1,000		

<b>Lumenos 2500 \$2,500/\$5,000 deductible</b>					
Single	\$ 764.53	\$ 9,174.36	Town pays 100% of premium		
Two-person	\$ 1,529.05	\$ 18,348.60	Town pays 100% of premium		
Family	\$ 2,064.22	\$ 24,770.64	Town pays 100% of premium		

**OPT-Out of Health Insurance is \$5,000 a year paid weekly.**

**Notes:**

Town Council voted November 15, 2017 to offer non-union employees three plans:  
 Access Blue HMO AB20IPDED with a 15% non-union employee premium contribution.  
 Access Blue HMO ABSOS20/40 1KDED Town pays 100% of premium and 50% of the deductible after the first \$400 for single \$750 for two-person and \$1,000 for family plan.  
 Lumenos 2500 Town pays 100% of premium and no employer contribution to the employee's HSA account.

Town Council voted October 28, 2015 to increase Opt-Out of Health Insurance reimbursement from \$2,400 to \$5,000 per year effective 1/1/2016.

Town Council voted October 9, 2019 to continue the current health and dental plans options and contributions for 2020.



*Town of Hooksett*  
**2020 Dental Insurance**  
 Effective 1/1/2020

<b>Plan</b>	<b>Monthly Premium</b>	<b>Annual Premium</b>	<b>Annual Town Share</b>	<b>Annual Employee Share</b>	<b>4 Times per Month Employee's Co-pay</b>
<b>Option 5 Flex</b>					
Single	\$ 17.10	\$ 205.20	\$ 205.20	-	none
Two-person	\$ 33.44	\$ 401.28	\$ 401.28	-	none
Family	\$ 65.83	\$ 789.96	\$ 789.96	-	none
<b>Option 2A Flex</b>					
Single	\$ 47.16	\$ 565.92	\$ 205.20	\$ 360.72	\$ 7.52
Two-person	\$ 90.71	\$ 1,088.52	\$ 401.28	\$ 687.24	\$ 14.32
Family	\$ 159.04	\$ 1,908.48	\$ 789.96	\$ 1,118.52	\$ 23.30
<b>Option 1 Flex</b>					
Single	\$ 48.29	\$ 579.48	\$ 205.20	\$ 374.28	\$ 7.80
Two-person	\$ 93.46	\$ 1,121.52	\$ 401.28	\$ 720.24	\$ 15.01
Family	\$ 170.02	\$ 2,040.24	\$ 789.96	\$ 1,250.28	\$ 26.05

**Notes:**

Town will pay up to 100% of Option 5 for any plan.

Police Union Contract 2017-2020 Article 24 Insurance - same terms and conditions as provided to other employees of the Town.

Fire Union Contract 2019 Article 8 Insurance - same terms and conditions as provided to other employees of the Town.

DPW Union Contract 2019-2021 Article 20 Insurance - same terms and conditions as provided to other employees of the Town.

Town Council voted October 9, 2019 to continue the current health and dental plans options and contributions for 2020.





## Town of Hooksett

ADMINISTRATION DEPARTMENT  
Donna J. Fitzpatrick  
Administrative Services Coordinator (HR)

### Town of Hooksett 2020 Health Insurance Rates for Retirees HealthTrust – Anthem

<u>Plan</u>	<u>Monthly Premium</u>	
<b><u>Access Blue HMO AB201PDED \$250/\$750 New England</u></b>		
Single	900.03	(2019 was \$868.76)
Two-person	1,800.07	(2019 was \$1,737.52)
Family	2,430.09	(2019 was \$2,345.65)
<b><u>Anthem Blue HMO ABSOS20/40 1KDED \$1,000/\$3,000 New England</u></b>		
<b><u>(SOS = site of service)</u></b>		
Single	731.49	(2019 was \$706.08)
Two-person	1,462.99	(2019 was \$1,412.15)
Family	1,975.03	(2019 was \$1,906.40)
<b><u>Lumenos 2500 \$2,500/\$5,000</u></b>		
Single	764.53	(2019 was \$737.96)
Two-person	1,529.05	(2019 was \$1,475.92)
Family	2,064.22	(2019 was \$1,992.49)
<b><u>Medicomp</u></b>		
*With prescription coverage	607.59	(2019 was \$586.48)
Without prescription coverage	251.17	(2019 was \$242.44)

**Notes:** Prescription coverage for HMO & \*Medicomp plans:

Retail: \$10/\$25/\$40 (up to 34-day supply at participating pharmacies including CVS)  
Mail Order or Maintenance Choice (CVS Pharmacy): \$10/\$40/\$70 (90-day supply)

Prescription coverage for Lumenos plan:

Effective 07/01/19 IngenioRX (replaced previous Express Scripts)

<65 year retirees residing year-round outside of New England only have the Lumenos 2500 \$2,500/\$5,000 plan option. If residing outside of New England for only a few months, you may be able to enroll onto any of the plan options listed above. Please contact Donna Fitzpatrick in HR for details.





## *Town of Hooksett*

**ADMINISTRATION DEPARTMENT**  
Donna J. Fitzpatrick  
Administrative Services Coordinator (HR)

### **Town of Hooksett 2020 Dental Insurance Rates for Retirees HealthTrust – Delta Dental**

<u>Plan</u>	<u>Monthly Premium</u>	
<b><u>Option 5 Flex</u></b>		
Single	17.10	(2019 was \$16.46)
Two-person	33.44	(2019 was \$32.19)
Family	65.83	(2019 was \$63.35)
<b><u>Option 2A Flex</u></b>		
Single	47.16	(2019 was \$45.39)
Two-person	90.71	(2019 was \$87.30)
Family	159.04	(2019 was \$153.07)
<b><u>Option 1 Flex</u></b>		
Single	48.29	(2019 was \$46.47)
Two-person	93.46	(2019 was \$89.95)
Family	170.02	(2019 was \$163.64)





# Town Council

## STAFF REPORT



**To:** Town Council  
**Title:** FY 2020-21 Budget and Warrant Articles  
**Meeting:** Town Council - 06 Nov 2019  
**Department:** Finance  
**Staff Contact:** Christine Soucie, Finance Director

### BACKGROUND INFORMATION:

Update and review budget and warrant articles.

At the Deliberative Session on February 2, 2019 there was a motion to increase Article #3 \$49,000 for the hydrants.

Discussion about private hydrants and condo living followed. (See attached Minutes)

Motion passed.

### Issues:

1. The Town's Operating Budget (Article 3) includes funds to pay for publicly owned water hydrants. The motion to add \$49,000 to the budget for hydrants did not include the new purpose to pay for privately owned hydrants.
2. RSA 31:4 address public purpose. The Town cannot spend tax dollars for a strictly private benefit. The Town could spend fund to insure public safety. In this case providing water for fire protection is considered to be a public benefit.
3. Which "private" hydrants should be included: Condominiums, Apartments, Single Family Homes, Commercial (all are considered to be private by the water districts).

Resolutions: Place an article on the March 2020 ballot to clarify that only private residential condominiums would be reimbursed for water hydrant fees. Since the \$49,000 is already in the proposed operating budget the following article was suggested by legal counsel.

"To see if the Town will vote to appropriate \$49,000.00 to reimburse private residential condominiums for water hydrants to insure public safety."

### Flushing fees?

During this process it was brought to the Town's attention that one of the water districts also charges a flushing fee at the current cost of \$4,200.00 annually.

Currently there are no funds in the operating budget for this purpose so if Council would like to include flushing fees a separate warrant article would be needed.

"To see if the Town will vote to raise and appropriate \$4,200.00 to reimburse private residential condominiums for water flushing fees to insure public safety."

**SUGGESTED MOTION:**

Motion to recommend the private water reimbursement article "To see if the Town will vote to appropriate \$49,000.00 to reimburse private residential condominiums for water hydrants to insure public safety."

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Concur

**ATTACHMENTS:**

[Deliberative Minutes](#)

## HOOKSETT DELIBERATIVE SESSION – February 2, 2019

W. Goertel: RSA 32 states that we are responsible for the prudent distribution of public funds. Departments did a good job at looking at past actuals in preparing their budget. It was a pretty solid budget.

**Henry Roy, 6 Shaker Hill Road motioned to increase Article 3 \$49,000 for the hydrants. Seconded by Fred Bishop.**

Fred Bishop, 34 Mammoth Road #26: It cost Stonegate \$1250 annually because it is private hydrants. We also pay taxes on our bill for the hydrants that are on public property. This is double taxation. We pay for our hydrants through our condo association and then we pay again for everyone else's hydrants in our tax bill. Litchfield had a case and change to fairly charge everyone and I hope Hooksett will do the same.

J. Hyde, Budget Committee: I point out that the Budget Committee increased the operating budget \$36,000 for the town owned hydrants because the water precinct increased the price. We don't own those hydrants. I don't know why the residents should pay for privately own hydrants. If you don't want them, don't have them.

Dianne Humelsine, 3 Beech Street: We are a 55 community in Webster Wood. Our tax rate is the same as everyone else in town and we don't get trash pickup or plowing. This hydrant would be a small amount that the town could do. Everyone in our community is over 55 and we have no impact on school so we should get some relief.

J. Sullivan: My understanding is the Planning Board requires a certain amount of hydrants in an area whether they are private or not. They are not optional.

R. Duhaime: The injustice of condo living. There are people that don't have water and sewer but get billed on the taxes. You choose to live in a 55 community.

**Vote on motion declared passed by voice vote by the Moderator.**

G. Kozlowski, 22 Julia Drive: If you have the default budget, and you have to make hard decisions, what will be cut?

J. Hyde: There is \$100,000 for storm water monitoring which is mandated by state.

D. Winterton: I would not be making the cuts because I will not be the Administrator as of July 1. We (the Administrator) would have to function in the budget dollars that the citizens give you.

Chief Burkush: The hydrant lease and rentals; there are other developments in town that would be impacted. The impact of absorbing all the private hydrants would be \$180,000. We manage the hydrant rental and leases in our budget and have no control over the cost. We are 90% personnel costs so if we needed to make reduction, we would have to make cuts.

J Hyde: How much money of the previous budget was not spent by the town?



Town Council  
**STAFF REPORT**



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**To:** Town Council  
**Title:** Winter Carnival - Hooksett Kiwanis Sponsored Event  
**Meeting:** Town Council - 06 Nov 2019  
**Department:** Administration  
**Staff Contact:** Nick Germain, Project Coordinator

**BACKGROUND INFORMATION:**

Place holder to discuss and possibly act on requests related to a Winter Carnival-type event.

**FINANCIAL IMPACT:**

Unknown

**POLICY IMPLICATIONS:**

N/A

**RECOMMENDATION:**

N/A

**SUGGESTED MOTION:**

Vote on requests made by Kiwanis and any provisions suggested by councilors.

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Concur



Town Council

## STAFF REPORT



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**To:** Town Council  
**Title:** Quarterly Financial Report for September 30, 2019  
**Meeting:** Town Council - 06 Nov 2019  
**Department:** Finance  
**Staff Contact:** Christine Soucie, Finance Director

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

Update from Finance Director

**ATTACHMENTS:**

[Quarterly Report](#)

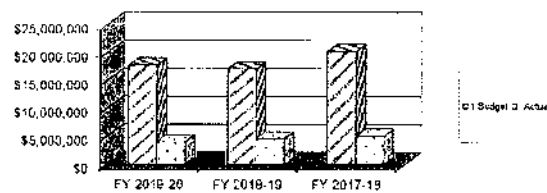
# Quarterly Financial Report for September 30, 2019

FIRST QUARTER OF FY 2019-20

UNAUDITED

## General Fund Operating Budget

Year	* Budget	Actual	Remaining Budget	%
FY 2019-20	\$17,750,209	\$3,995,661	\$13,754,549	23%
FY 2018-19	17,122,180	4,853,949	12,268,231	27%
FY 2017-18	20,277,810	5,100,198	15,177,611	25%



f) Budget amounts include transfers, grants, donations and prior year encumbrances approved by Council

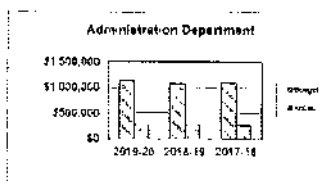


## Administration Department Expenditure

Year	Budget	Actual	%
2019-20	\$1,146,823	\$279,753	24%
2018-19	1,074,363	279,807	26%
2017-18	1,093,160	253,434	23%

This budget and spending have remained relatively stable for the last three years. The department is responsible for large town wide expenditures, such as property liability insurance, workers compensation, legal services and computers. FY 2018-19 was a default budget year, but did include about \$60,000 for encumbrances related to IT projects.

As of September 30<sup>th</sup>, the legal line was 6% spent, which represents one month of services.

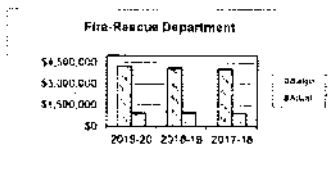


## Fire-Rescue Department Expenditure

Year	Budget	Actual	%
2019-20	\$4,255,331	\$941,310	22%
2018-19	4,122,214	971,443	24%
2017-18	4,042,000	957,298	24%

Over the last three fiscal years, this budget has increased about \$213,000 or 5%. This increase is largely due to a 2% increase in wages and overtime; a 1% decrease in the employer share of NH Retirement; a half percent decrease in health insurance costs and another 4.5% increase in general operations for items such as hydrant rentals, vehicle maintenance and new equipment.

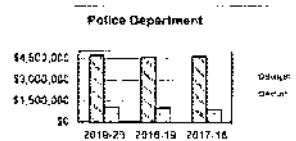
The spending has stayed within September's benchmark of 25%. Minimum staffing is being utilized to keep the department's expense down.



## Police Department Expenditure

Year	Budget	Actual	%
2019-20	\$4,706,950	\$1,064,388	23%
2018-19	4,615,012	1,019,649	22%
2017-18	4,654,228	942,787	20%

The overall increase in the Police budget for the last three fiscal years was just over \$55,000 or 1.2%. Wages and overtime increased 2%; health insurance has decreased about 1% and general operations increased 0.2%.



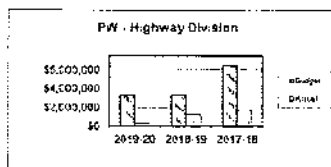
The department historically underspends its budget due to vacant positions. In the first quarter of the year, there were five officers positions vacant for one month and another officer position for two months. Also a sergeant and a dispatch position were vacant for two months.

## PW – Highway Division Expenditures

Year	Budget	Actual	%
2019-20	\$3,317,103	\$417,452	13%
2018-19	3,358,371	1,329,307	40%
2017-18	3,480,118	1,928,404	28%

This division of Public Works includes Administration, Roads, Fleet and Building Maintenance

Each year road paving is encumbered into the following year's budget. The FY 2019-20 budget includes \$374,540 from the prior year and in FY 2018-19 there was \$628,015 from FY 2017-18. In FY 2017-18 there was \$241,381 encumbered for paving and \$3,424,776 for the pedestrian bridge.



If you remove all of the encumbrances from each of the budget years, the actual budget has increased \$197,000 or 7% over the three years.

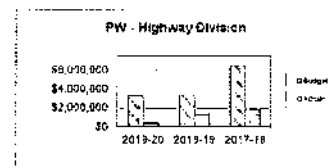
## PW – Highway Division Expenditures, continued

The \$197,000 or 7% breaks down as follows: less than 4% on wages and overtime; 1.5% decrease in health insurance due to employee changes; a half percent increase in employer share of NH Retirement and \$125,000 or 4.5% increase in general operations. General operations included \$100,000 for the MS4 Permit for Stormwater required by EPA.

Year to date actuals are 13% of the budget, which is lower than the prior two years due to timing of the paving work. Paving for the current year has been completed as of September, but not yet paid.

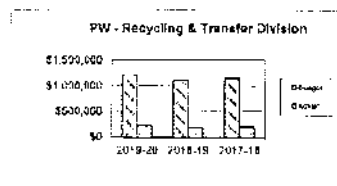
Staffing levels for the Highway Division have remained level for the past three years. Currently one truck driver position and one heavy equipment operator position have been vacant all year.

Year	Budget	Actual	%
2019-20	\$3,317,103	\$417,492	13%
2018-19	3,355,371	1,329,307	40%
2017-18	6,480,118	1,828,404	28%



## PW – Recycling & Transfer Division Expenditures

Year	Budget	Actual	%
2019-20	\$1,213,156	\$222,719	18%
2018-19	1,114,714	192,719	17%
2017-18	1,152,713	197,340	17%



This budget has increased \$60,000 or 5% over the past three years. Wages and overtime have increased a half percent and there have been no changes in the staffing levels. Health insurance has decreased by \$50,000 or 4.5% due to employee plan changes; Town share of NH Retirement has remained level over the three years and general operations have increased by \$104,000 or 9% largely due to tipping fees.

Position vacancies explain why actuals are at 18% and the September benchmark is 25%. Currently there is one truck driver position that has been vacant for three months.

## PW – Recycling & Transfer Division Expenditures, continued

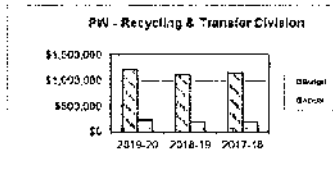
The cost to dispose of trash has increased for two reasons.

First, the contractual rate for tipping fees has increased. The Town is in a long term contract, to dispose of trash, which has a slight rate increase each year.

Second, there is a change in the recycling market. For many years recycling was less expensive than trash to dispose of and good for the environment. Currently it cost more to recycle materials than to dispose of as trash, which lead the Town to end single stream curbside collection.

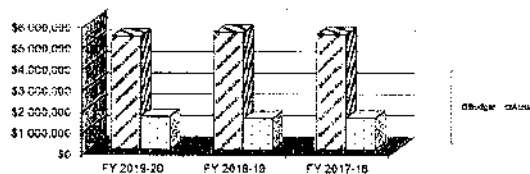
The Town still recycles whenever possible. Items like cardboard, metals and aluminum cans are being recycled.

Year	Budget	Actual	%
2019-20	\$1,213,168	\$222,719	18%
2018-19	1,114,714	192,719	17%
2017-18	1,152,713	197,340	17%



## General Fund Revenues

Year	Budget	Actual	Under Budget	%
FY 2019-20	\$5,335,469	\$1,563,856	(\$3,771,633)	29%
FY 2018-19	5,604,796	1,435,435	(4,069,361)	26%
FY 2017-18	5,412,658	1,467,900	(3,944,758)	27%



1) Budget amounts include transfers, grants, donations and prior year encumbrances approved by Council.

## Motor Vehicle Registration Revenues

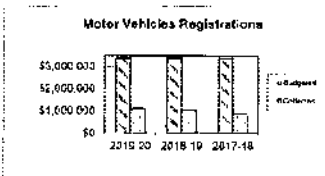
Year	Budget	Actual	%
2019-20	\$3,400,000	\$1,124,836	33%
2018-19	3,400,000	1,033,368	30%
2017-18	3,400,000	879,036	26%

The top revenue source for the Town are fees collected for register motor vehicles. The budget remained level for the last several years and, based on year-end collections, the FY 2019-20 budget will be increased to \$4,000,000 in November when the tax rate is set.

As of June 2019 the Town collected \$3,873,297

June 2018 collections were \$3,481,730

June 2017 collections finished at \$3,456,725



## Interest & Penalties on Tax Revenues

Year	Budget	Actual	%
2019-20	\$150,000	\$37,680	25%
2018-19	300,000	60,446	20%
2017-18	320,000	30,591	10%

This interest comes from property taxes not being paid timely and the penalties are fees to execute liens and notices. Many property owners pay off delinquent taxes in the spring to avoid the Town deeding their property and also when they want to sell their property.

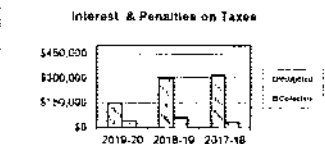
Collections for the last three years are as follows

June 2019 \$304,891

June 2018 \$171,195

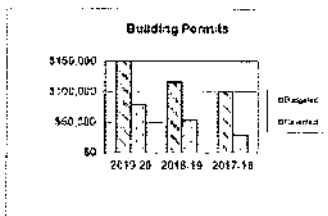
June 2017 \$222,279

When the tax rate is set, this budget will be revised to \$240,000 based on actuals.



## Building Permit Revenues

Year	Budget	Actual	%
2019-20	\$150,000	\$78,397	52%
2018-19	115,000	53,140	46%
2017-18	100,000	29,499	29%



These fees are paid for residential and commercial construction. Collections have increased over the last three fiscal years.

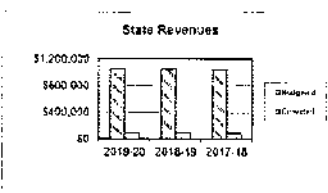
Permits issued in the first quarter of the year are as follows:

>7/1/19 to 9/30/19	325
>7/1/18 to 9/30/18	281
>7/1/17 to 9/30/17	182

This budget will be increased to \$200,000 when the tax rate is set.

## State of NH Revenues

Year	Budget	Actual	%
2019-20	\$1,057,160	\$96,277	9%
2018-19	1,053,783	94,676	9%
2017-18	1,051,255	92,671	9%



The Meals & Rooms Tax and Highway Block Grant have been steady for the last three years.

The State sent additional Highway Block Grant funds in 2017 to each community. Hooksett's share was \$260,243.

In October 2019 the State sent Municipal Aid in the amount of \$152,392 to the Town. This same amount is anticipated in October 2020.

No State Shared Revenues have been received since FY 2009-10.

## Interest on Deposit Revenues

Year	Budget	Actual	%
2019-20	\$125,000	\$87,121	78%
2018-19	70,000	77,476	111%
2017-18	40,000	30,351	76%

This revenue is the interest the Town earns on the cash in our bank accounts. The Treasurer invests excess cash in accordance to the Town's investment policy.

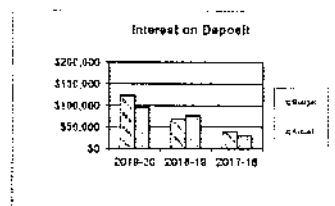
Collections have increased over the last three years to finish each year as follows:

June 2019 \$256,393

June 2018 \$148,706

June 2017 \$77,971

Based on this information the budget will be increased to \$250,000 when the tax rate is set.







# Town Council

## STAFF REPORT



**To:** Town Council  
**Title:** Lambert's Park Pavilion Project  
**Meeting:** Town Council - 06 Nov 2019  
**Department:** Community Development  
**Staff Contact:** Bruce Thomas, Town Engineer

### BACKGROUND INFORMATION:

The Parks and Recreation Advisory Board wishes to add the replacement of the Lambert's Park Pavilion to the March, 2020 Town Warrant. The new pavilion will be used for concerts, picnics, and other public gatherings for Hooksett residents. Photos of the existing pavilion and examples of a proposed pavilion are attached, as well as locus maps of the area.

The intent of this project is to replace the existing 12'x12' pavilion at Lambert Park with a new ADA compliant pavilion. Dimensions of the proposed pavilion will be approximately 24' by 52', but may change depending on the final choice of pavilion.

The project will include the pavilion on a concrete pad (or other flooring options as dictated by budget) and conduit installation to an existing utility pole on Merrimack Street to provide power. The anticipated cost of the project is \$93,240. Funding sources will be at the discretion of the Town Council and will come from a mix of impact fees, capital reserve funds and possibly a warrant article.

The anticipated cost is broken down as follows:

Cost of Gazebo:	\$55,000
Cost of Assembly:	\$14,000
Concrete Floor/Footings:	\$10,000
Crushed Gravel base (under floor):	\$1,500
Electrical (Conduit/Connection Fees):	\$8,000
Shoreland Permit Application	\$300

<b>Subtotal:</b>	<b>\$88,800</b>
Contingency (5%)	\$4,440

<b>Total:</b>	<b>\$93,240</b>
---------------	-----------------

### Potential Sources of Funding:

Warrant Article:	\$93,390
Impact Fees:	\$50,000
Parks and Recreation Capital Reserve	\$43,390

funds:

An example quote is provided.

**FINANCIAL IMPACT:**

The Parks and Recreation Advisory Board recommends the following funding option for this project:

Impact fees*:	\$50,000
Remainder: Parks and Recreation capital reserve funds*	\$43,390
Budgetary impact:	\$0.00

Note: The current balance of impact fees is \$110,611.28.

The current balance of P&R Capital Reserve Funds is \$146,190.59.

<b>Total:</b>	<b>\$93,390</b>
---------------	-----------------

**POLICY IMPLICATIONS:**

None

**RECOMMENDATION:**

To approve funding for the construction of a new pavilion to be located at Lambert's Park based on the information provided and attached support documentation with the funding sources determined by the Town Council.

**SUGGESTED MOTION:**

To be determined at the Town Council meeting based whether or not the project is approved and subject to the determination of the sources of funding.

**TOWN ADMINISTRATOR'S RECOMMENDATION:**

The Parks and Recreation Advisory Committee has provided information on location and scope of the project. The cost of the proposed pavilion is \$93, 390 and is proposed to be offset by the use the park and rec. impact fees in the amount of \$50,000.

**ATTACHMENTS:**

[Pavilion Staff Report](#)

## STAFF REPORT

### PROJECT STATUS REPORT

#### Pavilion Project

The Parks and Recreation Advisory Board wishes to add the replacement of the Lambert's Park Pavilion to the March, 2020 Town Warrant. The new pavilion will be used for concerts, picnics, and other public gatherings for Hooksett residents. Photos of the existing pavilion and examples of a proposed pavilion are attached, as well as locus maps of the area.

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Shoreland Permit Application	\$300
<b>Subtotal:</b>	<b>\$88,800</b>
Contingency (5%)	\$4,440
<b>Total:</b>	<b>\$93,240</b>

#### Potential Sources of Funding:

Warrant Article:	\$93,390
Impact Fees:	\$50,000
Parks and Recreation Capital Reserve funds:	\$43,390

An example quote is provided.

**Financial Impact:**

The Parks and Recreation Advisory Board recommends the following funding option for this project:

Impact fees*:	\$50,000
Remainder: Parks and Recreation capital reserve funds*	\$43,390
Budgetary impact:	\$0.00

Note: The current balance of impact fees is \$110,611.28.  
The current balance of P&R Capital Reserve Funds is \$146,190.59.

**Total:** **\$93,390**

**Recommendation:**

To approve funding for the construction of a new pavilion to be located at Lambert's Park based on the information above and attached support documentation with the funding sources determined by the Town Council.

**Suggested Motion:**

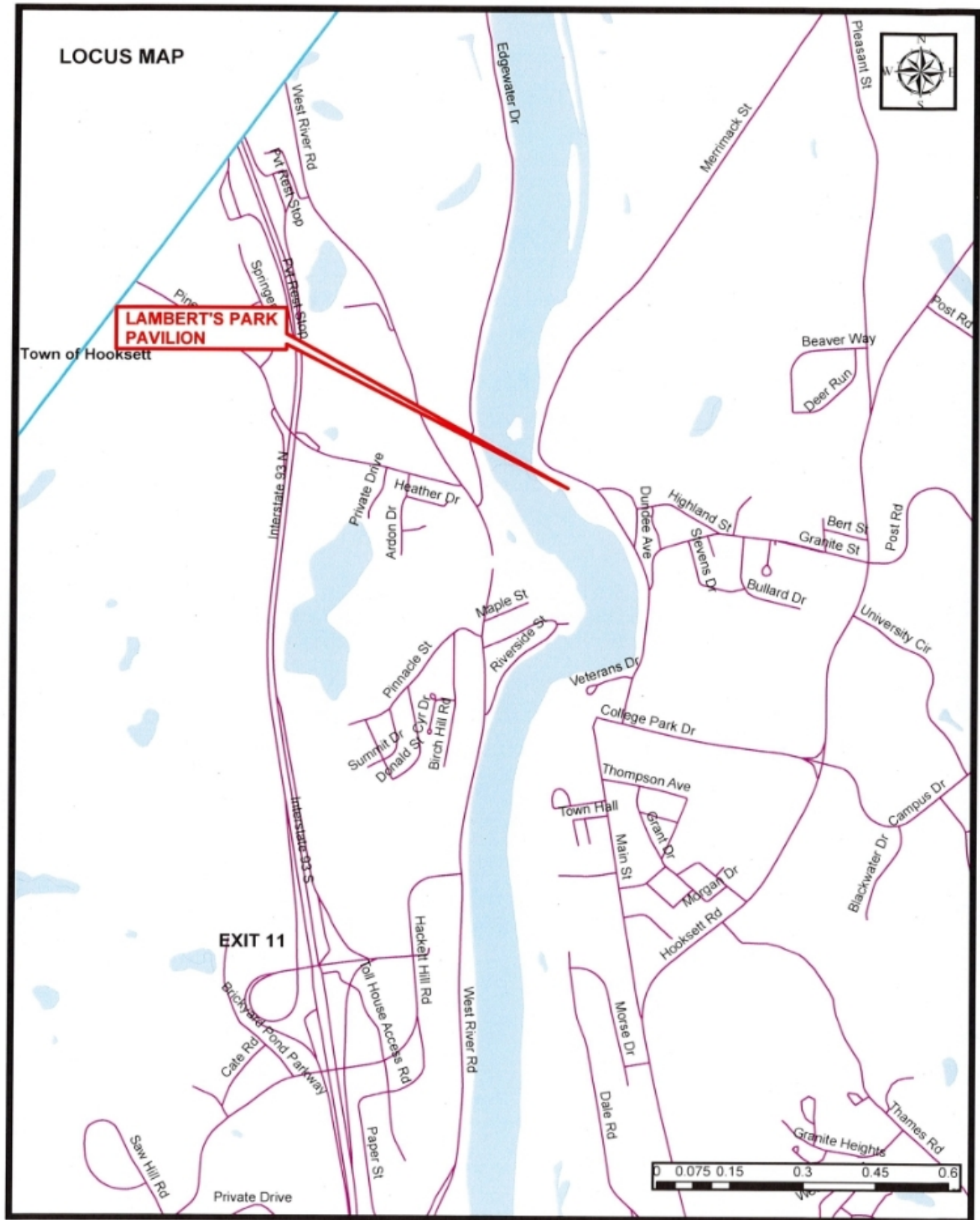
To be determined at the Town Council meeting based whether or not the project is approved and subject to the determination of the sources of funding.

**LAMBERT PARK PAVILION**

<b>Anticipated Cost</b>	
Cost of Gazebo:	\$55,000
Cost of Assembly:	\$14,000
Concrete Floor/Footings:	\$10,000
Crushed Gravel base (under floor):	\$1,500
Electrical (Conduit/Connection Fees):	\$8,000
Shoreland Permit Application	\$300
<b>Subtotal:</b>	<b>\$88,800</b>
Contingency (5%)	\$4,440
<b>Total:</b>	<b>\$93,240</b>

**Proposed Warrant Article:** **\$93,390**

<b>AVAILABLE FUNDING:</b>	
Impact Fees*:	\$50,000
Parks and Recreation capital reserve funds	\$43,390
*Note: Use of Impact Fees has been approved by Town Attorney:	
<b>Fund Balances (as of Sept. 30, 2019):</b>	
Impact Fee Balance :	\$110,611
P & R. Capital Reserve Fund Balance:	\$146,191











1 Lambert Park and Existing Gazebo



2 Lambert Park and Existing Gazebo





3 Cawley School Pavilion



4 Cawley School Pavilion



5 Example Pavilion No 2



6 Example Pavilion No 2





7 Example Pavilion - Rocky Mountain Shelter



8 Example Pavilion - Rocky Mountain Shelter



9 Example Pavilion - Catskill Mountain Shelters





## Rocky Mountain Series

Budgetary Quotation/Order Form

Quote #  
104.153.0519.R1

QUOTE VALID FOR 30 DAYS FROM DATE

Bill To: **Town of Hooksett**  
35 Main Street  
Hooksett, NH  
03106

Contact: Corri L. Wilson  
Office: 603-668-8019 x 705  
Fax: 603-668-6850

E mail: [cwilson@hooksett.org](mailto:cwilson@hooksett.org)

Current Est. Ship Date: 8 to 10 Weeks From Approved Submittal

Date: 30-May-19  
Project: Parks, Recreation &  
Cemeteries Division  
Ship To: Hooksett, NH  
03106

Site Contact: ?

Site Phone: ?

Customer PO# ?

Required Delivery Date: 2020

EXAMPLE QUOTE

Qty	Catalog #	Description	Price Each	Price Total
1	98-R30052-4TSPSB	30' X 52' ROCKY MOUNTAIN SERIES STRUCTURE STEEL POST STEEL BEAM	\$45,974.00	\$45,974.00
		<b>**INCLUDED FEATURES**</b>		
	*	4/12 Roof Pitch, Gable Roof, Non Bird Nesting Design		
	*	7'-6" Eave Height, with 2' Eave Overhang from Post Center		
	*	8 Total Posts, 4 Posts per side Spaced at 16' O.C.		
	*	Powder Coated Steel Posts and Beams		
	*	Stained 2" x 6" Hem Fir Tongue and Groove Roof Deck		
	*	Stained 2" x 8" Fascia		
	*	30lb Underlayment		
	*	24 Gauge Drip Edge		
	*	24 Gauge Standing Seam Roofing Snap Lock (Standard Colors)		
	*	Single Gang Box Electrical Cut Out in one post		
	*	Epoxy Set Zinc Coated Anchors		
	*	Zinc Coated Hardware		
	Upgrade >	60lb PSF Snow Load (IBC 2018)		
	*	90 MPH Class C Wind Load (IBC 2018)		
	*	Submittal Drawings, 11" x 17" PDF (Lead Time 4 to 6 Weeks)		
1	Engineering	State of "New Hampshire" Licensed Engineers Signed and Sealed Drawings With Calculations, 5 Copies, 11"x17" Printed Format	\$900.00	\$900.00
		<b>**OFFERED OPTIONS**</b>		
0	Upgrade	Hot Dipped Galvanize and Polyester Powder Coat Finish all Steel Post and Steel Beams	\$9,753.00	\$0.00
0	Electrical	One Additional Electrical Box Cut Out Per Post	\$150.00	\$0.00

NOTE THAT ALL LEAD TIMES ARE ESTIMATED AT TIME OF QUOTE AND SUBJECT TO CHANGE

This Quote Excludes: Concrete, Footings, Electrical, Plumbing, Site Staging, Installation,  
Brokerage Fees, Permits - Local or Provincial

PLEASE NOTE THAT: Unless Proper Tax Exempt Paper Work is provided at time of order, and or stated in a Contract: Tax rate shown is calculated on product total, engineering, installation, and or any other services rendered to the Delivery Address Zip Code. Unless otherwise excluded by State Tax Code. Due to the lead time of manufacturing process the Final Tax amount will be Calculated at the Time of Shipment. All Products are Shipped Unassembled unless Otherwise Specified.  
Natural Structures is not responsible for Obtaining State and Local Permits. Delivery Off Loading and Site Staging is by Others, a Forklift is Recommended.

TERMS VISA/MasterCard Accepted

USD Sub-Total: \$46,874.00

**\*\*We do NOT accept American Express\*\***

\$17,847.67 1/3 Deposit O.A.C. (Balance Due 30 Days Net From Date of Shipment)

% Tax: N/A

N/A Net 30 to Government Agencies with Formal P.O.

Freight: \$6,669.00

\$1,406.22 3% Cash with Order Discount on Sub-Total

**"Freight on Board"**

Delivered to "03106" USD Total: \$53,543.00

Scott R. Swanson

*Scott R. Swanson*  
Sales & Marketing Manager

Authorized Signature: \_\_\_\_\_

Client

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

### NATURAL STRUCTURES

REV 05.18 19 S.E.S.

PO Box 270, Baker City, OR 97814 PH: 800-252-8475 Fax: 541-523-5052  
Email: [scott@naturalstructures.com](mailto:scott@naturalstructures.com) [www.naturalstructures.com](http://www.naturalstructures.com)



**Town of Hooksett  
Town Council Meeting Minutes  
Wednesday, October 23, 2019**

The Hooksett Town Council met on Wednesday, October 23, 2019 at 6:00 in the Hooksett Municipal Building.

**CALL TO ORDER**

Chair Sullivan called the meeting of 23 Oct 2019 to order at 6:00 pm.

**PROOF OF POSTING**

Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.

**ROLL CALL**

**In Attendance:** Councilor James Sullivan, Councilor Robert Duhaime, Councilor John Durand, Councilor James Levesque, Councilor Clifford Jones, Councilor Timothy Tsantoulis, Councilor Clark Karolian, and Councilor Alex Walczyk

Avery Comai arrived at 6:03 pm.

**PLEDGE OF ALLEGIANCE**

Chair Sullivan called for the Pledge of Allegiance.

**SPECIAL RECOGNITION**

**HeartSafe Community Award and NH EMS Unit of the Year Award**

Captain Stalker: I would like to introduce Nancy Vaughn, Director of Government Relations for the American Heart Association, and Bill Wood, Emergency Preparedness Coordinator for the NH Bureau of EMS.

N. Vaughn: We take great pride in emergency medical services and the proactive services they offer, such as CPR classes, which help people prepare for out of hospital cardiac arrest events.

B. Wood: Every month in New Hampshire, there are 200 adult cardiac arrests. Where a defibrillator is needed, a life is saved only eight percent of the time. By contrast, 70% of lives are saved in Seattle, thanks to the availability of Automated External Defibrillators (AEDs). I would like to present this Citation to Hooksett Fire and Rescue on Oct 23, 2019, designating Hooksett a HeartSafe Community because of its initiatives, including widespread CPR instruction, public access AEDs throughout the community, advanced life support training and certified EMS providers available 24/7 for response to cardiac emergencies, emergency vehicles equipped with cardiac monitors/defibrillators, AEDs and other emergency resuscitation equipment, and aggressive resuscitation protocols for EMS providers and area hospitals.

N. Vaughn: I have a second citation from the American Heart Association.

Captain Stalker: Hooksett Fire and Rescue was the recent recipient of the State of NH EMS Unit of the Year. In 2009, we took over the ambulance transport service. Currently, 80% of our team work at the advanced level. We offer advanced Paramedic level service and respond to 1,600 calls per year. We also offer various injury and illness prevention programs to the community. We are proud of the hard, dedicated work our personnel do every day and are honored to be the EMS unit of the year for 2019.

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**SCHEDULED APPOINTMENTS**

**Cindy Robertson, Conservation Commission Chair and Dan Tatem, Stantec: Proposed gate for Emergency Access to the Hooksett Riverwalk Trail**

C. Robertson: Dan Tatem could not be here tonight. David Ross is joining me, and I know he spoke to you about the proposed Emergency Access gate. We are looking for approval for the permitting process to install a gate where Phase Two of the Hooksett Riverwalk Trail is accessed from Merrimack Street. Stantec installed a gravel road for transporting heavy equipment needed at the site. We are proposing to loam and seed this gravel area and put in a permanent steel farm gate. This has DOT approval as long as the access is only for emergency and construction. Stantec will install a Knox-box and Dan Tatem obtained the gate at no cost. I would like to note that Phase Three will use the same access area.

C. Karolian: Is the engineering work done?

C. Robertson: It will be done once we have approval.

R. Duhaime: It looks as if the first 50 feet will stay graveled.

C. Robertson: I don't know. I thought it would all be loam.

D. Ross: One neighbor is pleased about the proposal.

T. Tsantoulis: It looks as if it would be easy to go around the gate.

D. Ross: That area is very wet. You can't drive on it.

C. Karolian: What is the distance between the first and second access road?

D. Ross: About 200 feet.

C. Karolian: Are the abutters okay with this?

C. Robertson: Comments have been highly favorable; we have heard nothing negative.

***R. Duhaime motioned to approve a gate being installed where the temporary construction access is currently located off of Merrimack Street. T. Tsantoulis seconded the motion. Voted in favor (8-0). C. Jones abstained because his wife works part-time for Stantec.***

C. Karolian: I want to stipulate that I am in favor, assuming the abutters are agreeable.

**PUBLIC HEARINGS**

**Removal of Taxi Cab Ordinance, Other Ordinances, #00-20 (noticed for 6:30pm)**

Chair Sullivan read the notice for the Public Hearing:

The Hooksett Town Council will be holding a public hearing on Wednesday October 23, 2019 @ 6:30 pm at the Hooksett Town Hall – Council Chambers, 35 Main Street, Hooksett, NH. The purpose of the public hearing is to remove Town Ordinance #002-20



Taxicab. This notice is per Chapter 231:132-a of the NH RSA and Section 3.6 of the Hooksett Town Charter. The full text of the proposed amendment is on file with the Town Clerk and is also available via [www.hooksett.org](http://www.hooksett.org) for your inspection. Questions should be directed to the Office of the Town Clerk at 485-9534.

M. Lavoie, Code Enforcement: One taxi cab company has been paying the license fee regularly for many years. The ordinance requires the town to keep track of people being picked up or dropped off in Hooksett; we can't keep track of the various ride-share organizations. This is a tax on one business and it is unfair.

Chair Sullivan: The vote on this item will be November 6<sup>th</sup>.

## CONSENT AGENDA

### **\$200 Donation - Heritage Commission Sponsored Speaker**

***R. Duhaime motioned to accept \$200 from the NH Humanities Council on behalf of the Town of Hooksett. T. Tsantoulis seconded the motion. Voted unanimously in favor (9-0).***

## TOWN ADMINISTRATOR'S REPORT

D. Fitzpatrick: Town Administrator Andre Garron is at a conference and asked me to present a few items on his behalf. First, the Supervisors of the Checklist will meet on Friday, October 25, 2019 from 7:00 to 7:30 pm. This is the last opportunity for registered voters to change party affiliation. The Checklist Supervisors will extend the meeting time if necessary. Second, Trick or Treat for Halloween will be Thursday, October 31, 2019 from 6:00 to 8:00 pm. Lastly, union negotiations will continue on Thursday, October 31, 2019 from 9:00 am until noon and on Friday, November 1, 2019 from 8:30 am until 11:00 am.

D. Fitzpatrick: We need a motion to authorize the Council Chair to sign the contract with Granite YMCA for the 2020 Summer Day Camp on behalf of the Council.

D. Fitzpatrick: Regarding the well radius item which you will be considering this evening, Mr. Garron wants to refer you to the town attorney opinion letter which was distributed and to clarify that the abutters are no longer the developer; they are private owners.

***T. Tsantoulis motioned to authorize the Council Chair to sign the contract with Granite YMCA for the 2020 Summer Day Camp on behalf of the Council. A. Walczyk seconded the motion.***

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

## PUBLIC INPUT

Mark Miville, 42 Main Street: First, I want to acknowledge that the town is considering a pavilion. This has been four years in the making. The Hooksettites brought this to me originally and there is a need for it, especially for seniors who don't have a lot to go to. Second, I go to the recycling center once or twice a week and often end up waiting in line because someone has to go in to write a check. I would like to see a separate line for cans and cardboard, or a way for those writing checks to move to the side. Thank you.

Charles Fredette, Bedford: I am speaking on behalf of Merrimack Valley Riders and President Tom Levesque is with me. We are seeking permission to ride on the Chester Turnpike trail as part of our annual Classic Charity Trail Ride for Cystic Fibrosis in June of 2020. Those in our

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3

157 organization are respectful of the trails we ride on. We do not tolerate the “poaching” of trails.  
158 Thank you for allowing me to speak.  
159

160 **BRIEF RECESS**

161 Chair Sullivan called for a five-minute recess.  
162

163 **OLD BUSINESS**

164 **Relocation of the Lacrosse wall from Donati Park to Petersbrook Park**

165  
166  
167 E. Labonte: HYAA is relocating Lacrosse from Donati Park to Petersbrook Park. Scout Duncan  
168 Korkosz is here with his mother to update you on his Eagle Scout project, which is the building of  
169 a lacrosse wall. It will now be a multi-sport wall – one side for Lacrosse and the other for Soccer.  
170 The Town Council accepted this Eagle Scout project on May 22, 2019.  
171

172 D. Korkosz: I want to let you know that three-quarters of the fund raising is complete, and I would  
173 now like to locate the wall at Petersbrook Park.  
174

175 R. Duhaime: With the location change, will there be less cost?  
176

177 D. Korkosz: The cost is the same, regardless of the location.  
178

179 A. Comai: Of what material will the wall be constructed?  
180

181 D. Korkosz: It is concrete.  
182

183 ***A. Walczyk motioned to recommend and approve the relocation of the Lacrosse wall from***  
184 ***Donati park to Petersbrook Park. J. Levesque seconded the motion.***  
185 ***Voted in favor (8-0). C. Karolian was not present for the vote.***  
186

187 **NOMINATIONS AND APPOINTMENTS**

188 **October Appointments**

189  
190  
191 N. Germain: At the September 25, 2019 Town Council meeting, William Herlicka, a business  
192 owner, was nominated to the Conservation Commission as an Alternate, and James Fortin was  
193 nominated as an Alternate to the Planning Board. These appointments fill the remaining  
194 available Alternate spots for their respective bodies. All paperwork is complete.  
195

196 ***T. Tsantoulis motioned to appoint William Herlicka as an Alternate to the Conservation***  
197 ***Commission, term expiring June 30, 2022. J. Durand seconded the motion.***  
198 ***Voted unanimously in favor (9-0).***  
199

200 ***T. Tsantoulis motioned to appoint James Fortin as an Alternate to the Planning Board,***  
201 ***term expiring June 30, 2020. J. Durand seconded the motion.***  
202 ***Voted unanimously in favor (9-0).***  
203

204 R. Durand: This is a good start with the land use boards and committees.  
205

206 **OLD BUSINESS (continued)**

207 **Surety Release-DAR Builders, LLC Well Radius Surety**

208

Nicholas Williams, Town Planner: This request for the release of DAR Builders, LLC's surety bond is based on the fact that the owners of the abutting properties are no longer owned by the developer. They are privately owned and the owners are fully informed of the well radius issue. I will read the opinion of Town Attorney Matt Serge on the issue of Well Radius Waiver Bonds:

"I have reviewed the Town Charter and cannot find anything that expressly directs the Town Council to release bonds in this instance. There is a reference to the Town Council in Section 18.07 (Surety Release Process) in the Town's Development Regulations. Under that process, the Town Council must move to approve the release of a surety collected under the Regulations.

This is obviously not your typical bond issue, and the Planning Board checklists are clear that an NHDES waiver is sufficient in lieu of keeping the well radii totally within a particular property's boundary lines. Here, if the waiver has been obtained, and the appropriate official(s) have acknowledged that the waiver is satisfactory, the Town has no basis for continuing to hold the bond and it should be released. This of course has no impact on other surety that was collected for the project pertaining to other improvements. Please note that my opinion is based upon the information in your email, and if there is other information pertaining to the well issue that I should see, please let me know."

T. Tsantoulis: My original comments and concerns were based on the fact that the developer owned the abutting properties. Since that is no longer the case, I have reversed my opinion.

C. Karolian: The attorney's opinion left out option one, which is to re-drill the well.

***R. Duhaime motioned to recommend the release of the \$6,000 cash surety to DAR Builders, LLC. T. Tsantoulis seconded the motion.***

A roll call vote was taken on the motion.

**Roll Call Vote #2**

***R. Duhaime Yes***  
***J Durand Yes***  
***C. Jones Yes***  
***J. Levesque Yes***  
***A. Walczyk Yes***  
***A. Comai Yes***  
***C. Karolian No***  
***T. Tsantoulis Yes***  
***J. Sullivan Yes***  
***Voted in favor (8-1).***

**Health Insurance Renewal Rates Effective January 1, 2020**

D. Fitzpatrick: The Town's annual medical and dental renewal rates effective January 1, 2020 were announced to the Town Council at their October 9, 2019 meeting. All Hooksett medical plans increased by 3.6% (Health Trust January renewal pool is 7.1%) and all dental plans increased by 3.9%. The Council voted unanimously to continue the current health and dental plan options and contributions for 2020 in these categories: non-union employees, retirees under 65 years of age, and retirees 65 years of age and older. Next, we are looking for motions

regarding the Fire union employees, the Police union employees and the Public Works union employees.

***R. Duhaime motioned to maintain the following health plan and dental plan options effective January 1, 2020 through June 30, 2020 for Fire union employees as contractually obligated and presented. T. Tsantoulis seconded the motion.***

A roll call vote was taken on the motion.

**Roll Call Vote #3**

**A. Comai Yes**  
**C. Jones Yes**  
**A. Walczyk Yes**  
**J. Durand Yes**  
**R. Duhaime Yes**  
**T. Tsantoulis Yes**  
**J. Levesque Yes**  
**C. Karolian Yes**  
**J. Sullivan Yes**

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

The details are as follows, effective January 1, 2020:

1. BlueChoice POS BC2T10- R10/25/40M10/40/70/3K(L)
  - a. 16% employee premium contribution
  - b. allow the employee to establish their own FSA account
2. HealthTrust-Anthem Blue HMO AB201PDED(01L)-R10/25/40M10/40/70/3K(L) - \$250/\$750
  - a. 16% employee premium contribution
  - b. allow the employee to establish their own FSA account
3. HealthTrust-Anthem Lumenos 2500 (01L) \$2,500/\$5,000
  - a. no employee premium contribution
  - b. allow the employee to establish their own HSA account
  - c. allow the employee to establish their own limited FSA account (dental and vision only)
4. Dental plans 1 flx, 2A flx and 5 flx

***T. Tsantoulis motioned to maintain the following health plan and dental plan options effective January 1, 2020 through June 30, 2020 for Police union employees as contractually obligated and presented. J. Durand seconded the motion.***

A roll call vote was taken on the motion.

**Roll Call Vote #4**

**A. Walczyk Yes**  
**J. Levesque Yes**  
**C. Jones Yes**

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311 **R. Duhaime Yes**

312 **J. Durand Yes**

313 **C. Karolian Yes**

314 **T. Tsantoulis Yes**

315 **A. Comai Yes**

316 **J. Sullivan Yes**

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

318

319 The details are as follows, effective January 1, 2020:

320

321 5. HealthTrust-Anthem Blue HMO AB201PDED(01L)-R10/25/40M10/40/70/3K(L) -  
322 \$250/\$750

323 a. 19% employee premium contribution

324 b. allow the employee to establish their own FSA account

325

326 6. HealthTrust-Anthem Blue HMO ABSOS20/40/1KDED(01L)- R10/25/40M10/40/70/55K(L)-  
327 \$1,000/\$3,000

328 a. no employee premium contribution

329 b. allow the employee to establish their own FSA account

330 c. Town pays 50% of deductible through HRA account after the first \* below is paid  
331 by the employee

332 i. \*Single plan =- \$400

333 ii. \*Two-person plan = \$750

334 iii. \*Family plan = \$1,000

335

336 7. HealthTrust-Anthem Lumenos 2500 (01L) \$2,500/\$5,000

337 a. no employee premium contribution

338 b. allow the employee to establish their own HSA account

339 c. allow the employee to establish their own limited FSA account (dental and vision  
340 only)

341

342 8. Dental plans 1 flx, 2A flx and 5 flx

343

344 ***T. Tsantoulis motioned to maintain the following health plan and dental plan options***  
345 ***effective January 1, 2020 through December 31, 2020 for Public Works union employees***  
346 ***as contractually obligated and presented. J. Durand seconded the motion.***

347

348 A roll call vote was taken on the motion.

349

350 **Roll Call Vote #5**

351 **T. Tsantoulis Yes**

352 **C. Jones Yes**

353 **R. Duhaime Yes**

354 **A. Walczyk Yes**

355 **J. Levesque Yes**

356 **C. Karolian Yes**

357 **J. Durand Yes**

358 **A. Comai Yes**

359 **J. Sullivan Yes**

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

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The details are as follows, effective January 1, 2020.

1. HealthTrust-Anthem Blue HMO AB201PDED(01L)-R10/25/40M10/40/70/3K(L) - \$250/\$750
  - a. 16% employee premium contribution July 1, 2019 to June 30, 2020
  - b. 17% employee premium contribution July 1, 2020 to December 31, 2020
  - c. allow the employee to establish their own FSA account
2. HealthTrust-Anthem Blue HMO ABSOS20/40/1KDED(01L)- R10/25/40M10/40/70/55K(L)- \$1,000/\$3,000
  - a. no employee premium contribution
  - b. allow the employee to establish their own FSA account
  - c. Town pays 50% of deductible through HRA account after the first \* below is paid by the employee
    - i. \*Single plan =- \$400
    - ii. \*Two-person plan = \$750
    - iii. \*Family plan = \$1,000
3. HealthTrust-Anthem Lumenos 2500 (01L) \$2,500/\$5,000
  - a. no employee premium contribution
  - b. allow the employee to establish their own HSA account
  - c. allow the employee to establish their own limited FSA account (dental and vision only)
4. Dental plans 1 flx, 2A flx and 5 flx

***Chair Sullivan motioned to direct the Town Administrator to review HealthTrust health plan options and dental plan options for effective January 1, 2021. C. Karolian seconded the motion.***

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

A. Walczyk: Are we still in negotiations?

D. Fitzpatrick: Just to the end of the current contract. Also, the Council can change the membership of the negotiating committee, if desired.

J. Durand: I like a mix and having employees involved.

C. Karolian: Instead of a committee, the negotiations could be taken care of by the Administration.

T. Tsantoulis: We do entrust this to the Administrator. Employees could offer input as necessary.

R. Duhaime: We are asking employees to pay more now. They may want to have input.

D. Fitzpatrick: Councilor Durand asked me to look into options with Health Trust to provide health insurance to Town Councilors or other publicly elected officials of the Town. I would like to direct you to page 60 of your packet. Section (c), as I will quote, allows for adding a new group to the membership.

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8

412 (c) Any publicly elected official of a Member whose term of office is at least one (1) year's  
 413 duration (or official appointed to fill the unexpired term of a publicly elected official)  
 414 regardless of his or her scheduled work week if such official is described in one of the  
 415 categories as follows:  
 416 (i) Individuals serving on the Governing Body or a Member; or (iii) Officials who serve in  
 417 an administrative position of a Member which position is comparable in status to a  
 418 department-head level appointed administrator, but which, by law or option of the  
 419 Member, is an elected position. Such position shall include, but not be limited to, clerks,  
 420 treasurers, tax collectors, road agents and police chiefs.

421  
 422 **C. Karolian motioned not to offer health insurance to any elected official of Hooksett. A.**  
 423 **Comai seconded the motion.**  
 424

425 T. Tsantoulis: This warrants research.  
 426

427 C. Karolian: Is this an option via Health Trust per their bylaws? Why is it being presented now?  
 428 Are there any other part-time employees receiving health insurance?  
 429

430 D. Fitzpatrick: This has been an option for a long time. It is being presented now because a  
 431 Councilor asked me to look into it. Our part-time employees are not offered health  
 432

433 J. Durand: I asked for the research.  
 434

435 C. Karolian: If all elected officials went on the insurance, what would be the cost?  
 436

437 D. Fitzpatrick: The family plan is about \$29,000, less the 15% paid by the employee, so it would  
 438 be about \$24,000 per elected official. A decision on this must be made by November 6, 2019.  
 439 November 15, 2019 is the drop-dead date for all enrollments and decisions.  
 440

441 Chair Sullivan: I estimate 28 individuals in this category. That is an approximate cost of  
 442 \$675,000.  
 443

444 R. Duhaime: We spend a lot of money on health care in this town. We look at raises of maybe  
 445 \$500 for Town Councilors; this is \$24,000. We would have lots of people running for office.  
 446

447 J. Levesque: Is there a rate sheet available?  
 448

449 D. Fitzpatrick: I will send out the rate sheet.  
 450

451 C. Karolian: For transparency, we are looking at about 27 people at a cost to the town of \$25,000  
 452 each.  
 453

454 **C. Karolian withdrew him motion not to offer health insurance to any elected official of**  
 455 **Hooksett. AC removed his second.**  
 456

457 C. Jones: Can we find out if this requires a change to the Charter?  
 458

459 **R. Duhaime motioned to direct the Town Administrator to look into the cost and the**  
 460 **procedure for providing medical insurance for elected officials. J. Durand seconded the**  
 461 **motion.**

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9

462

A roll call vote was taken on the motion.

463

464

**Roll Call Vote #6**

465

**J. Durand Yes**

466

**J. Levesque Yes**

467

**C. Karolian No**

468

**A. Comai No**

469

**C. Jones Yes**

470

**T. Tsantoulis Yes**

471

**A. Walczyk No**

472

**R. Duhaime Yes**

473

**J. Sullivan No**

474

**Voted in favor (5-4).**

475

476

**FY 2020-21 Budget and Warrant Articles**

477

C. Soucie: We are looking for motions to increase the Council's recommended Health, Dental, Unemployment and Liability lines.

478

479

**R. Duhaime motioned to increase the Council's recommended Health Insurance lines by \$41,652. T. Tsantoulis seconded the motion.**

480

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

481

482

483

**R. Duhaime motioned to increase the Council's recommended Dental Insurance lines by \$4,059. C. Jones seconded.**

484

**Voted in favor (8-0). T. Tsantoulis was not present for the vote.**

485

486

**R. Duhaime motioned to increase the Council's recommended Unemployment line by \$896. T. Tsantoulis seconded the motion.**

487

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

488

489

**A. Walczyk motioned to increase the Council's recommended Liability line by \$10,378. T. Tsantoulis seconded the motion.**

490

**Voted in favor (8-0). J. Levesque was not present for the vote.**

491

492

**T. Tsantoulis motioned to pass the revised Council Budget of \$17,740,239 to the Budget Committee. R. Duhaime seconded the motion.**

493

**Voted in favor (8-0). J. Levesque was not present for the vote.**

494

495

**Energy Efficiency Exemption (i.e. Solar Energy) - (tabled at 10/09/19 Town Council Meeting)**

496

This item remained on the table.

497

498

**NEW BUSINESS**

499

**Selection of a financial institution for the Route 3A Sewer and Other Infrastructure Improvements borrowing.**

500

C. Soucie: TD Bank provided the lowest quoted rate, no prepayment penalty, one payment a year and a flexible closing date.

501

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***R. Duhaime motioned to finance the Route 3A Sewer and Other Infrastructure Improvements with a ten-year note in the amount of \$2,500,000 utilizing TD Bank. T. Tsantoulis seconded the motion.***

C. Karolian: Did you ask all of the financial institutions about a prepayment penalty?

C. Soucie: No, because they didn't have lowest rate.

A roll call vote was taken on the motion.

**Roll Call Vote #7**

***C. Jones Yes***  
***C. Karolian No***  
***J. Levesque No***  
***R. Duhaime Yes***  
***A. Walczyk No***  
***J. Durand Yes***  
***T. Tsantoulis Yes***  
***A. Comai Yes***  
***J. Sullivan Yes***  
***Voted in favor (6-3).***

**Use of Unassigned Fund Balance to lower 2019 Tax Rate**

***Chair Sullivan motioned that State Municipal Aid of \$152,392.50 be applied to offsetting the 2019 tax rate. C. Karolian seconded the motion.***  
***Voted unanimously in favor.***

***Chair Sullivan motioned to apply \$1,368,000 of the current fund balance to reduce the tax rate to \$21.53 per thousand. J. Durand seconded the motion.***

C. Jones: I am okay with six percent; 5% might cause sticker shock.

A. Walczyk: The town's policy is a minimum of five percent, working toward eight percent. We should Invest while the economy is good so we can grow the tax base.

J. Durand called the question.

A roll call vote was taken on the motion.

**Roll Call Vote #8**

***J. Levesque Yes***  
***R. Duhaime No***  
***T. Tsantoulis No***  
***A. Walczyk No***  
***J. Durand Yes***  
***C. Jones Yes***  
***A. Comai Yes***

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564 **C. Karolian** No  
 565 **J. Sullivan** Yes  
 566 **Voted in favor (5-4).**

567  
 568 **Tax Bill Newsletter Approval**

569  
 570 **T. Tsantoulis motioned to authorize the Administration to send out a Fall Newsletter with**  
 571 **the Fall Tax Bill (as amended as necessary). A. Comai seconded the motion.**  
 572 **Voted in favor (7-0). J. Durand and C. Karolian were not present for the vote.**

573  
 574  
 575 **APPROVAL OF MINUTES**

576  
 577 **Public: 10/09/2019**

578  
 579 **T. Tsantoulis motioned to approve the public minutes of the October 9, 2019 Council**  
 580 **meeting. R. Duhaime seconded the motion.**

581  
 582 Chair Sullivan: Are there any corrections?

583  
 584 Chair Sullivan: On page 2, Line 81, I did not say "...the area where I live..." I said "Sample Area  
 585 One."

586  
 587 Chair Sullivan called for a vote on the motion to approve the public minutes of the October 9,  
 588 2019 meeting as amended.

589  
 590 **Voted unanimously in favor (9-0).**

591  
 592  
 593  
 594 **Non-Public: 10/09/2019**

595  
 596 **T. Tsantoulis motioned to approve the minutes of the October 9, 2019 non-public session.**  
 597 **R. Duhaime seconded the motion.**  
 598 **Voted unanimously in favor (9-0).**

599  
 600  
 601 **SUB-COMMITTEE REPORTS**

602  
 603 Chair Sullivan: The Heritage Commission has received a grant for refurbishing an old town map,  
 604 probably done before 1842. The Library will be hosting a presentation on Tuesday, October 29<sup>th</sup>  
 605 at 6:30 pm titled "Harnessing History: On the Trail of New Hampshire's State Dog, the Chinook."  
 606 The program is sponsored by the NH Humanities Council and looks at how dog sledding  
 607 developed in New Hampshire and how the Chinook played a major role.

608  
 609 R. Duhaime: The Budget Committee has reviewed several of the smaller budgets. The Planning  
 610 Board reviewed a subdivision, requiring vegetation screening where it was needed. They also  
 611 discussed architectural guidelines, and there was a lot of debate on that issue. As an example,  
 612 we have O'Reilly Auto parts next to the Heritage Bank. Again, the need for follow-through was  
 613 emphasized. I attended a Sewer meeting which featured a presentation on plant improvements.

614  
 615 A. Walczyk: Parks & Rec is working on the Pavilion.

616

617 T. Tsantoulis: The HYA Committee has selected a Youth Achiever for the month of October. The  
618 Assessors will be meeting with an attorney to discuss the issues of a disgruntled taxpayer.

619  
620 A. Comai: The Conservation Commission is looking at plots of land available by donation behind  
621 the Cawley School. They also considered donations for park benches.

622  
623 Chair Sullivan closed the public hearing on the removal of the Taxi Cab Ordinance at 9:23 pm.

624  
625 **NON-PUBLIC SESSION NH RSA 91-A:3, II**

626  
627 **R. Duhaime motioned to enter non-public session on 10/23/19 at 9:25 pm in accordance**  
628 **with the provisions of RSA 91-A:3, II (a). Seconded by J. Levesque.**

629  
630 RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the  
631 disciplining of such employee, or the investigation of any charges against him or her, **unless** the  
632 employee affected (1) has a right to a public meeting, and (2) requests that he meeting be open,  
633 in which case the request shall be granted.

634  
635 **Roll Call Vote #9**

636 **J. Durand Yes**  
637 **A Comai Yes**  
638 **C. Jones Yes**  
639 **R. Duhaime Yes**  
640 **C. Karolian Yes**  
641 **A. Walczyk Yes**  
642 **T. Tsantoulis Yes**  
643 **J. Levesque Yes**  
644 **J. Sullivan Yes**

645 ***Voted unanimously in favor.***

646  
647 ***J. Sullivan motion to exit the non-public session of 10/23/19. Seconded by A. Comai.***  
648 ***Voted unanimously in favor (8-0). J. Levesque was not present, having left the meeting at***  
649 ***10:14 pm.***

650  
651 **Back in public session at 10:25 pm**

652  
653 ***J. Sullivan motioned to seal the minutes of the non-public session because it is***  
654 ***determined that divulgence of this information likely would render a proposed action***  
655 ***ineffective. Seconded by A. Comai.***

656  
657 **Roll Call Vote #10**

658 **C. Karolian Yes**  
659 **T. Tsantoulis Yes**  
660 **J. Levesque Not present**  
661 **C. Jones Yes**  
662 **A. Comai Yes**  
663 **J. Durand Yes**  
664 **A. Walczyk Yes**  
665 **R. Duhaime Yes**

666 **J. Sullivan Yes**  
667 **Voted unanimously in favor (8-0).**  
668

669 **ADJOURNMENT**  
670

671 ***J. Sullivan motioned to adjourn the public session of 10/23/19 at 10:26 pm. Seconded by***  
672 ***T. Tsantoulis. Voted in favor (8-0). J. Levesque left meeting at 10:14 pm.***  
673

674 Respectfully submitted,  
675

676 *Kathleen Donnelly*

677 Kathleen Donnelly

678 Recording Clerk

679