

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, November 6, 2019**

1
2 The Hooksett Town Council met on Wednesday, November 6, 2019 at 5:00 in the Hooksett Municipal
3 Building.
4

5 **CALL TO ORDER**

6 Chair Sullivan called the meeting of 06 Nov 2019 to order at 5:00 pm.
7

8 **PROOF OF POSTING**

9 Town Administrator Andre Garron provided proof of posting.
10

11 **ROLL CALL #1- ATTENDANCE**

12 **In Attendance:** Councilor James Sullivan, Councilor Robert Duhaime, Councilor John Durand,
13 Councilor James Levesque, Councilor Clifford Jones, Councilor Timothy Tsantoulis, Councilor Clark
14 Karolian and Councilor Alex Walczyk
15

16 Councilor Avery Comai arrived at 6:20pm.
17

18 **NON-PUBLIC SESSION #1 NH RSA 91-A:3 II**
19

20 *J. Sullivan motioned to enter non-public session #1 at 5:00pm in accordance with the provisions*
21 *of RSA 91-A:3, II (a). Seconded by T. Tsantoulis.*
22

23 RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining
24 of such employee, or the investigation of any charges against him or her, **unless** the employee affected
25 (1) has a right to a public meeting, and (2) requests that he meeting be open, in which case the request
26 shall be granted.
27

28 **Roll Call Vote #2**

29 **R. Duhaime - yes**

30 **J. Durand - yes**

31 **C. Jones - yes**

32 **J. Levesque - yes**

33 **A. Walczyk - yes**

34 **A. Comai – not present**

35 **C. Karolian - yes**

36 **T. Tsantoulis - yes**

37 **J. Sullivan - yes**

38 **Vote 8-0 in favor.**
39

40 *J. Sullivan motioned to exit the non-public session #1 of 11/06/09 at 6:20pm. Seconded by T.*
41 *Tsantoulis. Vote 8-0 in favor.*
42

43 **Back in public session at 6:20 pm**
44

45 *J. Sullivan motioned to seal the minutes of the non-public session #1 because it is determined*
46 *that divulgence of this information likely would rend a proposed action ineffective. Seconded*
47 *by T. Tsantoulis.*

48

49 **Roll Call Vote #3**

50 **A.Comai – not present**

51 **C. Jones – yes**

52 **A. Walczyk – yes**

53 **J. Durand – yes**

54 **R. Duhaime – yes**

55 **T. Tsantoulis – yes**

56 **J. Levesque – yes**

57 **C. Karolian – yes**

58 **J. Sullivan - yes**

59 **Vote 8-0 in favor.**

60

61 **PLEDGE OF ALLEGIANCE**

62 Chair Sullivan called for the Pledge of Allegiance and a moment of silence in memory of the mothers of
63 Fire Chief James Burkush and Recording Clerk Kathie Donnelly, who both passed away on October 28,
64 2019.

65

66 **SPECIAL RECOGNITION**

67 **Hooksett Youth Achiever of the Month**

68

69 T. Tsantoulis: John Robert Durand, Jr. is the Hooksett Youth Achiever of the Month. John is 17 years
70 old. He has been an honor roll student during his first three years at West High School. He is enrolled in
71 STEAM (Science, Technology, Engineering, Art and Mathematics) classes and is second in command
72 of his ROTC unit. He plays varsity football and lacrosse, while also working part-time at Shaw's. He
73 finds time to volunteer at the Soup Kitchen and at the Manchester YMCA. In the summer, he mows
74 lawns for his elderly neighbors and snow-blows their driveways in the winter. His parents, Ruthie and
75 Councilor John Durand, are very proud of John, as are we on the Town Council. Congratulations to our
76 Hooksett Youth Achiever for the month of November.

77

78 **Hooksett Library Trustee Honored**

79 A. Garron: I am pleased to inform everyone that Tammy Hooker, a Hooksett Library Trustee, is being
80 honored for her recent recognition as the Lillian Edelman New Hampshire Library Trustee of the Year
81 for 2019. An event in her honor will be held on Thursday, November 14, 2019, beginning at 6:00 pm at
82 the Hooksett Library.

83

84 **SCHEDULED APPOINTMENTS**

85 **Sandra Mack, President, Hooksett Kiwanis, Regarding Winter Carnival**

86

87 S. Mack: I would like to introduced Nancy Comai of the NE Tap House and Barry Cogan, who will chair
88 the Winter Carnival scheduled for Saturday, January 25, 2020 from 10:00 am to 4:00 pm. Last year,
89 600 people attended, participating in a variety of contests and events. Among the activities planned are
90 the following: Ice Sculpturing, snow sculpturing, games for children, sledding, and fat bike races. There
91 will be a dance with a DJ, a karate demonstration, food from Johnny's and the New England Tap
92 House. Also planned are a chili cookoff and a car seat safety check. Because of problems with

98 electricity last year, food vendors will be using Sterno cans to keep their dishes warm. We ask, if we do
99 have heavy snow the night before the event, that the town plows be available for us. Last year, many
100 people asked about an ice-skating rink. It is too late for this year, but we would like to work on this for
101 next year. I think there used to be a rink at Donati field.
102

103 Chair Sullivan: There was one near the courthouse. You can coordinate with the Town Administrator on
104 that project for next year.
105

106 **NEW BUSINESS (moved up to accommodate representatives from Kiwanis)**
107 **Winter Carnival - Hooksett Kiwanis Sponsored Event**
108

109 ***Chair Sullivan motioned to instruct the Town Administrator to work with department heads and***
110 ***Kiwanis regarding this event. T. Tsantoulis seconded the motion.***
111 ***Voted unanimously in favor (9-0).***
112

113 S. Mack: Thank you. The Boy Scouts, Girl Scouts and HYAA are also working on this event.
114

115
116 **CONSENT AGENDA**

117 **Surety Release for 36 Churchill Drive-DAR Builders, LLC**
118

119
120 ***R. Duhaimé motioned to release the \$6,000 cash surety to DAR Builders, LLC. A. Walczyk***
121 ***seconded the motion.***
122

123 Chair Sullivan: A couple of weeks ago, I received a call from the developer of this Churchill Drive
124 subdivision and then another call from the homeowners of 36 Churchill Drive, who were staying in a
125 hotel.
126

127 A. Garron: At the Employee Picnic on October 11th, Chair Sullivan told Matt Lavoie, Kathy Lawrence
128 and me about his conversation with the homeowners staying at a hotel while waiting for a TCO. The
129 issue was that the well radius of 36 Churchill Drive overlaps the abutter's property. I decided to
130 authorize the granting of a TCO until October 22nd, the day after the scheduled Planning Board meeting
131 at which the well radius waiver request would be taken up.
132

133 T. Tsantoulis: It is hard to believe we are doing this again. Why can't they get the well within the correct
134 radius? I think we should hold the bond money until they are done there.
135

136 A. Garron: I am a bit frustrated. Many properties are going to need this waiver. It was inevitable. I asked
137 how the measurement of the well radii is taken, and I was told they measure from the casing. On a lot
138 which is only 150 feet wide, failure is inevitable, since the required radius is 75 feet and the casing is
139 several inches away from the center of the lot.
140

141 C. Karolian: We need to clarify some things regarding this process. The contractor attended the last
142 Planning Board meeting. It is mathematically impossible to be within the required radius. This
143 subdivision was approved back in 2012. What is required is not a waiver from DES. The sequence is a
144 release of liability for the State of NH and the abutter(s). RSA 485-A:30-b(g) spells this out. If the well
145 doesn't go into the proper spot, the contractor must come up with an alternate plan. I would like to
146 share section (g):
147

148 When, for reasons of the condition of the lot or the placement of buildings thereon, the well
149 cannot be installed as shown on the approved plan, the water well contractor shall advise and
150 consult with the property owner, or the property owner's agent, on the best possible alternative
151 location, considering distance to property boundaries and to the sewage or waste disposal
152 system. Using a standard release form prepared by the department, the water well contractor
153 shall alert the owner to the consequences of the alternate installation, including the potential loss
154 of the protection of any portion of the radius which extends over the property line. The owner, or
155 the owner's agent, may defer to the designer of the sewage or waste disposal system or may
156 allow the water well contractor to proceed in the identified alternative location. Prior to installing
157 the well in the identified alternative location, the well contractor shall, using the standard release
158 form, obtain a written acknowledgment, from the property owner, or the owner's agent, that the
159 consequences are understood. The designer shall prepare an amended plan showing the actual
160 location of the well. The property owner shall forward the amended plan, together with a copy of
161 the signed release form, to the department and the local code enforcement officer or other
162 appropriate designated local official prior to using the well. If the on-lot protective well radius is
163 less than the optimum prescribed standard, the owner shall record the release form, upon which
164 the actual protective radius shall be noted, together with a narrative description of the location of
165 the well in the registry of deeds, and a copy of the recorded release form shall be filed with the
166 department.

167

168 C. Karolian: What is the purpose of the bond?

169

170 Nicholas Williams, Town Planner: The bond is in place until the release is recorded with the deed.

171

172 C. Karolian: Does the Planning Board know if the correct sequence is being followed? If there is a
173 problem, the liability falls on Hooksett. I don't want to step on the toes of the Planning Bard. I am
174 troubled when we are circumventing the correct procedure.

175

176 Chair Sullivan: We are in this situation again, and I wish we weren't. People can't move in. How can we
177 help this citizen?

178

179 A. Garron: They are in their home now.

180

181 C. Karolian: In fairness to the new homeowners, they should understand that if the well is done
182 properly, it is in their best interest. There is a domino effect.

183

184 A. Garron: I disagree about circumventing the process.

185

186 R. Duhaime: This was discussed at the Planning Board meeting. There are six lots; some homes are
187 already built and sold. For the others, there is nowhere to move the wells.

188

189 A. Walczyk: There have been at least two developers since this began in 2012-13. The train has left the
190 station. If we don't release the bond, can they still move in?

191

192 N. Williams: The homeowners are in.

193

194 A. Walczyk: We need to do what is best for the town and for people who want to move here.

195

196 J. Levesque: The septic system is outside of the radius. Why do they have lots of 150 feet and expect
197 the wells to have a 75-foot radius? The hotel expense should come out of the bond. If we hold the
198 developers' feet to fire, they will be more accurate.

199
200 N. Williams: The Planning Board will be looking at all waivers on November 18th and there will be a
201 public hearing. I encourage those of you with concerns to attend.

202
203 C. Karolian: It's the sequence...they have put the cart before the horse. The release is after the fact;
204 the waiver is after the fact. They are required to go deeper, to go into ledge, and install extra casing in
205 these situations. It's okay to overlap radius, as long as they are being put in properly. This can be done,
206 as long as they follow the proper procedure. They are finding out just days before the closing. They
207 need to follow the law, and it is not being followed.

208
209 A. Comai: If we vote no, does this **not** come back on us?

210
211 T. Tsantoulis: If Nick can ascertain that the added protections are on this one, they should be okay.

212
213 C. Karolian: Do you know if this well or others were done with extra precautions?

214
215 N. Williams: I do not know of any special construction.

216
217 A roll call vote was taken on the motion to release the surety bond.

218
219 **Roll Call Vote #4**

220 **A. Walczyk No**

221 **J. Levesque No**

222 **C. Jones No**

223 **R. Duhaime Yes**

224 **J. Durand No**

225 **C. Karolian No**

226 **T. Tsantoulis No**

227 **A. Comai Yes**

228 **J. Sullivan Yes**

229 ***The motion failed (3-6).***

230

231 **NEW BUSINESS (moved up to accommodate audience members)**

232

233 **Lambert's Park Pavilion Project**

234

235 B. Thomas: I would like to introduce Rudy Makara, a member of the Parks & Rec Advisory Board. Chair
236 Deborah Miville is here as well. This is a proposal to add the replacement of the Lambert's Park
237 Pavilion to the March 2020 Town Warrant.

238

239 R. Makara: First, the pictures of pavilions we have provided are just examples. The new pavilion will be
240 used for concerts, picnics, and other public gatherings for Hooksett residents.

241

242 B. Thomas: The intent is to replace the existing 12-foot by 12-foot pavilion with a new ADA compliant
243 pavilion measuring approximately 24 feet by 52 feet. It will be on a concrete pad (or other flooring as
244 dictated by the budget) with a conduit installation to an existing utility pole on Merrimack Street for
245 power. The anticipated cost of the project is \$93,390. The Parks & Rec Advisory Board recommends
246 funding the project with \$50,000 from Public Recreation Facilities Impact Fees and \$43,390 from the
247 Parks & Recreation Facilities Development Capital Reserve Fund. Funding sources would be at the
248 Town Council's discretion.

249

250 A. Garron said this item can go on the warrant even if there is no impact on the property tax rate.
251

252 R. Duhaime: There will be no construction until next year anyway. What will you do with the old
253 gazebo?

254

255 R. Makara: It will be destroyed.

256

257 B. Thomas: It is not in good shape. It was an Eagle Scout project and is 20 years old. The Scout who
258 did the project has no problem with it being taken down. Another Scout replaced the roof more recently.
259

260 J. Durand: What are the plans for the usage of the pavilion?

261

262 R. Makara: It would be for concerts, picnics, and other outside gatherings.

263

264 J. Levesque: What about the abutters?

265

266 R. Makara: On one side is town property and on the other is the Eversource plant.
267

268 J. Levesque: Will there be lighting?

269

270 R. Makara: There is a contingency plan for that.

271

272 J. Levesque: Will there be an option to rent the pavilion for family parties?

273

274 R. Makara: That is possible. That would be up to the Council.

275

276 C. Karolian: Can you legally use impact fees for this?

277

278 B. Thomas: Yes, we can, according to the town attorney.

279

280 J. Levesque: If we don't use impact fees within six years, they go back to the developer.
281

282 B. Thomas: March 2023 is the user return date.
283

284 A. Garron: This is a growth-related project.
285

286 Earl Labonte, Public Works Director: The pavilion would be available for any Parks & Rec activity. The
287 downside is that the bathrooms and maintenance facility for Donati would be pushed further into the
288 future. The Capital Reserve Fund was started many years ago; no one thought about using the impact

289 fees. This will have to go to bid. A warrant article is the best way to go because it will get the public
290 involved.
291
292 A. Walczyk: This is a good spot. There is a grassy area. Use of impact fees is appropriate because this
293 is for growth. We can use the impact fees and save the P & R fees for other projects. There is parking
294 there already.
295
296 T. Tsantoulis: This is a good idea. It wouldn't take long to build.
297
298 E. Labonte: The voters should have input. This is not critical infrastructure, so we don't have to go too
299 fast.
300
301 T. Tsantoulis: This is a lot of nothing for \$100,000. It should be a warrant article for sure.
302
303 ***A. Walczyk motioned to authorize the town to expend \$93,390 to build a pavilion at Lambert***
304 ***Park, using no more than \$50,000 from Public Recreation Facilities Impact Fees and no more***
305 ***than \$43,390 from the Parks & Recreation Facilities Development Capital Reserve Fund. R.***
306 ***Duhaime seconded the motion.***
307
308 **Roll Call Vote #5**
309 ***T. Tsantoulis No***
310 ***C. Jones No***
311 ***R. Duhaime Yes***
312 ***A. Walczyk Yes***
313 ***J. Levesque Yes***
314 ***C. Karolian No***
315 ***J. Durand No***
316 ***A. Comai No***
317 ***J. Sullivan Yes***
318 ***The motion failed (4-5).***
319
320 ***C. Karolian motioned to place a warrant article on the March 2020 Town Election ballot for the***
321 ***expenditure of not more than \$93,390 to build a pavilion at Lambert Park, with the funds coming***
322 ***from taxation. J. Durand seconded the motion.***
323
324 C. Karolian: The Town Administrator can draft a warrant article.
325
326 Chair Sullivan: This is going back to not using capital reserve funds, with the people voting on
327 everything.
328
329 A roll call vote was taken on the motion.
330
331 **Roll Call Vote #6**
332 ***J. Durand Yes***
333 ***J. Levesque No***
334 ***C. Karolian Yes***
335 ***A. Comai No***

336 **C. Jones** Yes

337 **T. Tsantoulis** Yes

338 **A. Walczyk** No

339 **R. Duhaime** No

340 **J. Sullivan** No

341 **The motion failed (4-5).**

342

343 J. Levesque: If there are no additional taxes, it will pass.

344

345 C. Karolian: I don't like that strategy.

346

347 **C. Karolian motioned to place a warrant article on the March 2020 Town Election ballot for the**
348 **expenditure of not more than \$93,390 to build a pavilion at Lambert Park, with the funds coming**
349 **from the Parks & Recreation Facilities Development Capital Reserve Fund. J. Durand seconded**
350 **the motion.**

351

352 **A. Walczyk offered an amendment to Councilor Karolian's motion, saying an amount not to**
353 **exceed \$50,000 would come from Public Recreation Facilities Impact Fees. R. Duhaime**
354 **seconded the amendment.**

355 **Voted unanimously in favor.**

356

357 A. Comai: Is there a reason to use impact fees?

358

359 R. Makara: It is because they will expire.

360

361 R. Duhaime: There is time to decide, and this still leaves money in both funds.

362

363 A roll call vote was taken on the motion as amended.

364

365 **Roll Call Vote #7**

366 **C. Jones** Yes

367 **C. Karolian** Yes

368 **J. Levesque** Yes

369 **R. Duhaime** Yes

370 **A. Walczyk** Yes

371 **J. Durand** Yes

372 **T. Tsantoulis** Yes

373 **A. Comai** Yes

374 **J. Sullivan** No

375 **Voted in favor (8-1).**

376

377

378 Chair Sullivan: The town has a schedule of impact fees and guidance for prudent use of impact fees.

379

380 R. Makara: If it is necessary to meet the budget, we can make the pavilion smaller.

381

382 **BRIEF RECESS**

383
384 Chair Sullivan called for a recess at 8:15 pm.
385
386 Chair Sullivan called the meeting back to order at 8:29 pm.
387
388 **TOWN ADMINISTRATOR'S REPORT**
389
390 A. Garron: Chief Bouchard and I are planning shooter reaction training for employees. The date is
391 November 21st.
392
393 A. Garron: The Budget Committee is just about finished with the town-side budgets. They will finish with
394 their last few concerns with Police and Fire at their meeting tomorrow night.
395
396 A. Garron: I am looking for direction from the Council regarding 2.107 acres of tax-deeded town land on
397 Quality Drive. Because this is tax-deeded property, it is under the purview of the Town Council. This is
398 where the former BJs was located, where Amazon now is. I wanted to check for possible internal use or
399 to see if the Council wishes to put it out to bid. A party has expressed interest in purchasing the land. I
400 want to know how the Council feels about it. At one time there were plans for a gas station there, but
401 that never happened.
402
403 J. Levesque: The developer was going to give land to the town for a fire station, but later reneged.
404
405 T. Tsantoulis: It is worth exploring.
406
407 Chair Sullivan: The consensus of the Council is to explore the possibilities for use by the town or for
408 selling the property.
409
410 C. Karolian: It doesn't seem to be buildable.
411
412 R. Duhaime: There was a site plan for leasing the land for a gas station.
413
414 R. Duhaime: If the land is sold, the proceeds would go into the General Fund and could be used to
415 offset property taxes.
416
417 A. Garron: I recently attended the ICMA in Nashville. There is a lot of development going on throughout
418 the city of Nashville. The level of growth is tremendous. I heard several excellent presentations. A
419 former Marine made a presentation on prioritizing tasks for recovery during a time of chaos due to a
420 disaster. Another great presentation was on the use of technology. He has developed concerts with live
421 orchestras and 3-D representations of famous performers who have passed. These concerts are
422 always sold out. A third presentation was about resilience. A fourth was about how to bring solar energy
423 to a community effectively. The last one I want to mention was a presentation about a community's
424 image of where it wants to be, emphasizing good characteristics the community wants to retain. It was
425 an excellent conference, well-worth the cost.
426
427 A. Garron: I had a productive meeting with Taylor Caswell, the State Commissioner of Economic
428 Affairs. This is a relationship I will continue to foster.
429

430 A. Garron: Regarding our legal line, we have our share of Right to Know issues. We want to use our
431 membership in the NHMA whenever possible and enlist the services of our legal counsel for more in
432 depth issues.

433
~~434~~ **OLD BUSINESS**

435
436 **Removal of TAXICAB Ordinance, Other Ordinances, #00-20**

437
438 *T. Tsantoulis motioned to approve the removal of Other Ordinance #00-20 TAXICAB Ordinance,*
439 *effective November 6, 2019. C. Karolian seconded the motion.*
440 *Voted unanimously in favor (9-0).*

~~441~~
~~442~~
443
444 **Energy Efficiency Exemption (i.e. Solar Energy) (tabled at 10/09/19 Town Council Meeting)**

445
446 *A. Walczyk motioned to remove this item from the table. R. Duhaime seconded the motion.*
447 *The motion failed (3-5). Councilor Jones was not present for the vote.*

~~448~~
~~449~~
450
451 **Town of Hooksett Health Insurance for Elected Officials (tabled at 10/23/19 Town Council Meeting)**

~~452~~
~~453~~
454
455 This item remained on the table.

456
457
458 **FY 2020-21 Budget and Warrant Articles**

459
460 C. Soucie: Decisions still have to be made on four possible warrant articles – whether or not to move
461 them to the ballot. The first is the wage increase for non-union employees. This group includes 47 full-
462 time and 34 part-time employees of the Police Department, Fire Department, Town and Library.

463
464 R. Duhaime: The insurance co-pay for this group is 15%. I believe we are working toward 20%. When
465 was the last time this was increased?

466
467 C. Soucie: I believe it was 2016.

468
469 C. Karolian: Since this is about employee compensation, shouldn't we discuss the percentage increase
470 in non-public session?

471
472 Chair Sullivan: We don't need to, but we could. We are not discussing a specific employee; we are
473 discussing employees in general.

474
475 C. Karolian: Personally, I think it will affect union negotiations because it will let the unions know what
476 we are recommending for the non-union employees.

477
478 J Durand: When does this have to be decided?

479
480 C. Soucie: This would have to be decided by January 9, 2019.

481
482 *J. Durand motioned to table this item. C. Karolian seconded the motion.*

483 **Voted in favor (8-1). Chair Sullivan voted nay.**
484

485 C. Soucie: This has already been decided this evening. The total amount is \$93,390. I will add “not to
486 exceed” before the \$50,000 coming from the Public Recreation Facilities Impact Fees and also before
487 the \$43,390 from the Parks & Recreation Facilities Capital Reserve Fund. This capital reserve fund was
488 created when impact fees could not be charged to new developers because of a deficit in the number of
489 parks and recreation facilities for residents. That deficit no longer exists.

490
491 T. Tsantoulis: Year after year we put \$15,000 into this fund. At that rate, we will never have enough
492 money for the bathrooms, which have been in bad shape for many years. The pavilion should be on a
493 wish list. There is \$145,315 in the fund, but there is no plan for bathrooms or a maintenance facility.
494

495 A. Garron: I want this to be in the CIP. A plan is needed.
496

497 C. Karolian: I don't want to choose one project over another. I would like to do both. But if I had to
498 choose, I would choose the bathrooms at Donati because they have been in bad condition for many
499 years and the traffic there is much heavier than at the site of the pavilion.
500

501 R. Duhaime: When the Kiwanis Club proposed a splash pad, it was understood that the bathrooms
502 would have to be done. Maybe next year we can present a plan and increase the amount for the capital
503 reserve fund.
504

505 J. Durand: The problem is that if we increase the amount going into the capital reserve fund, it is more
506 likely to be voted down.
507

508 A. Comai: There is no mention of specific projects. It is just the money for the pavilion now.
509

510 Chair Sullivan: We will never get there with \$15,000 per years. We could put nothing in the account this
511 year and then next year present a proposal for the total amount of the project. If that is \$350,000, we
512 could use the \$102,000 balance in the capital reserve fund (after the deduction for the pavilion) to offset
513 the cost.
514

515 R. Duhaime: The seniors and retired residents don't ask for a lot. They bring up the pavilion again and
516 again.
517

518 C. Soucie: This fund was established in 1998. It has been used for lights at Petersbrook and at tennis
519 courts.
520

521 ***R. Duhaime motioned to request \$25,000 for the Parks & Recreation Facilities Capital Reserve***
522 ***Fund. T. Tsantoulis seconded the motion.***
523

524 **Roll Call Vote #8**

525 ***J. Levesque No***

526 ***R. Duhaime Yes***

527 ***T. Tsantoulis Yes***

528 ***A. Walczyk No***

529 ***J. Durand Yes***

530 ***C. Jones Yes***

531 **A. Comai Yes**
532 **C. Karolian Yes**
533 **J. Sullivan Yes**
534 **Voted in favor (7-2).**

535
536 C. Soucie: The third possible warrant article is to clarify that last year's article for \$49,000 was for
537 private hydrants in condominium developments.

538
539 C. Karolian: How do we know that's what the voters wanted?

540
541 C. Soucie: At the Deliberative Session on February 2, 2019, there was a motion to increase Article #3
542 by \$49,000 for the hydrants. Issues identified by the Town Attorney included these:

- 543
544 ✓ The Town's Operating Budget (Article 3) includes funds to pay for publicly owned water
545 hydrants. The motion to add \$49,000 to the budget for hydrants did not include the new purpose
546 to pay for privately owned hydrants.
547 ✓ RSA 31:4 addresses public purpose. The Town cannot spend tax dollars for a strictly private
548 benefit. The Town could spend funds to ensure public safety. In this case, providing water for
549 fire protection is considered to be a public benefit.
550 ✓ Which "private" hydrants should be included? (condominiums, apartments, single family homes,
551 commercial)

552
553 C. Soucie: Also, one of the water districts also charges flushing fees at the current annual cost of
554 \$4,200.

555
556 Chair Sullivan: I believe the Council could clarify this without another warrant article.

557
558 R. Duhaime: Could we combine the two amounts to avoid adding a separate article for flushing fees?

559
560 C. Soucie: The problem is that the article for hydrants would say "appropriate" and the flushing fees
561 would have to say "raise and appropriate."

562
563 **R. Duhaime motioned to approve the warrant article which would clarify that the \$49,000 is to**
564 **reimburse private residential condominiums for water hydrants to ensure public safety. Chair**
565 **Sullivan seconded the motion.**

566
567 C. Karolian: This would set a bad precedent. There are a lot of private homes without hydrants. It is a
568 slippery slope. It is like residents having to pay for education when they have no children.

569
570 Chair Sullivan: People in condos pay for their own and for the public ones.

571
572 R. Duhaime: Homes in private communities are assessed at a higher rate. Normally, the deciding factor
573 regarding services is based on whether a road is public or private.

574
575 Chair Sullivan: We need to be able to put out fires for public safety.

576
577 C. Karolian: The same public safety issue applies to trash collection and plowing.

578

579 A. Comai called the question.

580
581 A roll call vote was taken on the motion to approve a warrant article to clarify that the \$49,000 is to
582 reimburse private residential condominiums for water hydrants to ensure public safety.

583
584 **Roll Call Vote #9**

585 **J. Durand No**

586 **A Comai Yes**

587 **C. Jones No**

588 **R. Duhaime Yes**

589 **C. Karolian No**

590 **A. Walczyk Yes**

591 **T. Tsantoulis No**

592 **J. Levesque No**

593 **J. Sullivan Yes**

594 ***The motion failed (4-5).***

595
596 R. Duhaime: This will come up at the next Deliberative Session.

597
598 C. Soucie: A petition warrant article would be the best way to proceed with this. Towns are not
599 supposed to add a purpose at a meeting without a warning to the public. The fourth and last possible
600 warrant article is by petition. It is for the adoption of the provisions of SB 341 regarding veterans' tax
601 credit for service-connected 100% disability. It would allow the town to raise the tax credit limit from
602 \$2,000 to \$4,000. Hooksett has 27 homeowners in this category.

603
~~604~~ **NEW BUSINESS**

~~605~~
608 **Quarterly Financial Report for September 30, 2019**

609
610 C. Soucie: The unaudited financial report for the first quarter, ending September 30, 2019, is in you
611 packets. The General Fund Operating Budget is 23% spent. The FY 2017-18 budget was high because
612 of the bridge. FY 2018-19 was a default budget, and the FY 2019-20 budget is higher due to the debt
613 payments for the fire pumper and the Safety Center.

614
615 ***R. Duhaime motioned to extend the meeting. A. Walczyk seconded the motion.***
616 ***The motion failed (4-5).***

617
618 A. Walczyk: Our procedure says that the meeting can be closed by a two-thirds majority roll call vote.

619
~~620~~ T. Tsantoulis: People here are waiting for the non-public session. We should not be wasting their time.

~~621~~
624 Chair Sullivan: The vote to extend the meeting failed, but it was not two-thirds, so we can continue. We
625 need to be more succinct when we speak. We will ask Ms. Soucie to finish her report as quickly as
626 possible. Then, we will go into non-public session and table other items until the next meeting.

627
628 C. Soucie: The Administration expenses are higher this year because of an increase for a part-time
629 position, computer equipment and liability insurance. The legal line is only six percent spent because it
630 represents only one month of services. The Fire-Rescue expenses have increased five percent over
631 the past three years, due largely to a two percent increase in wages and overtime and 4.5% increase

632 for such items as hydrant rentals, vehicle maintenance and new equipment. Hooksett Village hydrant
633 rentals increased 100%. There has been a one percent decrease in the employer share of NH
634 Retirement and a 0.5% decrease in health insurance costs. Minimum staffing is keeping expenses
635 down. The Police budget is historically underspent because of vacant positions. The overall increase in
636 the last three fiscal years was 1.2%. Wages and overtime increased by two percent, health insurance
637 decreased about one percent and general operations increased by 0.2%. The Highway Division
638 expenses, aside from paving and bridge encumbrances, has increased seven percent over the past
639 three years. Less than four percent of this increase is from wages and overtime; health insurance has
640 decreased 1.5%; employer share of NH Retirement has increased 0.5%; and general operations has
641 increased 4.5%, including \$100,000 for the MS-4 Permit for Stormwater required by the EPA. There are
642 paving projects totaling \$3,900 for which we do not have the invoices. Staffing has been level for three
643 years. Positions for one truck driver and one heavy equipment operator have been vacant all year. For
644 the Recycling and Transfer Division, the budget has increased five percent over the past three years.
645 Wages and overtime have increased 0.5% and staffing has been level. Health insurance has
646 decreased by 4.5% due to employee plan changes. General operations have increased by nine
647 percent, largely due to tipping fees. The town is in year seven years of a ten-year contract for tipping,
648 and the amount increases slightly every year of the contract. One truck driver position has been vacant
649 for three months. Changes in the recycling market have affected the cost of trash disposal. Currently, it
650 costs more to recycle materials than to dispose of them as trash, which lead the Town to end single
651 stream curbside collection. Items which can still be recycled – cardboard, metals, and aluminum cans –
652 can be brought to the transfer station. General Fund budgeted revenues have been decreasing
653 because of the discontinuance of Cable Franchise Fees. Motor Vehicle Registration revenues, the top
654 revenue source for the town, have been increasing, and the FY 2019-20 budgeted amount will be
655 increased to \$4,000,000 in November when the tax rate is set. Interest and penalties on tax revenue
656 have decreased because the State reduced these amounts as of April 20, 2019. When the tax rate is
657 set, this budget will be revised to \$240,000, based on actuals. Building permit revenues are up due to
658 the economy. This budget will be increased to \$200,000 when the tax rate is set. Hooksett received
659 State Municipal Aid in October 2019 in the amount of \$152,392. This is classified as unanticipated
660 revenue. The same amount is expected to be received in 2020. There has been no State Revenue
661 Sharing since FY 2009-10. Lastly, interest on deposits has increased over the last three years.
662 Therefore, the budget will be increased to \$250,000 when the tax rate is set.
663

664 **APPROVAL OF MINUTES**

665 Public: 10/23/2019

666
667
668 Non-Public: 10/23/2019

671
672 ***R. Duhaime motioned to table the Approval of Minutes. T. Tsantoulis seconded the motion.***
673 ***Voted unanimously in favor (9-0).***
674
675

676 **NON-PUBLIC SESSION #2 NH RSA 91-A:3 II**

677
678 ***J. Sullivan motioned to enter non-public session #2 at 10:11pm in accordance with the***
679 ***provisions of RSA 91-A:3, II (a). Seconded by R. Duhaime.***
680

681 RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining
682 of such employee, or the investigation of any charges against him or her, **unless** the employee affected
683 (1) has a right to a public meeting, and (2) requests that he meeting be open, in which case the request
684 shall be granted.
685

686 **Roll Call Vote**

687 **J. Levesque – yes**

688 **C. Jones – yes**

689 **C. Karolian – yes**

690 **A. Comai – yes**

691 **R. Duhaime – yes**

692 **A. Walczyk – yes**

693 **J. Durand – yes**

694 **T. Tsantoulis – yes**

695 **J. Sullivan - yes**

696 **Vote 9-0 in favor.**

697

698 ***C. Karolian motioned to exit the non-public session #2 of 11/06/09 at 11:08pm. Seconded by R.***
699 ***Duhaime. Vote 9-0 in favor.***

700

701 **Back in public session at 11:08 pm**

702

703 ***J. Sullivan motioned to seal the minutes of the non-public session #2 because it is determined***
704 ***that divulgence of this information likely would rend a proposed action ineffective. Seconded***
705 ***by A. Comai.***

706

707 **Roll Call Vote**

708 **J. Levesque – yes**

709 **T. Tsantoulis – yes**

710 **A. Walczyk – yes**

711 **C. Jones – yes**

712 **C. Karolian – yes**

713 **R. Duhaime – yes**

714 **J. Durand – yes**

715 **A. Comai - yes**

716 **J. Sullivan - yes**

717 **Vote 9-0 in favor.**

718

719 **ADJOURNMENT**

720

721 ***J. Sullivan motioned to adjourn the public session of 11/06/19 at 11:08pm. Seconded by A.***
722 ***Comai.***

723 ***Vote 9-0 in favor.***

724

725 ***Respectfully submitted,***

726

727 ***Recording Clerk***

728 ***Kathleen Donnelly***

729

730

731

Please see subsequent meeting minutes for any amendments to these minutes.
