



AGENDA

Town of Hooksett Town Council

Wednesday, January 8, 2020 at 6:00 PM

A meeting of the Town Council will be held Wednesday, January 8, 2020 in the Hooksett Municipal Building commencing at **6:00 PM**.

Page

1. **CALL TO ORDER**
2. **PROOF OF POSTING**
3. **ROLL CALL - ATTENDANCE**
4. **NON-PUBLIC SESSION #1 NH RSA 91-A:3 II**
5. **PUBLIC SESSION WILL BEGIN IMMEDIATELY FOLLOWING THE NON-PUBLIC SESSION NOTED ABOVE**
6. **PLEDGE OF ALLEGIANCE**
7. **AGENDA OVERVIEW**
8. **PUBLIC HEARINGS**
9. **SPECIAL RECOGNITION**
 - 9.1. Hooksett Police Dept. (HPD) - Swearing-in new Police Dispatcher, Police Officer of the Year, and Recognize other HPD employee(s).
 - 9.2. Hooksett Municipal Employee - New Hire
10. **SCHEDULED APPOINTMENTS**
 - 10.1. Ian Tewksbury, IAFF Local 3264 President (Hooksett Fire Union)
 - 10.2. Todd Rainier, Town Clerk and Marc Miville, Town Moderator - January 21, 2020 Special Town Election
11. **CONSENT AGENDA**
 - 11.1. Donation from 9Round Kick Boxing of items from their business totaling \$153.00 to the Town of Hooksett for all Town of Hooksett employees per RSA 31:95-b, III (b) and RSA 31:95-e, II 5
[Staff Report - SR-19-211 - Pdf](#)
 - 11.2. Donation of gift cards totaling the amount of \$2,725.00 to the Town of Hooksett for the Family Services Department for distribution to children and families in need through the Hooksett Family Services Holiday Assistance Program. 7
[Staff Report - SR-19-213 - Pdf](#)
 - 11.3. Donation of gifts from the general public and the Hooksett Police Association Cram the Crime Van toy drive to the Town of Hooksett for the Hooksett Family Services Holiday Assistance Program. 9
[Staff Report - SR-19-214 - Pdf](#)
12. **TOWN ADMINISTRATOR'S REPORT**

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

- 13. **PUBLIC INPUT - 15 MINUTES**
- 14. **NOMINATIONS AND APPOINTMENTS**
- 15. **BRIEF RECESS**
- 16. **OLD BUSINESS**
 - 16.1. SNHU – CETA Engineering Building Site Bond Release (tabled at 12/11/19 Town Council Meeting) 11 - 17
[Staff Report - SR-19-207 - Pdf](#)
[SNHU CETA Staff Report](#)
 - 16.2. FY 2020-21 Budget and Warrant Articles 19 - 25
[Staff Report - SR-19-209 - Pdf](#)
- 17. **NEW BUSINESS**
 - 17.1. Town of Hooksett AND Hooksett Permanent Firefighters Association, Local 3264, IAFF = Collective Bargaining Agreement for period 07/01/2020-06/30/2023
- 18. **APPROVAL OF MINUTES**
 - 18.1. Public: 11/20/19 (tabled at 12/11/19 Town Council Meeting) 27 - 43
[TC Minutes 112019](#)
 - 18.2. Public: 12/11/19 45 - 58
[TC Minutes 121119](#)
 - 18.3. Public: 12/17/19 Emergency Meeting 59 - 66
[Emergency Town Council Minutes 12.17.19](#)
 - 18.4. Non-Public: 11/20/19 (tabled at 12/11/19 Town Council Meeting)
 - 18.5. Non-Public: 12/11/19
- 19. **SUB-COMMITTEE REPORTS (TABLED AT 12/11/19 TOWN COUNCIL MEETING)**
- 20. **PUBLIC INPUT**
- 21. **NON-PUBLIC SESSION #2 NH RSA 91-A:3 II**
- 22. **ADJOURNMENT**

PUBLIC INPUT

1. Two 15-minute Public Input sessions will be allowed during each Council Meeting. Time will be divided equally among those wishing to speak, however, no person will be allowed to speak for more than 5 minutes.
2. No person may address the council more than twice on any issue in any meeting. Comments must be addressed to the Chair and must not be personal or derogatory about any other person.
3. Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Council and Town Administrator, will determine if the question can be answered at that time. Questions cannot be directed to an individual Councilor and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Administrator who will be responsible for researching and responding to the comment directly during normal work hours or by

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

bringing to the Council for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.

4. Council members may request a comment be added to New Business at a subsequent meeting.
5. No one may speak during Public Input except the person acknowledged by the Chair. Direct questions or comments from the audience are not permitted during Public Input.

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

Town Council
STAFF REPORT



To: Town Council
Title: Donation from 9Round Kick Boxing of items from their business totaling \$153.00 to the Town of Hooksett for all Town of Hooksett employees per RSA 31:95-b, III (b) and RSA 31:95-e, II
Meeting: Town Council - 08 Jan 2020
Department: Administration
Staff Contact: Bonnie Smith, Administrative Assistant

BACKGROUND INFORMATION:

On Monday, December 16, 2019, a representative from 9Round donated items from their business to the Town of Hooksett for all Town of Hooksett employees to include a basket containing 5 weekly passes valued at \$27.00 each; 3 water bottles valued at \$3.00 each; 2 key chains valued at \$4.00 each for a total donation of \$153.00

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Accept the donation

SUGGESTED MOTION:

Motion to accept donation from 9Round Kick Boxing of items from their business totaling \$153.00 to the Town of Hooksett for all Town of Hooksett employees per RSA 31:95-b, III (b) and RSA 31:95-e, II

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council
STAFF REPORT



To: Town Council
Title: Donation of gift cards totaling the amount of \$2,725.00 to the Town of Hooksett for the Family Services Department for distribution to children and families in need through the Hooksett Family Services Holiday Assistance Program.
Meeting: Town Council - 08 Jan 2020
Department: Family Services
Staff Contact: Abby Reeves, Family Services

BACKGROUND INFORMATION:

Hooksett residents and businesses have donated the following gift cards to the Town of Hooksett Family Services department to be distributed to children and families in need through the 2019 Holiday Assistance Program: Forty \$25.00 Market Basket gift cards, Fifty-seven \$25.00 Walmart gift cards, Four \$25.00 Hannaford gift cards, Four \$25.00 Irving gift cards, and Four \$25.00 Cinemagic gift cards.

FINANCIAL IMPACT:

+\$2,725.00

RECOMMENDATION:

Town Council accept the donations of gift cards to the Town of Hooksett for the Hooksett Family Services Department Holiday Assistance programs per RSA 31:95-b, III (b).

SUGGESTED MOTION:

Town Council motion to accept the donations of gift cards to the Town of Hooksett for the Hooksett Family Services Department Holiday Assistance programs per RSA 31:95-b, III (b).

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council
STAFF REPORT



To: Town Council
Title: Donation of gifts from the general public and the Hooksett Police Association Cram the Crime Van toy drive to the Town of Hooksett for the Hooksett Family Services Holiday Assistance Program.
Meeting: Town Council - 08 Jan 2020
Department: Family Services
Staff Contact: Abby Reeves, Family Services

BACKGROUND INFORMATION:

The general public have donated gifts to the Cram the Crime Van toy drive, hosted by the Hooksett Police Association for children in need within the Hooksett community.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

Town Council accept the donations of gifts from the Hooksett Police Association Cram the Crime Van toy drive to the Town of Hooksett for the Family Services Department for children in need, per RSA 31:95-e, II.

RECOMMENDATION:

Council motion to accept the donations of gifts from the Hooksett Police Association Cram the Crime Van toy drive to the Town of Hooksett for the Family Services Department for children in need, per RSA 31:95-e, II.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

Town Council
STAFF REPORT



To: Town Council
Title: SNHU – CETA Engineering Building Site Bond Release (tabled at 12/11/19 Town Council Meeting)
Meeting: Town Council - 08 Jan 2020
Department: Community Development
Staff Contact: Bruce Thomas, Town Engineer

BACKGROUND INFORMATION:

The building sitework is complete and the site bond of \$122,154.15 can be released. The site bond is formally for the “SNHU – College of Engineering, Technology &Aeronautics (CETA).

A landscape bond in the amount of \$115,962.00 will be kept on file for at least two years.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

None

RECOMMENDATION:

Release site bond to SNHU

SUGGESTED MOTION:

Motion for the Town to release the site bond for the. SNHU – College of Engineering, Technology & Aeronautics (CETA) bond of \$122,154.15 to the Southern New Hampshire University.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Concur

ATTACHMENTS:

[SNHU CETA Staff Report](#)

STAFF REPORT – SNHU – CETA Engineering Building

Background Information

The building sitework is complete and the site bond can be released. The site bond is formally for the “SNHU – College of Engineering, Technology & Aeronautics (CETA).

A landscape bond in the amount of \$115,962.00 will be kept on file for at least two years.

Financial Impact:

None.

Recommendation:

Release site bond.

Suggested Motion:

Motion for the Town to release the site bond for the SNHU – College of Engineering, Technology & Aeronautics (CETA) bond of \$122,154.15 to the Southern New Hampshire University.

**Town of Hooksett
Community Development**

Memo

To: File
From: Bruce A. Thomas, P.E., Town Engineer
Cc:
Date: November 26, 2019
Re: SNIU – CETA Engineering Building

Today an inspection walk-through was conducted at the reference site. The following were in attendance: Lawrence Yassanye of SNIU, Marissa Mezoff of the Skanska Company, and Bruce Thomas.

There were a few minor items to address including repairing tire marks behind some curb, removing silt fences and other erosion control items in a few areas and picking up a small amount of litter in drainage outlet areas.

These items will be addressed prior to the December 11, 2019 Town Council meeting, therefore I will be recommending approval of the site.

11/26/2019

Town of Hooksett
Performance Sureties Located at the Finance Dept

Project Name	Reason	Amount	Origination Date	Expiration Date	Released Date
SNHU - College of Engineering, Technology & Aeronautics (CETA) Cash - MBIA # 0210 Site Work		122,154.15	05/21/18		

STAFF REPORT – SNHU – CETA Engineering Building

Background Information

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Financial Impact:

None.

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Suggested Motion:

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Community Development**

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Town of Hooksett
 Performance Sureties Located at the Finance Dept

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SNHU - College of Engineering, Technology & Aeronautics (CETA) Cash - MBIA # 0210	Site Work	122,154.15	05/21/18		

Town Council
STAFF REPORT



To: Town Council
Title: FY 2020-21 Budget and Warrant Articles
Meeting: Town Council - 08 Jan 2020
Department: Finance
Staff Contact: Christine Soucie, Finance Director

BACKGROUND INFORMATION:

Update and review budget and warrant articles.

- 1) Default budget review
- 2) Fire Union contract
- 3) Petition money article deadline is January 14th. Need to schedule TC Meeting for January 15th.
- 4) Deadline for Council's letter for Town Meeting Guide is Friday January 24rd.
- 5) Deadline for posting Town Warrant is Monday January 27th.

Budget Committee's Public Hearing will be January 9, 2020 in Council Chambers @ 7 PM.

TOWN ADMINISTRATOR'S RECOMMENDATION:

Review information from Finance Director

ATTACHMENTS:

- [Default Budget Calculation](#)
- [DRA - Default Budget](#)

Town of Hooksett
 DEFAULT BUDGET CALCUALTION

12/19/2019

Department	2019-20	Contractual Items	Remove	2020-21
	Amended Budget		One-time Items	Default Budget
Administration	1,122,777	0	0	1,122,777
Assessing	175,874	0	0	175,874
Community Development	465,331	0	0	465,331
Family Services	163,327	0	0	163,327
Finance	227,827	0	0	227,827
Fire-Rescue	4,240,405	0	0	4,240,405
Police	4,703,596	0	0	4,703,596
Public Works	4,802,972	35,627	(22,000)	4,816,599
Tax Collector	258,799	0	0	258,799
Town Clerk & Elections	37,248	0	0	37,248
Operating Budget	16,198,156	35,627	(22,000)	16,211,783
Budget Committee	8,554	0	0	8,554
Capitat Leases	36,456	0	0	36,456
Cemetery Commission	641	0	0	641
Conservation Commission	1,277	0	0	1,277
Debt Principal	101,750	128,250	0	230,000
Debt Interest	111,220	28,228	0	139,448
Debt TAN interest	1	0	0	1
Library	865,289	0	0	865,289
Total Operating Budget	17,323,344	192,105	(22,000)	17,493,449
Wastewater Department	2,075,153	171,575	0	2,246,728
Grand Totals	19,398,497	363,680	(22,000)	19,740,177

Increased the default:

- DPW Union Contract \$35,630
- TIF Debt Principal \$128,250
- TIF Debt Interest \$28,228
- Wastewater Debt Principal & Interest \$171,575

Decreased the default:

- Cemetery Project \$22,000



New Hampshire
Department of
Revenue Administration

2020
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Appropriations

Account	Purpose	Prior Year Adopted Budget	Reductions or Increases	One-Time Appropriations	Default Budget
General Government					
0000-0000	Collective Bargaining	\$0	\$0	\$0	\$0
4130-4139	Executive	\$407,234	\$0	\$0	\$407,234
4140-4149	Election, Registration, and Vital Statistics	\$37,248	\$0	\$0	\$37,248
4150-4151	Financial Administration	\$665,551	\$0	\$0	\$665,551
4152	Revaluation of Property	\$175,874	\$0	\$0	\$175,874
4153	Legal Expense	\$95,000	\$0	\$0	\$95,000
4155-4159	Personnel Administration	\$199,964	\$0	\$0	\$199,964
4191-4193	Planning and Zoning	\$369,616	\$0	\$0	\$369,616
4194	General Government Buildings	\$512,580	\$254	\$0	\$512,834
4195	Cemeteries	\$25,141	\$0	(\$22,000)	\$3,141
4196	Insurance	\$220,810	\$0	\$0	\$220,810
4197	Advertising and Regional Association	\$14,000	\$0	\$0	\$14,000
4199	Other General Government	\$1	\$0	\$0	\$1
General Government Subtotal		\$2,723,019	\$254	(\$22,000)	\$2,701,273
Public Safety					
4210-4214	Police	\$4,703,596	\$0	\$0	\$4,703,596
4215-4219	Ambulance	\$0	\$0	\$0	\$0
4220-4229	Fire	\$4,236,154	\$0	\$0	\$4,236,154
4240-4249	Building Inspection	\$95,714	\$0	\$0	\$95,714
4290-4298	Emergency Management	\$4,251	\$0	\$0	\$4,251
4299	Other (Including Communications)	\$0	\$0	\$0	\$0
Public Safety Subtotal		\$9,039,715	\$0	\$0	\$9,039,715
Airport/Aviation Center					
4301-4309	Airport Operations	\$0	\$0	\$0	\$0
Airport/Aviation Center Subtotal		\$0	\$0	\$0	\$0
Highways and Streets					
4311	Administration	\$251,357	\$0	\$0	\$251,357
4312	Highways and Streets	\$1,930,112	\$15,306	\$0	\$1,945,418
4313	Bridges	\$1	\$0	\$0	\$1
4316	Street Lighting	\$62,000	\$0	\$0	\$62,000
4319	Other	\$222,969	\$2,892	\$0	\$225,861
Highways and Streets Subtotal		\$2,466,439	\$18,198	\$0	\$2,484,637



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Appropriations

Account	Purpose	Prior Year Adopted Budget	Reductions or Increases	One-Time Appropriations	Default Budget
Sanitation					
4321	Administration	\$122,080	\$0	\$0	\$122,080
4323	Solid Waste Collection	\$322,824	\$4,917	\$0	\$327,741
4324	Solid Waste Disposal	\$762,254	\$5,119	\$0	\$767,373
4325	Solid Waste Cleanup	\$0	\$0	\$0	\$0
4326-4328	Sewage Collection and Disposal	\$0	\$0	\$0	\$0
4329	Other Sanitation	\$0	\$0	\$0	\$0
Sanitation Subtotal		\$1,207,158	\$10,036	\$0	\$1,217,194
Water Distribution and Treatment					
4331	Administration	\$0	\$0	\$0	\$0
4332	Water Services	\$0	\$0	\$0	\$0
4335-4339	Water Treatment, Conservation and Other	\$0	\$0	\$0	\$0
Water Distribution and Treatment Subtotal		\$0	\$0	\$0	\$0
Electric					
4351-4352	Administration and Generation	\$0	\$0	\$0	\$0
4353	Purchase Costs	\$0	\$0	\$0	\$0
4354	Electric Equipment Maintenance	\$0	\$0	\$0	\$0
4359	Other Electric Costs	\$0	\$0	\$0	\$0
Electric Subtotal		\$0	\$0	\$0	\$0
Health					
4411	Administration	\$1	\$0	\$0	\$1
4414	Pest Control	\$0	\$0	\$0	\$0
4415-4419	Health Agencies, Hospitals, and Other	\$0	\$0	\$0	\$0
Health Subtotal		\$1	\$0	\$0	\$1
Welfare					
4441-4442	Administration and Direct Assistance	\$132,024	\$0	\$0	\$132,024
4444	Intergovernmental Welfare Payments	\$31,303	\$0	\$0	\$31,303
4445-4449	Vendor Payments and Other	\$0	\$0	\$0	\$0
Welfare Subtotal		\$163,327	\$0	\$0	\$163,327
Culture and Recreation					
4520-4529	Parks and Recreation	\$628,752	\$7,139	\$0	\$635,891
4550-4559	Library	\$865,289	\$0	\$0	\$865,289
4583	Patriotic Purposes	\$2,945	\$0	\$0	\$2,945
4589	Other Culture and Recreation	\$11,750	\$0	\$0	\$11,750
Culture and Recreation Subtotal		\$1,508,736	\$7,139	\$0	\$1,515,875



New Hampshire
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Appropriations

Account	Purpose	Prior Year Adopted Budget	Reductions or Increases	One-Time Appropriations	Default Budget
Conservation and Development					
4611-4612	Administration and Purchasing of Natural Resources	\$1,277	\$0	\$0	\$1,277
4619	Other Conservation	\$0	\$0	\$0	\$0
4631-4632	Redevelopment and Housing	\$0	\$0	\$0	\$0
4651-4659	Economic Development	\$700	\$0	\$0	\$700
Conservation and Development Subtotal		\$1,977	\$0	\$0	\$1,977
Debt Service					
4711	Long Term Bonds and Notes - Principal	\$101,750	\$128,250	\$0	\$230,000
4721	Long Term Bonds and Notes - Interest	\$111,220	\$28,228	\$0	\$139,448
4723	Tax Anticipation Notes - Interest	\$1	\$0	\$0	\$1
4790-4799	Other Debt Service	\$0	\$0	\$0	\$0
Debt Service Subtotal		\$212,971	\$156,478	\$0	\$369,449
Capital Outlay					
4901	Land	\$1	\$0	\$0	\$1
4902	Machinery, Vehicles, and Equipment	\$0	\$0	\$0	\$0
4903	Buildings	\$0	\$0	\$0	\$0
4909	Improvements Other than Buildings	\$0	\$0	\$0	\$0
Capital Outlay Subtotal		\$1	\$0	\$0	\$1
Operating Transfers Out					
4912	To Special Revenue Fund	\$0	\$0	\$0	\$0
4913	To Capital Projects Fund	\$0	\$0	\$0	\$0
4914A	To Proprietary Fund - Airport	\$0	\$0	\$0	\$0
4914E	To Proprietary Fund - Electric	\$0	\$0	\$0	\$0
4914O	To Proprietary Fund - Other	\$0	\$0	\$0	\$0
4914S	To Proprietary Fund - Sewer	\$2,075,153	\$171,575	\$0	\$2,246,728
4914W	To Proprietary Fund - Water	\$0	\$0	\$0	\$0
4915	To Capital Reserve Fund	\$0	\$0	\$0	\$0
4916	To Expendable Trusts/Fiduciary Funds	\$0	\$0	\$0	\$0
4917	To Health Maintenance Trust Funds	\$0	\$0	\$0	\$0
4918	To Non-Expendable Trust Funds	\$0	\$0	\$0	\$0
4919	To Fiduciary Funds	\$0	\$0	\$0	\$0
Operating Transfers Out Subtotal		\$2,075,153	\$171,575	\$0	\$2,246,728
Total Operating Budget Appropriations		\$19,398,497	\$363,680	(\$22,000)	\$19,740,177



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Reasons for Reductions/Increases & One-Time Appropriations

Account	Explanation
4195	Cemetery Project
4194	DPW Union Contract approved
4312	DPW Union Contract approved
4721	2018 & 2019 Debt
4711	2018 & 2019 Debt
4319	DPW Union Contract approved
4520-4529	DPW Union Contract approved
4323	DPW Union Contract approved
4324	DPW Union Contract approved
4914S	2018 Debt

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, November 20, 2019**

1
2 The Hooksett Town Council met on Wednesday, November 20, 2019 at 6:00 in the Hooksett Municipal
3 Building.

4
5 **CALL TO ORDER**

6 Chair Sullivan called the meeting of 20 Nov 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 Robert Duhaime, Councilor John Durand,
13 Councilor Avery Comai, Councilor Clifford Jones, Councilor Timothy Tsantoulis, Councilor Clark
14 Karolian, and Councilor Alex Walczyk

15
16 **Missing:** Councilor James Levesque

17
18 **PLEDGE OF ALLEGIANCE**

19 Chair Sullivan called for the Pledge of Allegiance.

20
21 **PUBLIC HEARING**

22 **Petition to Change Boundaries for Central Hooksett Water Precinct**

23
24
25 Chair Sullivan: It is 6:03 pm, and I am opening the public hearing on the petition to change boundaries
26 for Central Hooksett Water Precinct. This road connects Londonderry Turnpike with Mammoth Road. I
27 will read the Public Hearing Notice:

28
29 In accordance with RSA 52.5, the Hooksett Town Council will be holding a public hearing during
30 their regular meeting on Wednesday, November 20, 2019. The purpose of the hearing is to
31 receive input on the approval of a petition to change the boundaries of the Central Hooksett
32 Water Precinct to include the plot of land known as 48 Zapora Road, in its entirety, thus
33 establishing a new fixed point for said precinct's boundaries.

34
35 C. Karolian: This refers to Zapora Road. Is this actually Zapora Drive? If so, does that have to be
36 changed before we can act on this?

37
38 A. Garron: As long as there is no Zapora Road in Hooksett, this only needs to be corrected.

39
40 Chair Sullivan: Let the record reflect that this will be corrected to say Zapora Drive.

41
42 Jay Smith, Superintendent of the Central Hooksett Water Precinct: The well belonging to the residents
43 of 48 Zapora Drive has been going dry during the summer season. They are within the Manchester
44 Water Works franchise area, which would need easements over two properties – Map 40, Lot 59 and
45 Map 40, Lot 58 – in order to serve them. Our water line is right in front of their property. Manchester
46 Water Works and the owners of 48 Zapora Drive have signed documents agreeing to this, and the
47 required petition with ten signatures has been submitted.

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49 C. Karolian: Who will pay for hookup?

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51 J. Smith: The homeowner will pay, based on number of bedrooms.

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T. Tsantoulis: Can we wrap this up tonight? Is there any reason we have to wait until the next meeting to vote on this?

Chair Sullivan: For this issue, there is no need to wait between the public hearing and the vote. I am closing the public hearing at 6:08 pm.

T. Tsantoulis motioned that the Town Council approve the petition to expand the Central Hooksett Water Precinct boundaries to include 48 Zapora Drive. C. Karolian seconded the motion.

Voted unanimously in favor (8-0).

SPECIAL RECOGNITION

Hooksett Municipal Employee - New Hire

A. Garron: We welcome Mary Kitsis as a new patrol officer for the Hooksett Police Department, beginning December 2, 2019.

A. Garron: Two employees are leaving Hooksett. Tory O'Brien is leaving Hooksett Fire-Rescue, and Joseph Landry, a mechanic, is leaving the Public Works Department. We want to thank both of them for their service to the town.

SCHEDULED APPOINTMENTS

JoCarol Woodburn, Vice-Chair of Conservation Commission, regarding retroactive approval of a sole source agreement with Bear-Paw

J. Woodburn: In the February and March timeframe, Bear-Paw brought to our attention that the Student Conservation Association could do some work on the trails. We prepared a plan for the work and established a cost of \$10,500. This was discussed at our meetings, but we didn't have a recorded vote, so it didn't come before the Town Council. The work was done in August at Clay Pond. Ten students did the work with hand tools. They did a great job with very little disturbance of the delicate environment.

D. Ross, Conservation Commission member: I remember bringing it to the Town Council when I was still a member, as the Town Council's representative to the Conservation Commission. The cost was \$15 per hour and the students would camp on site. We were lucky to get them, and the Council seemed to be totally in favor. This is part of our stewardship responsibility and Conservation funds would be paying. It was written up in a couple of conservation magazines. We hope to use the Student Conservation Association again in the future. Everything is covered by them. They left the place cleaner than when they started.

C. Karolian: When was the work performed?

D. Ross: August.

C. Karolian: The contract between Bear-Paw and the Student Conservation Association was July 31st and August 8th, and the work was done after August 8th?

J. Woodburn: Yes, it was done during the last two weeks of August.

C. Karolian: And the money was to come out of the Conservation Commission fund?

104
105 J. Woodburn: Yes.
106
107 C. Karolian: And you thought it was discussed in January or February?
108
109 J. Woodburn: It was a March/April timeframe.
110
111 C. Karolian: Why was this not brought before the Council?
112
113 D. Ross: I thought it was. Either it didn't get recorded or we didn't think it needed to be voted on. Maybe
114 it is because it is more than \$10,000.
115
116 C. Karolian: That begs the question of why it was not brought before the Council.
117
118 D. Ross: I think I did bring it, and the Councilors said it was great and to go for it.
119
120 C. Karolian: The agendas for March and April should be checked.
121
122 D. Ross: It might not have been on an agenda because it would have been part of my subcommittee
123 report as the Town Council representative to the Conservation Commission.
124
125 Chair Sullivan: It was not in the right fiscal year. You weren't a Councilor after July 1st. This should have
126 been approved in August.
127
128 C. Karolian: When did the Conservation Commission sign a contract with Bear-Paw? It seems to me
129 the contract with Bear-Paw is dated November 4th. It has pricing and payment. Ms. Robinson signed
130 but did not date the document.
131
132 J. Woodburn: I think we received the invoice and asked for more information.
133
134 R. Duhaime: This is part of our stewardship plan. A loop trail was to be created. Clay Pond was
135 purchased in 2014 with L-chip funds and money from Bear-Paw and the Town of Hooksett. The
136 property will revert to Bear Paw if Hooksett does not do the maintenance. In the future, documentation
137 should be provided beforehand.
138
139 D. Ross: We have an ongoing relationship. Steve Couture is with Bear-Paw now. It was an oversight. It
140 is Conservation funds and that's exactly what it was used for. The only time we come here is for
141 property acquisitions.
142
143 Chair Sullivan: Who has the authority to disburse the funds? What is the reason it is before the Town
144 Council?
145
146 J. Woodburn: It is probably because of the \$10,000 threshold.
147
148 **A. Comai motioned to approve retroactively the sole source agreement with Bear-Paw Regional**
149 **Greenways for the work completed by the Student Conservation Association, Inc., in the**
150 **amount of \$10,500. R. Duhaime seconded the motion.**
151
152 C. Karolian: We have a contract with Bear-Paw? It is their property?
153
154 J. Woodburn: It is not their property. They have easements.

155 C. Karolian: And Bear-Paw maintains the property?

156

157 D. Ross: We do. It's a stewardship plan.

158

159 C. Karolian: Didn't Bear-Paw ask about the contract with the Conservation Commission?

160

161 J. Woodburn: The contract was between Bear-Paw and the Student Conservation Association. It was
162 with Americore.

163

164 C. Karolian: Don't they do this work for free?

165

166 J. Woodburn: No.

167

168 C. Karolian: These students are volunteers, aren't they?

169

170 J. Woodburn: No, they are paid.

171

172 R. Duhaime: In the future, I would like to be informed as a Council member about what types of
173 materials were used.

174

175 Chair Sullivan: The contract was for August 20-30, 2019. The invoice is dated October 15, 2019.

176

177 D. Ross: I would like to provide a map of the work done.

178

179 A roll call vote was taken on the motion to approve the motion to pay the invoice.

180

181 **Roll Call Vote #2**

182 ***R. Duhaime Aye***

183 ***J Durand Aye***

184 ***C. Jones Aye***

185 ***J. Levesque Not present***

186 ***A. Walczyk Nay***

187 ***A. Comai Aye***

188 ***C. Karolian Nay***

189 ***T. Tsantoulis Nay***

190 ***J. Sullivan Aye***

191 ***Voted in favor (6-2).***

192

193 **CONSENT AGENDA**

194 **Acceptance of Moose Plate Grant Funds for Restoration of Historic Pre-1842 Map of Hooksett**

195

196 Chair Sullivan: The Heritage Commission asked me to emphasize that this is a grant for conserving the
197 map versus restoring it.

198

199 ***R. Duhaime motioned to accept the \$3,200 Moose Plate Grant under the authority granted***
200 ***through RSA 31:95-b. T. Tsantoulis seconded the motion.***

201 ***Voted unanimously in favor.***

202

203 **TOWN ADMINISTRATOR'S REPORT**

204

205 A. Garron: The new tax rate is \$21.55. We have provided information on historical trends. The property
206 tax bills should be out by Friday. The tax rate was \$22.12 last year.

207

208

209 A. Garron: Tomorrow, we will have two active shooter training sessions for staff. This first is from 9:00
210 am to 10:30 am; the second is from 10:45 am until 12:15 pm.

211

212 A. Garron: Nick Germain and I met with Eversource about changing our streetlights from sodium vapor
213 to LED. At this point we are just gathering information. Also, I will be meeting at 2:00 pm tomorrow with
214 a solar vendor – probably the first of many. I have invited Councilor Walczyk to attend because of his
215 interest in this. Other Councilors are welcome to attend.

216

217 A. Garron: Regarding the historic barn near Exit 11 which, unfortunately, was taken down, the Code
218 Enforcement Officer, Kathie Northrop and I are exploring options for enforcement, given that we have a
219 demolition delay ordinance.

220

221 A. Garron: Several months ago, I spoke with you about Resource Management Inc. and its permit to
222 apply bio-solids to farmland owned by the Town, Map 1, Lot 37, per a NHDES permit. I checked with
223 the DES, and Resource Management has met all requirements. They have been doing this for ten
224 years and their contract expires at the end of December this year. The only change is that the permits
225 are now for ten years, not four. Whoever is farming the land can agree or disagree with the application
226 of bio-solids. I have the 57-page document which outlines the conditions of the permit, if anyone wishes
227 to look at it.

228

229 ***R. Duhaime motioned to have the Town Administrator and Council Chair sign a contract with***
230 ***Resources Management Inc. for the application of bio-solids on town-owned farmland, Map 1,***
231 ***Lot 37. T. Tsantoulis seconded the motion.***

232

233 R. Duhaime: This is conservation land. We have to farm it. The State gave us the money to purchase it,
234 and it is very good farmland.

235

236 A. Garron: Part of the land is in conservation under the protection of the NH Society for the Protection
237 of NH Forests; this is the farmland.

238

239 C. Karolian: Are the bio-solids human or animal generated?

240

241 Bruce Kudrick, Superintendent of the Hooksett Waste Water Department: All bio-solids are from waste
242 water treatment plants. This is for cow corn, alfalfa, and hay. It is not for human consumption.

243

244 C. Karolian: Do the bio-solids come from a private company?

245

246 A. Garron: I don't know.

247

248 C. Karolian: Are we getting revenue from the private company?

249

250 A. Garron: No.

251

252 R. Duhaime: We are supposed to farm the land, but it is close to the river, and we don't want nitrates
253 getting into the water.

254

255 B. Kudrick: This saves the farmers a lot of money. Acid rain helps out. They only apply so much per
256 acre. This is trying to help the farmer.

257

258 Chair Sullivan: Does this mimic what you did in Pembroke in the 1990s?

259

260 B. Kudrick: Yes, it is like cow manure. It saves the farmers on commercial fertilizer.

261

262 C. Jones: Do we have a right of way to get the biosolids to the property?

263

264 A. Garron: There are multiple lots the town owns.

265

266 R. Duhaime: They come down from the Allenstown side via Pleasant Street.

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322

C. Jones: Do we have an agreement with the property owners?

B. Kudrick: It is a handshake. That's the way farmers do this.

C. Jones: Handshakes don't work nowadays. Do we have an alternative route if there are future problems?

A. Garron: Yes.

C. Karolian: Do they pay Hooksett to farm this land?

Chair Sullivan: No.

C. Karolian: Why do we own the property then?

R. Duhaime: It is conservation land.

Roll Call Vote #3

A. Comai Aye

C. Jones Aye

A. Walczyk Nay

J. Durand Aye

R. Duhaime Aye

T. Tsantoulis Nay

J. Levesque Not present

C. Karolian Nay

J. Sullivan Aye

Voted in favor (5-3).

PUBLIC INPUT - 15 MINUTES

Mary Farwell, 24 Grant Drive: I am here on behalf of the Library Trustees. I want to comment on your agenda item regarding health insurance for elected officials. If you are going to offer health insurance to elected officials, who may only work a few hours a month for the town, you owe it to part-time employees to offer health insurance for them. We have nine part-time employees who love the library and are dedicated to our patrons. It is because of them that we can offer the level of service on which we pride ourselves. Because these part-time employees often find they have to work full-time because they need health insurance, turnover is high and creates a revolving door issue, resulting in dollars and manhours spent on training which could be better spent on improving library services. Other libraries are offering health insurance for part-timers. Even if the elected officials pay 100% of the cost, they could influence the claims experience and thus the premiums for everyone.

Richard Smith, 266 Hackett Hill Road: I am here to comment on the barn at 53 Hackett Hill Road which was to be protected but has been demolished. With the development of Chucksters, the barn was to be used as a smoke house. People could park at Chucksters and walk to the smoke house. I have discussed this with others and we hope something can be done to prevent this from happening again in the future.

Chair Sullivan called for a brief recess at 7:24 pm.

Councilor Jones left the meeting at 7:30 pm due to illness.

Chair Sullivan called the meeting back to order at 7:34 pm.

OLD BUSINESS

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

324 Bruce Kudrick, Hooksett Wastewater Department Superintendent: Two years ago, the NHDES offered
 325 a \$30,000 grant for Asset Management, which we used to map out our sewer lines, sewer services and
 326 easements. The DES is now offering a second grant in the same amount. This is a wash item. It must
 327 be approved by the town in a warrant article, we spend the money to complete the work, and then the
 328 State will reimburse us. We would be using the funds to map the pump station and treatment plan.
 329

330 T. Tsantoulis: It is to our advantage to be careful that this is properly presented and easy to read. We
 331 don't want to miss out.
 332

333 Chair Sullivan: We would like to see draft language for this at our December 11th meeting. We need it to
 334 be simply stated.
 335

336 A. Garron: Is it just this item for which you would like to see draft language?
 337

338 Chair Sullivan: Yes.
 339

340 ***R. Duhaime motioned to place on the ballot a warrant article to accept a grant of \$30,000.00 from***
 341 ***NHDES for developing an Asset Management Program for its wastewater facilities J. Durand***
 342 ***seconded the motion.***
 343

344 **Roll Call Vote #4**

345 ***A. Walczyk Aye***

346 ***J. Levesque Not present***

347 ***C. Jones Not present***

348 ***R. Duhaime Aye***

349 ***J. Durand Aye***

350 ***C. Karolian Aye***

351 ***T. Tsantoulis Aye***

352 ***A. Comai Aye***

353 ***J. Sullivan Aye***

354 ***Voted unanimously in favor (7-0).***
 355

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

357 ***R. Duhaime motioned to remove this item from the table. Chair Sullivan seconded the motion.***
 358 ***Voted unanimously in favor.***
 359

360 A. Walczyk: I have been working with the Town Administrator on a few things related to solar and have
 361 put together a draft warrant article. Before getting to that, in your packets is a consolidation of my
 362 research on various laws which have been enacted as a result of the State statute I would like the
 363 Town of Hooksett to adopt. It is straightforward and I have made some wording adjustments. I am 99%
 364 sure these houses would be subject to revaluation. Based on research done in Milford a few years ago,
 365 I am suggesting a maximum abatement of \$30,000 for a solar installation. For example, if a house is
 366 valued at \$300,000 and solar equipment valued at \$30,000 is installed, the homeowner can apply for
 367 an abatement of \$30,000.
 368

369 T. Tsantoulis: A lot of solar systems are not owned by the homeowner. Many have a lease agreement
 370 for the solar installations. Essentially, the solar company is using the homeowner's roof and making
 371 money. How is this different from an outright purchase?
 372

373 A. Garron: We posed that question for legal advice from the NHMA: How does this work for leased
 374 solar equipment? The response was that the homeowner is not required to own the solar equipment in
 375 order to get the abatement.

376
 377 J. Durand: Why should the homeowner get a credit if the equipment is leased? The homeowner didn't
 378 spend \$30,000. Does the homeowner get any money for energy savings?

379
 380 Chair Sullivan: That is between the vendor and the homeowner, whether or not the homeowner benefits
 381 from the energy savings.

382
 383 T. Tsantoulis: What is the purpose, from the town's perspective, other than to feel good about having
 384 solar?

385
 386 A. Garron: It is to encourage the use of alternate sources. We are now looking at using town land for a
 387 solar array.

388
 389 C. Karolian: I didn't look into this, but as I understand it, the solar companies are making money off the
 390 lease, and the homeowner gets a reduced energy rate, I believe. The solar companies place an
 391 attachment on the deed for the property, which is removed when the installation is paid off in 15 or 20
 392 years.

393
 394 R. Duhaime: The Sewer Commission yesterday gave \$25,000 to a vendor as part of an agreed for a
 395 solar plan. The installation will be on their property. Their Eversource bill is over \$10,000 per month.
 396 They are looking at a 30-year life for the solar equipment.

397
 398 A Garron: Of the 234 New Hampshire cities and towns, 135 have adopted a solar incentive plan. The
 399 typical maximum abatement is about \$30,000.

400
 401 ***A. Walczak motioned to place on the ballot a warrant article to provide property tax incentives***
 402 ***for persons owning real property equipped with solar energy systems intended for use at the***
 403 ***immediate site, said exemption equal to 100% of the assessed value of the solar equipment, not***
 404 ***to exceed \$30,000. C. Karolian seconded the motion.***

405
 406 **Roll Call Vote #5**

- 407 ***T. Tsantoulis Aye***
 408 ***C. Jones Not present***
 409 ***R. Duhaime Aye***
 410 ***A. Walczyk Aye***
 411 ***J. Levesque Not present***
 412 ***C. Karolian Aye***
 413 ***J. Durand Aye***
 414 ***A. Comai Aye***
 415 ***J. Sullivan Aye***

416 ***Voted unanimously in favor (7-0).***

417
 418 **Town of Hooksett Health Insurance for Elected Officials (tabled at 10/23/19 Town Council**
 419 **Meeting)**

420
 421 ***C. Karolian motioned to remove this item from the table. A. Comai seconded the motion.***
 422 ***Voted unanimously in favor.***

423

424 D. Fitzpatrick: Our initial discussion regarding health insurance for elected officials took place at the
 425 October 23, 2019 Town Council meeting. A Councilor requested that research be done on the viability
 426 of offering health insurance to elected officials. The Town Administrator was asked to do research on
 427 cost, policy, and procedure. I offer the caveat that I have information only on health insurance for
 428 elected officials. The inquiry opened a Pandora's Box of questions about health insurance for appointed
 429 officials, volunteer or part-time firefighters, and other groups. I had asked Health Trust for their by-laws
 430 pertaining only to health insurance for elected officials. When I then asked for all of their by-laws, I read
 431 about other groups which could be offered coverage. I have concentrated on elected officials only.
 432 Based on our Administrative Code, we have 37 elected officials in Hooksett. This group of Councilors
 433 represents nine of the 37. We have a January 8, 2020 deadline for submitting monetary warrant articles
 434 because the Budget Committee will hold its public hearing on these items the following evening,
 435 January 9, 2020. I asked Health Trust if insurance for a new group could be added at any time and the
 436 response was yes, it could. Next is the question of what other communities are doing. I refer you to
 437 section C on page 40, which indicates that Health Trust does not track which groups within a pool
 438 provides insurance for elected or appointed officials. I also checked with our legal advisors and they are
 439 not aware of what other communities have for policies regarding health insurance. Do we want to call
 440 around to other human resources departments to find out? Next, we look at cost in sections E and F.
 441 Assuming a two-person policy and using the non-union rate sheets, the results are as follows: For the
 442 first tier (ACCESS BLUE HMO AB201PDED), the cost to the town of providing health insurance to the
 443 37 elected officials would be \$679,346.27 annually. To offer coverage to only the nine Town Councilors
 444 would be \$165,246.39 per year. For the second tier (ACCESS BLUE HMO ABSOS 20/40), the cost to
 445 the town of providing health insurance to the 37 elected officials would be \$649,567.56 per year. To
 446 offer coverage only to the nine Town Councilors would be \$158,002.00 annually. The second tier is a
 447 site of service plan and the one we find most employees opting for. The third tier has a very high
 448 deductible. Section F is the scenario if the town contributes nothing and elected officials pay 100% of
 449 the premiums. Here, only the claims experience exposure would affect the town. That effect would be
 450 realized in the annual rate renewals. Our rate this year was 3.6%, which is very good. Section H
 451 addresses the question of whether or not the Council can vote for this for themselves. The answer is
 452 that the Council can propose a warrant article so that all of the voters can vote on it. Section G is about
 453 the Charter. If a warrant article is passed allowing elected officials to have town health insurance, the
 454 Charter would have to be amended because this is a change in compensation. Both the warrant article
 455 and the Charter change could be presented at the same election; however, the Charter change process
 456 usually begins in September, as it requires Secretary of State approval of the wording. Another issue is
 457 coverage of Domestic Partners. With a younger workforce, especially in the Fire and Police
 458 Departments, this is something to consider. A Domestic Partner is one who has resided at the same
 459 legal address as the employee for at least one year. Here, only claims experience exposure affects the
 460 town. There is also an attendance issue when providing health insurance to elected officials. Would
 461 absences include subcommittee absences?
 462

463 R. Duhaime: This is a great discussion and is food for thought. It is too late for this year, but it deserves
 464 more time. I will take the raise and the health insurance in the future. It is something the town could
 465 consider.
 466

467 T. Tsantoulis: The voters would not approve \$96,000 just for a recreation director. This is a lot more
 468 money over a longer time. As Ms. Fitzpatrick said, it's a Pandora's Box. I don't see it passing.
 469

470 C. Karolian: I contacted the Mayor's office in Manchester and was told they offer health insurance in
 471 lieu of a stipend for Aldermen and School Board members. Do we have any elected officials who have
 472 town health insurance?
 473

474 D. Fitzpatrick: The Town Clerk could have health insurance but has coverage from another source. This
 475 is because he has a full-time job here as Deputy Tax Collector. Even if he were not the elected Town
 476 Clerk, he would still be a full-time employee. He is not eligible for health insurance based on his
 477 election as Town Clerk. It is because of his other, full-time position.

478

R. Duhaime: Could it be just single coverage for Councilors only?

479

480

D. Fitzpatrick: It could be whatever you want. On another note, the firefighters are covered under a NHRSA 154.1.

481

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483

484

NEW BUSINESS

Winter Drive Drain

485

486

487

A. Garron: A week after I started with Hooksett, I had an email, including pictures, from a resident about a flooding issue on Winter Drive. I turned this over to Bruce Thomas and Earl Labonte.

488

489

490

B. Thomas: I have provided updated information, in addition to what is in your packet. What I want to do is a culvert. We hired Stantec Engineering to do an analysis because of liability and because they have the right software. All of the residents in the neighborhood support this plan. The original drainage system was poorly designed and causes flooding.

491

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E. Labonte: Flooding occurs about once each year. We are using two 24-inch pipes for the project.

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507

B. Thomas: The project will require three easements from three properties – two are permanent and the third is a temporary easement for grading. Eleven bids were received for this project. We eliminated the lowest bid, as it was incomplete. We would like approval to accept the second lowest bid, which is from Advanced Excavation. Their bid of \$55,671.60 is within \$2,000 of my estimate. They have demonstrated experience in this type of work. A granite bound will have to be located, removed during construction, and reset after construction. Quotes were received and Belanger Land Surveying will be awarded that work since they are competent and provided the lowest quote of \$650.

T. Tsantoulis motioned to accept the bid from Advanced Excavation and award the contract to them in the amount of \$55,671.60 as recommended by staff, and to approve of the Town accepting easements from the three property owners. C. Karolian seconded the motion.

508

509

510

511

T. Tsantoulis: I have seen videos, and this is flooding is not acceptable, even if it only happens once a year.

512

513

514

515

C. Karolian: Will this be a problem for Autumn Run? Are we kicking the ball down the road to Autumn Run?

516

517

E. Labonte: Stantec looked into that and affirmed that it would not be a problem.

518

519

520

521

C. Karolian: Could there be a problem at 38, 39, or 34 Autumn Run? Have they been notified that the water is still going to come down and be in their back yards?

522

523

524

B. Thomas: That is why we hired Stantec. They do not anticipate that flooding will increase.

525

526

C. Karolian: Should they do Autumn Run too? Should we notify them? Is there a requirement to do so?

527

528

529

E. Labonte: Stantec did a study and said it would not go downstream. It never should have been installed that way. No one looked at the drainage when it was approved.

530

531

C. Karolian: I would be happy to spend another \$60,000 if necessary.

532 R. Duhaime: Several developments went in that area in the 60s and 70s. Plans were not followed or
 533 followed up on.

534
 535 **Chair Sullivan motioned that the funds for this project will come from the Storm Drainage**
 536 **Capital Reserve Fund. T. Tsantoulis seconded the motion.**

537 **Voted unanimously in favor (7-0).**

538

539 A roll call vote was taken on the original motion.

540

541 **Roll Call Vote #6**

542 **J. Durand Aye**

543 **J. Levesque Not present**

544 **C. Karolian Aye**

545 **A. Comai Aye**

546 **C. Jones Not present**

547 **T. Tsantoulis Aye**

548 **A. Walczyk Aye**

549 **R. Duhaime Aye**

550 **J. Sullivan Aye**

551 **Voted unanimously in favor (7-0).**

552

553 **Donati Field Concession Stand Pump Station Project**

554

555 **Chair Sullivan motioned to table this item. R. Duhaime seconded the motion.**

556 **Voted unanimously in favor (7-0).**

557

558 **Self-Contained Breathing Apparatus (SCBA) Replacement- Fire-Rescue Department**
 560 **DOT.**

561

562
 563 Chief Burkush: I have with me a sample of our current SCBA equipment, which was purchased in 2005
 564 using the capital reserve fund designated for that purpose. These have a 15-year life. Two of our
 565 employees are trained and certified to keep these working.

566

567 Assistant Chief Colburn: I have an example of the new ones, which are heavier. They last 45 minutes
 568 versus 30 minutes, and they have more redundancy in the electronics. The straps can be removed and
 569 laundered. They are warrantied for 15 years.

570

571 C. Karolian: Do they have a personal safety pass device.

572

573 Assistant Chief Colburn: Yes, the mask vibrates. There is a low air alarm. If a firefighter goes down, it
 574 activates. There also is a pack tracker, a handheld device to guide you to the pack. The buddy
 575 breathing mechanism is easier to use. Overall safety is enhanced.

576

577 C. Karolian: Are they open circuit?

578

579 Assistant Chief Colburn: Yes, they are. We have \$284,000 in the capital reserve account. The cost for
 580 38 devices is \$279,580.

581

582 T. Tsantoulis: What part is personal protection equipment? Why are you purchasing them all at once?

583

584 Assistant Chief Colburn: First, all parts are personal protection equipment. We get a better deal by
585 purchasing all of them at once. We also have fewer parts to stock. Training is simplified because they
586 are all the same.

587

588 Chief Burkush: The parts cannot be interchanged.

589

590 A. Walczyk: Thank you for bringing in the equipment. How many did you order?

591

592 Chief Burkush: I think we were ordering 37 at the time I was preparing the staff report, but the total is
593 actually 38.

594

595 A. Walczyk: Is there training involved with the new ones?

596

597 Assistant Chief Colburn: Yes, the two employees who are certified to keep these working will go for
598 training on the new ones. Other firefighters will have inhouse training. We have a confidence course at
599 one of the stations.

600

601 A. Walczyk: How often are these used?

602

603 Assistant Chief Colburn: They are used every day. A functional test is done every morning.

604

605 R. Duhaime: I see a trade-in amount of \$34,000.

606

607 Assistant Chief Colburn: Yes, there is a trade-in amount.

608

609 T. Tsantoulis: Do you need to have one for every firefighter?

610

611 Assistant Chief Colburn: Each seat must have an air pack. That is a national standard. We have extras
612 for training.

613

614

615 **A. Comai motioned to approve the purchase of 38 air-packs, spare bottles and related**
616 **equipment from Fire-Tech and Safety for #279,580.00, using the Air-pack Capital Reserve**
617 **Account for the Fire Rescue Department. R. Duhaime seconded the motion.**

618

619 **Roll Call Vote #7**

620 **C. Jones Not present**

621 **C. Karolian Aye**

622 **J. Levesque Not present**

623 **R. Duhaime Aye**

624 **A. Walczyk Aye**

625 **J. Durand Aye**

626 **T. Tsantoulis Aye**

627 **A. Comai Aye**

628 **J. Sullivan Aye**

629 **Voted unanimously in favor (7-0).**

630

631 Chief Burkush: This Council has always supported us in the purchase of safety equipment. We are
632 grateful for that.

633

634 **Policy on Hours of Work for Salaried Exempt Employees (Non-Union in Town Personnel Plan) -**
 635 **Request(s) to Council for Waiver of Position(s)**
 636

637
 638 A. Garron: This is a request for an adjustment of how hours are utilized at the Police Department. I
 639 support the waiver.
 640

641 Chief Bouchard: The Town's policy says we will work from 8:00 am until 4:30 pm. I am requesting a
 642 waiver because this doesn't work for the two lieutenants, the captain and me. We are often called upon
 643 to make presentations or respond to concerns of residents at hours outside of our scheduled hours.
 644 Also, I have an open-door policy, but am missing those on the evening and night shift. Myself, the
 645 captain and the lieutenants have trouble connecting with employees on these shifts. We have not been
 646 adhering to the policy, but we would rather have a waiver than to violate the policy.
 647

648 Chair Sullivan: I'm for it. I understand that you do not want to be in violation.
 649

650 D. Fitzpatrick: This went into effect in 2015. The reason that the Public Works Director is included is
 651 because the waiver is for the person, not the position. Mr. Labonte needs a waiver as well.
 652

653 C. Karolian: What is the justification for this? How often is this a problem?
 654

655 Chief Bouchard: I don't know exactly how often this is a problem, but I do know that the lieutenant in
 656 charge of the detective division must be at every incident and can be called at any time. Both
 657 lieutenants, Captain Robie and myself often attend community and network functions. Both lieutenants
 658 are training instructors.
 659

660 C. Karolian: Isn't this part of being salaried?
 661

662 Chief Bouchard: I want permission to run the department in the best way.
 663

664 Captain Robie: We are looking for flexibility in the hours we work.
 665

666 A. Garron: This works better for this department.
 667

668 D. Fitzpatrick: We are looking into removing the entire policy, which would give responsibility back to
 669 department heads. I don't know of any employees who are abusing work hours. If these waivers aren't
 670 granted, an employee working very late into the night could be disciplined for coming to work a few
 671 minutes late the next day.
 672

673 C. Karolian: If you work late and then come in late the next day, who would say anything about that? I
 674 would think you would have the authority to handle that.
 675

676 D. Fitzpatrick: It would violate the current policy.
 677

678 ***R. Duhaime motioned to approve the waiver request to make an exception to the Policy on***
 679 ***Hours of Work for Salaried Exempt Employees for these Hooksett Police Department positions:***
 680 ***Chief of Police, Administrative Captain, and both Lieutenants AND Public Works Director,***
 681 ***effective December 1, 2019. A. Walczyk seconded the motion.***
 682 ***Voted in favor (6-1). C. Karolian voted nay.***
 683

684 A. Walczyk: I would like to suggest that this be a future workshop topic, as suggested by Ms.
 685 Fitzpatrick.
 686

687 **APPROVAL OF MINUTES**

688
689 **Public: 11/06/2019**

690
691 ***T. Tsantoulis motioned to approve the minutes of the November 6, 2019 meeting. R. Duhaime***
692 ***seconded the motion.***

693
694 Chair Sullivan asked for corrections to the minutes.

695
696 C. Karolian: The vote on the motion to extend the meeting, line 616, was 3-6, not 4-5.

697
698 Chair Sullivan called for a vote on the motion to approve the public minute of the 11/06/2019 meeting
699 as amended.

700
701 ***Voted unanimously in favor.***

702
703 ***C. Karolian motioned to extend the meeting. A. Comai seconded the motion.***

704 ***Voted unanimously in favor (7-0).***

705
706
707
708 **Public: 10/23/19 (tabled at 11/06/19 Town Council Meeting)**

709
710 ***R. Duhaime motioned to remove this item from the table. T. Tsantoulis seconded the motion.***

711 ***Voted unanimously in favor (7-0).***

712
713 ***T. Tsantoulis motioned to approve the minutes of the October 23, 2019 meeting. R. Duhaime***
714 ***seconded the motion.***

715
716 Chair Sullivan asked for corrections to the minutes.

717
718 C. Karolian: Referring to line 520, it should say: Did you ask all of the financial institutions listed in your
719 staff report about a prepayment penalty or a one-year payment and a flexible closing date? The
720 response of C. Soucie should say: No, because they didn't have the lowest rate. They didn't offer to
721 give that information and I didn't ask for it.

722
723 A. Walczyk: Beginning on line 549, it should read as follows: The town's policy is a minimum of five
724 percent, working toward eight percent. DRA guidelines recommend that the general fund balance be
725 between eight and 17 percent. We should not be saving the lowest recommended amount. We should
726 invest while the economy is good so we can grow the tax base.

727
728 Chair Sullivan called for a vote on the motion to approve the public minutes of 10/23/2019 as amended.

729
730 ***Voted unanimously in favor (7-0).***

731
732
733
734 **Non-Public: 10/23/19 (tabled at 11/06/19 Town Council meeting)**

735
736 ***Chair Sullivan motioned to remove the minutes from the table. J. Durand seconded the motion.***

737 ***Voted unanimously in favor (7-0).***

738
739 ***Chair Sullivan motioned to approve the minutes of the October 23, 2019 non-public session. T.***

740 ***Tsantoulis seconded the motion.***

741 ***Voted unanimously in favor (7-0).***

742

743 **Non-Public: 11/06/2019**

744

745 ***R. Duhaime motioned to approve the minutes of the November 6, 2019 non-public session. A.***

746 ***Walczyk seconded the motion.***

747 ***Voted unanimously in favor (7-0).***

748

749

750 **SUB-COMMITTEE REPORTS**

751

752 A. Comai: I would like to ask for a calendar invite to committee meetings.

753

754 T. Tsantoulis: We have selected another Hooksett Youth Achiever. At the December 11th meeting, we
755 can make that presentation.

756

757 A. Walczyk: At the Parks & Rec meeting last night, we had more discussion of the pavilion. We were
758 questioning whether we need to get quotes now or wait for the funding approval. We are working on
759 signs and decorating around Donati Park. Also, we are reaching out to learn why various people are
760 honored there.

761

762 Chair Sullivan: They once had a fundraiser. Anyone who bought a tree got a plaque.

763

764 A. Walczyk: We have a question about adding signage about the Riverwalk and the Pavilion to existing
765 signs. We are also working on signs for the Dog Park about cleaning up dog waste.

766

767 R. Duhaime. The Sewer Department met on Tuesday. They plan to have the solar installation complete
768 by next fall. They are adding longevity for their employees at six years and ten years. They are working
769 on a system for preparing bio-solids to be sold. They do not yet have a demo. The EPA has problems
770 with the codes because it is a foreign unit. The Planning Board met and granted two waivers for wells
771 for one contractor and four for another. They discussed limiting to two feet the amount a well can
772 extend beyond a property border.

773

774 C. Karolian: Councilor Duhaime arranged for me to speak at the Planning Board meeting. I explained
775 what I learned at DES. In a nutshell, I explained that it is not up to the Planning Board to make sure
776 wells are constructed properly. This is the responsibility of the Code Enforcement Officer. He should
777 hold back on granting a CO, and waivers should not be granted without construction being done.

778

779 R. Duhaime: The Town Administrator gave a presentation to the Planning Board on growth at Exits 10
780 and 11. I told them that, when we hired the new Town Administrator, we instructed him to focus on
781 economic development.

782

783 A. Garron: The Planning Board chair wants more discussions, and I want to take him up on that.

784

785 C. Karolian: I told the Planning Board that the Town Administrator will ensure that the Code
786 Enforcement Officer follows Hooksett's guidelines.

787

788 A. Garron: I had a discussion with the Code Enforcement Officer on the well radius issue. There is a
789 disconnect because he follows Hooksett's codes, not the State requirements. It is not clear to me what
790 we should ask for. It seems that the responsibility falls on the well driller.

791

792 Chair Sullivan: The Economic Development Committee met and reviewed a good plan for development
793 at Bypass 28. They will need the support of the ZBA for an exception. We also looked at the basic tax

794 incentives available, including 79E incentives and Economic Revitalization Zones (ERZ). Mr. Williams
 795 will be speaking to us about an ordinance change which will allow for redevelopment of historical
 796 properties. We also discussed Brownfield assessments. These are properties which may have
 797 underground contamination, often because they once had gas stations on them. There are grants
 798 available for cleaning these areas.
 799

800 N. Germain: I would like to read into the record the Moose License Plate Conservation Grant
 801 Resolution.
 802

803 RESOLVED: That this municipality shall enter into a contract with the State of New Hampshire, acting
 804 by and through the Department of Cultural Resources/New Hampshire State Library providing for the
 805 performance by this Municipality of certain services as documented within the foregoing FY2017/2018
 806 Moose License Plate Conservation Grant application, and that the official, Town Administrator, André
 807 Garron, on behalf of this Municipality, is authorized and directed to enter into the said grant agreement
 808 with New Hampshire Department of Cultural Resources/NH State Library, and that s/he is to take any
 809 and all such actions that may be deemed necessary, desirable or appropriate in order to execute, seal,
 810 acknowledge and deliver any and all documents, agreements and other instruments on behalf of this
 811 Municipality in order to accomplish the same.
 812

813 RESOLVED: That the signature of the above authorized official of this Municipality, when affixed to any
 814 instrument or document described in, or contemplated by this resolution, shall be conclusive evidence
 815 of the authority of said parties to bind this Municipality, thereby. The foregoing resolution has not been
 816 revoked, annulled, or amended in any manner whatsoever, and remains in full force and effect as of the
 817 date hereof.
 818

819 **Chair Sullivan motioned to approve the resolution and to have the Town Administrator sign the**
 820 **resolution. R. Duhaime seconded the motion.**

821 **Voted unanimously in favor (7-0).**
 822

823 N. Germain: The problem with the video has been fixed and video should be working for tonight's
 824 meeting.
 825

826 **Chair Sullivan motioned to enter non-public session at 10:00 pm in accordance with the**
 827 **provisions of RSA 91-A:3, II (a) and (c). R. Duhaime seconded the motion.**
 828

829 RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining
 830 of such employee, or the investigation of any charges against him or her, **unless** the employee affected
 831 (1) has a right to a public meeting, and (2) requests that he meeting be open, in which case the request
 832 shall be granted.
 833

834 RSA 91-A:3, II (c) Matters which, if discussed in public, would likely affect adversely the reputation of
 835 any person, **other than a member of this board**, unless such person requests an open meeting. This
 836 exemption shall extend to include any application for assistance or tax abatement or waiver of a fee,
 837 fine, or other levy, if based on inability to pay or poverty of the applicant.
 838

839 **Roll Call Vote**

- 840 **J. Durand Aye**
- 841 **A. Comai Aye**
- 842 **C. Jones Not present**
- 843 **R. Duhaime Aye**
- 844 **C. Karolian Aye**
- 845 **A. Walczyk Aye**
- 846 **T. Tsantoulis Aye**
- 847 **J. Levesque Not present**
- 848 **J. Sullivan Aye**

849 **Voted unanimously in favor (7-0).**

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Chair Sullivan motioned to leave non-public session at 10:33 pm. R. Duhaime seconded the motion.

Voted unanimously in favor (7-0).

Chair Sullivan motioned to seal the minutes of the non-public session because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board or that it would likely render a proposed action ineffective. T. Tsantoulis seconded the motion.

Roll Call Vote

C. Karolian Aye

T. Tsantoulis Aye

J. Levesque Not present

C. Jones Not present

A. Comai Aye

J. Durand Aye

A. Walczyk Aye

R. Duhaime Aye

J. Sullivan Aye

Voted unanimously in favor (7-0).

ADJOURNMENT

Chair Sullivan motioned to adjourn the public session of November 9, 2019 at 10:34 pm. T.

Tsantoulis seconded the motion.

Voted in favor (7-0).

Respectfully submitted,

Kathleen Donnelly

Recording Clerk

Kathleen Donnelly

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

**Town of Hooksett
Town Council Meeting Minutes
Wednesday, December 11, 2019**

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

4
5 **CALL TO ORDER**

6 Chair Sullivan called the meeting of 11 Dec 2019 to order at 6:05 pm.

7
8 **PROOF OF POSTING**

9 Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.

10
11 **ROLL CALL - ATTENDANCE**

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

15 Councilor Robert Duhaime arrived at 6:07 pm.

16 **Missed:** Councilor Avery Comai

17
18 **NON-PUBLIC SESSION #1 NH RSA 91-A:3 II**

19
20 *Chair Sullivan motioned to enter non-public session at 6:07 pm in accordance with the*
21 *provisions of RSA 91-A:3. II (a). A. Walczyk seconded the motion.*

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**

29 *J. Durand Aye*

30 *A. Comai Not present*

31 *C. Jones Aye*

32 *R. Duhaime Not present*

33 *C. Karolian Aye*

34 *A. Walczyk Aye*

35 *T. Tsantoulis Aye*

36 *J. Levesque Aye*

37 *J. Sullivan Aye*

38 *Voted unanimously in favor (7-0).*

39
40 *Chair Sullivan motioned to leave non-public session at 6:46 pm. A. Walczyk seconded the*
41 *motion.*

42 *Voted unanimously in favor (8-0).*

43
44 *Chair Sullivan motioned to seal the minutes of the non-public session because it is determined*
45 *that it would likely render a proposed action ineffective. T. Tsantoulis seconded the motion.*

46
47 **Roll Call Vote**

48 *C. Karolian Aye*

49 *T. Tsantoulis Aye*

50 *J. Levesque Aye*

51 *C. Jones Aye*

52 *A. Comai Not present*

53 *J. Durand Aye*

54 **A. Walczyk** Aye
 55 **R. Duhaime** Aye
 56 **J. Sullivan** Aye
 57 **Voted unanimously in favor (8-0).**

58
 59 **PLEDGE OF ALLEGIANCE**

60 Chair Sullivan called for the Pledge of Allegiance.

61
 62 **AGENDA OVERVIEW**

63 Chair Sullivan: I would like to move up items 10.1 and 17.1 regarding the Hooksett Police Union.

64
 65 **Travis Mannon, NEPBA Local 46 President (Hooksett Police Union)**

66
 67 Detective Mannon: I would like to thank the Town Councilors and the Town Administrator who were
 68 part of the union negotiations. We had good representation and reached an agreement which was
 69 passed by a high margin.

70
 71 Chair Sullivan: Thanks, also, to your side of the negotiating team.

72
 73 **Town of Hooksett, NH and New England Police Benevolent Association, INC. (NEPBA) LOCAL**
 74 **46 OF NEW HAMPSHIRE = Collective Bargaining Agreement for period 07/01/2020-06/30/2023**

75
 76 ***R. Duhaime motioned to accept the tentative agreement between the Town of Hooksett and***
 77 ***NEPBA Local 46, to include Appendix A pay scale, effective 07/01/2020 to 06/30/2023 and to***
 78 ***place said agreement as a warrant article on the March 2020 ballot to read as follows:***

79
 80 ***To see if the town will vote to approve the cost items included in the collective bargaining***
 81 ***agreement reached between the Hooksett Town Council and the Hooksett Police Union Local***
 82 ***46, NEPBA, which calls for the following increases in salaries and benefits at the current***
 83 ***staffing level:***

84
 85 **Estimated increase over prior year**

86

<u>FISCAL YEAR</u>	<u>SALARIES</u>	<u>BENEFITS</u>	<u>ESTIMATED INCREASE</u>
2020-21	\$73,252.00	\$20,934.00	\$94,186.00
2021-22	\$72,999.00	\$21,540.00	\$94,539.00
2022-23	\$80,343.00	\$19,454.00	\$99,797.00

87
 88
 89 ***And further to raise and appropriate the sum of \$94,186.00 for the current fiscal year, such sum***
 90 ***represents the additional costs attributed to the increase in salaries and benefits required by***
 91 ***the new agreement over those that would be paid at current staffing levels. Estimated tax rate***
 92 ***impact is \$0.05.***

93
 94 ***J. Durand seconded the motion.***

95
 96 **Roll Call Vote #4**

97 **A. Walczyk** Aye
 98 **J. Levesque** Aye
 99 **C. Jones** Aye
 100 **R. Duhaime** Aye
 101 **J. Durand** Aye
 102 **C. Karolian** *Out of the meeting room at the time of the vote*
 103 **T. Tsantoulis** Aye
 104 **A. Comai** Aye

105 **J. Sullivan Aye**
 106 **Voted unanimously in favor (7-0).**
 107

108 **SPECIAL RECOGNITION**

110 **Hooksett Police Dept. (HPD) - Swearing-in new Patrol Officer, Announce Officer of the Year, and**
 111 **Recognize other HPD employees.**
 112

113 Chief Bouchard: First, I want to wish Jake Robie a happy 40th birthday. He began working for the
 114 Hooksett Police Department when he was 21 years old, and therefore has spent his entire career with
 115 the Hooksett PD. Before swearing in our newest police officer, I would like to recognize seven
 116 individuals who went above and beyond to care for our residents. They are: Dawn Smith, dispatcher;
 117 Tommy Bartula, DPW Crew Leader; Officer Kevin Laliberti, Officer Jordan McKlusky, Detective Travis
 118 Mannon; Sergeant Mike Zapala; and Sergeant Dan Byers. I have the permission of the family involved
 119 to tell this story. On October 17th we had a rain and wind storm. Wires and trees were down. Mr. Cote,
 120 1281 Smith Road, was out repairing his mailbox when he had a heart attack. Officer Kevin Lalibertie
 121 was first on the scene and administered CPR, which Officer Dan Byers also did when he arrived. They
 122 continued administering CPR until the Fire-Rescue service arrived. Sadly, Mr. Cote later died at the
 123 hospital. Tommy Bartula from DPW came to cut down the tree which was across the driveway. Working
 124 together, this group expedited restoration of power at the home and cleaned up the yard debris. Mrs.
 125 Diane Cote called a few days later to thank everyone for an amazing job. She said that Hooksett is a
 126 great place to live. Dawn Smith said the Police Department is about community, and Officer Dan Byers
 127 said the participants represented character, compassion and community. I would like to offer each of
 128 these seven people a certificate of appreciation. Dawn Smith is working the night shift and cannot be
 129 here. Next, it is with pleasure that I swear in Mary Kitsis as our newest police officer. Mary grew up in
 130 Bedford and graduated from Manchester West High School. She received a Bachelor’s degree in
 131 Criminal Justice from the University of New Haven and a Master’s degree from Plymouth State. She
 132 was hired by the UNH police department and attended the 162nd Police Academy class of 2013. She
 133 was a detective for the UNH Police for two years and is a certified field training officer, baton instructor,
 134 and physical fitness director. She was also a Liaison Officer with the International Crimes Against
 135 Children Task Force. Here with us tonight are UNH Police Chief Paul Dean and Sergeant Jeff
 136 Mullaney. Their attendance attests to how well-liked Mary is by her co-workers. Sergeant Mullaney will
 137 pin on Mary’s badge, in the absence of her boyfriend, Mike, who is working out of state. Mary’s parents,
 138 brother and sister-in-law are here tonight as well.
 139

140 **SCHEDULED APPOINTMENTS**

141 **Scheduled Appointment with NHDOT Bureau of Bridge Design**
 144

145
 146 Bill Saffian, Senior Project Engineer for the NHDOT Bureau of Bridge Design introduced himself and
 147 Phil Kendall, Senior Project Engineer with Howard, Needles, Tammen and Bergenoﬀ (HNTB).
 148

149 Mr. Saffian: David Smith, HNTB Project Manager, is also with us tonight, and David Scott, NHDOT In-
 150 house Design Chief, is also on the project but not here tonight. The project is Manchester Hooksett
 151 #41475 and involves preservation work on five bridges, four on I-93 and one on Mammoth Road. Only
 152 one of these is in Hooksett. We want to hear about any concerns you have about the project such as
 153 schools, mutual aid, and special events. We comply with all State and Federal regulations regarding
 154 natural and cultural resources. What we are presenting is the preferred alternative.
 155

156 Mr. Kendall: I will go through the presentation quickly and answer any questions you have. Preservation
 157 is done to extend the life of a bridge, perhaps adding 20 years of life. We plan to complete this work in
 158 two phases, restoring I-93 over Wellington Road and the viaduct over Stevens Pond in one phase and
 159 restoring I-93 over Route 3, NH route 28A (Mammoth Road) over I-93, and I-93 over Stevens Pond in
 160 the second phase. Each bridge is done in two phases – the left and right sides. The work on the I-93

161 bridge over Route 3 for both phases will have two through lanes and a third for an on/off ramp. This will
162 be maintained throughout construction, which will take six to seven months. For the Mammoth Road
163 bridge over I-93, the second phase will be done differently. There will be only one lane, controlled with
164 temporary signals. There may be lines during morning and evening peaks. This bridge will take about
165 five months total. Phase two work on this bridge will not be done during the school year. The I-93
166 viaduct over Stevens Pond and the I-93 bridge over Wellington Road will be bundled. The Exit 8
167 southbound ramp will be closed. Traffic will be detoured to Exit 9S, which is five miles north and about
168 six minutes of travel time. This is a nine to ten-month project and will be done in two seasons. Local
169 drivers will no doubt find alternate routes. The fifth bridge, I-93 over Stevens Pond, will use Smart Work
170 Zone technology – advanced signing and message boards. The first phase of the five-bridge project will
171 be done in 2021 and the second in 2022. Overall, we will use phased construction for safety and to
172 minimize conflicts.

173

174 Chair Sullivan: What will be the order, north to south?

175

176 Mr. Saffian: That is up to the contractor.

177

178 Chair Sullivan: I suggest that you contact the Hooksett School superintendent regarding bus traffic
179 which might impact any parts of this project. Would you say this is similar to the Memorial Bridge work
180 done here about two years ago?

181

182 Mr. Saffian: It will probably be similar.

183

184 T. Tsantoulis: Thank you for your presentation. Is the scope of this project similar to the one on the
185 Merrimack River, Route 293, last summer?

186

187 Mr. Saffian: The traffic volume will not be as great for this project. Also, for that project, the Brown
188 Avenue exit was part of the bridge, which made it more complicated.

189

190 C. Karolian: Thank you for your explanation. Should there be traffic control devices on Hooksett Road
191 going south from Alice Avenue toward Manchester? That interchange during peak hours can be pretty
192 brutal with people coming off I-93N getting on Exit 9S and people who are on Hooksett Road going
193 west toward Manchester. There is continual crossing over where people are going south trying to get
194 on I-93S and people coming from the south are getting off at the cloverleaf to go in the same direction.
195 Where the two cloverleaves meet they are jockeying for position. People getting off I-93N at Exit 9S don't
196 yield to the traffic going toward Manchester. Should there be a Yield sign? If people are coming north to
197 Exit 9, because Exit 8 is closed, so they can head south, I foresee a problem at the Exit 9S
198 interchange. Do you have any suggestions? I see backups and accidents.

199

200 Mr. Kendall: We can look into it.

201

202 J. Levesque: Our last two experiences were fine. The locals learned what to do and handled it well.
203 This will work; it has to be done.

204

205 R. Duhaime: The toll booth pushes a lot of traffic onto our roads. Signage could help to slow traffic. I
206 have concerns about travel and holiday weekends. I think it might be better to do the Mammoth Road
207 bridge last, because otherwise people will think Exit 8 is still closed when it isn't.

208

209 C. Karolian: What is going to happen? Will you do traffic counts? SNHU has night classes and there is
210 a lot of traffic during peak hours.

211

212 Mr. Saffian: The locals will find a way.

TC MINUTES 12-11-19

213

214 R. Duhaime: There will have to be a staging area. I hope the NHDOT will be sensitive about the
215 location of the staging materials.

216

~~217~~

Mr. Saffian: It is not DOT policy to dictate to the contractor what is used for a staging area.

219

220 **CONSENT AGENDA**

221 **SNHU – CETA Engineering Building Site Bond Release**

222

223 Mr. Bruce Thomas, Town Engineer: I would like to request that this item be tabled.

224

225 *T. Tsantoulis motioned to table this item. R. Duhaime seconded the motion.*

226 *Voted unanimously in favor (6-0). C. Karolian and J. Durand were out of the meeting room at the*
227 *time of the vote.*

~~228~~

~~229~~

230 **Carriage Manor Site Bond and Landscape Bond Reduction**

231

232 *T. Tsantoulis motioned to approve the reduction of bonds for the Carriage Manor Project, with*
233 *the Site Plan bond with a value of \$163,798.80 reduced to \$22,006.00, and the Landscape bond*
234 *with a value of \$59,345.25 reduced to \$5,225.00. R. Duhaime seconded the motion.*

235

236 Mr. Thomas: I put a map in your packets on this item. I visited the site with the developer. Four
237 buildings remain to be built and there is just a bit of landscaping left to be done right in front of the
238 building. The paving has been done, with only the final overlay needed. Extra landscaping was been
239 done and it looks very good.

240

241 Chair Sullivan called for a vote on the motion to reduce the bonds for the Carriage Manor Project.

242

243 *Voted unanimously in favor (6-0). C. Karolian and J. Durand were out of the meeting room at the*
244 *time of the vote.*

245

246 **TOWN ADMINISTRATOR'S REPORT**

247

A. Garron: First, I want to report that Hooksett now has the capability to register boats.

248

249

A. Garron: We had active shooter training in this chamber on November 21st. Lieutenant Sargent and
250 Chief Bouchard made a great presentation and I want to thank them.

251

252

A. Garron: We have been in a court case with FairPoint (New England Telephone) regarding the
253 assessment of poles. This has been ongoing since 2011. The Superior Court found in favor of
254 FairPoint, and the decision is not likely to be overturned. I consulted with the Town Attorney, who has
255 updated the Board of Assessors. The settlement offer is a 10% abatement, for a total cost of \$301,000.
256 This amount is covered in the overlay account, and the Town Attorney has worked out the best way to
257 pay this. One half would be paid at yearend 2019 and the other half at the end of 2020, via tax credits
258 or payments.

259

260

T. Tsantoulis: They had more to lose and did a lot of research. The Board of Assessors made a
261 unanimous decision to settle and are confident it is the correct way to go.

262

263

A. Garron: Regarding well testing for uranium, you will recall that Mr. Kernen spoke to us about this.
264 They are testing 140 homes. In November they asked us for help getting letters out. Our Community
265 Development Department did that, with a result that more residents have asked for the testing. The

266 results for the first 40 homes will be in shortly. They want to come back for the January 8, 2020 Town
267 Council meeting, and they have suggested a workshop meeting in February when all data is in. They
268 have also offered to meet with the Councilors from these districts.

269
270 Mr. Garron: You will recall that the Merrimack Valley Trail Riders (MVTR) came to us for permission to
271 ride on Chester Turnpike as part of their annual ride to raise money for Cystic Fibrosis, which they have
272 done for 40 years. They will meet with the Conservation Commission in January and probably will be
273 back before us at our second January meeting.

274
275 Mr. Garron: The internal review of the 2.1-acre parcel which was BJ's and now is Amazon's should be
276 completed in January. This is to see if the town has a use for the land. At that point, a decision can be
277 made about whether or not to offer this parcel for sale.

278
279 Mr. Garron: The court has decided in favor of the town in Valentino case. She now has to decide
280 whether or not to appeal to the Supreme Court.

281
282 J. Levesque: What can be done about the signs springing up everywhere about cordwood for sale,
283 plowing and offers to buy houses? There is no provision for them in the ordinance.

284
285 A. Garron: I can talk with the Code Enforcement Officer to see what can be done.

286
287 A. Garron: I am looking for a decision from the Council about closing early, perhaps 2:00 pm, on
288 Christmas Eve.

289
290 C. Karolian: Why not just close at noon?

291
292 Chair Sullivan: The consensus of the Town Council is to close at noon.

293
294 T. Tsantoulis: Be sure to post this in advance so that people will know.

295
296 **PUBLIC INPUT**

297
298 David Ross, 56 Sherwood Drive: I am here to ask the Town Council to maybe take action against the
299 lawbreakers – I call them economic terrorists – who took over the bridge. The State charges for
300 unreasonable rescues and other things. There is no reason why the Town shouldn't bill the organization
301 which deliberately and premeditatedly orchestrated this event which caused firefighters to risk their
302 lives to get people off the bridge. A rescue boat was put in the water, and many State and local police
303 were on the scene. This was all because people want to get their way and get their message out in an
304 illegal fashion. The organization, 350 NH Action set this up, as well as perpetrators who broke the law
305 on their own. All of them should be liable financially for this action. They committed an act of terrorism.
306 They held up a coal train that supplies our electricity. They put themselves and our public officials in
307 danger. This shouldn't be overlooked. There seems to be a current trend in this country – it's okay to
308 break the law if you have a good cause. They should go to the State House and do it legally. What if a
309 house had been on fire or someone was dying and the Fire-Rescue Department couldn't come
310 because they were too busy on the bridge dealing with these idiots? It was unreasonable, childish and
311 criminal. I hope they prosecutors go after them for everything they can get them for. The Town should
312 send them bills.

313
314 A. Garron: A police officer did get hurt.

315
316 Chair Sullivan: We can ask the Town Administrator to address this at our next meeting or we can make
317 it an agenda item.

318
319 **OLD BUSINESS**

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

321

322 Chair Sullivan: Regarding the tentative Police Department union contract agreement, next we should
323 take up an additional warrant article offered through, but not recommended by, Finance.

324

325 **Chair Sullivan motioned shall the town, if warrant article #X is defeated, authorize the governing**
326 **body to call one special meeting, at its option, to address warrant article #X cost items only. A.**
327 **Walczyk seconded the motion.**

328

329 A. Garron: This was part of the process in two communities where I worked. This allows the Council
330 flexibility to negotiate again if the warrant article fails and try to find a packet which is amenable to the
331 voters at a special Town Meeting

332

333 **Roll Call Vote #5**

334

T. Tsantoulis Aye

335

C. Jones Aye

336

R. Duhaime Out of the meeting room at the time of the vote

337

A. Walczyk Aye

338

J. Levesque Aye

339

C. Karolian Out of the meeting room at the time of the vote

340

J. Durand Aye

341

A. Comai Not present

342

J. Sullivan Aye

343

Voted unanimously in favor (6-0).

344

345 Christine Soucie, Finance Director: The Budget Committee has been reviewing all of the individual
346 budgets and has trimmed the total to one percent (1%) over default, which is an increase of \$593,102
347 over the current year's budget. Wastewater, which did not present its budget before the Town Council,
348 proposed a budget of \$23 million. The Budget Committee made cuts in several lines totaling about
349 \$84,000, so the current request is \$22 million. Other cuts made by the Budget Committee include
350 \$2,000 from Legal and \$85,000 from the Fire Department, made up of \$49,000 from the rental of
351 private hydrants, \$20,000 from the Overtime line and \$10,000 from Vehicle Maintenance. DPW was cut
352 a total of \$1,000 from Administrative Overtime, Fuel and Meals. The Budget Committee, which will
353 meet two more times before their public hearing, cut its own budget by \$3,500 due to staff changes.
354 Community Development was cut one dollar.

355

356 C. Soucie: Last meeting the Council approved the Wastewater Asset Management warrant article and
357 requested some revisions and clarifications for the voter guide section. Tonight, you received the latest
358 revision. If you want to suggest further changes, please see the Town Administrator. Next is the
359 increase in salaries and benefits for non-union full-time and part-time Town personnel for FY 2020-21.
360 The Council can make that decision tonight or at your next meeting.

361

362 C. Karolian: Last year, the DPW Union employees received a 5% increase, the Police Union employees
363 received a range of 3.75% to 5.2%, and the Fire Union employees received a range of 2% to 2.5%.
364 That begs the question of why the non-union employees received only 2.25%.

365

366 A. Walczyk motioned to see if the town will vote to raise and appropriate the sum of \$106,068 for a
367 2.5% increase in salaries and benefits for non-union full-time and part-time Town personnel. J. Durand
368 seconded the motion.

369

370 **Roll Call Vote #6**

- 371 **J. Durand Aye**
- 372 **J. Levesque Aye**
- 373 **C. Karolian Aye**
- 374 **A. Comai Not present**
- 375 **C. Jones Aye**
- 376 **T. Tsantoulis Aye**
- 377 **A. Walczyk Aye**
- 378 **R. Duhaime Aye**
- 379 **J. Sullivan Aye**
- 380 **Voted unanimously in favor (8-0).**

381

NEW BUSINESS

Automobile Extrication Rescue Tool Replacement

384

385 **R. Duhaime motioned to approve the purchase of Auto Extrication Equipment from Fire Tech**
 386 **and Safety for \$36,536.00 for Fire-Rescue, using the Rescue Equipment Capital Reserve**
 387 **Account. J. Sullivan seconded the motion.**

388

389 Fire Chief Burkush: Two years ago, we established a capital reserve account for the replacement of
 390 rescue tools. The current balance in that account is \$71,383.39. Per our replacement plan, we want to
 391 replace our 1985 hydraulic cutter and spreader via a Mass/buy cooperative bid. This is a tool we use
 392 about 12 times per year. All 30 employees must train semi-annually with the tool. This tool is 35 years
 393 old and has been used a lot.

394

395 Assistant Fire Chief Colburn: The new cars are being constructed with race car-like roll cages and the
 396 older tools (more than ten years old) have a hard time getting through the seven levels of steel.
 397 Extrication time is longer; blades break. The automotive industry is about five years ahead of schedule;
 398 Subaru and Volvo are examples of the advances. Also, the auto extrication equipment industry is going
 399 from hydraulic to battery power. The equipment is heavier, but there is no motor to maintain and the
 400 user is not limited to 100 feet. We spent a whole day testing the new equipment offered by all
 401 manufacturers. We cut up eleven cars. We chose AMKUS based on that testing.

402

403 C. Karolian: There is roll cage tubing inside the vehicle? Is it round?

404

405 Assistant Chief Colburn: It protects the passenger compartment. It is not truly round but is similar to the
 406 race car construction.

407

408 C. Karolian: The roll cage shouldn't crumple, so you would be opening doors, not the cage.

409

410 Assistant Chief Colburn: If the cage is compromised, we can't open the doors. At that point, it is labor
 411 intensive to get people out.

412

413 C. Karolian: Between the pillars and the cage and the other materials, people are needing to be
 414 removed?

415

416 Assistant Chief Colburn: Extrication is often required when there is a side impact crash.

417

418 C. Karolian: What is the torque of the new units?

419

420 Assistant Chief Colburn: It varies depending on the unit. The NFPA has created standards for push, pull
 421 and cut. The edraulics have more strength than the hydraulic units. I could get the standards for you.

422

422 The old tools don't cut; the new ones do. The new units meet the new standards.

423

424 Chief Burkush: The standards were created only two years ago.

425

426 **C. Karolian motioned to table this item until the information on torque is provided. J. Durand**

427

428

429 Assistant Chief Colburn: Can I ask what difference this is going to make?

430

431 C. Karolian: No

432

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

434

435 **Voted a tie (4-4) and the motion failed.**

436

437 R. Duhaime: Are the chargers in your vehicles?

438

439 Assistant Chief Colburn: A 12-volt charger is wired to the truck.

440

441 R. Duhaime: Couldn't we retrofit our tools?

442

443 Assistant Chief Colburn: The battery industry has changed a lot. With the new engine we are getting,
444 there is no generator; it is all batteries. We hope for some cost savings from that.

445

446 J. Levesque: What is the voltage?

447

448 Assistant Chief Colburn: It is a 60-volt, 24-inch shear spreader.

449

450 J. Levesque: Will that sever an inch?

451

452 Assistant Chief Colburn: Yes, it will.

453

454 J. Levesque: Do you still use Sawzalls?

455

456 Assistant Chief Colburn: Yes, we do.

457

458 T. Tsantoulis: It is not our responsibility to evaluate and argue the merits of tools. It is our job to monitor
459 the use of taxpayer dollars. I get a lot of calls about the Fire Department's incessant requests for new
460 tools and equipment. I prefer hydraulic tools because they last longer.

461

462 Assistant Chief Colburn: That is why we had the demo day. These batteries will outlast the job and the
463 operator. Hydraulics operate in two stages; they slow down and then speed up. Edraulics operate at a
464 constant speed.

465

466 J. Levesque: Are the batteries compatible?

467

468 Assistant Chief Colburn: Yes, they are. We use Dewalt batteries. The Chief has looked up the torque of
469 the new devices. It is 31,940.

470

471 C. Karolian: What about the old models?

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Assistant Chief Colburn: We don't have that information.

C. Jones: I just looked it up. The hydraulic ones are 13,850, which is substantially less.

Chief Burkush: We talked a couple of years ago with former Town Administrator Dr. Shankle. He suggested having a warrant article to establish a capital reserve account for items such as this, and that is what we did.

Chair Sullivan called the question and asked for a roll call vote on the motion to approve the purchase of auto extrication equipment.

Roll Call Vote #7

- C. Jones** aye
 - C. Karolian** aye
 - J. Levesque** aye
 - R. Duhaime** aye
 - A. Walczyk** aye
 - J. Durand** aye
 - T. Tsantoulis** nay
 - A. Comai** absent
 - J. Sullivan** aye
- Voted in favor (7-1).**

Donati Field Concession Stand Pump Station (tabled at 11/20/19 Town Council Meeting)

Chair Sullivan motioned to remove this item from the table. R. Duhaime seconded the motion. Voted unanimously in favor.

R. Duhaime motioned to approve the construction of a new sewer pump station at the Concession Stand at Donati Park and to award the bid to S. Bussiere Excavation in the amount of \$26,000. A. Walczyk seconded the motion.

B. Thomas: At this site, the holding tank is leaking. This proposal is for a new septic tank with a pump going to an existing manhole. We received four bids. One was very high and the other three were close. We chose S. Bussiere, the lowest bidder.

T. Tsantoulis: Aren't there plans for new bathrooms there?

Earl Labonte, Public Works Director: There is work pending for new bathrooms there. In the past there was a plan for an addition to the Parks & Rec building – a garage and bathrooms. The cost was \$320,000, but only \$15,000 per year was being put into the capital reserve fund for this. HYAA has been using the concession stand, but they have never had a license. In order to get a license, they would have to prove that they have a working septic system. There is no leach field. The two bathrooms empty into this tank. This violates MS-4 requirements and the fine will be expensive if the leaking tank deposits waste into the nearby pond. We need to correct the sewage issue. We can make the bathrooms handicapped accessible. This would be maintained by Public Works, not the Sewer Department.

J. Durand: Isn't there another bathroom there?

523

E. Labonte: Yes, and that is tied into the sewer system in another part of the field. We are looking at making those bathrooms handicapped also, two bathrooms each with two stalls. That facility doesn't have a license either. It was Chief Bouchard, when she was the Acting Town Administrator, who told them they needed to be licensed.

528

529 C. Jones: Why is the Sewer Department not involved?

530

531 B. Thomas: They are familiar with this project, and they support it. The design is according to their regulations.

532

533

534

C. Karolian: Is the sewage from the bathrooms and/or the kitchen?

535

536

E. Labonte: It is both, and there is no design on file for the septic system.

537

538

539

C. Karolian: Has anyone explored having food trucks to eliminate the grease from the kitchen? Who gets the revenue from the sale of food?

540

541

542

E. Labonte: They did look into food trucks at one point, but the HYAA sells the food as a fund raiser. However, they need a license if they sell food at more than four events per year.

543

544

C. Karolian: So, the taxpayers are funding this project so HYAA can raise funds?

545

546

547

E. Labonte: That is part of it, but the sewage from the bathrooms still must be treated. The town is responsible or the building must be shut down completely.

548

549

B. Thomas: I want to point out that this is the smallest pump station possible.

550

551

Chair Sullivan: If there is no cooking, the system is still needed for the bathrooms.

552

553

C. Karolian: Where else would we have bathrooms?

554

555

C. Jones: What about all of the porta-potties there?

556

557

E. Labonte: There is only one porta-potty – a handicapped one.

558

559

Chair Sullivan: What about future growth?

560

561

562

A. Garron: This is a highly-used area and will be part of the CIP discussion. The whole area will be evaluated so a plan can be developed.

563

564

565

566

T. Tsantoulis: This is a stop-gap measure, not a long-term solution. We just approved \$36,000 for the Fire Department and they will probably be back soon for more. The \$26,000 to fix this problem is not a lot.

567

568

569

J. Durand: Is there is a plan for future development? Why shouldn't we put in a bigger, better pumping station? When are the bathrooms unlocked?

570

571 E. Labonte: There were flaws in that design, and it was not ADA compliant. The bathrooms are
572 unlocked from 7:00 am until 3:30 pm. We are trying to put two bathrooms, each with two stalls, in the
573 main service building, since they are already connected to sewer.

574
575 C. Karolian: It makes more sense to invest in the building which is connected to sewer.
576

577 E. Labonte: Yes, but that would cut out the HYAA activity.
578

579 C. Karolian: I am in total favor of HYAA. My kids went through there. They do a great job and it is a
580 great system. I want to do anything I can to promote them, but I also have a fiduciary responsibility to
581 the taxpayers. Some people may say \$26,000 isn't a lot of money, but whether it is \$100 or \$100,000, I
582 have to ask pertinent questions. Why was one bid so much higher?
583

584 B. Thomas: That happens a lot. It was a lump sum, and sometimes people just throw in a bid and hope
585 it is accepted.
586

587 C. Karolian: Has the low bidder done work for Hooksett before?
588

589 B. Thomas: I think he has. His father is a local developer. This is a simple project.
590

591 ***R. Duhaime called the question. A. Walczyk seconded the motion.***
592

593 Chair Sullivan called for a roll call vote on the motion to approve a new pump station at Donati Park
594 Concession Stand.
595

596 **Roll Call Vote #8**

597 ***J. Levesque Aye***

598 ***R. Duhaime Aye***

599 ***T. Tsantoulis Aye***

600 ***A. Walczyk Aye***

601 ***J. Durand Aye***

602 ***C. Jones Aye***

603 ***A. Comai Not present***

604 ***C. Karolian Aye***

605 ***J. Sullivan Aye***

606 ***Voted unanimously in favor (8-0).***
607

608 **Brookview Development Request for Street Approval and Release of Letter of Credit**
609

610 C. Karolian: Is the letter of credit a bond?
611

612 B. Thomas: Yes, it is
613

614 T. Tsantoulis: Are you okay with the turnaround?
615

616 **E. Labonte: Yes, we are. They cleared out the erosion and**
617

618 C. Karolian: Is this Phase I and II?
619 .

620 B. Thomas: Yes.

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C. Karolian: I hope you end up having enough people for trash collecting and plowing.

R. Duhaime motioned for the town to accept Brookview Drive from Londonderry Turnpike to a point approximately 5,000 feet from the Turnpike, Phase I and II, as a Town Road and release the letter of credit in the amount of \$396,410.00.00. J. Durand seconded the motion.

Roll Call Vote #9

- J. Durand Aye***
 - A Comai Not present***
 - C. Jones Aye***
 - R. Duhaime Aye***
 - C. Karolian Aye***
 - A. Walczyk Aye***
 - T. Tsantoulis Aye***
 - J. Levesque Aye***
 - J. Sullivan Aye***
- Voted unanimously in favor (8-0).***

R. Duhaime motioned to extend the meeting at 9:30 pm. A. Walczyk seconded the motion. Voted in favor (5-3).

APPROVAL OF MINUTES

Public: 11/20/2019
5,000
Non-Public: 11/20/2019

R. Duhaime motioned to table the Approval of Minutes. J. Levesque seconded the motion. Voted unanimously in favor (8-0).

SUB-COMMITTEE REPORTS

J. Levesque motioned to table the Sub-Committee Reports. R. Duhaime seconded the motion. Voted unanimously in favor (8-0).

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

Chair Sullivan motioned to enter non-public session at 9:35 pm in accordance with the provisions of RSA 91-A:3. II (a) (c) and (d) J. Levesque seconded the motion.

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

RSA 91-A:3, II (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include 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.

674 RSA 91-A:3, II (d) Consideration of the acquisition, sale or lease of real or personal property which, if
 675 discussed in public would likely benefit a party or parties whose interests are adverse to those of the
 676 general community.

677

678 **Roll Call Vote**

679 **J. Durand** Aye
 680 **A. Comai** Not present
 681 **C. Jones** Aye
 682 **R. Duhaime** Aye
 683 **C. Karolian** Stepped out of meeting room @ roll call to enter
 684 **A. Walczyk** Aye
 685 **T. Tsantoulis** Aye
 686 **J. Levesque** Aye
 687 **J. Sullivan** Aye
 688 **Voted unanimously in favor (7-0).**

689

690 **Chair Sullivan motioned to leave non-public session at 10:33 pm. A. Walczyk seconded the**
 691 **motion.**

692 **Voted unanimously in favor (8-0).**

693

694 **J. Levesque motioned to seal the minutes of the non-public session because it is determined**
 695 **that it would likely affect adversely the reputation of any person other than a member of this**
 696 **board or render a proposed action ineffective, R. Duhaime seconded the motion.**

697

698 **Roll Call Vote**

699 **C. Karolian** Stepped out of meeting room @ roll call to seal
 700 **T. Tsantoulis** Aye
 701 **J. Levesque** Aye
 702 **C. Jones** Aye
 703 **A. Comai** Not present
 704 **J. Durand** Aye
 705 **A. Walczyk** Aye
 706 **R. Duhaime** Aye
 707 **J. Sullivan** Aye
 708 **Voted unanimously in favor (7-0).**

709

710 **ADJOURNMENT**

711

712 **T. Tsantoulis motioned to adjourn at 10:34 pm. J. Levesque seconded the motion.**

713 **Voted unanimously in favor (8-0).**

714

715 **Respectfully submitted,**

716

717 *Kathleen Donnelly*

718 **Recording Clerk**

719 **Kathleen Donnelly**

720

721

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

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**Town of Hooksett
Town Council Emergency Meeting Minutes
Tuesday, December 17, 2019**

The Hooksett Town Council met on Tuesday, December 17, 2019 at 3:00pm for an Emergency Meeting in the Hooksett Municipal Building.

CALL TO ORDER

Chair Sullivan called the emergency meeting of December 17, 2019 to order at 3:10pm.

PROOF OF POSTING

Administrative Services Coordinator Donna Fitzpatrick provided proof of posting.

ROLL CALL #1 - ATTENDANCE

In Attendance: Councilor James Sullivan, Councilor James Levesque, Councilor Clifford Jones, Councilor Clark Karolian, Councilor Robert Duhaime (arrived at 3:14pm), Councilor Alex Walczyk, and Councilor Timothy Tsantoulis

Missing: Councilor John Durand and Councilor Avery Comai

PLEDGE OF ALLEGIANCE

Chair Sullivan called for the Pledge of Allegiance.

NEW BUSINESS

Consider vacancy for Representative to the New Hampshire General Court (District 24) – Hooksett, NH

Chair Sullivan: This emergency meeting was called due to the death of State Representative Richard Marple. We offer our condolences to the family and will offer a moment of silence at our official meeting in January. As a result of that, we were informed by the Town Clerk of some procedural items that are important for the Council to discuss. We are calling an emergency meeting as allowed in RSA 91-A: 2 as the Town Charter is silent on emergency meetings. “Except in an emergency, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places one of which may be the public body's Internet website... An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman, who shall post a notice of the time and place of such meeting as soon as practicable, and shall employ whatever further means are reasonably available to inform the public that a meeting is to be held..” The posting does reflect the emergency meeting and we have met the quorum. We were informed today of the passing of Mr.

40 Marple by the Town Clerk who provided information to me which I thought was important to the
41 Council to discuss as it gives the Council options.

42

43 Todd Rainier: I became aware of the passing of Representative Marple today. I started looking at
44 statutes and how the vacancy would be filled. I contacted Deputy Secretary of State David
45 Scanlon. We discussed the statutes that provide guidance on that. RSA 668:8 talks about the
46 vacancy and RSA 655:81 talks about the procedure for nominations and the timeline for a special
47 election. We traded a couple calls back and forth over the course of a few hours. Ultimately,
48 there is an opportunity for the Town Council to act, should they choose to. In the law, it states
49 may, not shall, so you may act to declare a vacancy and ask that the Governor and Executive
50 Council declare a date for a Special General Election. The reason for this happening in the short
51 timeline is the Governor and Executive Council meet tomorrow and we need to provide word to
52 the Secretary of State's office today so they can prepare documents to present to the Governor
53 and Executive Council tomorrow. There is a timeline for this declaration of special election; it is
54 80-180 days. We have our town election 83 days from Thursday. We have an opportunity,
55 should you choose to, to request the Governor and Executive Council declare that vacancy and
56 declare March 10th also be a special general election for this one seat along with the Town and
57 School Election. We have had special elections, we had one in 2017, RSA 661:8, Section V
58 states "No special election shall be held after March 15 of the second year of the biennium, as
59 determined by RSA 655:81, I." In other words, March 10 would be the last Tuesday before that
60 position would remain vacant until the November general election in 2020.

61

62 Chair Sullivan: If the Town Council decides not to seek a special general election, then the term
63 for this vacancy would not start until January 2021. Between now and then, there would only be
64 3 representatives under the general court.

65

66 Councilor Karolian: When is the next meeting with the Governor and Executive Council?

67

68 Todd Rainier: I do not know when the next meeting is; I think it is in January.

69

70 Councilor Karolian: They could address this in January?

71

72 Todd Rainier: They wouldn't be able to act upon it because the timeline per statute is 80-180
73 days. There are two different timelines. The standard statute states "The special election shall be
74 held on a Tuesday not less than 110 or more than 124 days following the date the Governor and
75 Council declare that there shall be a special election; provided, however, that if one or more
76 municipalities where a special election for state representative will be held have a regularly-
77 scheduled election occurring between 80 and 180 days following the day that the governor and
78 council declare that there shall be a special election, the governor and council shall set the date of

79 the election to coincide with the regularly-scheduled election.” They have to declare the date per
80 the timeline.

81

82 Councilor Karolian: If this didn’t go to them tomorrow, why can’t it go in January?

83

84 Todd Rainier: We would have fewer than the 80 days as the timeline is 80-180 days. There has
85 to be a primary which would be 49 days prior to the general election and prior to that there has to
86 be a filing period. All of these things have to occur before the general election. In the case of a
87 State Representative, there has to be a primary before the general election.

88

89 Councilor Walczyk: Thank you for putting this together. Do we have enough time to get the seat
90 properly vacant for an election in March?

91

92 Todd Rainier: March 15 is the hard deadline. March 15 is not a Tuesday, so the deadline has to
93 be March 10.

94

95 Councilor Walczyk: What do we need to do now? Does the Council need to make a motion?

96

97 Todd Rainier: As far as the law goes, you may choose to do that or choose to have more
98 discussion or choose to leave that vacant but you need to make that decision.

99

100 Councilor Walczyk: My condolences to the Marple family. If we have the opportunity to have a
101 representative, then we should do so.

102

103 Councilor Levesque: When would be the primary?

104

105 Todd Rainier: January 21st would be the primary

106

107 Councilor Levesque: This will be an added expense.

108

109 Todd Rainier: Yes, there would be an expense. Presumably, a special election for one seat, I
110 could not speculate as I don’t have a precedent for this for cost. The Supervisors of the Checklist,
111 Town Clerk and Councilors would have to be there. We could run it with minimal staff. The
112 purchase of the ballots would be a cost and it would depend on the number of candidates that
113 come forward. If we have 2 or 3 candidates, then we have a race. I can’t speculate. The cost of
114 the ballot and the additional coding on the memory cards for the Accuvotes. I presume it would
115 be minimal. There is an uncontested primary statute 655:82, “In the event no party has more than
116 one candidate file, and no non-party or other candidate files a declaration of intent, the primary
117 election shall not be conducted. In such case, the special election shall be held on the day
118 previously fixed as the day for the holding of the special primary election.”

119 Councilor Levesque: I feel we should have a chance to keep our representation up. It is an
120 unfortunate thing but I think we should do it.

121

122 Councilor Duhaime: With the unfortunate passing of Dick Marple, it is a chance to get some new
123 blood out there. I think we should do it.

124

125 Councilor Karolian: What is the alternative if we don't do this?

126

127 Todd Rainier: If you choose to take no action, that seat would remain vacant. The filing period
128 for the primary in September is June 3-June 20, 2020. The primary is September 8, 2020. The
129 general election is November 3, 2020. The term would commence January 6, 2021.

130

131 Councilor Karolian: I am going on the record objecting to 91-A: 2 in regards to being an
132 emergency. I don't think this constitutes an emergency per say. There are other avenues to be
133 taken. I need to go on the record pursuant to that. Under 91-A: 2, II-a, "If a member of the public
134 body believes that any discussion in a meeting of a body, including in a non-public session,
135 violates this chapter, the member may object to the discussion. If the public body continues the
136 discussion despite the objections, the objecting member may request that his or her objection be
137 recorded in the minutes and may then continue to participate in the discussion without being
138 subject to the penalties of RSA 91-A: 8, IV or V."

139

140 Chair Sullivan: So noted. Special meetings and emergency meetings can be called by the
141 Chairman or at the request of 6 Councilors. My decision alone could have impacted something
142 the Town could be interested in and I would be negligent in my duties not to give the Council the
143 opportunity to hear the facts and make a decision.

144

145 Councilor Walczyk: When would the term expire?

146

147 Todd Rainier: That is a good question that I didn't research. I presume it would expire between
148 when they get an oath and when the next election is.

149

150 Councilor Tsantoulis: Because of the short notice, there was no opportunity to prepare ourselves
151 and research the attendance of Mr. Marple. That would be important. I know he was elderly and I
152 don't know his attendance record. If it's not necessary to do it now, we lose this seat that may
153 not have been filled anyways. How important is all this to be dealt with today as opposed to the
154 next meeting of the Governor and Council. I am not convinced this needs to be acted on today.

155

156 Councilor Karolian: The hard time I have with it is we don't know if we go through with this,
157 how long it is for. We don't know when this term expires. I would think it is fairly important to
158 know when Marple's term was to expire. If we are going to have a special election or general

159 election and the position will only last a few months, I think that would be a disservice to the tax
 160 payers.

161

162 Chair Sullivan: State Representatives are elected for two year terms. They would be up for
 163 reelection with the normal primary and the November election every two years. This term,
 164 regardless of the individual who wins or lose, they would not be a State Representative of the
 165 General Court as of January 6, 2021. Terms of delegation would end January 6th, 2021 unless
 166 they seek and win election.

167

168 Councilor Karolian: Am I to understand that this election, if there is a special election to fill this
 169 seat, that seat would expire January 2021.

170

171 Councilor Sullivan: That would be my assertion. As a result, people would be applying in the
 172 filing period June 3-June 20, 2020. He would have been elected in 2018, the serving term is
 173 January 6, 2019-2021. The election of State Reps would have taken place November 6, 2018.

174

175 Councilor Karolian: He would have been seated in January 2019?

176

177 Todd Rainier: The oath would have been early January 2019. Representative Tom Walsh is here
 178 and may be able to answer some questions as his term is similar.

179

180 André Garron: I googled the term of State Representatives Marple. He was elected November 6,
 181 2018, and seated in 2019. His term ends December 4, 2020.

182

183 Chair Sullivan: Does the Council consent to have Public Input?

184

185 *No Councilors objected to opening the meeting to Public Input.*

186

187 Councilor Walczyk: In light of Councilor Tsantoulis' question regarding Mr. Marple's
 188 attendance record, Mr. Marple attended 21 meetings to date. The most recent one was on
 189 September 25. It goes back to January 2. Every month except July and August and there were
 190 multiple meetings per month.

191

192 State Representative Thomas Walsh, 15 Berry Hill Road: Thank you Chair and Council. I serve
 193 on the Planning Board and am also a State Rep for the Town of Hooksett and currently serving
 194 my fourth term. It was terrible news to lose Representative Marple, his attendance was good to
 195 say the least. Our election is in November, we are sworn in at the beginning of December, and
 196 then our first day is the first Wednesday following the first Tuesday in January which is
 197 organization day which is why you see a difference in some of the dates. The end of his term
 198 would be December 2020.

199 Councilor Sullivan: Mr. Rainier indicated the calendar in which the Council has the authority to
200 request the Executive Council to declare a vacancy. He indicated that in order for that to happen,
201 there is a restriction of holding a special meeting after March 15, 2020. We couldn't request the
202 Governor and Council to hold a special election after March 15. We have to stay in the 80-180
203 day range.

204

205 State Representative Walsh: There is a deadline but I came here to express my opinion even
206 though I think representation is the most important thing in our form of government, it probably
207 is too late to bother with it now. Even though the term ends in December, our official duties,
208 especially in the second year of the biennium, end much sooner. Realistically, by the time this all
209 gets done, even if you decide to go with tomorrow's deadline with the Executive Council, you
210 are looking at not getting sworn in by the end of March. Even if the election is on March 10, I
211 can't tell you when the next session is. It is the call of the chair. If the calendar is moving in such
212 a way that we don't need a session, he would have to make a special arrangement with the
213 Secretary of State, etc. We are still looking at the end of March no matter what. Second year of
214 the biennium, we have no budget issues. The first year we go into June. Without the budget
215 issues in the second half, we start winding down in April. By the time you get done with the
216 expense to the Town, the victor will only be there for a couple months. I don't know if it is worth
217 it. It is over by May and we go into filing period in June. The cycle starts over. The only
218 exception to that are vetoes in September. Just to give you another example, there are a couple
219 other towns that are in a similar situation and have voted to not spend the money because of the
220 limited effectiveness; those towns are Bedford and Hollis. That is my recommendation. I believe
221 in representation but I am explaining the reality of how it works. Not only that but it is going to
222 be an awfully complicated election between the filing period being around Christmas, the
223 primary being the day after Martin Luther King day, if there is one. Then we have the first in the
224 nation primary then a town and school election and then throw this in the middle of it. I don't
225 know if it makes sense. It would be my advice to not do this.

226

227 Councilor Sullivan: Any process questions?

228

229 André Garron: If we were to have a special election and the person was nominated, is it your
230 understanding that they would serve until December 4, 2020?

231

232 State Representative Walsh: Correct. It would be the balance of 2020. From the election on
233 March 10 to whatever date it is in December.

234

235 Councilor Sullivan: My point of view is that it was important to call the meeting, so we are
236 aware of the possibilities within our authority. To me it comes down to if this council wants to
237 request a special election or leave that position vacant? Are we willing to remain with 3 State
238 Representatives? I didn't think it was my authority to say let's not have an emergency meeting.

239 ***Councilor Tsantoulis made a motion to leave the recently vacated seat of State Representative***
 240 ***Marple vacant until the next regularly scheduled election, seconded by Councilor Karolian.***
 241

242 Councilor Karolian: That was enlightening from State Representative Walsh about the actual
 243 working time of a State Representative. It is a couple months at the expense of the local tax
 244 payers. That was interesting information.
 245

246 Councilor Duhaime: It is an interesting point of view from Mr. Walsh. Again, it is getting people
 247 involved. We have a hard time getting volunteers and sometime Council members. I don't know
 248 if this election would generate getting more people involved. I don't know if this is a missed
 249 opportunity. I always brag to people that New Hampshire is the easiest State to get elected. To
 250 leave that seat empty is a shame. I know there is a little cost to it but we are about democracy and
 251 having that chance.
 252

253 Councilor Tsantoulis: I want to mention that I wasn't suggesting at all not having an election. I
 254 just think we should have an election when it is scheduled. There will be an opportunity to fill
 255 that vacancy at the proper time and we still have representation as needed.
 256

257 Councilor Karolian: I am not questioning the Chair's request for calling the Emergency meeting.
 258 That is your call. I want it on the record pursuant to the RSA that I don't feel that this was an
 259 emergency and did not want to be held accountable for a meeting may not follow the RSA.
 260 Having said that, I would like to call the question.
 261

262 **Roll Call #2**

263 **R. Duhaime- No**

264 **J. Durand- Absent**

265 **C. Jones- No**

266 **J. Levesque- No**

267 **A. Walczyk- No**

268 **A. Comai- Absent**

269 **C. Karolian- Yes**

270 **T. Tsantoulis- Yes**

271 **J. Sullivan- No**

272 **Motion fails (2-5).**

273

274 Chair Sullivan: Does that give an indication that we will ask our Town Clerk to seek a special
 275 meeting? Is that sufficient to meet that requirement?
 276

277 Todd Rainier: I would presume that we would need a positive motion; I have prepared a
 278 document for signatures.

279 *Councilor Levesque made a motion to declare a vacancy in the Office of the Representatives to*
 280 *the New Hampshire General Court- District #24, we respectfully request Governor and*
 281 *Executive Council declare a special election be held concurrent with the Hooksett town*
 282 *election March 10, 2020, to fill the vacancy, per RSA 655:81, seconded by Councilor*
 283 *Duhaime.*

284
 285 Councilor Levesque: I think this is the correct move.

286
 287 Councilor Duhaime: If Dick Marple was here he would raise his voice, tell us what we are doing
 288 wrong. The Constitution states we have rights and he would say we need to have this election as
 289 we need representation.

290
 291 **Roll Call #3**

- 292 **A. Comai- Absent**
- 293 **C. Jones- Yes**
- 294 **A. Walczyk- Yes**
- 295 **J. Durand- Absent**
- 296 **R. Duhaime- Yes**
- 297 **T. Tsantoulis- No**
- 298 **J. Levesque- Yes**
- 299 **C. Karolian- No**
- 300 **J. Sullivan- Yes**
- 301 **Motion carries (5-2).**

302
 303 Chair Sullivan: Again, we send our condolences to State Representative Marple’s family.

304
 305 *Chair Sullivan made a motion to adjourn at 3:54pm, seconded by T. Tsantoulis. Motion*
 306 *carries.*

307
 308 ***Respectfully submitted,***

309
 310 ***Recording Clerk***
 311 ***Leann Fuller***

312
 313
 314 **Please see subsequent meeting minutes for any amendments to these minutes.**

315

316