

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

1
2 The Hooksett Town Council met on Wednesday, September 11, 2019 at 6:00 in the Hooksett Municipal
3 Building.

4
5 **CALL TO ORDER**

6 Chair Sullivan called the meeting of 11 Sep 2019 to order at 6:02 pm.
7

8 **PROOF OF POSTING**

9 Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.
10

11 **ROLL CALL**

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

15
16 Counselor Robert Duhaime arrived at 6:06 pm.
17

18 **PLEDGE OF ALLEGIANCE**

19 Chair Sullivan called for the Pledge of Allegiance and a moment of silence for the 18th anniversary of
20 911.

21
22 Chair Sullivan: May we never forget.
23

24 **SPECIAL RECOGNITION**

25 **Hooksett Municipal Employee - New Hire**

26 A. Garron: I want to introduce Jon Duhamel, our new Town Assessor. He has 18 years of experience in
27 Nahua and Laconia. We welcomed him.
28

29
30 J. Duhamel: I want to thank you. It has been a long time since I was in Hooksett on a regular basis. It
31 looks nothing like it did 25 years ago. It will be fun getting reacclimated, and I look forward to working
32 here.
33

34
35 **SCHEDULED APPOINTMENTS**

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

37
38
39 Bob McKinney: I am the Executive Director of the Granite YMCA, and I would like to introduce Camp
40 Director Dennis Rosa. Tom Archer is on his way, but is stuck in traffic. We would like to present a short
41 video of the summer camp experience and want to thank you for selecting us to run the program. We
42 had almost 100 kids, which is fewer than we expected, but we are thinking that our late start was a
43 factor. Dennis and his team assembled a really good staff. Moving to Hooksett Memorial was a game
44 changer, and we are grateful for all that the staff at Hooksett Memorial did to help. We are fully on
45 board if you want us to come back, and would suggest that getting an earlier start with registrations will
46 be important. Our character virtues of caring, honesty, respect and responsibility were the basis of the
47 program.
48

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

50

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

52

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

55

56 **APPROVAL OF MINUTES**

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

58

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

62

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

65

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

68

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

71

72 ***Voted unanimously in favor.***

73

74
75
76 **Non-Public: 07/24/19 (1st & 2nd motion to approve at the 8/28/19 Town Council meeting; no**
77 **vote pending amendments)**

78

79
80
81 ***R. Duhaime motioned to approve the amended minutes of the July 24, 2019 non-public meeting.***
82 ***C. Jones seconded the motion.***

83 ***Voted unanimously in favor.***

84

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

87

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

89

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

91

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

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

96

97
98 **CONSENT AGENDA**

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

104

105 **A. Walczyk motioned to accept the Consent Agenda as presented. R. Duhaime seconded the**
106 **motion.**

~~107~~ **Voted unanimously in favor.**
108
109

110 **TOWN ADMINISTRATOR'S REPORT**

111
112 A. Garron: A group named Resource Management Inc. has been holding a permit to use town-owned
113 land since 2004. They distribute biosolids on a piece of farm land. This permit has been renewed every
114 five years since 2004, the last time being in 2014. The DES rules changed recently from five years to
115 ten years. I would like to bring this back to the Town Council at a future meeting.

116
117 A. Garron: I met yesterday with Mark Vattes of the US Census Bureau. The 2020 census is coming up
118 next year, and they want to get the word out about that. The census count sets the number of
119 representatives we get and also influences such things as block grants. Getting it right is important to
120 everybody. The Community Development department completed the preliminary census. Mr. Vattes
121 and I looked at the demographics of Hooksett. We are unique because we have SNHU. I gave him
122 contact information for SNHU. He will continue to work with us and use our website. That will be helpful.

123
124 A. Garron: The CIP was presented to the Planning Board on Monday, September 9, 2019, and they
125 approved it. I told them it is going to be enhanced – more robust and thoughtful. It will reflect all of our
126 capital plans and reconstitute the CIP committee.

127
128 A. Garron: The Valentino versus Hooksett case was dismissed in our favor, as was the
129 Trimbur versus Louise Marple versus Hooksett case.

130 131 **OLD BUSINESS**

132 **Project Status Report**

~~133~~
134
135 B. Thomas: I want to give you a brief update on the Police Station project and the Library Columns.
136 Both went smoothly. We did not have a single complaint. The dispatch center has been operational
137 since May. The project came in under budget. A little over \$7,000 will be returned from the construction
138 portion; \$12,500 will be returned for the architectural budget. This was a savings of about \$20,000. The
139 Guaranteed Maximum Price (GMP) process, about which some were skeptical, worked excellently.
140 Rooftop units delayed the project a bit. The lockers were ordered later than they should have been, but
141 this did not delay the project.

142
143
144 C. Jones: What type of warranty do you have?

145
146 Chief Bouchard: I believe it is a one-year warranty.

147
148 C. Jones: Sometimes problems don't arise until after the first year. Can you get a three-year warranty?

149
150 Chair Sullivan: We will ask the Administration to look into a three-year warranty.

151
152 Chief Bouchard: One small item for the architect is on back order. He was careful about checking
153 everything. There was a leak in the kitchen, and Meridian has already come in. I want to thank Bruce
154 Thomas for all that he did on this project. His attention to the project budget and other details saved me
155 a lot of time.

156
157 B. Thomas: The Hooksett Library columns project presented a challenge at the beginning because they
158 were made of concrete and reinforced steel, and we had to get a structural engineer involved, adding

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

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

164
165 B. Thomas: That's why we had a structural engineer. That could happen, but this minimizes the risk.
166 The damage was mostly on the bottom.

167
168 R. Duhaime: A lot of concrete work is sealed now and it extends the life.

169
170 B. Thomas: The engineer was Hoyle Tanner. I have full confidence in them. All of the materials were
171 recommended by the structural engineer.

172
173 J. Levesque: Is that regular concrete?

174
175 B. Thomas: No, it is a special concrete. I don't remember the name of it. The back was plaster and
176 plywood over steel columns. The railing looks brand new. They did everything they said they would do
177 and within the budget. They had a delay on the start but kept going once they started. There were no
178 complaints.

179
180 R. Duhaime: Do they seal the walkway also?

181
182 B. Thomas: I don't think there is money in the budget for that. The Library would like to have it done.

183
184
185 **Surety Release- Summit View of Hooksett, LLC Well Radius Surety (tabled at 8/28/19 TC
meeting)**

186
187
188
189 ***R. Duhaime motioned to remove this item from the table. T. Tsantoulis seconded the motion.
Voted unanimously in favor.***

190
191
192 Nicholas Williams, Town Planner: This is a request to release the bond for 24 Churchill. If the CO had
193 been withheld, it would have displaced the new homeowners coming from Florida. We have a similar
194 situation for 39 Churchill. Regarding the waiver process, the abutters are notified, and we did notify
195 them in this case. We are required to do that. All requirements have been met. All of the required
196 documents with NHDES have been recorded with the deed. These lots are tight. There is hardly any
197 wiggle room. We have informed the developers, Martel and Dar Builders, that we will not be issuing
198 temporary CO's or bonds going forward without a waiver in place. They understand this.

199
200 C. Karolian: Thank you for your explanation. I have questions. Looking at the map – I asked that these
201 maps be made for all Councilors – the blue outlines indicate homes with CO's and which are occupied,
202 correct?

203
204 N. Williams: I did not make the map; I am not sure. It appears that the ones highlighted in blue are built.

205
206 C. Karolian: My understanding is that #26 (Lot 24-33) has a CO but does not have a waiver.

207
208 N. Williams: That is not my understanding at all for #26.

209

210 Chair Sullivan: That should be in the Planning Board minutes if they did.
211
212 C. Karolian: I made inquiries today. You saw me as you were going in and out. My understanding is
213 that 26 Churchill needs a waiver, and it already has a CO. Also, 39 Churchill needs a waiver, and I think
214 that's in the works.
215
216 N. Williams: A waiver for 39 Churchill was granted by the Planning Board on September 9, 2019.
217
218 C. Karolian: Looking at the subdivision, there are seven lots on one side; four are occupied. Five of
219 these lots have 150 feet of street frontage and are 275 feet deep. If they are perfect rectangles, they
220 are 150 feet wide in the rear as well. The overlap is going to continue and more waivers are going to be
221 required unless the wellhead is put directly dead center.
222
223 N. Williams: That's true. I think you are implying that there is some kind of ripple effect. Well radii can
224 overlap, but they cannot cross a lot line without a waiver.
225
226 C. Karolian: That is currently happening with well radii. They are going over the lot line.
227
228 N. Williams: By inches, yes.
229
230 C. Karolian: This one is almost two feet; not inches. I am concerned about people coming in...Lot 24-
231 34...This came to light to the Town Planner after the Land Surveyor certification.
232
233 N. Williams: No, this is the way it works. When requesting a CO, they will issue a plot plan to the Code
234 Enforcement Officer (CEO) prior to the request for the CO. This is what alerted us, the plot plan
235 showing what is on the ground after the well was drilled.
236
237 C. Karolian: The CEO viewed the plot plan and said, 'We can't have this'. This was almost an
238 emergency situation. The closing was postponed until the day the waiver application was submitted to
239 the DES in the morning and kicked back in the afternoon for a waiver. A temporary CO was given on
240 that day until the waiver came through. Am I getting the sequence correct?
241
242 N. Williams: Correct. The bond was in place.
243
244 C. Karolian: On the DES form, people with a waiver have no recourse if their well is contaminated. If the
245 well radii are closer than recommended, State law does not protect them beyond their property
246 boundaries. Leach fields can be placed no closer than ten feet from a property boundary. Proper well
247 construction minimizes the risk. There is no cause of action against the State of New Hampshire or any
248 owner of the abutting property if the well is contaminated as a result of the decreased setback. This
249 was signed by the developer or the contractor?
250
251 N. Williams: Yes. It was signed by Martel.
252
253 C. Karolian: In reality, at that point in time, the abutter on both sides was the developer.
254
255 N. Williams: Martel is the developer who put up the bond. He owns the lots on both sides of the
256 property. The bond dollars would be used to re-center the well, if necessary. That is why we collected
257 the bond. The waiver was recorded with the deed, so the buyer will be aware.
258
259 C. Karolian: The homeowner wouldn't pay, right?

260
261 N. Williams: Right.
262
263 C. Karolian: This means more waivers because, in fairness to the developer, it's almost impossible to
264 center the wells within 150 feet.
265
266 N. Williams: Yes, because the wells are not centered with enough precision. They were centered on the
267 original plans but are not on the plot plan made after the construction.
268
269 C. Karolian: It's perhaps in the best interest of the town and future homeowners that the lines be
270 moved, having two lots instead of three.
271
272 N. Williams: Are you suggesting redrawing the lot lines?
273
274 C. Karolian: I am suggesting that Hooksett should not authorize this type of tight building permits. Our
275 role is to release the money.
276
277 Chair Sullivan: It is important that our role as the Town Councilors is not impacting on others, and vice
278 versa.
279
280 C. Karolian: We are to release the money.
281
282 N. Williams: We will not be collecting any more bonds on this. They sprung this on us. The new owners
283 were on their way from Florida. They will have the waiver in place before the CO is issued from now
284 on. Redrawing property lines is under the purview of the Planning Board.
285
286 T. Tsantoulis: This is way overstepping the Planning Board. We have to deal with only the one lot
287 before us. If the Planning Board is requesting the release of a bond, it is not within our purview to re-
288 litigate the whole subdivision. This should be handled by the Administrator, the Planner and the
289 developer.
290
291 R. Duhaime: It is up to the CEO to issue a CO. This developer is from Bow, and in fact this subdivision
292 crosses town lines to create a loop road. The Planning Board would take this up. The developer is used
293 to Bow where he has plenty of room. This is up to the Town Administrator and the Planning
294 Department. This is a conservation (cluster) subdivision.
295
296 A. Garron: Nick Williams hit the nail on the head. This is something the Planning Board can look at in
297 the future, perhaps changing lot lines all the way down if they are too tight. However, as has been
298 noted, this is a conservation subdivision, where the purpose is to reduce lot size to gain open space.
299 Maybe there is a middle ground.
300
301 C. Jones: What is the minimum road frontage?
302
303 N. Williams: Since it is a conservation development, it is 100 feet unless it is in a cul-de-sac, where it is
304 50 feet. This subdivision was approved in 2013 or 2014, before the revisions made in 2015. This is
305 vested.
306
307 R. Duhaime: Some clusters share wells and septic systems.
308
309 C. Karolian: How many waivers are out there in this process? We have #24 and #39. Are there others?

310
311 N. Williams: There are #24 and #39 that I know of. I will check on the status of #26 tomorrow. This
312 subdivision was in the works many years ago. I don't know of any waivers prior to these. The developer
313 is now aware they need waivers well before closing.
314
315 C. Karolian: What is the purpose of the 75-foot well radius?
316
317 N. Williams: It is for protection from contamination by the leach field.
318
319 C. Karolian: If it does happen, can another well be built if it is necessary? Or could it possibly
320 contaminate other wells?
321
322 N. Williams: I suppose it is possible.
323
324 C. Karolian: I understand that this is the purview of the Planning Board. For clarification purposes, I did
325 indicate that the builder...it is almost impossible for the builder. This has nothing to do negative that I'm
326 saying about the builder. I acknowledge that having 150 feet, it is nearly impossible to get the well
327 exactly where it needs to be. The spirit and the purpose of this all is to make sure it is done correctly,
328 and we don't keep giving waivers to violate that. Councilor Tsantoulis talked about that this is a one-
329 time thing to deal with tonight. Now we are dealing with another one.
330
331 N. Williams: That is #39.
332
333 C. Karolian: And we are probably going to have to deal with #26, another one.
334
335 N. Williams: We will not be issuing any more waivers or collecting any more bonds.
336
337 C. Karolian: This is the one, I believe I was advised today, they have a CO and are living there. They
338 need a waiver; it could not be located. There isn't one.
339
340 Chair Sullivan: Mr. Williams, you said that you would be checking on that, right?
341
342 J. Williams: Right.
343
344 C. Karolian: This is something that's going to keep coming up at another meeting and another meeting.
345 I am trying to bring this to light. I am not trying to interfere with the Planning Board. They do what they
346 want to do. Our job is to release the money or not, but this is not going to go away. This is going to be
347 recurring. I am hoping something is going to be done to protect future homeowners, protect the
348 environment, and protect the wells. With the waiver, there is no recourse on the homeowner against
349 anybody's leach field on an abutting property destroying or contaminating their well. That needs to be
350 out there. If it opens discussion, great. If it goes back to the Planning Board and they have discussion,
351 great. What I see here...hopefully this will be taken care of and we won't have to go any further with it.
352 It needs to be brought to light. The whole purpose of this is in the interest of protecting the homeowner.
353 I understand what happened with those people coming up, hence the reason for the emergency waiver.
354 It was recommended, I believe, by the CEO, as opposed to telling the contractor to either fix the well or
355 get a waiver. There was no mention of fixing the well; it was, 'Get a waiver'. I understand the urgency of
356 that, to get that homeowner in, but it is being multiplied. I have taken up enough time. I appreciate what
357 you have done and I appreciate the conversation. Hopefully, we don't see too much of this in the future.
358

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

362
363

364 **NEW BUSINESS**

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

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

383

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

385

386 E. Labonte: They are.

387

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

392

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

395

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

398

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

401

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

403

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

406

407 **Roll Call Vote #2**

408 **R. Duhaime - Yes**

409 **J Durand Yes**

410 **C. Jones Yes**

411 **J. Levesque Yes**

412 **A. Walczyk Yes**

413 **A. Comai Yes**

414 **C. Karolian Yes**

415 **T. Tsantoulis Yes**

416 **J. Sullivan Yes**

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

418

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

421

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

424

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

427

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

429

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

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

433

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

448

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

451

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

453

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

455

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

457

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

459

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

463
464 C. Karolian: Just because we can subpoena a phone doesn't mean we can obtain it. It could be lost or
465 erased.

466
467 R. Duhaime: There are issues about usage and cost. I would like the Town Administrator to include that
468 data in his report.

469
470 A. Walczyk: I don't think we should throw out the possibility of one phone. Perhaps a legal waiver could
471 be signed. Is this applicable to Town Councilors?

472
473 Chair Sullivan: We would be subject to right to know.

474
475 T. Tsantoulis: Regardless of what we do, we are not going to solve all issues with cell phones and
476 social media in general. We can 'what if' every step we take in life. We have a solution looking for a
477 problem. The policy is working. Most people don't want multiple phones.

478
479 C. Karolian: Haven't there been a lot of right to know requests?

480
481 A. Garron: I have been here 90 days and there have been a couple.

482
483 C. Karolian: When I was with the Police Commission, we had a separate email. This is coming. It's
484 going to happen, even if it has not yet happened.

485
486 Chair Sullivan called for a vote on the motion.

487
488 **Voted in favor (7-2). A. Walczyk and T. Tsantoulis voted no.**

489
490 **Town Council Rules of Procedures Updates (Tabled at 8/28/19 TC Mtg)**

491
492 **R. Duhaime made a motion to remove this item from the table. A. Walczyk seconded the**
493 **motion.**

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

495
496 A. Garron: Regarding the first item, you want Roberts not Riggins. There is such a thing as Riggins
497 Rules, but the Council wants Roberts Rules.

498
499 C. Karolian: We are supposed to have all read this and made notations regarding what we like and
500 don't like. In lieu of having Donna Fitzpatrick, the Administrative Assistant, go through each one, I
501 suggest we approve or deny what we have and make corrections thereafter.

502
503 **R. Duhaime motioned to amend the Town Council Rules of Procedure as presented. C. Karolian**
504 **seconded the motion.**

505
506 D. Fitzpatrick: Before you made your motion, I wanted to let you know that there is some attorney's
507 information here.

508

509 A. Garron: Yes, the Council wanted legal clarification on certain items, and Donna is prepared to
510 provide that to you.
511
512 Chair Sullivan: The items for which we requested clarification are #2 and the citation regarding non-
513 public agenda items.
514
515 C. Karolian: I stand corrected regarding the posting of non-public agenda items, and I am glad you got
516 that information on 91-A regarding posting the exact citation (a – l) on the agenda. As I said a month or
517 two ago, I got the impression we could go into non-public at any time as long as there is a motion and
518 we stated the reason without prior posting. That has been clarified and it is allowed.
519
520 R. Duhaime: I like that it says the Council has broad latitude. That is just beautiful stuff right there.
521
522 Chair Sullivan: I would like to call for a vote on the motion to approve the recommended updates to the
523 Town Council Rules of Procedure.
524
525 ***Voted unanimously in favor (9-0).***
526
527 C. Karolian: On page 57, #8, I think we need to strike "...based on the subject matter as previously
528 discussed with the Town Administrator." If we don't, the way I'm understanding it is... It says, "The
529 Council Chair shall motion for the appropriate non-public section of NH RSA 91-A:3, II (a – l) when
530 entering the non-public based on the subject matter as previously discussed with the Town
531 Administrator." Otherwise, we can't go into any one of those if we haven't discussed it with the Town
532 Administrator.
533
534 D. Fitzpatrick: The reason that was added is that the Chair looks to the Town Administrator for what
535 letter under which to go into non-public.
536
537 Chair Sullivan: I want to know the context at the same time as the other Councilors, with a couple of
538 exceptions.
539
540 C. Karolian: Perhaps it should say that the Chair "or any other Councilor" shall motion. We can't discuss
541 the subject with the Town Administrator in public.
542
543 Chair Sullivan: If we enter non-public session under the wrong citation, we can't talk about it. It is
544 important to go under the right citation. We don't want to prevent anyone from going into non-public.
545
546 C. Karolian: With all due respect to all of us here, we should all know what the letters (a – l) stand for.
547 The Councilor should know without talking with the Town Administrator.
548
549 R. Duhaime: It is written just fine the way it is. Technically, we are volunteers. We shouldn't go into
550 non-public without consulting with the Town Administrator. He has a staff of paid employees at hand.
551 Why would any Councilor risk anything without consulting with the Town Administrator? A Town
552 Councilor can't talk with an attorney without the permission of the Town Administrator. I don't think we
553 should touch this rule. It is in effect for a good reason.
554
555 Chair Sullivan: I would suggest adding language saying "Any other Councilor may request to enter a
556 non-public session at any time as long as the citation is noted correctly."
557

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

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

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

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

571
572 **C. Karolian motioned to add to Section 8a the following: "This by no means restricts any**
573 **Councilor from motioning to go into non-public session with the appropriate citation." and**
574 **further motioned to change "may be" to "are" in Section 8g. Chair Sullivan seconded the**
575 **motion.**

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

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

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

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

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

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

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

~~601~~
~~602~~

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

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

608

609 A. Walczyk: I am curious what your thoughts are, Andre. I am not sure if maybe we should get the
610 EDAC involved and create a charge for them. Perhaps saying you are doing it includes them.
611
612 Chair Sullivan: It would include the EDAC, the Planning Board, the Zoning Board and the Town
613 Council.
614
615 A. Garron: I assume all boards would help. I will work with and through them to achieve this goal. This
616 is not a one-man job.
617
618 R. Duhaime: Regarding an inventory of town land, Sewer, the Schools and Water each own land and
619 can sell it. The previous town administrator was to do an inventory. We need representation of the
620 Town Administrator when there are discussions of future use. There are no parks on the west side of
621 the river. There is town-owned land there, and we know of one development paying impact fees. These
622 fees could be used to build a park. The questions are where the park would be located and when it
623 would be built.
624
625 Chair Sullivan: We can add an eighth goal to re-inventory town land and review if for future use or
626 possible elimination.
627
628 R. Duhaime: Or trade.
629
630 T. Tsantoulis: Let's start with baby steps. Completing the inventory could be a goal for the first year.
631 Developing a plan could be for the second year.
632
633 A. Walczyk: I would like to add this to the second goal: "Save the bee population." And for the fifth goal,
634 I intended that this would be about getting the school more involved so that the town and the school are
635 working together, not so much regarding the CIP.
636
637 A. Garron: The school should be part of the planning.
638
639 Chair Sullivan: I think that the fourth goal should not refer only to the performance zone. It should
640 include other commercial and industrial zones.
641
642 ***T. Tsantoulis motioned to approve the Town Administrator written goal sheet for effective date***
643 ***September 11, 2019 through June 30, 2020 as presented and authorize Council Chair Sullivan to***
644 ***execute this goal sheet. A. Walczyk seconded the motion.***
645 ***Voted unanimously in favor (9-0).***
~~646~~
~~647~~
649 **Hooksett Old Home Day - September 21, 2019 - Town Council Booth**
650 A. Walczyk: Everyone should go to Old Home Day. It will be on September 21st and is being advertised
651 throughout the town. We need Town Council members to man the booth on behalf of the Town Council.
652 There will be topics for constituents to check out, including the TIF District, the six largest
653 developments, the new Agway building on Hooksett Road, information for Seniors, educational material
654 on Recycling and vacancies on boards and committees. We might provide an update on the Police
655 Station. Mr. Thomas's presentation tonight was excellent. We will have the results of the Master Plan.
656 We need pictures of Councilors Durand, Karolian and Jones. We also need your t-shirt size if you will
657 be manning the booth.
658
659 **Hooksett Employee Appreciation Picnic – October 11, 2019 – Hosted by Town Council**

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

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

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

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

678 **SUB-COMMITTEE REPORTS**

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

681
682
683 R. Duhaime: I still need an alternate for the Planning Board.

684
685 C. Karolian: Do alternates only attend meetings when the regular member cannot be there?

686
687 Chair Sullivan: Alternates are free to attend any meeting, but the reason for the alternate is to attend
688 when the representative can't be there.

689
690 T. Tsantoulis: We will be making a Hooksett Youth Achiever Presentation at the September 25th
691 meeting. We have other pending candidates and will be scheduling a meeting date.

692
693 Chair Sullivan: I have a note from the Heritage Commission. They have been involved in a project using
694 21st century technology to enhance your visit to Head Cemetery via a virtual tour. It includes highlights
695 of famous people interred there.

696
697 N. Germain: This was done by Mackenzie Conner for her Girl Scout Gold Star. There was money left
698 from the project for cleaning of headstones.

700 **PUBLIC INPUT**

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

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

710 TC MINUTES 09-11-19 - U

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