

**Town of Hooksett
Town Council Meeting Minutes - Official
Wednesday, August 28, 2019**

The Hooksett Town Council met on Wednesday, August 28, 2019 at 6:00 in the Hooksett Municipal Building.

CALL TO ORDER

Chair Sullivan called the meeting of 28 Aug 2019 to order at 6:03 pm.

PROOF OF POSTING

Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.

ROLL CALL

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

Missed: Councilor Robert Duhaime and Councilor Clifford Jones

PLEDGE OF ALLEGIANCE

Chair Sullivan called for the Pledge of Allegiance.

SPECIAL RECOGNITION

Hooksett Police - Swearing-in Ceremony - New Police Patrol Officers

Chief Bouchard: Our new officers participated in the National Night Out on their second day here. We have a tradition of swearing in new Police Patrol Officers at Town Council meetings so that members of the community can watch. We welcome the family members and friends of our new officers. We are a family and will do our best to take care of your loved ones. Tonight, I am pleased to present three new officers: Eric Foley, Jacob Hall, and Schlieden Meneide. Eric Foley grew up in Derry and Goffstown. He attended Pinkerton Academy and received an associate's degree in Criminal Justice from NH Technical Institute in 2014. He worked as a supervisor at Alliance Landscaping before joining the Hooksett Police Department. Jacob Bell grew up in Bedford and Litchfield, attending Bedford High School. In 2018 he earned an associate's degree in Criminal Justice from NH Technical Institute and he worked at Bass Pro Shop until joining our police force. Schlieden Meneide was born and brought up in New Jersey, attending Roxbury Community College where he earned an associate's degree in Criminal Justice in 2015. He joined the Manchester NH police force and attended the 170th Police Academy. His supervisors describe him as highly motivated, calm, polite and professional.

Chief Bouchard administered the oath of office to the three new police patrol officers.

NH Retirement Certification

D. Fitzpatrick: I am circulating a NH Retirement Certification form for the Councilors' signatures.

Hooksett Municipal Employee - New Hire

A. Garron: Our new Town Assessor, Jon Duhamel, will begin work on September 3, 2019 and will be introduced to the Council soon thereafter. Beatrice Couser is the new Head of Patron Services for the Library. We welcome both of them.

APPROVAL OF MINUTES

Public Meeting: 07/24/19

A. Walczyk motioned to approve the minutes of the July 24, 2019 public meeting. J. Durand seconded the motion.

Chair Sullivan called for a vote on the motion as amended.

Voted unanimously in favor (7-0).

Special Public Meeting: 07/31/19

J. Levesque motioned to approve the minutes of the July 31, 2019 special public meeting. J. Durand seconded the motion.

Chair Sullivan called for a vote on the motion as amended.

Voted in favor (5-0); Councilors Durand and Karolian abstained due to absence.

Special Public Meeting: 08/14/19

A. Walczyk motioned to approve the minutes of the August 14, 2019 special public meeting. J. Levesque seconded the motion.

Voted in favor (6-0); Councilor Tsantoulis abstained due to absence.

Public Workshop Meeting: 08/14/19

A. Walczyk motioned to approve the minutes of the August 14, 2019 public workshop meeting. J. Levesque seconded the motion.

Voted in favor (6-0); Councilor Tsantoulis abstained due to absence.

Non-Public Meeting: 07/24/19

A. Walczyk motioned to approve the minutes of the July 24, 2019 non-public meeting. J. Levesque seconded the motion.

Chair Sullivan: Amendments to this motion will be made in a non-public session.

Non-Public Special Meeting: 07/31/19

A. Walczyk motioned to approve the minutes of the July 31, 2019 special non-public meeting. J. Levesque seconded the motion.

Voted in favor (5-0); Councilors Durand and Karolian abstained due to absence.

Non-Public Special Meeting: 08/14/19

A. Walczyk motioned to approve the minutes of the August 14, 2019 special non-public meeting. J. Levesque seconded the motion.

Voted in favor (6-0); Councilor Tsantoulis abstained due to absence.

AGENDA OVERVIEW

D. Fitzpatrick: The Knox Box discussion item under New Business should be moved to Old Business, since it was discussed at a prior meeting.

CONSENT AGENDA

Donation of school supplies from local residents and businesses to the Town of Hooksett for the Family Services Department Back to School Supply Program.

Motion to accept the donation of money/supplies for entertainment, food, drinks and paper products with a combined estimated value under \$3,000.00 from Hooksett Kiwanis, Merrimack County Savings Bank, Hooksett Police Association, Cup Cake Fairy USA, Prime Source Foods (Formerly Poultry Products Northeast), Frierhofer's Bakery Outlet, Hannaford Supermarket, Shaw's and Target, of Hooksett, NH, to the Town of Hooksett for the Hooksett Police Department per RSA 31:95-e:II

Motion to accept \$423.00 raised at our third annual National Night Out event held on August 6, 2019 to the Town of Hooksett through the Police Department for Hooksett families in need per RSA 31:95-b, III(b).

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

Surety Release- Summit View of Hooksett, LLC Well Radius Surety

J. Levesque motioned to approve the first four items of the Consent Agenda. A. Walczyk seconded the motion.

Voted unanimously in favor (7-0).

A. Walczyk motioned to approve the last item of the Consent Agenda regarding the Surety Bond Release of \$6,000 for Summit View of Hooksett. Chair Sullivan seconded the motion.

B. Thomas: When this subdivision was done, the well radius on this property was two feet off of the lot, as indicated on this plan. The Planning Board issued a waiver and apparently NHDES was okay with it. Summit View is now requesting release of the bond.

C. Karolian: How did it come to light?

B. Thomas: I don't know. I am filling in here for Planning. Someone must have done a survey and found it was a little bit off.

C. Karolian: Plans are submitted for buildings on lots, septic systems or wells. For some reason the well was dug in a different spot than it was supposed to have been dug. Someone found out that it didn't conform to the 75-foot radius requirement. Was a bond requested or issued?

B. Thomas: We withheld the bond because of non-conformance with the subdivision plan. Now the Planning Board has granted a waiver and the staff is comfortable with releasing the bond.

C. Karolian: What was the purpose of the bond?

B. Thomas: The bond was to ensure compliance with development regulations.

Chair Sullivan: So, you held off on the release of the bond?

B. Thomas: Yes.

Chair Sullivan: And the Planning Board gave that waiver to meet that 75-foot requirement?

B. Thomas: Yes.

C. Karolian: So, does that have to go, after it is waived, to the State DES to make sure they have signed off?

B. Thomas: According to the staff report, a well radius release form was used.

C. Karolian: Sequentially, does it go to the State after the waiver is granted?

B. Thomas: I am not sure of the order, but it does go to the State.

A. Garron: It is a requirement to get a waiver from the State and then go back to the Town to make them aware. With the \$6,000 bond, if the well has to be moved, there is money for that. Usually the landowner does that and then gets the \$6,000 back. Either way, they are in full compliance.

J. Levesque: Is the 75-foot radius a Town or a State regulation?

B. Thomas: I am not sure, but I think it is our regulation, based on the State regulation.

A. Garron: It is a State requirement and the towns generally adopt it.

J. Levesque: How much over the lot line is the radius?

B. Thomas: It is two feet over.

C. Karolian: Do we know if the abutter was notified and approved or objected to this? To me, it is important that an abutter is made aware in case there is infringement upon their consumption of water.

B. Thomas: I don't know if they were notified or not.

Chair Sullivan: What requires the abutter to be notified? Is this done in every circumstance or only certain ones?

B. Thomas: If there is a form, I assume the abutter would have to sign off. I don't know if that is the case.

A. Garron: Is the building on an approved lot or is it a subdivision?

B. Thomas: It is a subdivision.

A. Garron: Is that a blow-up of a certified plot plan? I assume it is because it shows setbacks.

C. Karolian: Are you saying that a waiver was granted prior to the well being put in?

A. Garron: No. It is the result of the well being placed two feet over the lot line.

C. Karolian: For a variance, an abutter should be notified and show up in favor or opposed. In order for me to make a decision, I have to know that. I don't see anything in the paperwork we were provided which indicates that an abutter has been contacted and has approved of the waiver.

Chair Sullivan: You have the option of placing this on the table.

A. Garron: They are looking for a CO. I believe the abutters have to know.

T. Tsantoulis: Our task is to release the funds. The Planning Board approved; this was green-lighted by the Planning Board. As the Town Administrator indicated, we might be holding up the owner's ability to move in.

C. Karolian: A temporary CO has been issued and I believe the building is occupied. The Planning Board is in charge but the Town Council releases the bond. We need to verify that all was followed through with before releasing the bond.

J. Durand motioned to table this item until it is determined if the abutter was notified or if they had a question. C. Karolian seconded the motion.

J. Durand: We don't want this to come back on us later. We need to be sure the abutter is okay with this.

Chair Sullivan: We should verify what information is needed. We want to know if the process included abutter notification and if the abutter had comments. We also want to make sure that wells are properly placed going forward.

Chair Sullivan called for a vote on the motion to table.

Voted unanimously in favor (7-0).

D. Fitzpatrick: Anything that is tabled will be taken up at the next regular Council meeting, which is September 11, 2019. September 4th is specifically a budget review meeting.

TOWN ADMINISTRATOR'S REPORT

A. Garron: According to Chief Bouchard, National Night Out was a successful evening, with over 400 attendees and \$423 in donations received.

A. Garron: Donna Fitzpatrick brought to my attention that Earl Labonte has made significant efforts to see that safety protocols are being followed in his department. He meets regularly with his employees

and reviews the Town safety manual relative to the responsibilities of his employees. This minimizes liability and Mr. Labonte is to be commended for his efforts, his commitment and his attention to detail.

A. Garron: Regarding the uranium issue on which I updated you at a meeting in July, Brendan McKernan has been in contact with me, and DES is taking additional steps. The EPA has agreed to do metal analysis on up to 100 samples for free, including volatile organic compounds. However, at a cost of \$150 per sample, private homeowners may partner with a private lab to have other samples tested. Lists of labs have been provided. DES has been very cooperative in providing resources and informing the public. I have corresponded with them.

A. Garron: I had a good meeting with GE this week. I had a tour of the facility, which is impressive. The approximately 1,000 employees take pride in ownership and creation. They provide items for the airline business worldwide. I am trying to meet with large businesses, as I said I would.

A. Garron: We met with the Bow water precinct and sewer commission. We discussed the possibility of Bow receiving sewer and water services from Hooksett. They have a TIF district which abuts the Hooksett town line.

A. Garron: We had a really good TIF meeting last week and are slowly moving toward a plan of action as far as where the infrastructure will go first. The consensus was that it will first be zones one and two. Information on zone three will be provided at the October meeting. Members of EDAC attended, along with the Sewer Commission, the Water Precinct and the Town of Bow. We are going in the right direction.

A. Garron: You now have your budget books, and that process begins on September 4, 2019.

A. Garron: There was a request from a committee to add content to the Town Report. At first, I told them this was under the purview of the Town Council; then I told them yes, and then decided to consult with the Town Attorney as to who had authority over the content of the Town Report. I learned that the Town Council has that authority, and I want to apologize for overstepping my authority. The Council has been respectful of my authority and I want to reciprocate that respect.

T. Tsantoulis: Do you anticipate any further communication from the Budget Committee? The initial question was from an individual; it was not a request on behalf of the committee. They thought they were being pushed around a bit. I don't agree. The information they wished to add is included in some town reports and not in others. We do not have to do what other towns do.

A. Garron: Content was not the issue; it was the process.

Chair Sullivan: Please let the Budget Committee know what we have discussed.

A. Garron: We have three people ending their employment with the town: Scott Eaton, a police dispatcher; Serena Shuter, a police officer; and Lee Ann Moynihan from Assessing.

A. Garron: I met with Bruce Kudrick regarding new sewer hookups. He said the ultimate goal is to hook up to sewer if it is within 100 feet of one's property. Sewer is brought to edge of property, and the property owner completes the hookup. The Commission provides some relief regarding timing.

C. Karolian: We were left with the impression that businesses have to hookup but not residential homes.

A. Garron: There is no distinction between residential and non-residential. It applies to both. It is up to the discretion of sewer commission. They are willing to work with homeowners regarding the timing, and those with working septic systems are given time to make the connection.

PUBLIC INPUT

David Ross, 56 Sherwood Drive: I have been watching this meeting from home. Basic and extremely important things are being overlooked at your meetings, such as accurate attendance and roll call votes. Vote counts are not right. This is opening up every person in town to a liability. This is not a game or a club. This is serious stuff. If you want to be happy and do fun things, join Kiwanis or some other organization. This is the Town Council. You are entrusted with a responsibility which you are not taking seriously. You need to live up to this trust. The well radius is an issue that came here before. It is important. If you let someone skate over the edge a little, you are opening up to legal action in perpetuity. My thanks to Councilor Karolian who raised questions about votes and head counts. I don't see procedures being followed.

NOMINATIONS AND APPOINTMENTS

***A. Walczyk motioned to appoint David Ross to the Conservation Commission, term expiring June 30, 2019. J. Durand seconded the motion.
Voted unanimously in favor (7-0).***

D. Fitzpatrick: Since all of the representatives to the Assessing Committee are her, the clerk has told me there is some confusion about which Councilor is the alternate. Maybe we could have a new motion now to settle this.

T. Tsantoulis: There is confusion about whether Councilor Walczyk or Councilor Comai is the alternate. Perhaps it can be settled by a gentlemen's agreement.

D. Fitzpatrick: Nick Germain's list says that Councilor Comai is the alternate and the meeting minutes say it is Councilor Walczyk.

Chair Sullivan: When this is settled, please let the Assessing Clerk know.

OLD BUSINESS

Discussion Regarding Knox Box System

Chief Burkush: Assistant Chief Colburn was on vacation when I made my presentation, and he has answers to some of your questions. I did not have all of the information, and two letters of support from businesses are in your packets.

Assistant Chief Colburn: As to how many Knox Boxes there are in Hooksett, there were 581 when I made my report, and we have added six or seven since that tally, so we have about 590. As to importance, the system we have is no longer supported by Knox. Parts are not available. In the vehicles, we are short by a couple units, and we have two new trucks on order. If we don't go down this path, we can't get the current ones fixed. The security level is greatly enhanced with the new Key

Secure 5 or 6 systems. The Secure 6 unit accommodates both the manual and electronic keys. We currently have the Key Secure 3 units, and they are mostly 20 years old and are no longer supported. Sometimes it is difficult for people to give up keys to the building. For drug stores and banks, this is safer, and gives the comfort level they really need. With the electronic keys, they can be programmed to be inactive in any amount of time between five minutes and two days. The new software system will only monitor Key Secure 5 or 6. GE has top secret government plans, and SNHU is very much in favor of this because of the lack of security if a key is lost and the cost of replacing keys. Their letters of support are in your packets. Whether you approve this now or we do this through the budget process, it has to be done.

Chief Burkush: We are trying to save the taxpayers money by doing it via impact fees.

Chair: Will we be requirement to modify or change the ordinance?

Assistant Chief Colburn: No. The ordinance just clarifies the State law. We can't allow them to purchase the new system until we have it in all of our vehicles.

Chair Sullivan: Do you require new businesses to have the new system?

Assistant Chief Colburn: No, and we can't let anyone order the new system until we have the new boxes in all of our vehicles. We control what they can order. We would prepare fliers offering the opportunity to upgrade. The Fire Department can install the new system in five minutes. A lot of people will jump on this. The base units are \$1,091 each for the trucks and one demo. They have both electronic and manual keys. This will limit the number of manual keys out there.

T. Tsantoulis: Would you please explain the steps?

Assistant Chief Colburn: A firefighter puts in a code to have access to all of the keys. These are specific to Hooksett. A lot of multi-tenant buildings now use a to master key system. This causes apprehension if a master key is lost.

T. Tsantoulis: You say the existing units in the vehicles are not supported. How many are broken?

Assistant Chief Colburn: Two out of 20 are broken.

T. Tsantoulis: What changes in the new system?

Assistant Chief Colburn: The key is programmed to be active for a set amount of time. It won't open anything in town. This brings a level of security they don't have now.

T. Tsantoulis: If I found one of these keys, would I be able to identify it as a Knox key? Does it say 'Knox' on it?

Assistant Chief Colburn: No, and probably most people would not, but if they had seen one, they might know. Knox has 80 to 90 % of this market, so their keys are everywhere.

T. Tsantoulis: The broken boxes could be taken from a vehicle least likely to be called to an emergency.

Assistant Chief Colburn: We are doing that, but the vehicles have to be able to unlock many gates in town as well. The new system brings security to a higher level. Our current drug boxes are similar to the new system. Captain Stalker can control them and do weekly audits from his phone.

T. Tsantoulis: There is no specific emergency right now. The consensus among citizens I have spoken with is that every time we turn around, the Fire Department wants something new.

Assistant Chief Colburn: Security is a big issue today. This provides a higher level of safety.

T. Tsantoulis: From what I have read, the cost for businesses to upgrade to the new boxes is minimal.

Assistant Chief Colburn: Yes, it is \$240 per cylinder. Unfortunately, there are costs to the town. We have the cloud contract.

T. Tsantoulis: That is \$4,700 per year, correct?

Assistant Chief Colburn: No, that is a five-year contract. Also, we have instant access to make changes. If there is a problem with an employee, we can go online and remove the PIN number. Captain Stalker can do a weekly drug audit from a wireless device in about 30 seconds.

Chief Burkush: We have worked with Drummond Woodsum regarding using impact fees for this.

J. Durand: Who is ultimately responsible?

Assistant Chief Colburn: It is on the officer side. We can check the history to see who has accessed the box. This is a manual process. With the new system, it can be accessed on line.

J. Durand: Are you saying the manual key and the electronic fob are both in the box?

Assistant Chief Colburn: Yes.

J. Levesque: How do you set the time for the electronic key to be active? Is the key a card?

Assistant Chief Colburn: The key has a battery in it. If it is lost, it is harmless. The worst-case scenario is the cost of \$340 to replace the key.

C. Karolian: What is the reference to residential boxes?

Assistant Chief Colburn: That is apartment complexes.

C. Karolian: If this is approved, must two systems be carried on the truck? Will you never get rid of all of the old ones?

Assistant Chief Colburn: All of the gates in town have Knox padlocks, so we will always need the old system for these, unless Knox creates an electronic key for padlocks.

Chair Sullivan: Are the impact fees being used for truck units only?

Chief Burkush: Yes. Currently, there is \$82,000 in the impact fee fund.

Chair Sullivan: If 20 businesses never change, is that a problem?

Assistant Chief Colburn: No.

T. Tsantoulis motioned to allow sole source purchase under the Administrative Code 5.3.3 and to purchase a Knox Box Lock System for \$36,555 using impact fees for the Fire-Rescue Department. J. Levesque seconded the motion.

C. Karolian: Are two out of 20 boxes broken?

Assistant Chief Colburn: Yes.

Roll Call Vote #2

R. Duhaime Not present

J Durand No

C. Jones Not present

J. Levesque Yes

A. Walczyk No

A. Comai No

C. Karolian No

T. Tsantoulis No

J. Sullivan Yes

Voted not in favor (2-5).

Chief Burkush: On another note, we had a house fire on Benton Road today. The crew did great job confining the fire to the bathroom. Luckily, we recently did a fire prevention gig for the people at this property and installed fire alarms.

RECESS

Chair Sullivan called for a recess at 8:09 pm.

Chair Sullivan called the meeting back to order at 8:15 pm.

NEW BUSINESS

2019 MS-535 Financial Report of the Budget

C. Soucie: I would like you to approve the MS-535 Financial & Budget Report for 2019. This is a revenue and expense summary from our balance sheet. It will go to the DRA so they can set the tax rate. They use fund balance information, which is on page 61 of your packet. The MS-535 includes School and County figures which you don't normally see. Expenses were forecast at \$57 million and actual expenses were \$49 million.

Chair Sullivan: Town General Fund, Wastewater and Library expenses were budgeted at \$24 million and only \$17 million was spent. Can you explain this?

C. Soucie: Yes. Most of that variation is a \$6.6 million Wastewater Department bond. The rest of the difference, \$735,000, is due to personnel positions not filled. Turning to revenue, it was budgeted at

\$57 million and actual was \$51 million. Again, the difference is in the Wastewater Department. On the town side, excess revenue totaled \$320,000. Adding this to the \$735,000 balance on the expense side, we are adding \$1 million to the unassigned fund balance. I can't provide the fund balance percentage until the tax rate is set. Last year it was six percent. Our goal is to have at least five percent, working toward eight percent.

J. Durand motioned to authorize the Town Council to sign the 2019 MS-535 Financial Report of the Budget for the period ending June 30, 2019 as presented. T. Tsantoulis seconded the motion.

Voted unanimously in favor.

Purchase Two New Police Vehicles

Chair Sullivan: Chief Bouchard, with three new officers, are you now fully staffed?

Chief Bouchard: We still have two openings which should be filled in the next couple of months and then we will be fully staffed. I want to remind everyone that school starts tomorrow and we now have a full-time SRO. Rick Belanger, Dispatch Supervisor and Fleet Manager, is with me to present the yearly purchase of two replacement vehicles, which were approved as part of the operating budget in the spring. We will cycle two older vehicles out, so we are not adding to the fleet. This year, Ford has changed the motor and interior of the Explorer, and we want to reuse our equipment, so Rick found a leftover 2018 Explorer through MHQ. This is the first new vehicle. The second is a 2019 Chevy Tahoe, which can hold a lot of equipment and will be shared by the sergeants. The Fire Department reports that the Tahoe is very reliable. We are purchasing this from McMulkin. The total cost of the two vehicles, with equipment, is \$86,237.26. The budget amount is \$81,600, and we will find the difference of \$4,637 in our budget.

T. Tsantoulis motioned to allow the purchase of two new police vehicles plus the purchase of all related emergency equipment for a combined total of \$86,237.26. C. Karolian seconded the motion.

J. Durand: You said the Ford Explorers have a new motor, right?

R. Belanger: Yes. This is a complete redesign and we don't want to purchase it the first year it is out. It is a complete resign and is a hybrid. I found the leftover 2018 to save money.

C. Karolian: When you are talking about a hybrid, is that gas and electric?

R. Belanger: Yes. The hybrid is now standard; gas engines are special order now.

Chief Bouchard: We would like to go with the hybrid next year.

J. Durand: Is it better on gas?

Chief Bouchard: We want to track it for one year.

R. Belanger: The hybrid pays for itself in five years; it has extremely low maintenance costs.

C. Karolian: Is the vehicle from MHQ a total package?

Chief Bouchard: Yes.

C. Karolian: Why did you go with the Tahoe versus the Ford?

Chief Bouchard: We want to stay away from a brand-new design and motor. The Tahoe has space for the supervisors' equipment.

A. Comai: Did you look at the Tahoe hybrid?

R. Belanger: They do not have the police package.

Chair Sullivan called for a roll call vote on the motion to purchase two new police vehicles.

Roll Call Vote #3

A. Comai Yes

C. Jones Not present

A. Walczyk Yes

J. Durand Yes

R. Duhaime Not present

T. Tsantoulis Yes

J. Levesque Yes

C. Karolian Yes

J. Sullivan Yes

Voted in favor (7-0).

Traffic/Roadway Impact Fees for Storm Drain Catch Basin Cleaning Vehicle

E. Labonte: The town collects Traffic/Roadway Impact Fees from developers for the impacts their development will have within the town. These fees are used for enhancements within the zones where collected. We also have a commitment to inspect and clean all storm drain catch basins yearly. Acquiring a basin cleaning truck would enable the department to maintain the storm drain system. The Town Attorney approves of this use of impact fees for newly installed catch basins, and his letter of support is in your packets. Therefore, I am asking that the Town Council obligate \$291,000.92 to come from impact fees from each of the three zones at the rate of 57% for Zone Three, 30% for Zone Two, and 13% for Zone One. The balance of \$61,000 would come from the storm drain MS-4 budget.

Chair Sullivan: How is this handled now? What is the yearly cost? What is the life expectancy of this vehicle?

E. Labonte: We have used a contractor, and one of our employees must go with the contractor in his truck. We estimate that it would cost \$280,000 to clean all of the 4,000 catch basins in Hooksett.

Chair Sullivan: Did you clean all of them last year?

E. Labonte: No. We cleaned less than one percent; 56 basins were done at a cost of \$7,000. Per the MS-4, if they are inspected and are more than 25% full of debris for two years, we have to explain why.

T. Tsantoulis: Does the contractor take away the debris?

E. Labonte: Yes. It is taken to the wastewater plant, stored, then mixed with the materials the sludge plant produces.

T. Tsantoulis: If the cleaning is required, why didn't you do all of them?

E. Labonte: I don't know. I was not here at the time. Some of them are owned by the State and some are private. Of the 4,000 catch basins, the town owns about 2,200.

T. Tsantoulis: Do you have the manpower to do all of them?

E. Labonte: Yes.

Chair Sullivan: What is the life expectancy of the new vehicle?

E. Labonte: It is between 12 and 15 years. It will last longer if it is well maintained and has a dedicated operator. The new vehicle has a street sweeper attachment as well, so we will not need to keep the one we have now. We are required to sweep the streets annually.

C. Karolian: What is your \$280,000 based on?

E. Labonte: It is \$30 per basin.

C. Karolian: Was the cleaning of 56 basins last year at a cost of \$7,000 contracted?

E. Labonte: Yes. Last year we paid \$145 per hour for 16 hours. The cost depends upon the time to get from one basin to another and how much debris is in the basins.

C. Karolian: The cost to clean all of the basins is \$280,000?

E. Labonte: At one time, that was the estimate. It varies. \$35 times 2,200 equals \$77,000. The \$180,000 estimate is high. I don't know how that was calculated.

C. Karolian: You don't have to do 4,000 basins; you are not responsible for the State or private ones.

E. Labonte: I don't believe we are.

C. Karolian: I can't imagine anyone thinks we should do the State and private ones. The 2,200 town basins would cost \$77,000.

E. Labonte: That is with one employee working with the contractor.

C. Karolian: It doesn't matter if the employee is in our truck or the contractor's truck. So, we cross off the \$280,000 and we cross off the \$180,000. The cost is \$77,000. The cost of the new vehicle is \$291,000.92. It is a VACALL Basin Cleaner and Street Sweeper. How did you choose this one? Did you look at others?

E. Labonte: We looked at three demos. The others were \$350,000.

C. Karolian: Were these all through Sourcewell?

E. Labonte: Yes, but they were all different manufacturers. The others were sewer cleaners, which are not as efficient for cleaning catch basins.

C. Karolian: Are you representing that you checked and all of the others came in higher? What were the names of the others?

E. Labonte: One was Vector. I can't remember the other names.

C. Karolian: One vehicle does both jobs – catch basin cleaning and street sweeping?

E. Labonte: Yes.

C. Karolian: And some of the others were sewer cleanout vehicles?

E. Labonte: Yes.

C. Karolian: I wonder why they would come in if you were looking for a catch basin cleaner. What is the payback period, the breakeven point?

E. Labonte: It is about three years. We can eliminate the street sweeper we currently have, and we are required to sweep the streets annually. The life of the machine can be extended with good care and maintenance. Lebanon has one and the experience has been good. They take care of it.

C. Karolian: Is the reason you did not get three bids because you did this through Sourcewell?

E. Labonte: Yes.

C. Karolian: You did not include the others in the packet materials?

E. Labonte: No, according to the purchasing policy, that is not needed.

J. Levesque Will this clean the laterals?

E. Labonte: No, we don't have laterals. If we need that type of vehicle, the sewer department brings over its sewer jet truck and lets us use it two or three days at a time. Street sweepers are very high maintenance machines. They should have a dedicated operator. We spent \$7,000 last year on the maintenance of our street sweeper. Since we have had it, we have spent \$36,000 on parts and \$2,000 on labor.

J. Levesque: The street sweeper you have is a 2005, right?

E. Labonte: Yes.

J. Levesque: So, this has not been done and now you are required to do it? This is a good investment.

A. Comai: What are you using now?

E. Labonte: We are contracting out the work.

A. Comai: Did you do research on both the basin cleaner and the street sweeper?

E. Labonte: Yes. I have done that.

A. Comai: If you are using the vehicle for both tasks, won't that boost the machine hours?

E. Labonte: Lebanon has the same machine and it has been a good investment for them.

A. Walczyk: Does your staff need training?

E. Labonte: Yes. We will have on site training for as many as we can free up.

A. Walczyk: Are you familiar with the vehicle?

E. Labonte: Yes. It is one of the best.

J. Levesque: Where are the private catch basins in Hooksett?

E. Labonte: They are mostly in condominium complexes.

J. Levesque: Perhaps you could clean the private ones and charge the homeowners.

E. Labonte: That is possible, if the charter allows it.

C. Karolin: You started with 4,000 catch basins and are down to 2,200. I did not come up with the \$77,000. Let the record reflect that. It seems that 50% of the basins being State or privately owned is a lot.

E. Labonte: There are a lot of State roads in Hooksett.

J. Durand: Could you be fined?

E. Labonte: We could. We have a permit to discharge into the water. The EPA could fine us. I don't know the amount.

C. Karolian: You have a discharge permit?

E. Labonte: Yes.

C. Karolian: And you could be fined?

E. Labonte: Yes.

Chair Sullivan: You could be fined in relation to the street sweeping as well.

C. Karolian: Does the street sweeper remove crack sealing residue?

E. Labonte: Yes, if it is loose. It won't clean out the cracks.

C. Karolian: Where do you dispose of the street sweeping debris?

E. Labonte: It is mixed with other materials and can be spread.

J. Durand: Have we ever been fined?

E. Labonte: No, we have not.

A. Walczyk motioned to obligate \$291,000.92 (to come from each Zone collected Traffic/Roadway Impact Fees at the rate of 57% in Zone Three (3), 30% in Zone Two (2) and 13% in Zone One (1), and \$61,000.92 from account 001-450-4312-430.0000, to be utilized to purchase a Drain Basin Cleaning/sweeping truck and to consent to the purchase of a catch basin/sweeping truck from Bahr Sales Inc. (Sourcewell contract) for \$291,000.92. T. Tsantoulis seconded the motion.

Roll Call Vote #4

A. Walczyk Yes

J. Levesque Yes

C. Jones Not present

R. Duhaime Not present

J. Durand No

C. Karolian No

T. Tsantoulis Yes

A. Comai Yes

J. Sullivan Yes

Voted in favor (5-2).

Pavement Management Presentation and Request to Award Consultant Contract

B. Thomas: I would like to present a pavement management program, and I think it is time Hooksett did this. The program would rate every road in town and assign each a Pavement Condition Index (PCI) between 0 and 100%. This presentation will demonstrate how a pavement management program can save the town money. We issued an RFP on May 26, 2019 and received proposals from three consultants. We have selected BETA, not only because they had the lowest price (\$20,835) but also because their program is simple. It is less technical than some of the others. This program will provide a quantifiable measure of overall road conditions, a systematic approach to managing town roads, short- and long-term capital planning information, the ability to treat more miles of roads for less cost, and data to justify decision making. It will improve the overall conditions of our roads, save tax dollars by managing roads effectively, and improve communication between the town and utilities to coordinate street work. One dollar spent on early maintenance can cost between four and eight dollars if delayed. A new road will last about 20 years. Without timely maintenance, it must be completely reconstructed after 20 years.

Chair Sullivan: Why is this less costly?

B. Thomas: The next few slides should demonstrate that. With timely crack and chip sealing, milling, overlay, pot hole repair and micro-surfacing, roads will last longer and maintain a higher PCI over time.

T. Tsantoulis: Is this yearly? Would the town pay the consulting fee every year?

B. Thomas: No, but the roads should be reassessed periodically.

T. Tsantoulis: Can you explain how this works?

B. Thomas: A camera is mounted on top of a car and it takes a picture every ten feet. This data is spot checked in person as well. This will provide a systematic, objective evaluation of the roads. Based on the amount budgeted for road repair, it can be decided what can be done. The more money available to be spent, the higher the PCI.

T. Tsantoulis: Do all three of the consultants you evaluated have experience in this process?

B. Thomas: Yes. The technology has actually been around for quite a while.

A. Walczyk: Have you used one of these programs?

B. Thomas: No. A roadway management program was used in Manchester when I was working there, but I did not work with it directly.

E. Labonte: This provides a systematic plan for repairing pot holes, chip sealing and milling. It eliminates chasing the squeaky wheel.

A. Walczyk: Will BETA help with the scheduling and prioritizing of work, based on the amount budgeted for road repairs?

B. Thomas: Yes, they will.

C. Karolian: For clarification, regarding chip sealing, the only one who ever mentioned chip sealing in this forum is you, not me. I talked about crack sealing. You are looking at me like I am the one. It is all you. Did these consultants provide references and were they checked?

B. Thomas: Yes, we checked the references for BETA, not the others. My old boss in Manchester is switching to BETA.

Chair Sullivan: I think you have reversed the bids from IMS and Stantee Consulting on the staff report.

B. Thomas: Thank you. It is correct in my PowerPoint presentation but not on the staff report. I apologize.

C. Karolian: Prior to this, who evaluated the roads?

E. Labonte: That would be the Public Works Director and the Town Engineer. In 2009, they developed a program. It was not for all streets in town; just selected ones. Then it was trashed. I don't know why.

C. Karolian: How often would the roads have to be re-checked?

TC MINUTES 08-28-19 - O

B. Thomas: About every three to five years.

E. Labonte: Things do change.

B. Thomas: A lot of the cost is the initial set-up. The town has 89 miles of roads.

J. Durand: We all know that the weather changes and roads get potholes in different places. Also, a lot of the roads in Hooksett are State roads.

A. Garron: This gives us a plan of attack. It is not haphazard. One of my charges is to revamp the CIP, and the roadways are part of this.

T. Tsantoulis: We spend a lot of money repairing roads.

E. Labonte: Last year it was \$600,000. This program will help us to plan for the long term in an organized fashion. This is money well spent.

C. Karolian: From what has been presented, this would have to be done yearly. Next year, the same road could change drastically. What will have to happen is yearly follow-ups, if not every two years. I'm inclined to be in the negative.

J. Labonte: One road can be very different from one year to the next.

B. Thomas: We do not see significant changes over time, but the program has flexibility. We can get into it and change the PCI.

J. Labonte: I thought we hired a town engineer and a public works director to do this. We have the expertise; we should do it in-house, not spend \$20,000 for a consultant.

A. Comai: Were they able to pinpoint how the program would save \$20,000 in a black and white way?

B. Thomas: If this is done annually, the way it is done now, it may not be consistent or objective. I attended a conference on this. Interns were sent out to evaluate roads. Their morning evaluations were reasonable, but by the afternoon, they were apparently tired and not as accurate. When automated, the human factor is out. There was consistency when equipment was used. It was more scientific and gave better results.

Chair Sullivan motioned to extend the meeting at 9:30 pm. A. Walczyk seconded the motion. Voted in favor (6-1).

A. Walczyk: We hired Earl Labonte and Bruce Thomas for their expertise to do their jobs. They were good at what they do wherever they worked before. They have been good here. I've seen a good experience here and a good track record from both so far. They have done really well. We hired them to do a particular job in their areas of expertise. The purpose of a municipality is to maintain roads and infrastructure, with roads being one of the primary things. It is important to maintain roads. This is a plan we can use and put in place. To your point, Mr. Thomas, removing the human factor we are eliminating the problem of people getting tired through the day. We pay these guys to do this because this is what they do all of the time. They are the experts. I can't imagine asking department heads or

even departments to survey all of the roads in the whole town. They have other jobs to do. I can't imagine them out there chasing potholes. We have to contract out that work. It's not something you do all of the time, not even every year. It would be every three to five years, and if it works well, it would not have to be done as often. It is a good idea to come up with a plan. Is it more of a proactive approach? They can forecast which roads are going to be a problem. It is not an exact science but it is a science. Billions of dollars are spent every year on roads. This is what these companies do every day, with no disrespect to the team in front of us. They are subject matter experts for our town. Most important, the consultant is going to give us objective data. As Mr. Thomas said, it takes out the human factor. It is data driven. With the previous administration, we had a lot of discussion about data driven decisions. This is data driven. Robots are doing the manual work we can't do. Then, we are coming together with department heads to decide what is best for Hooksett. It makes sense.

A. Garron: This is better, more efficient use of their time. This is a good planning tool. Roadways are major infrastructure. This consulting fee is a drop in the bucket for what we are looking at.

C. Karolian motioned to call the question. A. Walczyk seconded the motion. Voted unanimously in favor.

T. Tsantoulis motioned to recommend the award of the Pavement Management Consultant contract to the BETA Group for \$20,835. A. Walczyk seconded the motion.

Roll Call Vote #5

T. Tsantoulis Yes

C. Jones Not present

R. Duhaime Not present

A. Walczyk Yes

J. Levesque No

C. Karolian No

J. Durand No

A. Comai Yes

J. Sullivan Yes

Voted in favor (4-3).

Administrative Code Updates (8/14/19 Town Council Workshop)

C. Soucie: The change regarding the fund balance policy is at the request of our new auditor, Vachon Clukay. It is the same policy, but its wording has been changed to follow what we are actually doing regarding the committed fund balance and a bit of the restricted fund balance. We have added the Wastewater Treatment Plant to the town assets, as opposed to enterprise assets. Regarding cell phones, this policy hasn't been reviewed since 2006. Fewer than ten employees have town cell phones, not including Police and Fire. We reimburse about five employees for their personal phones which they use for town business. The change in the reimbursement amount is a rounding correction.

C. Karolian: I would think that using a personal phone for town business would fall under or cause problems with the Freedom of Information Act. This is dangerous territory.

A. Garron: Yes. This is subject to Right to Know.

C. Karolian: If an employee leaves or is terminated, the town would not have access to the phone to retrieve information.

D. Fitzpatrick: We had a Right to Know request recently, going back to people who are not in town anymore, including members of boards and committees. We had to make every effort to retrieve information. Right to Know does not expire.

C. Karolian: If they don't want to relinquish their phones, we are out of luck. We shouldn't put the town in that predicament. What if the phone is damaged in the line of duty?

Chair Sullivan: Perhaps we should look at going with town phones only. We should consult with our attorney.

C. Karolian: Town business should be done with town equipment. We wouldn't ask employees to use their own vehicles for town business.

A. Garron: Actually, we do, and we reimburse them for the mileage.

C. Karolian: They can erase town information if they own the phone, whereas with a town phone they would be required to turn in the phone.

Chair Sullivan motioned to revisit the cell phone issue. C. Karolian seconded the motion. Voted unanimously in favor.

A. Walczyk motioned to approve amendments to the Administrative Code for items a. and b. A. Comai seconded the motion. Voted unanimously in favor.

Town Council Rules of Procedures Updates (8/14/19 Town Council Workshop)

D. Fitzpatrick: At the Town Council Workshop, it was suggested that "Riggins" be changed to "Roberts" in Section 1a and Section 2c1b. Next, 2a1 is the note regarding the Town Administrator filling in as Chairman from July 1st until a chairman is elected.

C. Karolian: This is confusing. Perhaps we should run it by the Town Attorney for advice on how to handle the Town Administrator filling in as chairman. The Town Administrator would be chair of none.

Chair Sullivan: The Council members take office July 1st but officers aren't elected until they hold their first meeting.

C. Karolian: What type of action would be required?

Chair Sullivan: The Chair might have to sign some documents in the interim. Who would have the authority? Let's get advice on that.

C. Karolian: That could wait until everyone is sworn in. The attorneys can answer that.

J. Levesque: Why don't we change the July schedule and hold a meeting as soon as possible? I have been on the Council for ten years and I never remember this being an issue. Let's wait until it happens.

Chair Sullivan: Let's hold off and get some guidance. You never know what is going to happen.

C. Karolian: Meanwhile, we would still have the Town Administrator.

D. Fitzpatrick: Items a, b and c of Section 5 provide clarification for things we are doing now, such as reading motions from staff reports when possible and repeating a motion if there is a long discussion. If the vote is immediate, there is probably no need to repeat the motion, but sometimes discussions are long – 15 minutes to an hour – and we lose track of the original motion.

C. Karolian: I think we are going down the wrong path with this, relying on department heads who are coming forward with a motion that we are supposed to be creating. The Council decides to make a motion, not a department head. That defeats the purpose of having the Council do what they do, which is to make up motions and have them seconded. That is procedural and should be restricted to the Council, not to a department head.

Chair Sullivan: That is correct. This is to make sure that a motion is stated in a certain way to comply with State RSA's and regulations.

A. Garron: It saves time so Councilors don't have to make up the language as they go along. It is to make your life easier. If you want to make up your own motion, you can do that. We are trying to be helpful.

C. Karolian: I understand that, but when an issue is brought forward, it is up to a Town Councilor to make a motion as opposed to being told what motion to make.

Chair Sullivan: This doesn't stop Councilors from making their own motions.

C. Karolian: I know it doesn't stop us. We can make any motion we want to make.

D. Fitzpatrick: You could change "shall" to "may." The point is to make sure that key elements are not missed.

C. Karolian: Section 5b is prohibiting a Councilor from asking what the motion is and asking it to be read prior to the vote. This is saying it doesn't need to be repeated unless requested by a Councilor or a staff member.

C. Karolian: This does not prevent a councilor from asking for a motion to be repeated.

J. Durand: It is just the opposite.

C. Karolian: What staff member would be asking other than the secretary taking the minutes?

A. Garron: I might ask if I do not fully understand the motion.

D. Fitzpatrick: I am sitting next to the minute taker who asks me questions all throughout the meeting, and I am trying to keep the Council on track. If I think something is missing, I may ask a question. I have been requested to be at these meetings.

Chair Sullivan: The administration helps us make sure the roll calls and votes are correct. The minutes are important. We need to be clear before we make a motion, and we need to repeat a motion if needed.

D. Fitzpatrick: There was a recent event when I spoke up, and if I had not, the Council would have had to have a special meeting the next night to take care of it.

C. Karolian: It is incumbent upon the Council to do Council work, and if they do not do what they are supposed to do, they suffer the ramifications, and if they have to have a special meeting, so be it. Let that be a lesson learned by the Council that they need to do what they are supposed to do.

Chair Sullivan: The actions of the Council require the assistance of the administration as well, because we all take our jobs seriously.

D. Fitzpatrick: Under Section 7, the first paragraph is new. The suggested changes to the Order of Business are designed to take up items involving staff and members of the public earlier in the meeting. Minutes would be taken up later because public and staff input are not required.

T. Tsantoulis: We always have the opportunity to change the agenda. Is this necessary?

D. Fitzpatrick: Under 8a, the agenda item regarding non-public sessions would include (a-l). This is because the agenda is posted one week prior to the Council meeting, and one or more additional items might need to be added over the course of the week. If the agenda indicates a non-public session under (c) and a need arises to also take up an issue which falls under (a), this could not be done. The advice of our Town Attorney is to post the citation without any designations of a-l or to put a-l in parenthesis.

C. Karolian: I know you had advice from legal counsel, but in the interest of Right to Know, this is not transparent. It needs to be cited. Once the minutes are sealed no one knows.

Chair Sullivan: Yes, they will. We will cite the specific letter when we motion to enter each non-public session.

C. Karolian: How was this done before?

Chair Sullivan: We posted what we knew and we could not add an item once the agenda was posted. We are just trying to solve this.

J. Levesque: Why do we have legal counsel? We asked and we got an answer.

T. Tsantoulis motioned to table this item. J. Levesque seconded the motion. Voted unanimously in favor.

Town Administrator Goals FY 2019-2020

A. Walczyk: Regarding business and economic development, I would like to see partnerships with local Hooksett businesses and be on the same page with them. What are their problems? You could hold sessions with them to help them grow. This could be regional, involving other towns. You could find out some things the town could provide to businesses.

A. Garron: Business retention?

A. Walczyk: And growth.

T. Tsantoulis: I would like the Town Administrator to explore placing solar facilities on town property to defray electricity costs.

J. Durand: I would add streetlight conversion to LED.

A. Walczyk: I suggest streamlining the performance zone management process.

Chair Sullivan: That should not be limited to the performance zone.

A. Walczyk: We should find out what the process is with the Planning Board and the ZBA regarding landscaping and other items. I know this is a concern often expressed by Councilor Duhaime. I will add the possible revival of the CIP committee, as suggested by Joanne McHugh at a recent meeting. This should be explored in terms of issues with the Schools, the Planning Board and town roads. Last, I would like to look into having bee populations on town land in conjunction with solar. There are organizations that do both.

Chair Sullivan: My suggestion would be the coordination and improvement of economic development, including the TIF performance zone and the evaluation of town land for future needs and uses. Regarding Council meetings, I would like the Town Administrator to work on improving the audio and video aspects of the meeting to improve the flow of information to citizens. I would ask the Town Administrator to fine tune these goals and present them at the next meeting for approval.

SUB-COMMITTEE REPORTS

A. Comai: We want to make sure everyone is scheduling around Old Home Day.

Chair Sullivan: We need your help to man the Town Booth.

J. Durand: The Hooksett Youth Achievers Committee met and picked a new Youth Achiever.

T. Tsantoulis: We cleaned up the Assessing business. There was a considerable amount of abatements.

A. Walczyk: Andy Janoz is the new chair of the Parks & Rec Committee, and Deb Miville is the secretary. The committee is looking at sign replacement at Donati Park. The plaques are falling apart and we need to get the historical background as to why the various trees were planted with the accompanying plaques. This is a request to the public. The committee also has a potential warrant article regarding a possible pavilion. The Town Administrator was at the meeting and he went through the time line.

Chair Sullivan: At the Economic Development Advisory Committee meeting, we discussed expansion of the Economic Revitalization Zone in the Alice Avenue area to just south of Mammoth Road.

C. Karolian: I would like to have clarification as to which committees Council members have been assigned, including the alternates.

Chair Sullivan: We should get an updated list of those assignments from the Town Administrator.

C. Karolian: I have not been able to attend the Thursday morning meetings for union negotiations.

A. Garron: We are trying to get another date when everyone is available. We couldn't get a consensus.

C. Karolian: If that is the case, there is no way I can attend. I am available Thursday afternoon and evening. Councilor Duhaime is also available then.

D. Fitzpatrick: Councilor Duhaime is the Council representative on the Budget Committee which will soon begin meeting on Thursday evenings.

C. Karolian: Perhaps we could switch off so that one of us can be at each meeting. If it is etched in stone that it has to be Thursday morning, that is a problem. I am sure the unions have flexibility.

A. Garron: I can ask again tomorrow.

Chair Sullivan: We should try again because you have an interest in this.

C. Karolian: I have experience. I have more times available on other days.

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

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

(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

J. Sullivan motioned to enter non-public session of 08/28/19 at 10:47pm per NH RSA 91-A:3 II (b) and (c). Seconded by A. Walczyk.

Roll Call #6

J. Durand – yes

J. Levesque – not present

C. Karolian – yes

A. Comai – yes

C. Jones – not present

T. Tsantoulis – yes

A. Walczyk – yes

R. Duhaime – not present

J. Sullivan - yes

Vote unanimously in favor (6-0).

J. Sullivan motioned to exit non-public session of 08/28/19 at 11:13pm. Seconded by A. Comai. Vote unanimously in favor (6-0).

Back in public session at 11:14pm

***J. Sullivan motioned to seal the non-public session minutes of 08/28/19. Seconded by T. Tsantoulis.
Vote unanimously in favor (6-0).***

ADJOURNMENT

***J. Sullivan motioned to adjourn the public session of 08/28/19 at 11:14pm. Seconded by T. Tsantoulis.
Vote unanimously in favor (6-0).***

Respectfully submitted,

Kathleen Donnelly

Kathleen Donnelly
Recording Clerk